

# HOUSE . . . . . No. 721

By Mr. Manning of Waltham, petition of Donald J. Manning for legislation to require notice prior to certain eminent domain and betterment takings. The Judiciary.

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Six.

### AN ACT REQUIRING NOTICE PRIOR TO CERTAIN EMINENT DOMAIN AND BETTERMENT TAKINGS.

*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 79 of the General Laws is hereby amended by striking  
2 out section 5C, inserted by chapter 563 of the acts of 1975, and  
3 inserting in place thereof the following section: —

4 *Section 5C.* No property shall be taken without the consent of  
5 the owner thereof, nor shall an easement be taken on such  
6 property without such consent, except if notice of intent of such  
7 taking or easement is given to owner of such property sixty days  
8 prior to the date of actual taking. The provisions of this section  
9 shall not apply to takings in behalf of the commonwealth, nor to  
10 takings authorized by the department of public utilities, except  
11 that in such takings notice of hearings required by section  
12 seventy-two of chapter one hundred and seventy-four shall be  
13 sent to all interested parties.

THE GOVERNMENT OF INDIA  
MINISTRY OF DEFENSE

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THE GOVERNMENT OF INDIA

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