

**SENATE . . . . . No. 2419**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Dean A. Tran*

*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 authorizing removing an easement interest in a certain portion of parkland located at 0 Elm Street in the City of Fitchburg from the protection of Article 97 of the Constitution.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

*Dean A. Tran*

*Worcester and Middlesex*

*Stephan Hay*

*3rd Worcester*

**SENATE . . . . . No. 2419**

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By Mr. Tran, a petition (accompanied by bill, Senate, No. 2418) of Dean A. Tran and Stephan Hay (with approval of the mayor and city council) for legislation to authorize removing an easement interest in a certain portion of parkland located at 0 Elm Street in the City of Fitchburg from the protection of Article 97 of the Constitution. Municipalities and Regional Government.

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**The Commonwealth of Massachusetts**

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

An Act authorizing removing an easement interest in a certain portion of parkland located at 0 Elm Street in the City of Fitchburg from the protection of Article 97 of the Constitution.

*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. Parkland located at 0 Elm Street in the City of Fitchburg is described on the  
2 deed filed with the Registry of Deeds for Worcester County North at Book 206, Page 210.

3 SECTION 2. An easement interest in a certain portion of said parkland located at 0 Elm  
4 Street described on the attached plan entitled "Easement Plan of Land in Fitchburg,  
5 Massachusetts," dated September 20, 2019, prepared by Presicion Land Surveying, Inc., is  
6 removed from the protection of Article 97 of the Constitution of the Commonwealth of  
7 Massachusetts.

8 SECTION 3. The City of Fitchburg or its assigns is hereby authorized to use said  
9 approximate .4274 acres of land at 0 Elm Street, Fitchburg, as described on the Easement Plan  
10 for the construction of a new parking lot for the park and economic development related  
11 purposes thereto.

12           SECTION 4. There shall be no net loss of land protected by Article 97 as a result of this  
13 disposition as .85 acres of land owned by the City of Fitchburg, which is currently held for other  
14 municipal, non-Article 97 purposes, located at 0 Battles Road described more particularly in  
15 deeds filed with the Registry of Deeds for Worcester County North at Book 509, Page 99 and  
16 Book 625, Page 571 and situated to the north of Battles Road will be used for conservation  
17 purposes.

18           SECTION 5. In the submitting of this legislation, the city of Fitchburg authorizes its  
19 Mayor to create and provide to the General Court and state agencies any and all additional  
20 information that may be necessary or helpful for passage.

21           SECTION 6. In submitting this legislation, the city of Fitchburg authorizes the General  
22 Court to make such changes in the drafting process as are necessary for passage; and

23           SECTION 7. This act shall take effect immediately upon passage.