
**Chapter 104. AN ACT ESTABLISHING A SICK BANK FOR MICHAEL ABDOW,
AN EMPLOYEE OF THE TRIAL COURT.**

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a sick leave bank for a certain employee of the trial court, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding any general or special law, rule or regulation to the contrary, the trial court shall establish a sick leave bank for Michael Abdow, an employee of the Fall River division of the district court department of the trial court. Any employee of the trial court may voluntarily contribute 1 or more sick, personal or vacation days to the sick leave bank for use by Michael Abdow. Whenever Michael Abdow terminates employment with the trial court or requests to dissolve the sick leave bank, the balance of sick leave shall be transferred to the trial court paid leave bank.

Approved June 13, 2006.

**Chapter 105. AN ACT AUTHORIZING THE COMMISSIONER OF THE DIVISION
OF CAPITAL ASSET MANAGEMENT AND MAINTENANCE TO
CONVEY AND ACQUIRE CERTAIN PARCELS OF LAND IN THE
TOWN OF BRIDGEWATER.**

Whereas, The deferred operation of this act would tend to defeat its purpose, which is forthwith to authorize certain land transactions in the town of Bridgewater, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. The commissioner of capital asset management and maintenance, in this act called the commissioner, notwithstanding sections 40E through 40J, inclusive, of chapter 7 of the General Laws, except as specifically provided in this act, shall convey on behalf of, and in consultation with, the commissioner of the department of highways, by deed, to Property Investors, LLC, a Massachusetts limited liability company, in this act called the developer, title to certain parcels of land that are owned by the commonwealth in the town of Bridgewater and that are depicted as "Right of Way Acquisition by Proposed Development" on a plan entitled "Proposed Retail Route 24 & Pleasant Street (Rte 104) Bridgewater, MA", prepared by Coler & Colantonio, Inc., and dated April 12, 2006, for purposes consistent with the applicable zoning ordinance of the town of Bridgewater. This conveyance shall not occur until these parcels have been determined to be surplus land by

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the commissioner of the department of highways pursuant to section 7E of chapter 81 of the General Laws. This conveyance shall occur upon certification by the developer to the commissioner that all local and state permits and approvals required to enable retail development on the parcels of land described in this section have been obtained. This conveyance shall be subject to such terms and conditions as the commissioner of the department of highways may prescribe in consideration for any such parcels of land, as described in section 2, that the commissioner may acquire from the developer.

SECTION 2. The developer shall convey by deed, to the commissioner, and the commissioner shall acquire on behalf of the department of highways for highway purposes as partial consideration for the transfer provided for in section 1, certain parcels of land owned by the developer in the town of Bridgewater, depicted as “Right of Way Dedication to State” on the plan described in section 1. The department of highways shall have sole responsibility for the management and maintenance of said parcels.

SECTION 3. The developer shall pay to the commissioner the difference between the full and fair market value of the parcel conveyed under section 1 and the full and fair market value of the parcel of land conveyed under section 2 based upon independent professional appraisals as determined by the commissioner of the department of highways. Upon the effective date of this act, the commissioner of the department of highways shall initiate an independent appraisal or appraisals of the parcels described in sections 1 and 2. Upon receipt of said appraisal or appraisals, the inspector general shall review and approve the appraisal or appraisals, which review and approval shall include an examination of the methodology used for the appraisal or appraisals, shall prepare a report of his review and approval of the appraisal or appraisals, sale agreement, or amendments and shall file such report with the commissioner, the commissioner of the department of highways, the house and senate committees on ways and means and the chairmen of the joint committee on bonding, capital expenditures and state assets.

SECTION 4. The developer shall be responsible for all costs associated with the conveyance authorized by this act, including but not limited to any appraisal, survey, recording and legal costs, and any and all other expenses incurred by the commonwealth in connection with the conveyance.

SECTION 5. The developer shall provide a copy of the plan described in section 1 of this act to the commissioner, who shall keep the plan on file. A copy of the plan shall be also kept on file with the chief engineer of the department of highways. The developer shall record the plan in the Plymouth county registry of deeds.

SECTION 6. The developer and its agents, tenants and contractors shall hold the commonwealth and its agents and employees harmless from and against all claims, actions, damages or costs claimed for injuries or damages to persons or property arising out of, or in any way relating to, the conveyance authorized by this act, and shall indemnify and defend the commonwealth and its agents and employees from and against any and all such claims, actions, damages or costs.

Approved June 13, 2006.