

**HOUSE . . . . . No. 4900**

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**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Second General Court  
(2021-2022)**

An Act authorizing the Division of Capital Asset Management and Maintenance to convey certain land in the city of Lowell to the Lowell Housing Authority.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to authorize the conveyance of certain land in the city of Lowell to the Lowell housing authority, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*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 of chapter 7C of the General Laws or any  
2 other general or special law to the contrary, the commissioner of capital asset management and  
3 maintenance, in consultation with the department of conservation and recreation, may convey to  
4 the Lowell housing authority, to be developed into housing for homeless veterans, a certain  
5 parcel of land located at 719 Broadway street in the city of Lowell and consisting of  
6 approximately 13,161 square feet, more particularly described as follows: a certain parcel of land  
7 described in a deed recorded with the Middlesex North registry of deeds in book 2469 and page  
8 630 and shown as parcel 1 on a plan entitled “Plan of Property Owned by Manzi Sales &  
9 Service, Inc., The Commonwealth of Massachusetts, Broadway Street, Lowell, Massachusetts”  
10 dated November 27, 1979, prepared by Cullinan Engineering Co., Inc., and recorded with the

11 Middlesex North registry of deeds in book 133, plan 86. The parcel of land is currently under the  
12 care and control of the department of conservation and recreation and presently held for  
13 conservation and recreation purposes pursuant to section 3 of chapter 132A of the General Laws.

14 SECTION 2. An independent appraisal or appraisals of the fair market value and value in  
15 use of the parcel described in section 1 shall be prepared in accordance with the usual and  
16 customary professional appraisal practices by a qualified appraiser commissioned by the  
17 commissioner of capital asset management and maintenance. The commissioner of capital asset  
18 management and maintenance shall submit the appraisal to the inspector general for review and  
19 comment. The inspector general shall review and approve the appraisal and the review shall  
20 include an examination of the methodology utilized for the appraisal. The inspector general shall  
21 prepare a report of such review and file the report with the commissioner of capital asset  
22 management and maintenance. After receiving the report, the commissioner shall submit copies  
23 of the report to the house and senate committees on ways and means and the joint committee on  
24 state administration and regulatory oversight at least 15 days prior to the execution of documents  
25 effecting the conveyance described in section 1.

26 SECTION 3. As consideration for the conveyance of the parcel or interests described in  
27 section 1, the Lowell housing authority shall compensate the commonwealth by: (i) making a  
28 payment in an amount equal to the full and fair market value or the value in proposed use,  
29 whichever is greater, as determined by the commissioner of capital asset management and  
30 maintenance; (ii) transferring land or interest in land to the department of conservation and  
31 recreation of equal or greater acreage and resource value than the parcel described in section 1 to  
32 be held by the department of conservation and recreation for conservation and recreation  
33 purposes; or (iii) any combination of clauses (i) and (ii) acceptable to the department of

34 conservation and recreation. Any payment made in accordance with clause (i) shall be deposited  
35 in the Conservation Trust established in section 1 of chapter 132A of the General Laws and  
36 expended by the department of conservation and recreation to acquire lands or interests in land to  
37 be permanently under the care and control of the department of conservation and recreation for  
38 conservation and recreation purposes. For the purposes of such appraisal, the full and fair market  
39 value of the parcel described in section 1 shall be calculated with regard to its full development  
40 potential as assembled with other abutting lands owned or controlled by the Lowell housing  
41 authority, if any.

42 SECTION 4. Notwithstanding any general or special law to the contrary, the Lowell  
43 housing authority shall be responsible for all costs and expenses associated with any transaction  
44 authorized by this act including, but not limited to, the costs of any engineering, appraisals,  
45 surveys, title examinations, recording fees, deed preparation or legal costs or any other expenses  
46 incurred by the commonwealth in connection with the conveyance and shall be responsible for  
47 all costs, liabilities and expenses of any nature and kind for its ownership and use.