

SENATE No. 1373

By Mr. Berry, a petition (accompanied by bill, Senate, No. 1373) of Frederick E. Berry for legislation to authorize the deputy commissioner of the Division of Capital Planning and Operations to convey certain property. State Administration.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Nine.

AN ACT AUTHORIZING THE DEPUTY COMMISSIONER OF THE DIVISION OF CAPITAL PLANNING AND OPERATIONS TO CONVEY CERTAIN PROPERTY.

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 66. Chapter 7, Section 40F $\frac{1}{2}$ of the General Laws is
2 hereby amended by inserting after paragraph (b) the following: —

3 (c) Notwithstanding any other provision of the General Laws,
4 any real property which is taken by eminent domain as to which
5 it is subsequently determined that the property shall not be used
6 for the purpose for which it was taken, shall be offered for private
7 sale to the person from whom the property was taken, and if such
8 offer is accepted sold to such prior owner prior to any other use
9 or disposition.

10 (d) Notwithstanding any provision of the General Laws, in any
11 instance in which real property was taken by eminent domain and
12 with respect to which taking a vote was taken prior to the effective
13 date of Chapter 579 of the Acts of 1980 in accordance with any
14 other General Law to sell the land back to the person from whom
15 it was taken, such sale shall be completed without further
16 authorization, and with respect to real property taken for state
17 highway purposes, shall be completed in accordance with the
18 provisions of Chapter 81, Section 7E of the General Laws.

