

HOUSE No. 4872

Text on an amendment to the Senate Bill authorizing the city of Gloucester to use certain lands for municipal school purposes (Senate, No. 2628). July 22, 2020.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

By striking out all after the enacting clause and inserting in place thereof the following:–

1 SECTION 1. Notwithstanding any general or special law to the contrary, the city of
2 Gloucester may transfer the care, custody and control of certain city-owned land comprising
3 approximately 2.7 acres, more or less, located at 11 Webster street, which includes Mattos field,
4 and is described in deeds recorded in the Essex southern district registry of deeds in book 2599,
5 page 151 and book 2867, page 34 to the school committee of the city of Gloucester for school
6 purposes.

7 SECTION 2. In consideration for the transfer authorized in section 1, the school
8 committee of the city of Gloucester shall transfer the care, custody and control of certain school
9 land comprising approximately 2.8 acres, more or less, located at 8 Davis street, which includes
10 East Gloucester elementary school comprised of lots 1, 2, 3, 4, 5, A, B, C, D and the lot labeled”
11 Portion of Maxwell Parsons Playground” and the layouts of Davis street extension and Parsons
12 street as shown on a plan of land entitled “Plan of Land comprising New School House Site at
13 East Gloucester – Gloucester, Mass.” Dated September 22, 1947 and that is recorded in the
14 Essex Southern district registry of deeds in plan book 76, page 45 to the department of public
15 works of the city to be used for municipal park and open space purposes with the grant of a deed

16 restriction placing the land under the protection of Article 97 of the Amendments to the
17 Constitution of the commonwealth in perpetuity.

18 SECTION 3. In addition to the transfer pursuant to in section 2, the department of public
19 works of the city of Gloucester shall upgrade softball field facilities and accommodations at
20 another city-owned open space located at 6 Green street and 18A Beckford street prior to the
21 discontinuance of use of Mattos Field associated with the commencement of school construction.

22 SECTION 4. The transfer of land in section 1 shall be contingent upon the transfer of
23 land in section 2 and the transfer of land in section 2 shall be contingent upon the recording of a
24 deed restriction on the land placing it under the protection of Article 97 of the Amendments to
25 the Constitution of the commonwealth to be preserved for municipal park and open space
26 purposes.

27 SECTION 5. If construction or demolition upon or removal of any structures from the
28 land referred to in section 1 does not commence within 4 years from the land transfers referenced
29 above, then the care, custody and control of the land in section 1 shall revert to the department of
30 public works of the city of Gloucester, to be placed under the protection of Article 97 of the
31 Amendments to the Constitution of the commonwealth, and the care, custody and control of the
32 land in section 2 shall revert to the school committee of the city.

33 SECTION 6. This act shall take effect upon its passage.