

HOUSE No. 2705

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, April 13, 1955.

The committee on Metropolitan Affairs, to whom was referred the petition (accompanied by bill, House, No. 900) of Howard Whitmore, Jr. (mayor) and another that the Metropolitan District Commission be authorized to transfer to the city of Newton a portion of the Cochituate Aqueduct and authorizing said city to use the aqueduct for sewage disposal purposes, report the accompanying bill (House, No. 2705).

For the committee,

GARDNER CAMPBELL.

The Commonwealth of Massachusetts

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

AN ACT AUTHORIZING AND DIRECTING THE TRANSFER FROM THE METROPOLITAN DISTRICT COMMISSION TO THE CITY OF NEWTON OF UNUSED PARTS OF THE COCHITUATE AQUEDUCT IN SAID CITY, AND TO EMPOWER SAID CITY TO TAKE LAND IN ORDER TO FACILITATE THE UTILIZATION OF ANY SUCH PART OF SAID AQUEDUCT FOR SEWAGE DISPOSAL PURPOSES.

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. The metropolitan district commission may
2 and is hereby directed to convey to the city of Newton
3 for seventy thousand dollars and the costs involved in
4 conveying all the right, title and interest of whatever
5 nature, kind or description which the said commission
6 may have in or pertaining to all presently unused parts
7 of the so-called Cochituate aqueduct situated within
8 said city and in or to any land and interest in land
9 likewise situated and relating to any such unused part,
10 or at any time acquired for use in connection therewith,
11 except the commission shall reserve a right of way ex-
12 tending from the intersection of Grant avenue and
13 Commonwealth avenue to Lake street for the purpose of
14 maintaining and operating the sixty-inch Weston Aque-
15 duct supply mains laid parallel to the said aqueduct and
16 for a tunnel located approximately twenty feet above
17 the aqueduct. Said deed conveying these premises shall
18 contain provisions saving the commission harmless
19 from all damages which the said city may sustain due to
20 the maintenance and operation of said water main and
21 from any litigation involving the use of any easements
22 hereby conveyed.

1 SECTION 2. The mayor and board of aldermen of and
2 acting for the city of Newton may, in their discretion,
3 utilize any part of the so-called Cochituate aqueduct
4 or land or interest in land at any time acquired under
5 section one of this act in any manner which may be
6 necessary or desirable, whether as an integral part or as
7 an adjunct of its sewage disposal system and facilities,
8 for purposes of supplementing or otherwise facilitating
9 the functioning of said system and facilities, and may
10 from time to time take by eminent domain pursuant
11 and subject to the provisions of chapter seventy-nine
12 of the General Laws, or acquire, by purchase or other-
13 wise, any lands, water rights, or rights of way or ease-
14 ments, or other interest in land of whatever nature, kind
15 or description, situated in said city which may be
16 necessary or desirable to enable or in any way facilitate
17 any such utilization of any part of said aqueduct or land
18 pertaining thereto.

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

