

By Mr. Thomas P. White, a petition (accompanied by bill, Senate, No. 1687) of Thomas P. White for legislation to authorize the conveyance of easements by the Division of Capital Planning and Operations in the city of Worcester. State Administration.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety.

AN ACT AUTHORIZING THE CONVEYANCE OF EASEMENTS IN THE CITY OF WORCESTER.

1 *Whereas*, The deferred operation of the act would tend to
2 defeat its purpose, which is to immediately authorize the division
3 of capital planning and operations to grant easements to Central
4 Massachusetts Long Term Care Partnership across lands of the
5 Commonwealth, its agencies and its political subdivisions in order
6 to install utilities and provide access necessary for the construction
7 and operation of a long term care facility on land adjacent to the
8 campus of the University of Massachusetts Medical Center, it is
9 hereby declared to be an emergency law, necessary for the
10 immediate preservation of the public conveyance.

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. The deputy commissioner of the division of
2 capital planning and operations is hereby authorized, notwith-
3 standing the provisions of sections forty E through forty J,
4 inclusive, of chapter seven of the General Laws, to convey by deed
5 approved as to form by the attorney general, certain permanent
6 easements over, under and across land located at the University
7 of Massachusetts Medical Center, to the Central Massachusetts
8 Long Term Care Partnership, subject to the requirements of
9 sections 2 and 3 and to such terms and conditions as the deputy
10 commissioner may prescribe, in consultation with the University
11 of Massachusetts Medical Center.

12 Said easements being bound and described as follows:

13 Easement A

14 A 60 foot wide easement located Southeasterly of Plantation
15 Street in the City of Worcester, County of Worcester,
16 Commonwealth of Massachusetts described as follows:

17 Beginning at the northeasterly corner of said easement at the
18 southeasterly corner of land of Mildred S. Stapor & Joseph
19 Scampini and the southwesterly corner of land of Mary A.
20 Pascarelli at land of the Commonwealth of Massachusetts;

21 Thence S 33° 17' 00" EE a distance of 57.06 feet;

22 Thence N 89° 25' 14" W a distance of 72.26 feet;

23 Thence N 33° 17' 00" W a distance of 56.12 feet to land of said
24 Stapor and Scampini, the previous three courses being on land
25 of said Commonwealth of Massachusetts;

26 Thence N 89° 57' 15" E a distance of 71.74 feet by land of said
27 Stapor and Scampini to the point of beginning.

28 The above described easement contains 3,395 square feet more
29 or less, and is shown as easement "A" on a plan entitled
30 " 'Easement' Plan of Land in Worcester, Mass., Property of:
31 Commonwealth of Massachusetts University of Massachusetts
32 Medical Ctr., Scale: 40 feet to an inch, Date: February 9, 1990"
33 by Guerriere & Halnon, Inc. Engineering and Land Surveying,
34 333 West Street, Milford, Mass.

35 Said easement may be used to construct, maintain, repair,
36 renew, and replace a driveway as means of ingress and egress for
37 vehicular and pedestrian traffic to and from the property of the
38 Central Massachusetts Long Term Care Partnership.

39 Easement B

40 A 40 foot wide easement located on the southeasterly side of
41 Plantation Street in the City of Worcester, County of Worcester,
42 Commonwealth of Massachusetts, described as follows:

43 Beginning at the southwesterly corner of said easement on the
44 southeasterly side of said Plantation Street at a point
45 northeasterly 1942 feet, more or less, from Belmont Street;

46 Thence N 28° 57' 30" E a distance of 74.24 feet by the
47 southeasterly side of said Plantation Street to a point;

48 Thence S 61° 09' 40" E a distance of 51.60 feet;

49 Thence N 89° 57' 15" E a distance of 904.32 feet;

50 Thence S 00° 02' 45" E a distance of 40.00 feet;

51 Thence S $89^{\circ} 57' 15''$ W a distance of 985.50 feet to the point
52 of beginning, the previous four courses being on land of the
53 Commonwealth of Massachusetts.

54 The above described easement contains 39,712 square feet more
55 or less, and is shown as easement "B" on a plan entitled
56 " 'Easement' Plan of Land in Worcester, Mass., Property of:
57 Commonwealth of Massachusetts University of Massachusetts
58 Medical Ctr., Scale: 40 feet to an inch, Date: February 9, 1990"
59 by Guerriere & Halnon, Inc. Engineering and Land Surveying,
60 333 West Street, Milford, Mass.

61 Said easement may be used as a means of ingress and egress
62 for vehicular and pedestrian traffic from Plantation Street to the
63 property of the Central Massachusetts Long Term Care
64 Partnership.

65 Easement C

66 A 20 foot wide sewer easement located southeasterly of
67 Plantation Street in the City of Worcester, County of Worcester,
68 Commonwealth of Massachusetts described as follows:

69 Beginning at the northeasterly corner of said easement at a point
70 on the southerly side of land of Mildred S. Stapor and Joseph
71 Scampini, said point being S $89^{\circ} 57' 15''$ W a distance of 9.57 feet
72 from the southwesterly corner of land of Mary A. Pascarelli, and
73 at land of the Commonwealth of Massachusetts.

74 Thence S $33^{\circ} 17' 00''$ E a distance of 77.71 feet;

75 Thence S $89^{\circ} 57' 15''$ W a distance of 23.91 feet;

76 Thence N $33^{\circ} 17' 00''$ W a distance of 77.71 feet to land of said
77 Stapor and Scampini, the previous three courses being on land
78 of the Commonwealth of Massachusetts;

79 Thence N $89^{\circ} 57' 15''$ E a distance of 23.91 feet by land of said
80 Stapor and Scampini to the point of beginning.

81 The above described easement contains 1,554 square feet more
82 or less, and is shown as easement "C" on a plan entitled
83 " 'Easement' Plan of Land in Worcester, Mass., Property of:
84 Commonwealth of Massachusetts University of Massachusetts
85 Medical Ctr., Scale: 40 feet to an inch, Date: February 9, 1990"
86 by Guerriere & Halnon, Inc. Engineering and Land Surveying,
87 333 West Street, Milford, Mass.

88 Said easement may be used to install, use, maintain, repair,
89 renew and replace a sewer line.

90 Easement D

91 A 20 foot wide drain easement located southeasterly of
92 Plantation Street in the City of Worcester, County of Worcester,
93 Commonwealth of Massachusetts described as follows:

94 Beginning at the northeasterly corner of said easement at a point
95 on the southerly side of land of Mildred S. Stapor and Joseph
96 Scampini, said point being S 89° 57' 15" W a distance of 20.33
97 feet from the southwesterly corner of land of Mary A. Pascarelli,
98 and at land of the Commonwealth of Massachusetts;

99 Thence S 33° 17' 00" E a distance of 37.06 feet;

100 Thence S 89° 57' 15" W a distance of 23.91 feet;

101 Thence N 33° 17' 00" W a distance of 37.06 feet to land of said
102 Stapor and Scampini, the previous three courses being on land
103 of the Commonwealth of Massachusetts;

104 Thence N 89° 57' 15" E a distance of 23.91 feet by land of said
105 Stapor and Scampini to the point of beginning.

106 The above described easement contains 741 square feet more
107 or less, and is shown as easement "D" on a plan entitled
108 " 'Easement' Plan of Land in Worcester, Mass., Property of:
109 Commonwealth of Massachusetts University of Massachusetts
110 Medical Ctr., Scale: 40 feet to an inch, Date: February 9, 1990"
111 by Guerriere & Halnon, Inc. Engineering and Land Surveying,
112 333 West Street, Milford, Mass.

113 Said easement may be used to install, use, maintain, repair,
114 renew and replace a surface sewer line for drainage.

1 SECTION 2. No deed conveying by or on behalf of the
2 Commonwealth the easements described in section one shall be
3 valid unless such deed provides that said easements shall be used
4 for the purpose of laying, maintaining, repairing, replacing and
5 using underground utility lines, and for passage and access
6 purposes, including but not limited to pedestrian and maintenance
7 vehicular passage and access as well as emergency access.

1 SECTION 3. The Central Massachusetts Long Term Care
2 Partnership shall assume the costs of appraisals, surveys and for
3 other expenses as deemed necessary by the deputy commissioner
4 for granting these easements.