

HOUSE No. 5304

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, March 24, 2026.

The committee on Ways and Means, to whom was referred the Bill 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 (House, No. 4368), reports recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 5304).

For the committee,

AARON MICHLEWITZ.

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**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 portion of 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:

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 the executive director of the
4 Massachusetts Water Resources Authority, may release by deed or other instrument for the
5 benefit of Nora, LLC, owner of the premises located at 49 Charles Park road in the West
6 Roxbury section of the city of Boston, its successors or assigns, a portion of a sewer easement
7 located on said real property. The easement was taken by the office of metropolitan sewage
8 commissioners for the purpose of constructing, operating, maintaining, repairing and renewing
9 sewers, drains, manholes and underground appurtenances, recorded with the Suffolk county
10 registry of deeds in book 2448, page 006 and dated June 5, 1897. The portion of the easement to

11 be released is shown on a sketch entitled, "Attachment A Proposed Surplus Sewer Easement 49
12 Charles Park Road, Boston" dated August 24, 2023, which is on file with the Massachusetts
13 Water Resources Authority and the division of capital asset management and maintenance. The
14 exact boundaries of the portion of the easement to be released shall be determined by the
15 commissioner of capital asset management and maintenance, in consultation with the
16 Massachusetts Water Resources Authority, based upon a survey.

17 (b) The release of the portion of the easement authorized in subsection (a) shall be in
18 accordance with such terms and conditions as the commissioner of capital asset management and
19 maintenance, in consultation with the executive director of the Massachusetts Water Resources
20 Authority, shall prescribe.

21 SECTION 2. (a) The consideration for the release of the portion of the easement
22 authorized in section 1 shall be the full and fair market value of the portion of the easement as
23 determined by the commissioner of capital asset management and maintenance based on an
24 independent professional appraisal. The commissioner shall submit the appraisal to the inspector
25 general for review and comment. The inspector general shall review such appraisal including,
26 but not limited to, an examination of the methodology utilized for the appraisal. The inspector
27 general shall prepare a report of such review and file the report with the commissioner. The
28 commissioner shall submit copies of the appraisal and the inspector general's report and approval
29 and comments, if any, to the house and senate committees on ways and means and the joint
30 committee on state administration and regulatory oversight prior to the execution of documents
31 affecting the release of the portion of the easement authorized in section 1.

32 (b) Nora, LLC, its successors or assigns shall be responsible for any costs for surveys,
33 appraisals, recording fees and other expenses, as determined by the commissioner of capital asset
34 management and maintenance relating to the release of the portion of the easement authorized in
35 section 1.