

HOUSE No. 4992

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, January 27, 2026.

The committee on Ways and Means to whom was referred the Bill authorizing the Barnstable County and the town of Bourne to convey land and certain interests in land in the town of Bourne (House, No. 2351), reports recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 4992) [Local Approval Received].

For the committee,

AARON MICHLEWITZ.

HOUSE No. 4992

The Commonwealth of Massachusetts

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

An Act authorizing the Barnstable county and the town of Bourne to convey certain parcels of land and certain interests in land in the town of Bourne.

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 any general or special law to the contrary, Barnstable
2 county may convey to the town of Bourne 2 parcels of property currently used for the purposes
3 of an assisted living senior residence subject to: (i) the conservation restriction encumbering a
4 portion of said property, which restriction is registered with the Barnstable land court registry
5 district as document #978,790, as amended; (ii) a February 20, 2003 approval decision of the
6 Cape Cod Commission, Project TR # 02051; (iii) a ground lease executed by Barnstable county
7 for the operation of the senior living center; and (iv) any other restrictions as recorded in the
8 Barnstable land court registry district, all of which shall be filed with the clerk of the town of
9 Barnstable. The land to be conveyed is located at 0 County road and 100 Dr. Julius Kelley lane
10 in the town of Bourne and shown as lot 7 on land court plan number 24204C, including the
11 parcel of land shown as lot 8 on land court plan number 24204D, both of which are filed with
12 certificate of title number 18176 in the Barnstable county registry district of the land court.

(b) The town of Bourne, being the holder of the foregoing conservation restriction, may assign or transfer said restriction to a Barnstable county for the purpose of the town of Bourne's acquisition of the 2 parcels of land described in subsection (a) from Barnstable county.

(c) The conveyances described in subsections (a) and (b) shall occur concurrently.

(d) The conveyances, assignations or transfers described in subsections (a) and (b) shall not result in the merger of the conservation restriction described in this act.

SECTION 2. This act shall take effect upon its passage.