

HOUSE No. 4265

The Commonwealth of Massachusetts

PRESENTED BY:

Brendan P. Crighton and Daniel Cahill

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 commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land in the city of Lynn to the Neighborhood Development Associates, Inc.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Brendan P. Crighton</i>	<i>11th Essex</i>
<i>Daniel Cahill</i>	<i>10th Essex</i>

HOUSE No. 4265

By Messrs. Crighton of Lynn and Cahill of Lynn, a petition (subject to Joint Rule 12) of Brendan P. Crighton and Daniel Cahill for legislation to authorize the commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land in the city of Lynn to the Neighborhood Development Associates, Inc. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act authorizing the commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land in the city of Lynn to the Neighborhood Development Associates, Inc.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to create housing and services for Veterans, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health.

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. (a) Notwithstanding sections 33 to 37, inclusive, of chapter 7C of the
2 General Laws or any general or special law to the contrary, the commissioner of capital asset
3 management and maintenance may convey a certain parcel of land in the city of Lynn to the
4 Neighborhood Development Associates, Inc. for nominal consideration for the purpose of
5 providing services to veterans. The parcel contains approximately 0.68 acres and is located 38
6 South Common street in the city of Lynn. The parcel shall be conveyed by deed without
7 warranties or representations by the commonwealth.

8 SECTION 2. (b) The use of the parcel shall be restricted to the provision of veterans
9 programs and services, which may include veterans housing. Notwithstanding the foregoing or

10 any general or special law to the contrary, Neighborhood Development Associates, Inc. may
11 lease the parcel or portions thereof to 1 or more entities and enter into agreements with 1 or more
12 entities for the purpose of developing, constructing, operating and maintaining improvements
13 related to the provision of said veterans services on the parcel.

14 SECTION 3. The deed or other instrument conveying the parcel to Neighborhood
15 Development Associates, Inc. shall provide that the parcel conveyed shall be used solely for the
16 purposes described in this act and shall include a reversionary clause that stipulates that, if the
17 parcel ceases at any time to be used for the purposes set forth in this act, title to the parcel shall,
18 at the election of the commonwealth, revert to the commonwealth.

19 SECTION 4. Notwithstanding any general or special law to the contrary, Neighborhood
20 Development Associates, Inc. shall be responsible for all costs and expenses of the transaction
21 authorized in this act as determined by the commissioner of capital asset management and
22 maintenance, including, but not limited to, the costs of any engineering, surveys, appraisals, title
23 examinations, recording fees and deed preparation related to the conveyance of the parcel and all
24 costs, liabilities and expenses of any nature and kind for its ownership. Neighborhood
25 Development Associates, Inc. shall acquire the property thereon in its present condition.

26 SECTION 5. If Neighborhood Development Associates, Inc. does not complete a
27 purchase of the property described in section 1 on or before January 31, 2019, then,
28 notwithstanding sections 33 to 37 inclusive of chapter 7C of the General Laws or any other
29 general or special law to the contrary, the commissioner may sell, lease for terms up to 99 years,
30 including all renewals and extensions, or otherwise grant, convey, or transfer to purchasers or
31 lessees an interest in the property described in section 1 or portions thereof, subject to this

32 section and on such terms and conditions that the commissioner considers appropriate. In making
33 any such disposition pursuant to this section, the commissioner shall use appropriate competitive
34 bidding processes and procedures. Not less than 30 days before the date on which bids, proposals
35 or other offers to purchase or lease a property, or any portion thereof, are due, the commissioner
36 shall place a notice in the central register published by the state secretary pursuant to section 20A
37 of chapter 9 of the General Laws stating the availability of the property, the nature of the
38 competitive bidding process and other information that the commissioner considers relevant,
39 including the time, place and manner for the submission of bids and proposals and the opening of
40 the bids or proposals.