

SENATE No. 2124

The Commonwealth of Massachusetts

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In the Year Two Thousand Fourteen
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SENATE, Thursday, May 1, 2014

The committee on Ways and Means, to whom was referred the Senate Bill authorizing the Massachusetts Highway Department to grant certain easements in the town of Petersham (Senate, No. 1927), reports, recommending that the same ought to pass with an amendment substituting a new draft entitled “An Act authorizing the Massachusetts Department of Transportation to grant an interest in land in the town of Petersham” (Senate, No. 2124).

For the committee,
Stephen M. Brewer

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An Act authorizing the Massachusetts Department of Transportation to grant an interest in land in the town of Petersham.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith handicap access improvements, 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 any general or special law to the contrary, the
2 Massachusetts Department of Transportation may transfer or convey by easement or otherwise a
3 parcel of land in the town of Petersham to the care, custody and control of the town of Petersham
4 for the purposes of construction, repair or upgrade to the handicapped access ways to the
5 Petersham town offices. The parcel of land is identified as “parcel 1-LT-1 area about 3,473 S.F.”
6 on the plan entitled “Massachusetts Department of Transportation Plan of Road in the Town of
7 Petersham Worcester County Altered and Laid Out as a State Highway by the Massachusetts
8 Department of Transportation, Highway Division Layout No. 8168” prepared by Sherman and
9 Frydryk, LLC and on file with the chief engineer of the highway division of the Massachusetts
10 Department of Transportation and is a portion of a certain parcel of land acquired for highway
11 purposes by the Massachusetts Department of Transportation as described in an order of taking

12 dated June 10, 1919 and recorded in the Worcester district registry of deeds, in book 3111, page
13 11.

14 SECTION 2. Consideration for the conveyance authorized in section 1 shall be the full
15 and fair market value of the parcel for the use authorized by said section 1, as determined by the
16 commissioner of capital asset management and maintenance based upon an independent
17 professional appraisal, which includes the conditions set forth in said section 1; provided, that the
18 commissioner may accept the findings of a previous appraisal of the parcel conducted by an
19 appraiser.

20 SECTION 3. No deed conveying the land identified in section 1 shall be valid unless
21 such deed provides that said land shall be used solely for the purposes described in section 1.

22 SECTION 4. The town of Petersham, or other persons acting on behalf of the town, shall
23 assume the cost of appraisals, surveys and other expenses deemed necessary by the
24 commissioner of the division of capital asset management and maintenance for the conveyance
25 authorized in section 1.