

company, association or similar entity, which is considered to have violated this section, shall be considered to have engaged in an unfair and deceptive practice and shall be a violation of chapter 93A.

A bank, federal bank, federal branch, foreign bank, out-of-state bank or out-of-state branch, or out-of-state federal bank, as defined in section 1, and any federal credit union as defined in section 1 of chapter 171, or any subsidiary thereof, that has had its name, trade name, or trademark used in violation of this section may in addition to any other remedy provided by law, bring an action in the superior court in which venue the financial institution has an office to enjoin an act in violation of this section and recover damages. The court shall award damages in the amount of actual damages or \$10,000 per violation, whichever is greater. In any successful action for injunctive relief or for damages, the court shall award the financial institution or its subsidiary, attorney's fees and costs, including court costs.

SECTION 2. Section 37A of said chapter 167, as so appearing, is hereby amended by inserting after the word "association", in lines 2 and 3, the following words:- he or his examiners believe is violating the preceding section or who is.

Approved August 2, 2006.

Chapter 210. AN ACT AUTHORIZING THE UNIVERSITY OF MASSACHUSETTS TO CONVEY A CERTAIN PARCEL OF LAND IN THE CITY OF BOSTON TO THE UNITED STATES OF AMERICA ACTING BY AND THROUGH THE NATIONAL ARCHIVES AND RECORDS ADMINISTRATION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the conveyance of certain real property in the city of Boston, 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. Notwithstanding section 40F and section 40F½ of chapter 7 of the General Laws, or any other general or special law or rule or regulation to the contrary, the board of trustees of the University of Massachusetts, or any officer designated by the board, for itself and on behalf of the commonwealth, may convey, with conditions, to the United States of America, acting by and through the National Archives and Records Administration a certain parcel of vacant land in the city of Boston, Suffolk County, Massachusetts, as shown as parcel B-3 on a plan entitled, "Plan of Land, Boston, Massachusetts, Prepared for: The Commonwealth of Massachusetts", prepared by Judith Nitsch Engineering, Inc., dated April 20, 2006, and being more particularly described as follows:

Beginning at a point at the most northeasterly portion of said herein described parcel

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at land of the United States of America, thence running S21°-27'-34"W, by land of the United States of America, a distance of 394.31 feet to a point;

Thence N50°-07'-44"W, by Parcel B-2 as shown on said plan, a distance of 246.60 feet to a point at remaining lands of the Commonwealth of Massachusetts;

Thence N39°-51'-39"E, by said remaining lands, a distance of 333.47 feet to a point;

Thence S68°-32'-24"E, a distance of 128.71 feet to the point of beginning;

Containing 66,495 square feet of land, more or less, and being subject to easements and restrictions of record, so long as the same do not materially interfere with the use of said land by the United States of America acting by and through the National Records and Archives Administration.

The grantor's title for this parcel is recorded in a deed filed in book 8343, page 694 at the Suffolk county registry of deeds.

SECTION 2. (a) The consideration for the conveyance authorized by section 1 shall be the full and fair market value of the property based upon an independent professional appraisal. The inspector general shall review the appraisal. Nothing in this act shall prevent a submission of an appraisal conducted in the 2 years before the effective date of this act from being submitted to the inspector general for his review and comment. The inspector general shall prepare a report of his review of the methodology used for the appraisal and file the report with the house and senate committees on ways and means and the chairmen of the joint committee on bonding, capital expenditures and state assets in accordance with this act.

(b) The university shall, 30 days before the execution of any agreement authorized by this act, or any subsequent amendment thereof, submit the agreement or amendment and a report thereon to the inspector general for his review and comment.

The inspector general shall issue his review and comment within 15 days of receipt of any agreement or amendment. The university shall submit the agreement and any subsequent amendments thereof, the reports and the comments of the inspector general, if any, to the house and senate committees on ways and means and the chairmen of the joint committee on bonding, capital expenditures and state assets at least 15 days before execution.

SECTION 3. The proceeds of the conveyance shall be deposited in a trust fund established by the board of trustees of the University of Massachusetts and may be used for endowment purposes and managed as such. The proceeds shall be used to benefit university programs of study, including, but not limited to, the establishment of academic chairs and research programs.

SECTION 4. The United States of America, acting by and through the National Archives and Records Administration, shall pay for all costs of the appraisal, survey and deed preparation for the conveyance of the property authorized by section 1.

SECTION 5. The property described in section 1 shall be used by the United States of America, acting by and through the National Archives and Records Administration, in connection with an addition to the John F. Kennedy Library.

Approved August 2, 2006.