
By Mr. Babcock of Milton, petition of Frank B. Frederick for legislation relative to the abandonment of land or easements. Legal Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Four.

AN ACT RELATIVE TO THE ABANDONMENT OF LAND OR
EASEMENTS.

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

1 Chapter 40 of the General Laws is hereby amended
2 by striking out section 15 and inserting in place thereof
3 the following section: —

4 *Section 15.* If any officer of a city or town having
5 charge of any land, including land acquired for play-
6 ground purposes pursuant to the provisions of section
7 fourteen of chapter forty-five, but excluding land ac-
8 quired for park purposes pursuant to the provisions
9 of section three of chapter forty-five, or of any ease-
10 ment or right in land, whether such land, easement or
11 right was acquired by eminent domain, purchase,
12 gift, devise or otherwise, notifies the city council or
13 the selectmen that, in his opinion, such land, easement
14 or right, or part thereof, is no longer required for
15 public purposes, and if thereafter the city council or
16 the inhabitants of the town by a two-thirds vote
17 authorize the conveyance of such land, or of part
18 thereof, or the abandonment of such easement or
19 right, or part thereof, and specify the minimum amount
20 to be paid for such conveyance or abandonment, the
21 mayor or the selectmen may, for such amount or a

22 larger amount, and upon such other terms as the
 23 mayor or selectmen shall consider proper, convey
 24 said land, or part thereof, by deed, or declare said
 25 easement or right, or part thereof, to be abandoned;
 26 provided, that no such conveyance or abandonment
 27 shall be valid if it is in violation of any term or con-
 28 dition of the title of the city or town to such land,
 29 easement or right. Such declaration, being recorded
 30 in the registry of deeds for the district where the land
 31 is situated, shall extinguish the easement or right.