

HOUSE No. 3402

The Commonwealth of Massachusetts

PRESENTED BY:

Alice Hanlon Peisch

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 a certain parcel of land in the town of Wellesley.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Alice Hanlon Peisch</i>	<i>14th Norfolk</i>	<i>1/17/2025</i>

HOUSE No. 3402

By Representative Peisch of Wellesley, a petition (accompanied by bill, House, No. 3402) of Alice Hanlon Peisch that the commissioner of Capital Asset Management and Maintenance be authorized to convey a certain parcel of land in the town of Wellesley to Kimberlee A. Dow. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act authorizing the commissioner of capital asset management and maintenance to convey a certain parcel of land in the town of Wellesley.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith transfer a certain parcel of land in the town of Wellesley, 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. (a) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the
2 General Laws or any other general or special law to the contrary, the commissioner of capital
3 asset management and maintenance, in consultation with Massachusetts Bay Community
4 College, may convey to Kimberlee A. Dow, or her successors or assigns, of 23 Oakland circle in
5 the town of Wellesley a certain parcel of land, which is a portion of the land described in a deed
6 recorded with the Norfolk registry of deeds in book 4990, page 254, located in the town of
7 Wellesley which is currently under the care and control of Massachusetts Bay Community
8 College, and is currently used for community college purposes. The parcel contains 3,500 square
9 feet more or less and is identified more or less as “Gravel Driveway” on a draft plan on file with

10 the division of capital asset management and maintenance entitled, “Plan of Land 23 Oakland
11 Circle Wellesley, Norfolk County, Massachusetts”, dated May 7, 2024, prepared by Anderson
12 Surveys, Inc.; provided, however, that the boundaries of the parcel shall be determined by the
13 commissioner of capital asset management and maintenance. The conveyance shall be without
14 representations or warranties and shall be subject to any additional terms and conditions as the
15 commissioner of capital asset management and maintenance may deem necessary.

16 SECTION 2. An independent appraisal of the fair market value and value in use of the
17 parcel described in section 1 shall be prepared in accordance with the usual and customary
18 professional appraisal practices by a qualified appraiser commissioned by the commissioner of
19 capital asset management and maintenance. The commissioner of capital asset management and
20 maintenance shall submit the appraisal or appraisals to the inspector general for their review and
21 comment. The inspector general shall review and approve the appraisal, and the review shall
22 include an examination of the methodology utilized for the appraisal. The inspector general shall
23 prepare a report of their review and file the report with the commissioner of capital asset
24 management and maintenance for submission by said commissioner to the house and senate
25 committees on ways and means and the joint committee on state administration and regulatory
26 oversight. Said commissioner shall submit copies of the appraisals, and the inspector general’s
27 review and approval and comments, if any, to the house and senate committees on ways and
28 means and the joint committee on state administration and regulatory oversight at least 15 days
29 prior to the execution of documents effecting the transfers described in section 1.

30 SECTION 3. Consideration for the conveyance shall be the full and fair market value or
31 the value in proposed use, whichever is greater, of the parcel as determined by the commissioner
32 of capital asset management and maintenance pursuant to 1 or more independent professional

appraisals. The proceeds realized from the disposition authorized in section 1 shall be deposited in the Massachusetts Bay Community College Oakland Circle Scholarship trust.

SECTION 4. Notwithstanding any general or special law to the contrary, Kimberlee A. Dow or her successors or assigns shall be responsible for all costs and expenses of any transaction authorized by this act as determined by the commissioner of capital asset management and maintenance, including, but not limited to, the costs of any engineering, surveys, appraisals, title examinations, recording fees and deed preparation.

SECTION 5. There shall be established and set up on the books of the commonwealth an expendable trust account known as Massachusetts Bay Community College Oakland Circle Scholarship trust which shall be administered by the president of Massachusetts Bay Community College. The trust shall be credited with: (i) the proceeds realized from the disposition authorized in section 1; (ii) any appropriation, grant, gift or other contribution made to the fund; and (iii) any interest earned on money in the fund.

Amounts credited to the trust shall be expended, without further appropriation, for student scholarships. The unexpended balance in the trust at the end of a fiscal year shall remain available for expenditure in subsequent fiscal years. No expenditure made from the trust shall cause the fund to be in deficit at any point.