

**HOUSE . . . . . No. 3322**

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The Commonwealth of Massachusetts

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PRESENTED BY:

***Peter J. Durant***

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*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 passage of the accompanying:

An Act authorizing the release of certain land in the town of Dudley from the operation of an agricultural preservation restriction.

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PETITION OF:

NAME:

*Peter J. Durant*

DISTRICT/ADDRESS:

*6th Worcester*

**HOUSE . . . . . No. 3322**

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By Mr. Durant of Spencer, a petition (accompanied by bill, House, No. 3322) of Peter J. Durant relative to authorizing the release of certain land in the town of Dudley from the operation of an agricultural preservation restriction. State Administration and Regulatory Oversight.

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The Commonwealth of Massachusetts

An Act authorizing the release of certain land in the town of Dudley from the operation of an agricultural preservation restriction.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to authorize the release of certain land, 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 the fair market value requirement of section 32 of chapter  
2 184 of the General Laws or any other general or special law to the contrary, but otherwise  
3 subject to section 32 of chapter 184 and section 40E of chapter 7 of the General Laws, the  
4 commissioner of capital asset management and maintenance, in consultation with the  
5 commissioner of agricultural resources may execute a certificate releasing a portion of land near  
6 Tracy, King and Dresser Hill Roads in the town of Dudley from an agricultural preservation  
7 restriction, or APR, originally granted by Charles K. Wood to the commonwealth, dated March  
8 30, 1984 and recorded at the Worcester county registry of deeds on September 10, 1984 in book  
9 8356, page 123. The portion of land to be released due to erroneous inclusion in the APR  
10 consists of approximately 3.0 acres more or less. The land was first shown as a single parcel on  
11 a plan of land entitled “Plan of lot in Dudley, Massachusetts surveyed for Bethanne Woode-  
12 Berube (owner)” dated March 9, 1999, prepared by Para Land Surveying, Inc., Southbridge,  
13 Massachusetts and recorded at the Worcester county registry of deeds on May 26, 1999 in plan  
14 book 741, page 112, and was subsequently divided into 3 1-acre lots, each having 43,560 square  
15 feet. The sole area of land to be released from the APR is more specifically described as  
16 follows:

17 Lot 1, 43,560 sq. ft., 1.00 acres, BF = 17; Lot 2, 43,560 sq. ft, 1.00 acres, BF = 17; and  
18 Lot 3, 43,560 sq. ft., 1.00 acres, BF=20; as shown on a plan of land entitled “Plan of lots in  
19 Dudley, Massachusetts surveyed for Bethanne Woode-Berube (owner)” dated April 20, 1999,

20 prepared by Para Land Surveying, Inc., Southbridge, Massachusetts and recorded at the  
21 Worcester county registry of deeds on May 26, 1999 in plan book 741, page 113.

22           SECTION 2. Except as partially released by the recording of the certificate of release  
23 authorized by section 1 of this act the agricultural preservation restriction shall remain in full  
24 force and effect.