

HOUSE No. 3751

The Commonwealth of Massachusetts

PRESENTED BY:

Sally P. Kerans and Joan B. Lovely

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 town of Danvers to convey and acquire certain property.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Sally P. Kerans</i>	<i>13th Essex</i>	<i>5/5/2021</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>	<i>5/5/2021</i>

HOUSE No. 3751

By Representative Kerans of Danvers and Senator Lovely, a joint petition (accompanied by bill, House, No. 3751) of Sally P. Kerans and Joan B. Lovely (by vote of the town) that the town of Danvers be authorized to convey and acquire certain parcels of land in said town. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act authorizing the town of Danvers to convey and acquire certain property.

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 provisions of Chapter 30B, section 16 (c), (d), (e) and
2 (f) of the General Laws, Chapter 132A, Section 11 of the General Laws, or any other general or
3 special law to the contrary, the Board of Selectmen, on behalf of the Town of Danvers, is
4 authorized to convey to the Danvers Historical Society, two (2) parcels of land located between
5 Ingersoll Street and Forest Street in the Town of Danvers, reserving to the Town of Danvers and
6 its successors in interest an easement shown as Access Easement A within Parcel A on the plan
7 described below to use the gravel roadway located within said Access Easement A for all
8 purposes for which streets are commonly used in the Town of Danvers. Said parcels of land are
9 shown as Parcel A, containing approximately 127,475 square feet (2.926 acres) and Parcel C,
10 containing approximately 42,163 square feet (0.968 acres) on a plan entitled “Plan of Land of
11 Danvers Historical Society prepared for the Town of Danvers” Scale 1” = 40’, dated June 17,
12 2018, prepared by Hancock Survey Associates, Inc., 185 Centre Street, Danvers, Massachusetts

13 01923; said conveyance shall be subject to the restriction that no building shall be located on said
14 Parcel A and said Parcel C; and

15 SECTION 2. Notwithstanding the provisions of Chapter 30B, Sections 16 (c), (d), (e) and
16 (f) of the General Laws, or any other general or special law to the contrary, the Board of
17 Selectmen, on behalf of the Town of Danvers, in consideration for the conveyance authorized in
18 Section 1 above is authorized to accept a conveyance from the Danvers Historical Society of two
19 (2) parcels of land located between Ingersoll Street and Forest Street in the Town of Danvers.
20 Said parcels of land are shown as Parcel B, containing approximately 1,588 square feet (0.036
21 acres) and Parcel D, containing approximately 128,638 square feet (2.953 acres) on a plan
22 entitled “Plan of Land of Danvers Historical Society prepared for the Town of Danvers” Scale 1”
23 = 40’, dated June 17, 2018, prepared by Hancock Survey Associates, Inc., 185 Centre Street,
24 Danvers, Massachusetts 01923. Said conveyance shall include the gravel roadway located within
25 Parcel B as shown on said plan. Said conveyance shall reserve to the Danvers Historical Society
26 and its successors in interest an easement shown as Access Easement D within said Parcel D on
27 said plan, for access to Parcel E shown on said plan;

28 SECTION 3. The authorization conferred by this Act is contingent upon a certain
29 Preservation Restriction Agreement described below being amended to include within its scope
30 Parcel A and Parcel C described in Section 1, and to exclude from its scope Parcel B and Parcel
31 D described in Section 2. Said Preservation Restriction Agreement is entitled
32 “PRESERVATION RESTRICTION AGREEMENT between the COMMONWEALTH OF
33 MASSACHUSETTS by and through the MASSACHUSETTS HISTORICAL COMMISSION
34 and the Danvers Historical Society”, is dated July 3, 2017, and is recorded with the Southern
35 Essex District Registry of Deeds at book 36015, page 155.

36 SECTION 4. This act shall take effect upon its passage.

37 B. To authorize the Board of Selectmen to act within the scope and intent of the general
38 public objectives of the petition to the General Court

39 1. To see if the Town will vote to authorize the Board of Selectmen, on behalf of the
40 Town of Danvers, to convey to the Danvers Historical Society two (2) parcels of land located
41 between Ingersoll Street and Forest Street in the Town of Danvers, shown as Parcel A,
42 containing approximately 127,475 square feet (2.926 acres) and Parcel C, containing
43 approximately 42,163 square feet (0.968 acres) on a plan entitled “Plan of Land of Danvers
44 Historical Society prepared for the Town of Danvers” Scale 1” = 40’, dated June 17, 2018,
45 prepared by Hancock Survey Associates, Inc., 185 Centre Street, Danvers, Massachusetts 01923,
46 which conveyance shall reserve to the Town of Danvers and its successors in interest an
47 easement shown as Access Easement A within Parcel A on the plan described below to use the
48 gravel roadway located within said Access Easement A for all purposes for which streets are
49 commonly used in the Town of Danvers; said conveyance shall be subject to the restriction that
50 no building shall be located on said Parcel A and said Parcel C;

51 2. and, further, to see if the Town will vote to authorize the Board of Selectmen, on
52 behalf of the Town of Danvers, in consideration for the conveyance authorized in item B above,
53 to accept a conveyance from the Danvers Historical Society of two (2) parcels of land located
54 between Ingersoll Street and Forest Street in the Town of Danvers, shown as Parcel B,
55 containing approximately 1,588 square feet (0.038 acres) and Parcel D, containing approximately
56 128,638 square feet (2.953 acres) on a plan entitled “Plan of Land of Danvers Historical Society
57 prepared for the Town of Danvers” Scale 1” = 40’, dated June 17, 2018, prepared by Hancock

58 Survey Associates, Inc., 185 Centre Street, Danvers, Massachusetts 01923. Said conveyance
59 shall include the gravel roadway located within said Parcel B as shown on said plan. Said
60 conveyance shall reserve to the Danvers Historical Society and its successors in interest an
61 easement shown as Access Easement D within said Parcel D on said plan, for access to Parcel E
62 shown on said plan. Said authorization is on such terms and conditions as the Board of
63 Selectmen shall deem to be in the best interests of the Town of Danvers, provided that the Town
64 of Danvers shall not pay any money for the acquisition of Parcel B and Parcel D;

65 3. The authorization conferred by this article shall include the authorization for any
66 applicable Town of Danvers board, commission or employee to seek any federal or state permit
67 or other approval necessary to accomplish the purposes of this article;

68 4. The authorization conferred by this article is contingent upon a certain Preservation
69 Restriction Agreement described below being amended to include within its scope Parcel A and
70 Parcel C described in item B above, and to exclude from its scope Parcel B and Parcel D
71 described in item C above. Said Preservation Restriction Agreement is entitled
72 “PRESERVATION RESTRICTION AGREEMENT between the COMMONWEALTH OF
73 MASSACHUSETTS by and through the MASSACHUSETTS HISTORICAL COMMISSION
74 and the Danvers Historical Society”, is dated July 3, 2017, and is recorded with the Southern
75 Essex District Registry of Deeds at book 36015, page 155.

76 or take any other action thereon.