

HOUSE No. 3784

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act authorizing the city of Springfield to exchange parcels of land.

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 any general or special law to the contrary, but subject to
2 subsections (a), (b) and (g) of section 16 of chapter 30B of the General Laws, the city of
3 Springfield, hereinafter “the city”, may, for the purposes of acquiring other land for parking for
4 the Forest Park Middle School, convey a certain parcel of land in Springfield owned by the city,
5 upon such terms and conditions as the mayor of Springfield determines to be in the best interests
6 of the city, to Glenshane I, LLC, hereinafter “Glenshane”, or its successors and assigns then
7 owning the apartment buidlings at 356-364 Belmont avenue for use as a parking lot for the
8 aparment buildings. The parcel to be conveyed includes “North Side Garfield Street”, city parcel
9 # 05520-0018, as referenced in a deed recorded with the Hampden registry of deeds in book
10 18684, page 449, which is further identified as parcel C on a plan entitled “Plan of Land in
11 Springfield, Massachusetts, Surveyed for the City of Springfield”, dated March 23, 2012, on file
12 with the Hampden registry of deeds in plan book 364, page 61. The complete parcel to be
13 conveyed is more particularly described as follows:

14 Beginning at bound at the intersection of the southerly sideline of Garfield Avenue and
15 the westerly sideline of Oakland Street and running thence;

16 Northwesterly, on a curve to the left, having a radius of 9.87 feet, along land now or
17 formerly of the City of Springfield, 15.67 feet to a point, thence;

18 S75-12'22"W along last named land, 216.26 feet to a point, thence;

19 N14-47'-38"W, along Garfield avenue, 50.00 feet to a point, thence;

20 N75-12'-22"E, along parcel B, land now or formerly of the city of Springfield, parcel A
21 and land now or formerly of the city of Springfield, 177.62 feet to a point, thence;

22 N09-23'-57"E, along last named land, 135.81 feet to a point, thence;

23 Southerly, on a curve to the right, having a radius of 30.00 feet, along the southerly
24 sideline of Oakland street, 14.13 feet to a point, thence;

25 S13-49'-27"E, last named land, 88.22 feet to a point, thence;

26 Southwesterly, on a curve to the right, having a radius of 22.00 feet, along last named
27 land, 19.91 feet to a point, thence;

28 S14-47'-38"E, along last named land, 78.56 feet to a point, thence;

29 containing an area of 14,952 square feet, more or less.

30 SECTION 2. Notwithstanding any general or special law to the contrary, as a condition
31 of, and as consideration for, the conveyance authorized in section 1, Glenshane shall transfer to
32 the city 2 parcels of land identified as parcel A and parcel B on the plan described in said section
33 1, and such parcels shall be acquired and held for municipal purposes, under the jurisdiction of
34 the school department of the city. Parcel A is more particularly described as follows:

35 Beginning at an iron pipe at the southwest corner of land now or formerly of the city of
36 Springfield, on a northerly sideline of Garfield avenue, and running thence;

37 S75-12'-22"W along the northerly sideline of Garfield avenue, 31.75 feet to a point,
38 thence;

39 N14-47'-38"W, along land now or formerly of the city of Springfield, 69.45 feet to a
40 point, thence;

41 N76-59'-01"E, along land now or formerly of Glenshane I, LLC, 24.78 feet to a point,
42 thence;

43 S82-32'-37"W, along last named land, 29.14 feet to a point, thence;

44 S04-19'-55"W, along land now or formerly of the city of Springfield, 61.01 feet to a point
45 of beginning;

46 containing an area of 2,838 square feet, more or less.

47 Parcel B is more particularly described as follows:

48 Beginning at an iron pipe at the southwest corner of land now or formerly of the city of
49 Springfield, on the northerly sideline of Garfield avenue, and running thence;

50 S75-12'-22"W along the northerly sideline of Garfield avenue, 19.68 feet to a point,
51 thence;

52 N14-47'-38"W, along land now or formerly of Glenshane I, LLC, 79.17 feet to a point,
53 thence;

54 N76-59'-01"E, along last named land, 19.69 feet an iron pipe, thence;

55 S14-47'-38"E, along land now or formerly of the city of Springfield, 78.56 feet to a point
56 of beginning;

57 containing an area of 1,552 square feet, more or less.

58 SECTION 3. The fair market value of the parcels to be conveyed by Glenshane to the
59 city as described in section 2, shall be equal to or greater than the fair market value of the
60 property to be conveyed by the city to Glenshane as described in section 1, as determined by an
61 independent appraisal. For the purposes of the appraisal, the fair market value of the property
62 shall be calculated in its highest and best use and, where applicable, as assembled with other
63 lands owned or otherwise controlled by Glenshane. If there is a disparity in these values in favor
64 of the city, then Glenshane shall, as a condition of the transfer, release the city from any and all
65 financial liability for the difference in value.

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