

HOUSE No. 4363

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, July 29, 2025.

The committee on Ways and Means, to whom was referred the Bill authorizing the commissioner of capital asset management and maintenance to convey a certain parcel of land in the town of Wellesley (House, No. 3402), reports recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 4363).

For the committee,

AARON MICHLEWITZ.

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**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. Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General
2 Laws or any other general or special law to the contrary, the commissioner of capital asset
3 management and maintenance, in consultation with Massachusetts Bay Community College,
4 may convey to Kimberlee A. Dow, or her successors or assigns, of 23 Oakland circle in the town
5 of Wellesley, a certain parcel of land, which is a portion of the land described in a deed recorded
6 with the Norfolk registry of deeds in book 4990, page 254, located in the town of Wellesley,
7 which is currently used for community college purposes under the care and control of
8 Massachusetts Bay Community College. The parcel contains 3,500 square feet more or less and
9 is identified as “Gravel Driveway” on a draft plan on file with the division of capital asset
10 management and maintenance entitled, “Plan of Land 23 Oakland Circle Wellesley, Norfolk
11 County, Massachusetts”, dated May 7, 2024, prepared by Anderson Surveys, Inc.; provided,

12 however, that the boundaries of the parcel shall be determined by the commissioner of capital
13 asset management and maintenance. The conveyance shall be without representations or
14 warranties and shall be subject to any additional terms and conditions as the commissioner of
15 capital asset management and maintenance may deem necessary.

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

33 SECTION 3. The proceeds realized from the conveyance authorized in section 1 shall be
34 deposited in the Massachusetts Bay Community College Oakland Circle Scholarship trust
35 established in section 5.

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

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

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