

# **HOUSE . . . . . No. 4939**

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, July 30, 2024.

The committee on Ways and Means, to whom was referred the Bill authorizing the Massachusetts Department of Transportation to convey a certain parcel of land in the city of Pittsfield (House, No. 4174), reports recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 4939).

For the committee,

AARON MICHLEWITZ.

**HOUSE . . . . . No. 4939**

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**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Third General Court  
(2023-2024)**

An Act authorizing the Massachusetts Department of Transportation to convey a certain parcel of land in the city of Pittsfield.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith a conveyance of land in the city of Pittsfield, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Notwithstanding section 20 of chapter 6C and section 7E of chapter 81 of  
2 the General Laws, or any other general or special law to the contrary, the secretary of the  
3 Massachusetts Department of Transportation, or their designee, may convey through a release  
4 deed a certain parcel of land in the city of Pittsfield, owned by the Massachusetts Department of  
5 Transportation and taken for highway purposes, to the Roman Catholic Bishop of Springfield, a  
6 corporation sole, established pursuant to chapter 368 of the acts of 1898 for the purposes of a  
7 cemetery.

8           SECTION 2. The parcel of land to be conveyed pursuant to section 1, contains 28 acres,  
9 more or less, and is described as “Parcel B” in an order of taking dated June 16, 1971 that is  
10 recorded in the Berkshire middle registry of deeds in book 908, page 87.

11           SECTION 3. The consideration for the conveyance authorized in this act shall be the full  
12 and fair market value of the parcel as determined by the Massachusetts Department of  
13 Transportation's office of real estate and economic development and as agreed to by the Roman  
14 Catholic Bishop of Springfield. Said parcel shall be conveyed in its present condition, including  
15 as is, where is and with all faults, through the Massachusetts Department of Transportation's  
16 standard form release deed.

17           SECTION 4. Notwithstanding any general or special law to the contrary, the Roman  
18 Catholic Bishop of Springfield shall be responsible for all costs and expenses associated with the  
19 conveyance authorized by section 1, including, but not limited to, costs associated with any  
20 engineering, surveys, appraisals and deed preparation as such costs may be determined by the  
21 secretary of the Massachusetts Department of Transportation.