

HOUSE No. 4423

The Commonwealth of Massachusetts

PRESENTED BY:

Peter V. Kocot

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 relative to preserving agricultural land in the city of Northampton.

PETITION OF:

NAME:

Peter V. Kocot

DISTRICT/ADDRESS:

1st Hampshire

HOUSE No. 4423

By Mr. Kocot of Northampton, a petition (subject to Joint Rule 12) of Peter V. Kocot that the commissioner of Capital Asset Management and Maintenance be authorized to convey certain land to the city of Northampton. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relative to preserving agricultural land in the city of Northampton.

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 general or special law to the contrary, the commissioner of the division of capital
3 asset management and maintenance may sell, or otherwise grant , convey or transfer to the city
4 of Northampton, under the care and custody of its conservation commission, that certain parcel
5 of land located in said city shown as "Locus: 32-051, N/F Commonwealth of Massachusetts
6 (Inhabitants of Hampshire County) Deed 721, Page 467" delineated on a "Plan of Land in
7 Northampton, MA, Hampshire Registry, Prepared for the Commonwealth of Massachusetts
8 Division of Capital Asset Management" dated 08-01-2012, recorded at the Hampshire Registry
9 of Deeds at Plan Book 228, Page 14, containing approximately 3.1 acres, together with any
10 buildings and structures thereon, if any, formerly used as a farm for the Hampshire County Jail.
11 Said parcel shall be subject to an agricultural preservation restriction or conservation restriction
12 retained by the Commonwealth and the city, under the care and custody of its Massachusetts

13 department of agricultural resources, provided that no such restrictions shall limit the city's
14 ability to use the land as farmland, including a community garden.

15

16 SECTION 2. The commissioner of capital asset management and maintenance shall
17 establish the value of the property for both the highest and best use of the property as currently
18 encumbered and for the purposes described in section 1. The commissioner shall place
19 notification in the central register of the conveyance, the amount of such transaction and the
20 difference between the calculated value and the price received.

21

22 SECTION 3. The city of Northampton shall be responsible for all costs and expenses
23 including, but not limited to, costs associated with any engineering, surveys, appraisals and deed
24 preparation related to the conveyance authorized in this subsection as such costs may be
25 determined by the commissioner of capital asset management and maintenance