

HOUSE No. 5664

The Commonwealth of Massachusetts

PRESENTED BY:

Paul J. Donato

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 relative to the release or amendment of certain use restrictions for certain property in the city of Malden.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Paul J. Donato</i>	<i>35th Middlesex</i>	<i>7/30/2026</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>	<i>7/30/2026</i>
<i>Kate Lipper-Garabedian</i>	<i>32nd Middlesex</i>	<i>7/30/2026</i>

HOUSE No. 5664

By Representative Donato of Medford, a petition (subject to Joint Rule 12) of Paul J. Donato, Steven Ultrino and Kate Lipper-Garabedian for legislation to authorize the release or amendment of certain use restrictions on former state property in the city of Malden. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

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

An Act relative to the release or amendment of certain use restrictions for certain property in the city of Malden.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the release or amendment of certain use restrictions of land in the city of Malden, 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. Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General
2 Laws, chapter 131 of the acts of 2022 or any other general or special law to the contrary, the
3 Commissioner of Capital Asset Management and Maintenance may release or amend certain use
4 restrictions (use restricted to nonprofit recreational, educational or community use and any
5 ancillary uses) held by the Commonwealth on the parcel of land and building situated thereon at
6 89 Summer street in the City of Malden, formerly the site of Malden district court and 0 Summer
7 Street, used as a district court parking lot. The use restrictions are described in the deed recorded
8 in the Middlesex Southern Registry of Deeds book 82021, page 277 and shown on a plan entitled
9 “Existing Conditions Plan of Land Malden District Court 89 Summer Street in Malden

Massachusetts” prepared by BSC Group and recoded with the Middlesex Southern Registry of Deeds at Book 2023, Page 628. The consideration for the release or amendment of the use restrictions for all other proposed sale/reuses shall be determined by the Commissioner of Capital Asset Management in consultation with the Mayor of Malden and the Net Proceeds shall be paid to the Commonwealth at the time of a subsequent conveyance to a third party for development.

SECTION 2. The Net Proceeds shall be determined as the difference between the sale price from the City of Malden to a third party developer and the purchase price of \$480,000 as paid for by the City of Malden in 2023, minus costs related to release or amendment of the restriction and sale/redevelopment transaction related costs, including, but not limited to, appraisals, surveys, plans, recordings, professional fees and studies and other reasonable expenses necessary to effectuate the release, amendment, and subsequent disposition. In the event that the net proceeds is a negative amount, the Commonwealth shall not be required to make any payments to the City of Malden.