
Chap. 537

National Historic Site is a portion of the same land acquired by the board of metropolitan park commissioners by a taking dated June 13, 1901 and recorded July 11, 1901 in Deed Book 900, Page 461 in the registry of deeds of Norfolk county.

SECTION 2. Said easement is to be given in order to preserve and protect in perpetuity the open space and scenic features of the Adams National Historic Site.

SECTION 3. Said easement grants to the United States of America a perpetual, exclusive and assignable easement and right-of-way to locate, construct, operate, maintain, and repair, benches, picnic tables, fences, temporary structures, street furniture, trails or walkways and utilities in, over, and across the land described herein, together with the right to trim, cut, fell and remove therefrom all trees, underbrush, obstructions, and any other vegetation, structures, or obstacles within the limits of the land described herein, together with the right to permit members of the public to traverse the area, and for other purposes as may be required in connection with the construction, management, development, use and maintenance of the land as part of the Adams National Historic Site.

SECTION 4. It is conclusively presumed that any and all rights and uses to the land described herein are vested in the United States, excepting from the operation of said easement and reserving to the commonwealth all such rights and privileges in said land as may be used and enjoyed without interfering or abridging the rights and easement granted to the United States of America.

SECTION 5. The commonwealth reserves the right to use the property for flood control purposes. The United States shall submit plans to the commonwealth for review of any landscaping or the construction of any improvements or structures.

SECTION 5A. In the event that the terms and conditions described in sections one, two, three, four and five are not complied with, said easement shall revert to the commonwealth under terms and conditions as said commissioner may prescribe.

SECTION 6. This act shall take effect upon its passage.

Approved January 8, 1992.

Chapter 537.

AN ACT AUTHORIZING THE COMMISSIONER OF CAPITAL PLANNING AND OPERATIONS TO EXTEND THE LEASE OF A CERTAIN PARCEL OF LAND IN THE TOWN OF WESTON TO THE FRANCIS OUMET CADDIE SCHOLARSHIP FUND, INC.

Be it enacted, etc., as follows:

Notwithstanding the provisions of chapter nine hundred and three of the acts of nineteen hundred and seventy-three or any other general or special law to the

contrary, the commissioner of the division of capital planning and operations, in consultation with the metropolitan district commission, is hereby authorized, subject to the provisions of section forty F 1/2 and sections forty H to forty J, inclusive, of chapter seven of the General Laws, to execute and deliver in the name and on behalf of the commonwealth, subject to the terms and conditions as determined by said commissioner in consultation with said metropolitan district commission, one or more instruments to extend the lease between the metropolitan district commission and the Francis Ouimet Caddie Scholarship Fund, Inc., dated February 19, 1975, for an additional period of twenty-five years, of that certain parcel of land, situated in the town of Weston being a portion of the Leo J. Martin Memorial Golf Course, consisting of seven thousand square feet, more or less, all as appearing more precisely on Metropolitan District Commission, Park Engineering Division, Accession Plan Number 42003, updated through February 14, 1975, on file with said commission.

Any and all renewals for said lease shall be subject to the approval of the general court.

The commissioner shall provide to the clerk of the house of representatives, copies of said lease and said clerk shall forward copies to the joint committee on state administration and the inspector general of the commonwealth, at least thirty business days prior to the execution of said lease by said division. The inspector general shall review and comment within fifteen business days of this receipt of said lease. A copy of said review and comment, and any recommendations thereon by the inspector general, shall thereupon be forwarded to said clerk who shall forward copies to said joint committee on state administration. Said lease, when executed by the commissioner, shall be deemed conclusively authorized hereby; provided, however, that all provisions therein are consistent with the provisions of this act. Said commissioner from time to time is hereby authorized to execute and deliver, in the name and on behalf of the commonwealth, a notice of said lease for recording and any and all other agreements and instruments related to said lease authorized hereby which the commissioner may determine appropriate. Any such notice of lease or lease instrument, when executed by said commissioner shall be deemed conclusively authorized hereby; provided, however, that all provisions therein are consistent with this act.

No sublease of such land and buildings or any portion thereof, for any purpose other than for the promotion of the Francis Ouimet Caddie Scholarship Fund, Inc., shall be executed without the prior approval of the general court.

No privately owned, occupied or financed building of any kind may be erected upon said land without the prior written approval of the commissioner, and a written notification to the clerk of the house of representatives who shall forward copies thereof to the joint committee on state administration; provided, however, that any privately owned, occupied or financed building shall revert to the

Chap. 538

commonwealth upon the expiration of said lease or leases. Plans for any such building shall be submitted to said commissioner for approval prior to any construction thereon. In a like manner any alteration, addition, destruction or demolition thereof shall also require the prior written approval of said commissioner and written notification to the joint committee on state administration. Copies of any and all such plans, together with all such written approvals by said commissioner, shall be sent by said commissioner to the joint committee on state administration to be kept on file.

The lease authorized hereby shall provide that the commonwealth may repossess the leased premises together with any buildings erected thereon if payment of the rent or any other sum is not timely paid, or if the lessee otherwise defaults and, notwithstanding such default, the lessee shall continue to owe the rent and any other sums due the commonwealth under the provisions of said lease. The lessee shall carry, in an amount approved in writing by the commissioner, comprehensive general liability insurance protecting said lessee and the commonwealth against personal injury and property damage occurring on said leased premises or within any structure or building erected thereon, and such fire and extended risk insurance, as said commissioner deems appropriate.

Approved January 9, 1992.

Chapter 538. AN ACT AUTHORIZING THE TOWN OF WESTON TO ENTER INTO AN AGREEMENT FOR AN ENERGY CONSERVATION RETROFIT PROGRAM.

Be it enacted, etc., as follows:

SECTION 1. The town of Weston is hereby authorized to enter into an agreement for an energy conservation retrofit program containing a provision requiring the town to refund a prorated portion of the amounts paid for installation of electrical energy conservation measures in the event the town takes any action after installation which affects a specified pay-back period established in the agreement for such electrical energy conservation measures.

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

Approved January 9, 1992.

Chapter 539. AN ACT RELATIVE TO THE HEALTH BENEFITS OF CERTAIN EMPLOYEES OF THE CITY OF BROCKTON.

Be it enacted, etc., as follows: