

SENATE No. 2913

Senate, July 30, 2024 - New draft (Senator Finegold) to Senate Bill authorizing the town of Andover to convey a non-exclusive access easement over a certain parcel of land (Senate, No. 2784).

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act authorizing the town of Andover to convey a non-exclusive access easement over a certain parcel of land.

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. (a) Notwithstanding any general or special law to the contrary, the town of
2 Andover, acting by and through its select board, in consultation with the Andover conservation
3 commission, may convey, upon such terms and conditions and for the fair market value or value
4 in use, whichever is greater, as determined by an appraisal, a non-exclusive easement over, under
5 and through portions of property described in subsection (b) for purposes of providing motor
6 vehicle and pedestrian access and egress over said land; provided, however, that such non-
7 exclusive easement shall not allow parking on said land. The town of Andover shall deposit into
8 and hold such consideration in a segregated account dedicated solely for the acquisition and
9 maintenance of land for the purposes of article 97 of the amendments to the constitution of the
10 Commonwealth and shall use such monies to acquire land or an interest in land for article 97
11 purposes within three years after the conveyance.

12 (b) The property on which said easement may be granted is shown on Assessor's Map
13 117 as Lot 15 and is located at 268 Andover street in the town of Andover. The property is more
14 particularly described on a plan entitled, "Plan of Land in Andover, prepared for Kathleen &
15 Remi Machet, 264 Andover Street, Andover, MA and Inhabitants of the Town of Andover, 268
16 Andover Street, Andover, MA", prepared by John Abagis & Associates, Professional Land
17 Surveyors and dated April 19, 2023, which plan is on file with the town clerk. The easement is
18 shown on said plan as "Proposed Access/Egress Easement Containing 3,242 sf" and shall be for
19 the benefit of the abutting parcel shown on said plan as "Lot #24 Land of Remi & Kathleen
20 Machet." The land benefited by said non-exclusive easement is further described in an
21 instrument recorded with the Essex North District registry of deeds at book 12926, page 231.

22 SECTION 2. This act shall take effect upon its passage.