

HOUSE No. 4104

The Commonwealth of Massachusetts

PRESENTED BY:

Dylan A. Fernandes and Julian Cyr

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 Nantucket land transfers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Dylan A. Fernandes</i>	<i>Barnstable, Dukes and Nantucket</i>	<i>9/2/2021</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>9/2/2021</i>

HOUSE No. 4104

By Representative Fernandes of Falmouth and Senator Cyr, a joint petition (accompanied by bill, House, No. 4104) of Dylan A. Fernandes and Julian Cyr (by vote of the town) that the Nantucket Islands Land Bank and the town of Nantucket be authorized to transfer, convey or otherwise dispose to each other portions of certain 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 Nantucket land transfers.

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. In order to promote the effective and efficient management of each property
2 for the purposes that it is now used, the Town of Nantucket and the Nantucket Islands Land Bank
3 are hereby authorized to exchange ownership of the property commonly known as “Mill Hill
4 Park”, now owned by the Town of Nantucket as a public park, for the property commonly known
5 as the “Nobadeer Playing Fields,” now owned by the Nantucket Islands Land Bank for
6 recreational purposes, all as more particularly described in the following sections of this Act.

7 Section 2. Pursuant to Article 97 of the Amendments of the Constitution of the
8 Commonwealth of Massachusetts and notwithstanding the provisions of any general or special
9 law to the contrary, the Nantucket Islands Land Bank may transfer, convey or otherwise dispose
10 of portions of that certain parcel of land situated in the Town of Nantucket to the Town of
11 Nantucket for recreational purposes, described as follows:

12 a. Approximately 14.8 Acres of Lot 1 on the plan entitled “Plan of Land North Pasture
13 Milestone Road on Nantucket, MA” dated February 5, 1998, recorded with the Nantucket
14 Registry of Deeds in Plan File 52A, being that Project Area called the Nobadeer Farm
15 Recreational Facility permitted by the Division of Fisheries & Wildlife MA Endangered Species
16 Act (G.L. c. 131A) Conservation and Management Permit Conservation Permit No. 008-
17 126.DFW recorded in Nantucket Registry of Deeds Book 1167, Page 213, and also being a
18 portion of Nantucket Tax Assessor’s Map 69, Parcel 1; and

19 b. A parcel of land comprised of a portion of 2 Milestone Road, shown on Nantucket Tax
20 Assessor’s Map 55, Parcel 65 and a portion of 174 Orange Street, shown on Nantucket Tax
21 Assessor’s Map 55, Parcel 64 from the edge of asphalt road to include the existing bike path as
22 shown on a plan entitled “Conceptual Plan for 174 Orange Street and 2 Milestone Road”
23 containing 7,450 square feet more or less. Any such disposition shall be on such terms and
24 conditions as the Nantucket Islands Land Bank Commission deems appropriate, which may
25 include the reservation of restrictions and easements and which shall be conditioned upon receipt
26 of the parcel described in the following Section 3.

27 Section 3. Pursuant to Article 97 of the Amendments of the Constitution of the
28 Commonwealth of Massachusetts and notwithstanding the provisions of any general or special
29 law to the contrary, the Town of Nantucket may transfer, convey or otherwise dispose of
30 portions of those certain parcels of land situated in the Town of Nantucket to the Nantucket
31 Islands Land Bank for passive recreational, open space, or public park purposes, described as
32 follows:

33 Approximately 16.5 Acres of land comprised of five (5) parcels now used as a public
34 park:

35 a. Nantucket Tax Assessor's Map 55.4.4, Parcel 81, being the fourth parcel described in
36 the deed recorded in Nantucket Registry of Deeds Book 124, Page 403 (37 Prospect Street);

37 b. Nantucket Tax Assessor's Map 55.4.4, Parcel 57, being the first parcel described in the
38 deed recorded in Nantucket Registry of Deeds Book 124, Page 403 and shown as Lot D on Land
39 Court Plan No. 12559A (39 Prospect Street);

40 c. Nantucket Tax Assessor's Map 55, Parcel 321, being the third parcel described in the
41 deed recorded in Nantucket Registry of Deeds Book 124, Page 403 and shown as Lot C on Land
42 Court Plan No. 12559A (47 Prospect Street);

43 d. Nantucket Tax Assessor's Map 55, Parcel 319, being the second parcel described in
44 the deed recorded in Nantucket Registry of Deeds Book 124, Page 403 and shown on Land Court
45 Plan No. 13837A (North Mill Street); and

46 e. Nantucket Tax Assessor's Map 55, Parcel 1, being described in the deed recorded in
47 Nantucket Registry of Deeds Book 663, Page 250 and shown as Lot 15 on the plan recorded in
48 Nantucket Registry of Deeds Plan Book 24, Page 84 (29 Vesper Lane).

49 Any such disposition shall be on such terms and conditions as the Town of Nantucket
50 Select Board deems appropriate, which may include the reservation of restrictions and easements
51 and which shall be conditioned upon receipt of the parcel described in the foregoing Section 2.

52 Section 4. This act shall take effect upon its passage.