

By Mr. Doane, a petition (accompanied by bill, Senate, No. 1106) of Paul V. Doane and Howard C. Cahoon, Jr., for legislation to establish a time period for expiration of abandoned "sand rights". Natural Resources and Agriculture.

The Commonwealth of Massachusetts

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

AN ACT ESTABLISHING A TIME PERIOD FOR EXPIRATION OF ABANDONED
"SAND RIGHTS."

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. Notwithstanding any law to the contrary, rights acquired
2 by owners and operators of cranberry bogs which extend to adjacent
3 properties and permit the excavation and removal of sand from said
4 property for the purpose of cultivating and assisting the production of
5 cranberries, shall be considered abandoned and such "sand rights" so
6 called, shall terminate whenever a period of twenty consecutive years of
7 non-use of such rights occurs.

1 SECTION 2. To preserve such "Sand Rights" so called, in full force and
2 effect such owner shall file an instrument in the Registry of Deeds of said
3 county wherein said property is situated which includes a sworn statement
4 as to actual use of such rights during the prior twenty year period. Such
5 statement shall include an intent to continue to utilize such rights as well
6 as reference to the need for continuation of such rights.

