

HOUSE No. 4333

The Commonwealth of Massachusetts

PRESENTED BY:

Matthew A. Beaton and Michael O. Moore

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 Convey Certain Parcels of Land in the Town of Shrewsbury.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Matthew A. Beaton

11th Worcester

Michael O. Moore

HOUSE No. 4333

By Representative Beaton of Shrewsbury and Senator Moore, a joint petition (subject to Joint Rules 12) of Matthew A. Beaton and Michael O. Moore (by vote of the town) relative to authorizing the Division of Capital Asset Management and Maintenance to convey certain parcels of land in the town of Shrewsbury. House Rules. [Local Approval Received.]

The Commonwealth of Massachusetts

In the Year Two Thousand Twelve

An Act Authorizing the Division of Capital Asset Management and Maintenance to Convey Certain Parcels of Land in the Town of Shrewsbury.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to convey certain parcels of land in the town of Shrewsbury, 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 40E to 40J, inclusive, of chapter 7 of the General
2 Laws, the commissioner of capital asset management and maintenance, on behalf of and in
3 consultation with the secretary of health and human services and the commissioner of mental
4 health, may convey to the town of Shrewsbury two portions of a parcel of land located on Lake
5 street and adjacent to the Irving A. Glavin Regional Center. The parcel was conveyed to the
6 commonwealth by deed dated April 30, 1890 and recorded in the Worcester district registry of
7 deeds in book 1324, page 244. The portions to be conveyed are shown as “Rural AA” on a draft
8 plan entitled “Glavin Rezoning Proposal” dated January 12, 2011 and prepared by the town of
9 Shrewsbury engineering department. The division shall convey the first portion, located on the
10 westerly side of Lake street containing approximately 15 acres and currently licensed to the town

11 of Shrewsbury and used for soccer playing fields. The town shall designate that portion of the
12 parcel for recreational use. The division shall convey the second portion, located on the easterly
13 side of Lake street and containing approximately 54 acres to the town of Shrewsbury to be
14 designated for municipal use. The portions of the parcel are more particularly shown on a plan
15 entitled "Lake St.-Glavin Center Proposed Zoning Districts" dated February 28, 2011 prepared
16 by the town engineering department. The exact size and boundaries of the land to be conveyed
17 shall be determined by the commissioner of capital asset management and maintenance, in
18 consultation with the secretary of health and human services, the commissioner of mental health
19 and the town of Shrewsbury, after completion of a survey. The conveyances shall be by deed
20 without warranties or representations by the commonwealth.

21 SECTION 2. In consideration for and as a condition of the conveyance authorized in
22 section 1, the town of Shrewsbury shall pay an amount of \$1 for the parcel that the
23 commissioner determines to be appropriate.

24 SECTION 3. Notwithstanding any general or special law to the contrary, the town of
25 Shrewsbury, its successors and assigns shall be responsible for all costs and expenses, including,
26 but not limited to, costs associated with any engineering, surveys, appraisals and deed
27 preparation.

28 SECTION 4. The deed of conveyance or any other agreement pertaining to the transfer
29 shall include a provision restricting the use of the property by the grantee and its tenants,
30 licensees, successors and assigns to recreational use by such grantee of the first portion of the
31 parcel and municipal use by such grantee of the second portion of the parcel as determined by
32 the commissioner of capital asset management and maintenance and providing that such property

33 shall revert to the commonwealth, after notice and an opportunity to cure if the property ceases
34 to be so used or is used for any other purpose.