HOUSE DOCKET, NO. 4523 FILED ON: 3/20/2025

HOUSE . . . . . No. 4368

The Commonwealth of Massachusetts

PRESENTED BY:

William F. MacGregor

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 division of capital asset management and maintenance to release a certain sewer line easement in the West Roxbury section of the city of Boston.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
William F. MacGregor	*10th Suffolk*	*3/20/2025*

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HOUSE . . . . . No. 4368

By Representative MacGregor of Boston, a petition (subject to Joint Rule 12) of William F. MacGregor that the commissioner of Capital Asset Management and Maintenance be authorized to release a certain sewer line easement in the West Roxbury section of the city of Boston. State Administration and Regulatory Oversight.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *4892* OF 2023-2024.]

The Commonwealth of Massachusetts

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

An Act authorizing the division of capital asset management and maintenance to release a certain sewer line easement in the West Roxbury section of the city of Boston.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to allow for the division of capital asset management and maintenance to release a certain easement in the West Roxbury section of the city of Boston, 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:

SECTION 1. Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or any other general or special law to the contrary, the commissioner of capital asset management and maintenance, in consultation with the executive director of the Massachusetts Water Resources Authority, may release by deed or other instrument for the benefit of Nora LLC, owner of the premises located at 49 Charles Park road in the West Roxbury section of the city of Boston, its successors or assigns, a portion of a sewer easement located on said real

property. The easement was taken by the office of metropolitan sewage commissioners for the purpose of constructing, operating, maintaining, repairing and renewing sewers, drains, manholes and underground appurtenances, dated June 5, 1897 and recorded with the Suffolk county registry of deeds in book 2448, page 6. The portion of the easement to be released is shown on a sketch entitled, “Proposed Surplus Sewer Easement 49 Charles Park Road, Boston” dated August 24, 2019, which is on file with the Massachusetts Water Resources Authority and the division of capital asset management and maintenance. The exact boundaries of the portion of the easement to be released shall be determined by the commissioner of capital asset management and maintenance, in consultation with the Massachusetts Water Resources Authority, based upon a survey.

SECTION 2. The release authorized in section 1 shall be in accordance with such terms and conditions as the commissioner of capital asset management and maintenance, in consultation with the executive director of the Massachusetts Water Resources Authority, shall prescribe.

SECTION 3. The consideration for the release authorized in section 1 shall be the full and fair market value as determined by the commissioner of capital asset management and maintenance based on an independent professional appraisal. The commissioner shall submit the appraisal to the inspector general for review and comment. The inspector general shall review such appraisal, including, but not limited to, an examination of the methodology utilized for the appraisal. The inspector general shall prepare a report of such review and file the report with the commissioner. The commissioner shall submit copies of the appraisal and the inspector general's report and approval and comments, if any, to the house and senate committees on ways and

means and the joint committee on state administration and regulatory oversight prior to the execution of documents affecting the release authorized by this act.

SECTION 4. Nora LLC, its successors or assigns shall be responsible for any costs for surveys, appraisals, recording fees and other expenses relating to the release authorized in section 1, as determined by the commissioner of capital asset management and maintenance.