

HOUSE No. 5635

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, July 31, 2026.

The committee on Ways and Means, to whom was referred the Senate Bill authorizing the Massachusetts Department of Transportation to acquire interests in certain portions of land owned by the town of Andover which were acquired by the town for Article XCVII purposes (Senate, No. 3230), reports recommending that the same ought to pass with amendments striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 5635; by striking out the emergency preamble and inserting in place thereof the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the Massachusetts Department of Transportation to acquire certain portions of land owned by the town of Andover which were acquired by the town of Andover for Article XCVII purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.”; and by striking out the title and inserting in place thereof the following title: “An Act authorizing the Massachusetts Department of Transportation to acquire interests in certain portions of land owned by the town of Andover.”.

For the committee,

AARON MICHLEWITZ.

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The Commonwealth of Massachusetts

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

By striking out all after the enacting clause and inserting in place thereof the following:—

1 SECTION 1. Notwithstanding section 5A of chapter 3 of the General Laws and any other
2 general or special law to the contrary, the Massachusetts Department of Transportation may
3 acquire from the town of Andover, acting by and through its conservation commission, for
4 highway purposes, permanent easements in certain portions of land owned by the conservation
5 commission of the town of Andover and identified as permanent easement parcel numbers 20-E-
6 1 and 20-PUE-1-T on a plan of land entitled “Massachusetts Department of Transportation
7 Highway Division Plan And Profile Of Tewksbury Street Over Pan MA Railroad (Bridge No. A-
8 09-015) In The Town of Andover Essex County Preliminary Right of Way Plans”. The impact to
9 the protected land to be acquired by the Massachusetts Department of Transportation is limited
10 to permanent easements of approximately 704 square feet for guy wire placement, guardrail
11 removal and bridge special slope paving.

12 SECTION 2. The Massachusetts Department of Transportation shall assume all costs
13 associated with engineering, surveys, appraisals, deed preparation and other expenses necessary
14 to execute the conveyances authorized by this act; by striking out the emergency preamble and
15 inserting in place thereof the following emergency preamble:

16 *“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to*
17 *authorize forthwith the Massachusetts Department of Transportation to acquire certain portions*
18 *of land owned by the town of Andover which were acquired by the town of Andover for Article*
19 *XCVII purposes, therefore it is hereby declared to be an emergency law, necessary for the*
20 *immediate preservation of the public safety and convenience.”; and by striking out the title and*
21 *inserting in place thereof the following title: “An Act authorizing the Massachusetts Department*
22 *of Transportation to acquire interests in certain portions of land owned by the town of*
23 *Andover.”.*