

# HOUSE . . . . No. 2001

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, March 30, 1948.

The committee on Cities, to whom was referred the petition (accompanied by bill, House, No. 448) of Charles Gibbons for legislation to remove restrictions imposed by the Commonwealth on lands in the Back Bay area of the city of Boston, report the accompanying bill (House, No. 2001).

For the committee,

SHERMAN MILES.

Representatives DESMOND of Lowell and BURKE of Boston dissenting.

## The Commonwealth of Massachusetts

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In the Year One Thousand Nine Hundred and Forty-Eight.

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AN ACT TO RELEASE CERTAIN INTERESTS OR RIGHTS  
AFFECTING LAND ON ARLINGTON STREET AND COMMON-  
WEALTH AVENUE IN THE CITY OF BOSTON.

*Be it enacted by the Senate and House of Representatives  
in General Court assembled, and by the authority of the  
same, as follows:*

1 SECTION 1. Subject to the rights, if any there be,  
2 of parties other than the commonwealth, the common-  
3 wealth hereby releases the parcel of land in Boston  
4 bounded as follows, viz.: easterly by Arlington street,  
5 southerly by a passageway sixteen feet wide, westerly  
6 by No. 6 Commonwealth avenue, land formerly  
7 owned by the commonwealth, and northerly by  
8 Commonwealth avenue, from whatever interest or  
9 right it may have in the operation and effect of the  
10 provisions, stipulations, agreements and restrictions  
11 heretofore imposed on said land by its deeds, such  
12 release to be effective in the manner and at the time  
13 specified in section two.

1 SECTION 2. Such release shall become effective  
2 upon the recording of a written agreement in the  
3 registry of deeds for Suffolk county signed by, or on  
4 behalf of, the owners of said land, and approved in  
5 writing by the attorney general as being in com-

6 pliance with this section; providing — *First*, That  
7 the owner of said land, for himself as owner, and for  
8 his heirs, executors, administrators, successors and  
9 assigns, releases the commonwealth from all claims  
10 and demands, if any such there be, by reason of the  
11 release by the commonwealth provided for in this  
12 act. *Second*, that the owner of said parcel of land,  
13 for himself as owner, and his heirs, executors, ad-  
14 ministrators, successors and assigns, agrees that there  
15 shall be no public entrance thereto for commercial  
16 purposes on Commonwealth avenue, and that the  
17 restriction as to the twenty-two foot set-back shall  
18 remain in full force and effect.

1 SECTION 3. This act shall take effect upon its  
2 passage.

