

HOUSE No. 1339

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, March 20, 1934.

The committee on Bills in the Third Reading, to whom was referred the Bill authorizing and regulating the expenditure of money by municipalities for the preservation, care and insurance of real property held by them under tax title (House, No. 1317), report recommending that the same be amended by the substitution of the accompanying bill (House, No. 1339).

For the committee,

PHILIP SHERMAN.

The Commonwealth of Massachusetts

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

An Act relative to the Protection of Interests of Municipalities in Real Estate held by Them under Tax Sales and Takings.

1 *Whereas*, The deferred operation of this act would
2 tend to defeat its purpose, therefore it is hereby de-
3 clared to be an emergency law, necessary for the im-
4 mediate preservation of the public convenience.

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. Section five of chapter forty of the
2 General Laws, as most recently amended by section
3 three of chapter three hundred and eighteen of the
4 acts of nineteen hundred and thirty-three, is hereby
5 further amended by inserting after the word "dollars"
6 in the one hundred and seventy-eighth line, as printed
7 in the Tercentenary edition, the following new para-
8 graph:—

9 (38) For the preservation, care and maintenance
10 of, and for the further protection by insurance and
11 otherwise of the town's interest in, real estate held
12 by it under purchases and takings for non-payment
13 of taxes, such appropriation to be expended on ac-
14 count of any particular real estate only in case there

15 shall have been filed with the clerk of the town a cer-
16 tificate of its mayor or selectmen approved by the
17 commissioner of corporations and taxation, stating
18 that the town's interest therein has not been reason-
19 ably protected, and subject to the provisions of sec-
20 tion fifty A of chapter sixty.

1 SECTION 2. Chapter sixty of the General Laws is
2 hereby amended by inserting after section fifty, as
3 appearing in the Tercentenary edition, the following
4 new section: —

5 *Section 50A.* In the event of the filing of a cer-
6 tificate under clause (38) of section five of chapter
7 forty in respect to any particular real estate held by
8 a town under a purchase or taking for non-payment
9 of taxes, the collector shall make a written demand
10 upon the owner of record thereof requiring that he
11 take certain specified action to preserve, care for or
12 maintain the same or protect by insurance or other-
13 wise the town's interest therein, within a period fixed
14 in the demand which, except in case of emergency,
15 shall be not less than seventy-two hours after its
16 date. Said demand shall be served upon such owner
17 of record by mailing the same to him at his last known
18 residence or place of business, postage prepaid, and
19 by posting a copy thereof upon such real estate. In
20 default of action in compliance with such demand,
21 the town may proceed to take the specified action
22 and the expenses incurred on account thereof shall
23 be included in the tax title account for such real
24 estate and be treated in all respects as part of the
25 legal costs and charges of collection.

15 shall have been filed with the clerk of the town a year
 16 after of its receipt or otherwise approved by the
 17 townsmen of its receipt and location, and
 18 that the town's interest therein has not been
 19 any other, and subject to the provisions of the
 20 law in this behalf made.

1. Section 2. The purpose of this law is to
2. provide a method for locating the
3. property of the townsmen, and to
4. give the townsmen
5. Section 3. In the town of the town of
6. a certain number of acres, and to
7. give to the townsmen, and to
8. give to the townsmen, and to
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