

# SENATE . . . . . No. 1861

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## The Commonwealth of Massachusetts

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SENATE, December 6, 1990.

The committee on Ways and Means, to whom was committed the Senate Bill authorizing the Division of Capital Planning and Operations to acquire a conservation restriction in the Town of Wendell (Senate, No. 1219), reports recommending that the same ought to pass, with an amendment, substituting a new draft entitled "An Act authorizing the Division of Capital Planning and Operations to acquire a certain parcel of land in the Town of Wendell" (Senate, No. 1861).

For the committee,

ROBERT D. WETMORE.

## The Commonwealth of Massachusetts

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In the Year One Thousand Nine Hundred and Ninety.

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AN ACT AUTHORIZING THE DIVISION OF CAPITAL PLANNING AND OPERATIONS TO ACQUIRE A CERTAIN PARCEL OF LAND IN THE TOWN OF WENDELL.

*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, subject to  
3 the provisions of sections forty E through forty J, of Chapter seven  
4 of the General Laws, to sell and convey by deed approved as to  
5 form by the attorney general, a parcel of land located in the town  
6 of Wendell, subject to the requirements of sections two through  
7 five, inclusive, and to such additional terms and conditions as the  
8 deputy Commissioner may prescribe, in consultation with the  
9 department of environmental management.

10 Said parcel of land is as follows: A certain parcel of land in  
11 conformity with the Wendell zoning by-laws adjacent to a parcel  
12 of land owned now or formerly by Dennis Harris and described  
13 in a deed recorded at Page 224 of Book 2012 in the Franklin  
14 County Registry of Deeds.

15 Said parcel is now or formerly being a portion of the  
16 Commonwealth's property known as the Wendell State Forest,  
17 identified as tract no. 1 of a plan of the Frank Kent place, Wendell,  
18 Massachusetts surveyed for Mary Emma Thompson, dated July  
19 1952, scale 1 inch = 50 feet, referred to book 808, page 238.

1 SECTION 2. In consideration of such conveyance, the  
2 recipient shall convey to the commonwealth in fee simple, by title  
3 free and clear of all liens and encumbrances, land of equal or  
4 greater value, which shall be capable of providing the  
5 commonwealth with a wildlife and public access trail corridor to  
6 Wendell State Forest.

1 SECTION 3. No deed conveying by or on behalf of the  
2 commonwealth the property described in section one shall be valid  
3 unless such deed provides that said property shall be used only  
4 for single family residential use in conformity with the Wendell  
5 zoning by-laws.

1 SECTION 4. In the event that the property described in section  
2 one is not used for the purposes described in section three or if  
3 the aforementioned purposes ceases or is altered at any time, said  
4 parcel shall revert to the commonwealth under such terms and  
5 conditions as the deputy commissioner may prescribe.

1 SECTION 5. The recipient of said conveyance shall assume the  
2 costs of appraisals, surveys, and other expenses as deemed  
3 necessary by the deputy commissioner for the conveyance of such  
4 property.

