

# HOUSE . . . . . No. 810

By Mr. O'Leary of Boston, petition of Gerald F. O'Leary for regulating further the method of publication of notice in early land acquisition by a redevelopment or housing authority. Mercantile Affairs.

## The Commonwealth of Massachusetts

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

AN ACT FURTHER REGULATING THE METHOD OF PUBLICATION OF NOTICE IN EARLY LAND ACQUISITION BY A REDEVELOPMENT OR HOUSING AUTHORITY.

*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 26P of chapter 121 of the General Laws is hereby  
2 amended by striking out the last paragraph, as most recently  
3 amended by section 1 of chapter 764 of the acts of 1962, and  
4 inserting in place thereof the following paragraph: —

5 Notwithstanding any contrary provision of section twenty-  
6 six KK or section twenty-six ZZ or any other section of the  
7 Housing Authority Law, a housing authority may, with the  
8 consent of the housing board and the consent of the city or town  
9 in which the land lies, acting by the mayor with the authoriza-  
10 tion of the city council or by the board of selectmen, and after a  
11 temporary loan contract for the purpose has been executed under  
12 the federal Housing Act of 1949, as amended, take by eminent  
13 domain as aforesaid or acquire by purchase, lease, gift, bequest  
14 or grant, and hold, clear, repair, operate, and after having taken  
15 or acquired the same, dispose of, land constituting the whole or  
16 any part or parts of any area which, after a public hearing of  
17 which at least twenty days' notice has been given by publica-  
18 tion in a newspaper having a general circulation in the city or  
19 town in which the land lies if it has determined to be a sub-  
20 standard, decadent or blighted open area and for which it is  
21 preparing a land assembly and redevelopment plan or an urban

22 renewal plan, and for such purposes may borrow money from  
23 the federal government or use any available funds or both;  
24 provided, however, that no such taking or acquisition shall be  
25 effected unless and until the expiration of thirty days after the  
26 housing authority has caused a notice of such determination to  
27 be published in a newspaper having a general circulation in  
28 such city or town. Within thirty days after publication of the  
29 notice of such determination, any person aggrieved by such  
30 determination may file a petition in the supreme judicial or  
31 superior court sitting in Suffolk county for a writ of certiorari  
32 against the housing authority to correct errors of law in such  
33 determination, which shall be the exclusive remedy for such  
34 purpose; and the provisions of section one D of chapter two  
35 hundred and thirteen, and of section four of chapter two hundred  
36 and forty-nine, shall apply to said petition except as herein  
37 provided with respect to the time for the filing thereof.