
Accompanying the third recommendation of the Department of Public Works (House, No. 115). Highways and Motor Vehicles.

The Commonwealth of Massachusetts

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

AN ACT RELATING TO THE SALE, RENTING OR LEASING OF LAND BY THE DEPARTMENT OF PUBLIC WORKS.

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 81 of the General Laws is hereby amended by striking
2 out section 7E and inserting in place thereof the following sec-
3 tion:—

4 *Section 7E. Sale of excess land.*—The department may sell
5 at public or private sale any land or rights in land the title to
6 which has been acquired by the department for highway pur-
7 poses, upon determination by the board of commissioners of
8 said department that such land or rights in land is no longer
9 necessary for state highway purposes. In the event of such
10 public or private sale the department shall execute a deed
11 thereof, with or without covenants of title and warranty, in the
12 name and behalf of the commonwealth, to the purchaser, his
13 heirs and assigns, and deposit said deed with the state treasurer,
14 together with a certificate of the terms of the sale and the price
15 paid or agreed to be paid at said sale. Upon receipt of said
16 price, and upon the terms agreed to in said deed, the treasurer
17 shall deliver the deed to said purchaser. The state treasurer
18 may, by the attorney general, sue for and collect the price and
19 otherwise enforce the terms of any such sale. The department
20 may also, with the approval of the governor and council, transfer
21 to another department, or to a city, town, or public authority
22 or agency, any land the title to which has been acquired by it
23 and which the board of commissioners of said department de-
24 termines is no longer necessary for state highway purposes.

25 The department may also, with the approval of the governor
26 and council, lease or rent any land, or rights in land, the title
27 to which has been taken or received or acquired by it which
28 the board of commissioners of said department determines is
29 not presently needed for state highway purposes.

30 The foregoing provisions of law with reference to the sale,
31 leasing or renting of land taken, received or acquired by the
32 department, shall also apply to land or rights in land taken,
33 received or acquired by the department for maintenance sites;
34 provided, however, that nothing contained in this section shall
35 be construed as limiting in any way the powers, rights and duties
36 set forth in section seven H of this chapter.