

# **HOUSE . . . . . No. 4312**

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, March 19, 2018.

The committee on State Administration and Regulatory Oversight to whom were referred the joint petition (accompanied by bill, House, No. 4240) of Hannah Kane and Michael O. Moore (by vote of the town) for legislation to authorize the commissioner of Capital Asset Management and Maintenance to convey certain parcels of land to the town of Shrewsbury, reports recommending that the accompanying bill (House, No. 4312) ought to pass [Local Approval Received].

For the committee,

JENNIFER E. BENSON.

**HOUSE . . . . . No. 4312**

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninetieth General Court  
(2017-2018)**  
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An Act authorizing the Division of Capital Asset Management and Maintenance to convey certain parcels to the town of Shrewsbury.

*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 may convey approximately 13.48 acres of land located along the  
4 westerly side of Lake street in the town of Shrewsbury, shown as Parcel A on a plan on file at the  
5 Worcester District Registry of Deeds in Plan Book 905, Plan 90, to Shrewsbury Youth Soccer  
6 Association, Inc., for consideration of \$1, provided that the use of said property is restricted to  
7 public recreational uses. Any instrument conveying the property pursuant to this section shall  
8 include such use restriction and shall state that if the property is no longer used by the  
9 Shrewsbury Youth Soccer Association, Inc. for public recreational purposes or if Shrewsbury  
10 Youth Soccer Association, Inc. ceases to exist, the town of Shrewsbury shall have an enforceable  
11 option to purchase the property for \$1, provided that the property shall be restricted to public  
12 recreational uses, and further, that any instrument conveying the property to the town shall  
13 include such restriction.

14 SECTION 2. Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General  
15 Laws or any other general or special law to the contrary, the commissioner of capital asset  
16 management and maintenance may convey approximately 49.6 acres of land located on the  
17 easterly side of Lake street in the town of Shrewsbury, shown as Parcel B on the plan referenced  
18 in section 1, to the town of Shrewsbury for consideration of \$1, provided that the use of said  
19 property is restricted to agricultural and recreational uses. Any instrument conveying the  
20 property pursuant to this section shall include such use restriction.

21 SECTION 3. The Commissioner shall establish the value of the property for both the  
22 highest and best use of the property as currently encumbered and for the purposes described in  
23 section 1 and section 2. If the consideration for the parcels conveyed in section 1 and section 2  
24 are less than fair market value, the commissioner shall place notice in the central register of the  
25 conveyances, the amount of the transaction and the difference between the calculated value and  
26 price received.

27 SECTION 4. Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General  
28 Laws or any other general or special law to the contrary, the commissioner of capital asset  
29 management and maintenance may convey 2 parcels of land, being formerly known as the Irving  
30 A. Glavin Regional Center, located at 214 Lake street in the town of Shrewsbury to the town,  
31 provided that the use of said parcels is restricted to general municipal purposes; the first parcel  
32 containing approximately 18 acres is located on the westerly side of Lake street and is shown on  
33 an exhibit plan entitled "Land Owned by the Commonwealth of Massachusetts to be Conveyed  
34 to the Town of Shrewsbury and Shrewsbury Youth Soccer" dated December 12, 2017, and the  
35 second parcel containing approximately 2.38 acres is located on the easterly side of Lake street,  
36 and is shown as "Parcel 2" on a plan on file at the Worcester District Registry of Deeds in Plan

37 Book 917, Plan 63. The consideration for the conveyance of said parcels shall be the fair market  
38 value of the parcels as determined by the commissioner of capital asset management and  
39 maintenance based upon an independent professional appraisal report, taking into consideration  
40 the restriction on the use of the parcels. The inspector general shall review and approve the  
41 appraisal. The inspector general shall prepare a report of such review of the methodology  
42 utilized for the appraisal and shall file the report with the commissioner, the house and senate  
43 committees on ways and means and the joint committee on state administration and regulatory  
44 oversight.

45 SECTION 5. The commissioner of capital asset management and maintenance may retain  
46 or grant right of ways or easements for access, egress, utilities and drainage across the properties  
47 described herein, as the commissioner deems necessary and appropriate.

48 SECTION 6. Notwithstanding any general or special law to the contrary, Shrewsbury  
49 Youth Soccer Association, Inc. shall be responsible for all costs and expenses relating to the  
50 conveyance of property pursuant to section 1 including, but not limited to, costs associated with  
51 any engineering, surveys, historical reviews, appraisals and deed preparation related to the  
52 conveyances authorized by this act as such costs may be determined by the commissioner of  
53 capital asset management and maintenance.

54 SECTION 7. Notwithstanding any general or special law to the contrary, the town of  
55 Shrewsbury shall be responsible for all costs and expenses relating to the conveyance of property  
56 pursuant to sections 2 and 3 including, but not limited to, costs associated with any engineering,  
57 surveys, historical reviews, appraisals and deed preparation related to the conveyances

58 authorized by this act as such costs may be determined by the commissioner of capital asset  
59 management and maintenance.