

# HOUSE . . . . . No. 4823

---

## The Commonwealth of Massachusetts

---

HOUSE OF REPRESENTATIVES, December 11, 2025.

The committee on State Administration and Regulatory Oversight, to whom was referred the petition (accompanied by bill, House, No. 3408) of David Allen Robertson relative to authorizing the commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land in the town of Tewksbury, reports recommending that the accompanying bill (House, No. 4823) ought to pass.

For the committee,

ANTONIO F. D. CABRAL.

# HOUSE . . . . . No. 4823

---

## 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 Tewksbury.

*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 general or special law to the contrary, the commissioner of capital asset  
3   management and maintenance may convey to the town of Tewksbury, for use as a cemetery, a  
4   certain parcel of land being approximately 11.019 acres previously conveyed to the department  
5   of public health by deed recorded November 23, 1979 at the Middlesex north registry of deeds in  
6   book 2396, page 686 and shown as “parcel 62-19-3” on a plan of land on file with the division of  
7   capital asset management and maintenance entitled “Approval not Required Plan in the Town of  
8   Tewksbury, Massachusetts Middlesex County Owned by Commonwealth of Massachusetts  
9   Prepared for the Division of Capital Asset Management on Behalf of the Department of  
10   Conservation and Recreation”, dated September 12, 2012 and prepared by Nitsch Engineering,  
11   Inc.

12           (b) Prior to finalizing the transaction or making the conveyance authorized in subsection  
13   (a), the division of capital asset management and maintenance may make minor modifications to

the area and plan in order to carry out the purposes of this section. The commissioner of capital asset management and maintenance shall establish the fair market value of the property for both the highest and best use of the property as currently encumbered and for the purposes described in subsection (a).

(c) Consideration for the parcel described in subsection (a) shall be fair market value of the parcel or the fair market value for the restricted use. If the consideration for the parcel conveyed in subsection (a) is less than fair market value, the commissioner shall place notice in the central register of the conveyance identifying the amount of the transaction and the difference between the calculated value and the price received.

SECTION 2. (a) Notwithstanding any general or special law to the contrary, the commissioner of capital asset management and maintenance, may convey to the town of Tewksbury, for recreational use, a certain parcel of land 0.517 acres and previously conveyed to the department of public health by deed recorded November 23, 1979 at the Middlesex north registry of deeds at book 2396, page 686 and shown as parcel "62-19-2" on a plan of land on file with the division of capital asset management and maintenance entitled "Approval not Required Plan in the Town of Tewksbury, Massachusetts Middlesex County Owned by Commonwealth of Massachusetts Prepared for the Division of Capital Asset Management on Behalf of the Department of Conservation and Recreation", dated September 12, 2012 and prepared by Nitsch Engineering, Inc.

(b) Prior to finalizing the transaction or making the conveyance authorized in, the division of capital asset management and maintenance may make minor modifications to the area and plan in order to carry out the purposes of this section. The commissioner of capital asset

management and maintenance shall establish the value of the property for both the highest and best use of the property as currently encumbered and for the purposes described in subsection (a).

(c) Consideration for the parcel described in subsection (a) shall be the fair market value of the parcel or the fair market value for the restricted use. If the consideration for the parcel conveyed in subsection (a) is less than fair market value, the commissioner shall place notice in the central register of the conveyance identifying the amount of the transaction and the difference between the calculated value and price received.

SECTION 3. The town of Tewksbury shall assume all reasonable costs associated with engineering, surveys, appraisals, deed preparation and other expenses deemed necessary by the commissioner of capital asset management and maintenance for the conveyances authorized in sections 1 and 2.