

HOUSE No. 4914

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, July 29, 2020.

The committee on Ways and Means, to whom was referred the Senate Bill authorizing the Massachusetts Department of Transportation to release its interest by deed or to grant an easement in a certain parcel of land in the City of Fall River (Senate, No. 2780), reports recommending that the same ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4914.

For the committee,

AARON MICHLEWITZ.

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Text of an amendment, recommended by the committee on Ways and Means, to the Senate Bill authorizing the Massachusetts Department of Transportation to release its interest by deed or to grant an easement in a certain parcel of land in the City of Fall River. (Senate, No. 2780). July 29, 2020.

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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 (a) Notwithstanding sections 3 and 20 of chapter 6C of the General Laws or any other
2 general or special law to the contrary, the Massachusetts Department of Transportation may
3 release its interest in, or grant an easement to, a parcel of land in the city of Fall River, currently
4 owned by the department and held by the city of Fall River by an easement and license, to Eric J.
5 Lepage and Carol A. Lepage, their heirs, successors and assigns for purposes of continuing to
6 use the land and improvements within the conveyed area.

7 (b) The parcel of land that the release deed or easement shall apply is located on the south
8 side of 439 Martine street in the city of Fall River, containing 2,741 square feet, more or less,
9 and is shown on a plan of land entitled “Survey Worksheet”, dated September 1, 2017, revised
10 June 3, 2020 and prepared by Mount Hope Engineering, Inc, which shall be recorded with the
11 Fall River district registry of deeds.

12 (c) The parcel shall be conveyed by release deed or easement without warranties or
13 representations by the department upon such terms and conditions as the department deems

14 necessary or advisable. The grantee agrees to assume the cost of any appraisals, surveys and
15 other expenses deemed necessary by the department to execute the release or easement pursuant
16 to this act.

17 (d) As consideration for the release deed or easement authorized in this act, the grantees
18 shall pay to the commonwealth an amount equal to the fair market value of the department's
19 interest in the parcel of land authorized to be released or granted under this act, as determined by
20 an independent appraisal prepared in accordance with the usual and customary professional
21 appraisal practices by a qualified appraiser commissioned by the department.