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(g) The developer shall preserve, maintain and protect the existing cemetery located on parcel E as shown on the plan.

(h) At least 30 days before the date on which bids, proposals, or other offers to purchase or lease the disposition parcel, or any portion thereof, are due, the commissioner shall place a notice in the central register published by the state secretary pursuant to section 20A of chapter 9 of the General Laws stating the availability of the property, the nature of the competitive process and other information deemed relevant, including the time, place and manner for the submission of bids, proposals and the opening thereof.

SECTION 9. The commissioner may retain or grant rights of way or easements for access, egress, utilities and drainage across the disposition parcel and across other commonwealth property, other than property under the care and control of the department of conservation and recreation as of the effective date of this act, contiguous to the disposition parcel, and the commonwealth may accept from a developer rights of way or easements in roadways or across the disposition parcel to be conveyed by deed or leased pursuant to this act for the purposes of access, egress, drainage and utilities as the commissioner considers necessary and appropriate to carry out the purposes of the reuse plan and this act.

SECTION 10. The grantee or lessee shall be responsible for all costs including, but not limited to, appraisals, surveys, plans, recordings and any other expenses relating to the transfer, as shall be considered necessary by the commissioner.

SECTION 11. This act shall be construed to be supplemental and additional to, and not in derogation of, powers conferred upon the commissioner and others by law; provided, however, that insofar as other laws are inconsistent with this act, this act shall be controlling.

Approved August 6, 2008.

Chapter 270. AN ACT AUTHORIZING THE COMMISSIONER OF CAPITAL ASSET MANAGEMENT AND MAINTENANCE TO GRANT EASEMENTS IN THE CITY OF SOMERVILLE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith the granting of certain access and utility easements to the Somerville housing authority and Conwell Capen Limited Partnership, 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 consultation with the department of conservation and recreation, may grant, notwithstanding sections 40E to 40J, inclusive, of chapter 7 of the General Laws, to the Somerville housing authority, the owner of the premises known as 1 Capen court, and its successors or assigns,

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and to Conwell Capen Limited Partnership, the owner of the premises known as 405 Alewife Brook parkway, and its successors or assigns, various access and utility easements over land owned by the commonwealth located at 149 Capen street in the city of Somerville which easements shall be substantially as described in the attachment "Access and Utility Easement" and approximately identified as the "Proposed Utility Easement" and "Proposed Access Easement" on the plan entitled "Easement Plan of Land" prepared by Design Consultants, Inc., dated January 16, 2008, which plan is on file with the commissioner of capital asset management and maintenance. Such access and utility easements shall reflect the past and current use of the commonwealth's land in which the easements shall be granted pursuant to this act and such recordable easements are necessary to effect improvements upon the respective properties and to further improve the alignment and configuration of such access and utility uses. The land in which the easements shall be granted pursuant to this act has been used in connection with a waterworks system pursuant to chapter 372 of the acts of 1984. The instrument granting the easements shall contain an acknowledgement that the Mystic Valley parkway and Alewife Brook parkway are parkways that are restricted to pleasure vehicles only by the department of conservation and recreation and that the use of Mystic Valley parkway and Alewife Brook parkway is subject to the regulations generally applicable to such parkways of the department of conservation and recreation, as such regulations may be amended from time to time. The above-referenced plan shall be recorded in the Middlesex county south district registry of deeds.

SECTION 2. The consideration for the easements described in section 1 shall be the undertaking of Conwell Capen Limited Partnership to complete and operate the proposed developments at 1 Capen court and 405 Alewife Brook parkway as affordable senior housing with supportive services, including independent and assisted living, under certain use restriction and regulatory agreements to be entered into in connection with the affordable housing subsidies granted to the respective properties.

SECTION 3. The commissioner of capital asset management and maintenance, 30 days before the execution of any agreement or release authorized by this act or any subsequent amendment thereof, shall 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 commissioner 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 joint committee on bonding, capital expenditures, and state assets at least 15 days before the execution of the agreement.

Approved August 6, 2008.

Chapter 271. AN ACT RELATIVE TO GROUP MARKETING PLANS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which