

Chapter 11,
THE COMMONWEALTH OF MASSACHUSETTS

In the Year Two Thousand and Fourteen

AN ACT AUTHORIZING THE COMMISSIONER OF CAPITAL ASSET MANAGEMENT AND MAINTENANCE TO CONVEY CERTAIN LAND TO THE TOWN OF BELMONT FOR RECREATION, PUBLIC WORKS OR OTHER MUNICIPAL PURPOSES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to convey forthwith certain land to the town of Belmont, 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:

SECTION 1. Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or any other general or special law to the contrary, the commissioner of capital asset management and maintenance may convey a portion of a certain parcel of land in the town of Belmont formerly used for incineration purposes by the town of Belmont pursuant to chapter 513 of the acts of 1955 and subsequently, by the declaration of reversion in chapter 640 of the acts of 1987, reverted to the commonwealth pursuant to section 3 of said chapter 513 to the town of Belmont for recreation, public works or other municipal purposes. The parcel is bounded and described as follows:

Beginning at a point in the southwesterly line of Concord avenue, distant one thousand six hundred eighty-five (1,685) feet from the Lexington town line; thence running along Concord avenue to the property line of the Massachusetts General Hospital, (now McLean Hospital Corporation) six hundred thirty-four and eighty-five one hundredths (634.85) feet; thence turning and running southerly by land of said Massachusetts General Hospital, four hundred sixty-one and forty-five one hundredths (461.45) feet; thence turning and running southwesterly but more westerly across Clematis brook to the middle line of Beaver brook, five hundred sixty-six and ninety one hundredths (566.90) feet; thence turning and running southeasterly but more southerly by the middle line of said Beaver brook to the Waltham town line, two hundred thirty-four and eighty one hundredths (234.80) feet; thence turning and running northwesterly along the Waltham town line, six hundred thirteen and fifty-five one hundredths (613.55) feet to a point marked by a stone bound; thence turning and running northeasterly one thousand one hundred ten and forty-one one hundredths (1,110.41) feet, to the point of beginning; being the parcel of land shown on a plan entitled "Plan of land in Belmont, Mass. Scale 1 inch = 150 feet, dated April 29, 1955 by Joseph W. Kales, Town Engineer" recorded at the Middlesex south registry of deeds as plan number 882 of 1956

and recorded with the deed from the commonwealth to the town of Belmont recorded in book 8736, page 599.

The commissioner of capital asset management and maintenance shall determine the exact boundaries of the parcel after completion of a survey. The parcel shall be conveyed by deed without warranties or representations by the commonwealth.

SECTION 2. The consideration for the conveyance authorized in section 1 shall be the full and fair market value of the parcel for the use authorized by said section 1 as determined by the commissioner of capital asset management and maintenance based upon an independent professional appraisal and including the conditions set forth in said section 1; provided, however, that any costs related to remediation of the site shall be applied against the final appraised value of the parcel; and provided further, that the commissioner may accept the findings of a previous appraisal of the parcel conducted by an appraiser acceptable to the commissioner.

SECTION 3. Notwithstanding any general or special law to the contrary, the inspector general shall review and approve the appraisal required pursuant to section 2. The inspector general shall prepare a report of the methodology utilized for the appraisal and shall file the report with the commissioner of capital asset management and maintenance, the house and senate committees on ways and means and the joint committee on state administration and regulatory oversight. Thirty days before the execution of a deed for the conveyance authorized in this act or any subsequent amendment thereto, the commissioner shall submit the proposed deed or amendment and a report thereon to the inspector general for review and comment. The inspector general shall issue such review and comment within 15 days after receipt of the proposed deed or amendment. The commissioner shall submit the proposed deed or amendment and the reports and the comments of the inspector general, if any, to the house and senate committees on ways and means and the joint committee on state administration and regulatory oversight at least 15 days before execution of the deed or amendment.

SECTION 4. Notwithstanding any general or special law to the contrary, the town of Belmont shall be responsible for all costs and expenses of the conveyance authorized in section 1 as determined by the commissioner of capital asset management and maintenance including, but not limited to, the costs of any engineering, surveys, appraisals and deed preparation related to the conveyance and all costs, liabilities and expenses of any nature and kind for its ownership.

SECTION 5. The deed or other instrument conveying the parcel to the town of Belmont under section 1 shall provide that if the parcel ceases at any time to be used for the purposes set forth in this act, title to the parcel shall, at the election of the commonwealth, revert to the commonwealth.

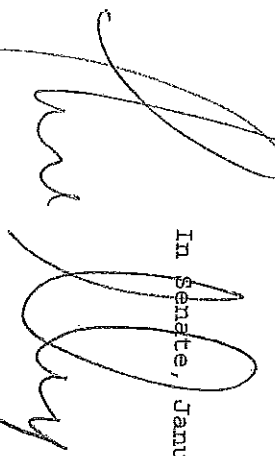
House of Representatives, January 15, 2014.

Preamble adopted,

 , Speaker.

In Senate, January 16, 2014.

Preamble adopted,

 , President.

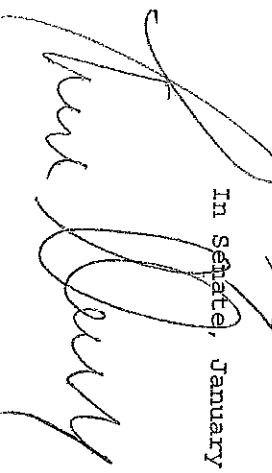
House of Representatives, January 16, 2014.

Bill passed to be enacted,

 , Speaker.

In Senate, January 16, 2014.

Bill passed to be enacted,

 , President.

23 January 2014.

Approved,

at 4 o'clock and 25 minutes, P. M.


GOVERNOR.