

[Senate, November 2, 1979—Substituted by amendment by the Senate (Lewis) as a new text of Senate Bill, No. 1277, amended.]

The Commonwealth of Massachusetts

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

1 SECTION 1. The general court declares and finds that the
 2 Massachusetts Rehabilitation Hospital is a hospital located at
 3 125 Nashua Street, Boston, Suffolk County, which was or-
 4 ganized on November second, nineteen hundred and seventy-
 5 three pursuant to the provisions of chapter one hundred and
 6 fifty-six B of the General Laws; that said hospital was organ-
 7 ized for and is presently serving the most valuable and proper
 8 public purpose providing for the health of the people of the
 9 Commonwealth; that the real estate on which said hospital
 10 is located is occupied pursuant to a certain license granted by
 11 the department of public works and made irrevocable by chap-
 12 ter six hundred and ninety-one of the acts of nineteen hun-
 13 dred and sixty-two, which is hereinafter further described in
 14 section two; that the changed nature and location and re-
 15 location of seaborne and maritime commerce in the port of
 16 Boston has caused said real estate to become unfit and un-
 17 necessary for purposes or uses related to such commerce,
 18 thereby seriously detracting from the interest or need of the
 19 Commonwealth in said real estate, whether said interest
 20 could be related to a theory of public trust, to an implied or
 21 express condition, to the retention of a fee title, or otherwise;
 22 and that, therefore, the general court finds and hereby de-
 23 clares that said real estate as presently occupied by the Mas-
 24 sachusetts Rehabilitation Hospital is serving the public health
 25 and the public good of the people of the Commonwealth, and
 26 that, to better serve the best interests of said people, the Com-
 27 monwealth shall hereby release any and all of its rights, title
 28 and interest in said real estate to the Nashua Street Company
 29 Trust as title holding entity of said hospital in the manner set
 30 forth in section two.

1 SECTION 2. In consideration of the sum of the one thousand
2 dollars to be paid into the treasury of the commonwealth as
3 hereinafter set forth, all right, title and interest of the com-
4 monwealth, whether by way of express or implied condition
5 retained fee title, public trust, or otherwise in the premises
6 of the Massachusetts Rehabilitation Hospital Inc., as herein-
7 after described, and being a certain parcel of land with build-
8 ing thereon, situated on Nashua street in the city of Boston
9 are hereby released to Josiah A. Spaulding as Trustee for the
10 benefit of said hospital of the Nashua Street Company Trust
11 under Declaration of Trust dated April 5, 1968, recorded with
12 the Suffolk registry of deeds, Book 8200, Page 162, which
13 premises were conveyed to said Trustee by deed of Massa-
14 chusetts General Hospital dated May 7, 1968, and recorded
15 with the Suffolk registry of deeds, Book 8200, Page 168. Said
16 premises are shown on a plan recorded with said deed en-
17 titled "Plan of Land in Boston, Mass. to be conveyed to John
18 C. Wrightson," dated September 14, 1966 as revised March
19 6, 1967 by Schofield Brothers, Registered Land Surveyors,
20 and are more particularly bounded and described as follows:
21 SOUTHERLY by Nashua Street, 50.14 feet;
22 WESTERLY by land now or formerly of Boston and Maine
23 Corporation, 58 feet;
24 SOUTHWESTERLY more SOUTHERLY by the same, 71.68
25 feet;
26 WESTERLY by land of the Commonwealth of Massachu-
27 setts 5 feet;
28 NORTHWESTERLY by the same, by a curved line, 322.75
29 feet;
30 WESTERLY by the same, 74.92 feet;
31 NORTHERLY by land now or formerly of Boston and
32 Maine Corporation 233.91 feet;
33 NORTHEASTERLY by the same, 253.34 feet;
34 SOUTHEASTERLY by other land now or formerly of Bos-
35 ton and Maine Corporation 232.98 feet;
36 SOUTHWESTERLY by the same, 220.09 feet;
37 SOUTHEASTERLY by the same, 120.79 feet; and
38 EASTERLY by the same, 86.19 feet.
39 Containing approximately 105,230 square feet of land.

40 Said premises are subject to and have the benefit of Li-
41 cense No. 1177A granted by the Department of Public Works
42 to the Boston and Maine Railroad which was made irrevocable
43 by Chapter 691 of the Acts of 1962 subject to compliance with
44 certain conditions therein set forth.

45 Unless such payment shall be made within three months
46 from the effective date of this act, the release herein made
47 shall be and become void; otherwise, this act shall be and re-
48 main in full force and effect and shall take effect notwith-
49 standing any contrary provision of general or special law with
50 respect to such rights to revoke. The state treasurer shall
51 upon payment of said consideration forthwith give to said
52 Trustee a receipt for the same in a form suitable for record-
53 ing. The register of deeds for Suffolk county shall accept for
54 recording any receipt so given, upon payment of a recording
55 fee of ten dollars.

