

SENATE No. 2393

The Commonwealth of Massachusetts

PRESENTED BY:

John C. Velis

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act authorizing the commissioner of capital asset management and maintenance to convey certain parcels of land to the city of Westfield.

PETITION OF:

NAME:

John C. Velis

DISTRICT/ADDRESS:

Hampden and Hampshire

SENATE No. 2393

By Mr. Velis, a petition (accompanied by bill) (subject to Joint Rule 12) of John C. Velis for legislation to authorize the commissioner of capital asset management and maintenance to convey certain parcels of land to the city of Westfield. State Administration and Regulatory Oversight. [Local approval received]

The Commonwealth of Massachusetts

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

An Act authorizing the commissioner of capital asset management and maintenance to convey certain parcels of land to the city of Westfield.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the conveyance of certain property to the city of Westfield, 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 sections 34 to 37 of chapter 7C of the General Laws or any
2 general or special law to the contrary, the commissioner of capital asset management and
3 maintenance, in consultation with the commissioner of conservation and recreation, may convey
4 to the city of Westfield, for no monetary consideration, the parcels of land described in section 2,
5 currently under the care and control of the department of conservation and recreation, taken for
6 dike construction on the Westfield river and held for conservation and recreation
7 purposes, subject to the requirements of section 3 and 4, and to such additional terms and
8 conditions consistent with this act as the commissioner of capital asset management and
9 maintenance may prescribe in consultation with the commissioner of conservation and

10 recreation. Prior to finalizing the transaction or making the conveyance by this section, the
11 division of capital asset management and maintenance may complete a survey of the parcels.

12 SECTION 2. The parcels of land authorized to be conveyed pursuant to section 1 contain
13 approximately 13.23 acres and consist of: (a) parcels 1 to 28, inclusive, as shown on a plan
14 entitled, “Plan of Land in the City of Westfield, Taken in Behalf of the Commonwealth of
15 Massachusetts, Acting by the Department of Public Works, Under Chapter 790 of the Acts of
16 1949 and Chapter 513 of the Acts of 1939”, Approved May 25, 1950, and recorded in the
17 Hampden district registry of deeds in plan book 31, page 27 and 28, being the land taken
18 pursuant to an order of taking recorded in the Hampden district registry of deeds in book 2050,
19 page 575, and (b) lots 17 and 25 shown on a plan entitled, “Subdivision of Lots A&B shown on a
20 plan filed with Cert. of Title No. 500 Registry District of Hampden County, Land in Westfield”,
21 dated September 1916, known as plan 5888-A filed with certificate of title number 500 in the
22 Hampden registry district of the land court, being the land taken pursuant to an order of taking
23 recorded in the Hampden district registry of the land court as document number 13615.

24 SECTION 3. The parcels conveyed to the city of Westfield pursuant to section 1 shall be
25 under the care and control of the division of parks and recreation of the department of public
26 works of the city of Westfield. The parcels shall be held for conservation and recreation purposes
27 and flood protection purposes, including, but not limited to, the construction and maintenance of
28 a flood control levee and a recreational trail open to the general public, subject to the reasonable
29 rules and regulations of the city, pursuant to article XCVII of the Amendments to the
30 Constitution of the commonwealth.

31 SECTION 4. The city of Westfield shall be responsible for all costs associated with the
32 conveyances and releases authorized by this act including, but not limited to, any survey,
33 recording or legal costs and any other expenses incurred by the commonwealth in connection
34 with the conveyance and for all costs, liabilities and expenses of any nature and kind for its
35 ownership, use, operation and maintenance, including, but not limited to, the associated flood
36 control works under item 7822-01 of section 2 of chapter 790 of the acts of 1949, chapter 513 of
37 the acts of 1939 and chapter 91 of the General Laws.