

# HOUSE . . . . No. 1656

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, June 29, 1934.

The committee on Ways and Means, to whom was referred the Bill authorizing the Department of Public Works to rebuild and widen Ocean Avenue in the vicinity of the Revere Beach Reservation in the city of Revere (House, No. 252), report that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 1656).

For the committee,

JOHN P. LYONS.

Representatives BIGELOW of Brookline, BAKER of Newton, SESSIONS of Hampden, LASELL of Northbridge and HICKEY of Boston dissenting.

## The Commonwealth of Massachusetts

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

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An Act authorizing the Department of Public Works to Widen and Reconstruct Ocean Avenue in the City of Revere.

*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 conditions herein im-  
2 posed, the department of public works, hereinafter  
3 called the department, is hereby authorized and di-  
4 rected to widen and reconstruct Ocean avenue in the  
5 city of Revere from its intersection with Beach street  
6 to its intersection with Revere street, and to make such  
7 changes in said Revere street as may be necessary to  
8 make a suitable connection of said Ocean avenue with  
9 the Revere Beach parkway.

1 SECTION 2. The cost of the work provided for by  
2 section one, including any damages awarded or paid  
3 on account of any taking of land or property therefor,  
4 or for injury to the same, and any sums paid for lands  
5 or rights purchased, and all other expenses incurred in  
6 carrying out the provisions of this act, shall be deemed  
7 to be the cost of the work; provided, such cost shall  
8 not exceed, in the aggregate, the sum of five hundred  
9 and sixty thousand dollars.

1 SECTION 3. The department may take by eminent  
2 domain under chapter eighty A of the General Laws  
3 but not otherwise, or may acquire by purchase, lands  
4 and easements and rights therein necessary for such  
5 improvement; provided, that if not later than ten  
6 days after final determination of the aggregate amount  
7 of compensation and damages to which all persons are  
8 entitled under proceedings which may have been  
9 brought under said chapter, it appears that the aggre-  
10 gate amount necessary for purchases hereunder and  
11 for such compensation and damages exceeds three  
12 hundred thousand dollars, no such purchases shall be  
13 consummated and the department shall forthwith  
14 and before final judgment of condemnation in any such  
15 proceedings abandon the proposed improvement and  
16 discontinue the proceedings as provided in section  
17 eleven of said chapter eighty A.

1 SECTION 4. If it appears that the land, or rights or  
2 easements therein, necessary for the improvement  
3 provided for by section one can be acquired as herein-  
4 before provided at a total cost of not exceeding three  
5 hundred thousand dollars, but not otherwise, the de-  
6 partment is hereby authorized to make contracts and  
7 to incur expenses for said improvement within the total  
8 sum of five hundred and sixty thousand dollars au-  
9 thorized by section two, notwithstanding the provi-  
10 sions of section twenty-seven of chapter thirty of  
11 the General Laws.

1 SECTION 5. Of the total cost of the work provided  
2 for by section one, one half shall be paid by the com-  
3 monwealth from such appropriations as may hereafter  
4 be made, not exceeding two hundred thousand dollars

5 being paid from the Highway Fund of nineteen hun-  
6 dred and thirty-four, and the balance from the High-  
7 way Fund of nineteen hundred and thirty-five; one  
8 fourth by the city of Revere; and one fourth by the  
9 municipalities of the metropolitan parks district,  
10 including the city of Revere, in proportion to the  
11 respective taxable valuations of the property of said  
12 municipalities as defined in section fifty-nine of  
13 chapter ninety-two of the General Laws, the same to  
14 be assessed on said municipalities in the year nineteen  
15 hundred and thirty-five.

1 SECTION 6. That portion of the cost of the work  
2 provided for by section one which is to be paid by  
3 said city of Revere, other than the proportionate part  
4 of such cost payable on account of its membership in  
5 the metropolitan parks district, shall, from time to  
6 time during the progress of said work, be certified by  
7 the department to the state treasurer, and shall be  
8 assessed and collected by him in the apportionment  
9 and assessment of the annual state tax. To meet said  
10 payments said city may borrow outside its limit of in-  
11 debtedness, as fixed by law, such sums as may be  
12 necessary, and may issue bonds or notes therefor,  
13 which shall be payable in not more than ten years;  
14 and such indebtedness shall, except as herein pro-  
15 vided, be subject to chapter forty-four of the General  
16 Laws, exclusive of the limitation contained in the first  
17 paragraph of section seven thereof, as appearing in the  
18 Tercentenary edition.