

HOUSE No. 3870

The Commonwealth of Massachusetts

PRESENTED BY:

Maria Duaine Robinson and Jack Patrick Lewis

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 Commonwealth of Massachusetts to convey a certain parcel of land to the Claremont Realty Trust in the city of Framingham.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Maria Duaine Robinson</i>	<i>6th Middlesex</i>	<i>5/5/2021</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>5/5/2021</i>

HOUSE No. 3870

By Representatives Robinson of Framingham and Lewis of Framingham, a petition (subject to Joint Rule 12) of Maria Duaine Robinson and Jack Patrick Lewis that the commissioner of Capital Asset Management and Maintenance be authorized to convey a certain parcel of land in the city of Framingham to the Claremont Realty Trust. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

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

An Act authorizing the Commonwealth of Massachusetts to convey a certain parcel of land to the Claremont Realty Trust in the city of Framingham.

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 32 to 37, inclusive, of chapter 7C of the General
2 laws or any other general or special law to the contrary, the commissioner of capital asset
3 management and maintenance, in consultation with the department of state police, may convey
4 to the Claremont Realty Trust for general purposes a certain parcel of land as described and
5 recorded in a deed and plan recorded with the Middlesex North registry of deeds. The
6 conveyance shall be subject to such additional conditions and restrictions as the commissioner of
7 capital asset management and maintenance, in consultation with the department of state police,
8 may determine.

9 SECTION 2. An independent appraisal or appraisals of the fair market value and value
10 in use of the parcel described in section 1 shall be prepared in accordance with the usual and
11 customary professional appraisal practices by a qualified appraiser commissioned by the

12 commissioner of capital asset management and maintenance. The commissioner of capital asset
13 management and maintenance shall submit the appraisals to the inspector general for his or her
14 review and comment. The inspector general shall review and approve the appraisals, and the
15 review shall include an examination of the methodology utilized for the appraisals. The
16 inspector general shall prepare a report of his or her review and file the report with the
17 commissioner of capital asset management and maintenance. After receiving the report, the
18 commissioner of capital asset management and maintenance shall submit copies of the report to
19 the house and senate committees on ways and means and the joint committee on state
20 administration and regulatory oversight at least 15 days prior to the execution of documents
21 affecting the transfer described in section 1.

22 Section 3. Consideration for the grants of the parcel or interests described in section
23 1 shall be (i) full and fair market value or the value in proposed use, whichever is greater, as
24 determined by the commissioner of capital asset management and maintenance pursuant to
25 section 2; or (ii) the transfer to the Claremont Realty Trust, an interest in land or funding for the
26 acquisition of land or an interest therein equal to or greater than the value of the highest
27 appraised values as determined under section 2 or any combination of land, an interest in land or
28 funding that is acceptable to the Claremont Realty Trust. If the Claremont Realty Trust proposes
29 to convey land or an interest in land to the commonwealth, the commissioner of capital asset
30 management and maintenance shall include the land or interest in land within the appraisal
31 assignment under section 2. The land or interest in land must be acceptable to the department of
32 state police; and any land or interest in land, whether conveyed by the Claremont Realty Trust or
33 acquired by the department of state police, shall be permanently held and managed for purposes
34 designated by the department of state police. Should the value of the land or interests in land

35 being conveyed to the commonwealth exceed the appraised values determined in section 2, the
36 commonwealth shall have no obligation to pay the difference to the Claremont Realty Trust.
37 Any monetary payments made to the commonwealth as a result of the conveyance authorized by
38 this act shall be deposited into the General Fund established in section 2 of chapter 29 General
39 Laws.

40 Section 4. The Claremont Realty Trust shall assume all costs associated with
41 engineering, surveys, appraisals, deed preparation and other expenses deemed necessary by the
42 commissioner of capital asset management and maintenance to execute the conveyances
43 authorized by this act.

44 Section 5. No instrument executed pursuant to this act shall be valid unless it
45 provides that the area conveyed shall be used solely for the purposes described in section 1. The
46 instrument authorized in section 1. The instrument authorized in section 1 shall include a
47 reversionary clause that stipulates the property shall revert to the commonwealth and be assigned
48 to the care, custody and control of the department of state police, upon such terms and conditions
49 as the commissioner of capital asset management and maintenance may determine, if the
50 property ceases to be used for the express purposes authorized in this act. If any interest reverts
51 to the commonwealth, any further disposition shall be subject to sections 34 to 37, inclusive, of
52 chapter 7C of the General laws and the prior approval of the General Court.