

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Kate Hogan

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 authorizing the Division of Capital Asset Management and Maintenance to dispose of certain parcels of land in the town of Bolton.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|-------------------|----------------------|------------------|
| <i>Kate Hogan</i> | <i>3rd Middlesex</i> | <i>1/14/2025</i> |

HOUSE No.

[Pin Slip]

The Commonwealth of Massachusetts

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

An Act authorizing the Division of Capital Asset Management and Maintenance to dispose of certain parcels of land in the town of Bolton.

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)(1) 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 may convey certain parcels of land to the town of Bolton.
4 The parcels to be conveyed formerly served as part of the campus of the Lancaster Industrial
5 School for Girls and are described as: (i) the Northeast corner of the former Lancaster Industrial
6 School for Girls, located at 220 Old Common road in the town of Lancaster, that extends into the
7 town of Bolton on a plan of land entitled “Lancaster Complex South Bolton & Old Common
8 Roads Lancaster & Bolton, Massachusetts”, prepared by Design Professionals, Inc. and dated
9 November 2, 2018 which is on file with the division of capital asset management and
10 maintenance; and (ii) the Bolton dam in the town of Bolton, located near the Lancaster town line,
11 as shown on 2 maps on file with the division of capital asset management and maintenance. The
12 parcels are further described in deeds recorded in the Worcester district registry of deeds in: (i)
13 book 639, page 254; (ii) book 639, page 255; (iii) book 549, page 192; (iv) book 549, page 194;

14 and (v) book 2642, page 485. The exact location and boundaries of the parcels to be conveyed
15 shall be determined by the commissioner after completion of a survey.

16 (2) Notwithstanding any general or special law to the contrary, the town of Bolton, acting
17 by and through its select board, may enter into a purchase and sale agreement, lease or other
18 agreement to acquire the parcels or acquire rights to the parcels described in paragraph(1).

19 (3) The uses of the parcels described in paragraph(1) shall be restricted to general
20 municipal purposes. The deed or other instrument conveying a parcel to the town of Bolton
21 pursuant to this act shall state that the parcel shall be used solely for general municipal purposes
22 and shall include a reversionary clause that stipulates that if the parcels cease at any time to be
23 used for such purposes, then title to the parcel shall, at the election of the commonwealth, revert
24 to the commonwealth. The reversionary clause shall contain provisions requiring that the town of
25 Bolton receive reasonable notice of and a reasonable time to cure any allegation that either parcel
26 is not being used for general municipal purposes.

27 (4) The consideration for the conveyance shall be the fair market value of the parcels as
28 determined by the commissioner of capital asset management and maintenance based upon an
29 independent professional appraisal, taking into consideration the restriction on the use of
30 the parcels pursuant to paragraph (2). The commissioner shall submit the appraisal to the
31 inspector general for review and comment. The inspector general shall review and approve the
32 appraisal and the review shall include an examination of the methodology utilized for the
33 appraisal. The inspector general shall prepare a report and file the report with the commissioner
34 of capital asset management and maintenance. After receiving the report, the commissioner shall
35 submit copies of the report to the house and senate committees on ways and means and the joint

36 committee on state administration and regulatory oversight not less than 15 days prior to the
37 execution of documents affecting the conveyance pursuant to this act.

38 (b)(1) If the town of Bolton does not complete the purchase of the parcels pursuant to
39 subsection (a) on or before December 31, 2025 or such date thereafter as agreed to by the town
40 of Bolton and the commissioner of capital asset management and maintenance, then,
41 notwithstanding sections 33 to 37, inclusive, of chapter 7C of the General Laws or any other
42 general or special law to the contrary, the commissioner of capital asset management and
43 maintenance may sell, lease for a term of up to 99 years, including all renewals and extensions,
44 or otherwise grant, convey or transfer to purchasers or lessees an interest in the parcels, or any
45 portions thereof on such other terms and conditions as the commissioner of capital asset
46 management and maintenance considers appropriate.

47 (2) The commissioner of capital asset management and maintenance shall use appropriate
48 competitive bidding processes and procedures when making any disposition pursuant to this
49 section. Not less than 30 days before the date on which bids, proposals or other offers to
50 purchase the parcels, or any portion thereof, are due, the commissioner of capital asset
51 management and maintenance shall place a notice in the central register published by the state
52 secretary pursuant to section 20A of chapter 9 of the General Laws stating: (i) the availability of
53 the parcels; (ii) the nature of the competitive bidding process; (iii) the time, place and manner for
54 the submission of bids and proposals and the opening of the bids or proposals; and (iv) any other
55 information that the commissioner deems relevant. The commissioner shall place notice in the
56 central register of the individual or firm selected as party to any real property transaction
57 involving the property and the amount of the transaction.

58 (c) Any purchase and sale agreement, lease or other document relating to the sale, lease,
59 transfer or other disposition of the parcels, or any portions thereof, pursuant to this section shall
60 provide that the commonwealth shall have no liability to any purchaser, lessee, transferee or
61 successor to any purchaser, lessee or transferee of all or part of the parcels for any claims arising
62 out of or related to the conditions, known or unknown, of the parcels or otherwise in connection
63 with any sale, lease, transfer or other disposition thereof.

64 (d) A deed executed pursuant to this section may retain or grant rights of way or
65 easements for access, egress, utilities and drainage across any other portions of the parcels and
66 the commonwealth may accept from a purchaser rights of way or easements in roadways or
67 across any portions of the parcels to be conveyed or transferred for access, egress, drainage and
68 utilities as the commissioner of capital asset management and maintenance may determine
69 necessary and appropriate to carry out this section.

70 (e) The purchaser or lessees of the parcels or portions thereof pursuant to subsection (b)
71 shall be responsible for all costs and expenses related to the purchase, lease or transfer of such
72 parcels including, but not limited to, costs associated with surveys, deed preparation and
73 recording fees as determined by the commissioner of capital asset management and maintenance.

74 (f) The cash proceeds of the sale of the parcels described in this section, or any portion
75 thereof, shall be deposited into the General Fund.