

**HOUSE . . . . . No. 5608**

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***The Commonwealth of Massachusetts***

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HOUSE OF REPRESENTATIVES, June 1, 1987.

The committee on Ways and Means, to whom was referred the Bill providing for an emergency shelter for the homeless in the city of Northampton (House, No. 4636), reports that the same ought to pass, with an amendment, substituting therefor the accompanying bill (House, No. 5608).

For the committee,

ANGELO M. SCACCIA.

**The Commonwealth of Massachusetts**

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

AN ACT PROVIDING FOR AN EMERGENCY SHELTER FOR THE HOMELESS IN THE CITY OF NORTHAMPTON.

*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, hereinafter "the deputy  
3 commissioner", is hereby authorized, subject to the provisions of  
4 this act and of sections forty E through forty J of chapter seven  
5 of the General Laws, to execute and deliver in the name and on  
6 the behalf of the commonwealth in a form approved by the  
7 Attorney General, a lease to the Northampton Housing Authority  
8 for a certain parcel of land together with the buildings thereon  
9 located in the City of Northampton, hereinafter referred to as  
10 "Parcel K-1", for the purpose of providing a shelter for the  
11 homeless, subject to the provisions of section 2 of this act, and  
12 such conditions as the deputy commissioner may prescribe in  
13 consultation with the executive office of communities and  
14 development; provided, however, that the terms of said lease shall  
15 run for a period of seven years and that if the authority so requests  
16 at the end of said original term, the term of said lease may be  
17 extended for an additional term of seven years to commence  
18 immediately upon the expiration of the original term. If the  
19 authority requests, said lease may be renewed after said extended  
20 term for such time or times and on such terms and conditions as  
21 may be agreed to by the authority and the division, but which  
22 shall be subject in each case to the approval of the general court.  
23 If the original term, as it may have been extended, or a renewal  
24 term, as the case may be, would otherwise have expired during  
25 such time as the authority and division are negotiating the renewal  
26 thereof or as the general court is considering such approval, the  
27 term so expiring shall be deemed to be automatically extended  
28 for a period not to exceed one year in duration from the date of

29 expiration of the original lease term or any extension thereof and  
30 for the same lease conditions as are in effect during the last year  
31 of said lease prior to said automatic extension, and shall remain  
32 in effect while awaiting general court action in favorable, until  
33 the renewal lease document requiring such favorable action is  
34 executed by the division; provided, however, that said automatic  
35 extension shall expire at the end of said year if the general court  
36 has not acted or acts unfavorably on said renewal whichever  
37 sooner occurs.

1 SECTION 2. In the event that Parcel K-1 is not used for the  
2 purposes described in this section within five years of the date of  
3 this act or if the Northampton Housing Authority ceases to use  
4 the parcel for such purposes in the future, the parcel shall revert  
5 to the Commonwealth under such terms and conditions as the  
6 deputy commissioner may prescribe.

1 SECTION 3. Said Parcel K-1 is bounded and described as  
2 follows:

3 Parcel K-1:

4 A certain parcel of land located on the northerly line of West  
5 Street and bounded easterly by the Mill River Northampton,  
6 Hampshire County, Massachusetts:

7 Beginning at a point on the northerly line of West Street said  
8 point being located at the intersection of the northerly line of West  
9 Street and the centerline of the Mill River;

10 thence S  $68^{\circ} 55' 07''$  W, along said West Street, approximately  
11 218' to a point;

12 thence southwesterly by a curve to the left having a radius  
13 316.89', an arc distance of 128.22' to a point;

14 thence S  $45^{\circ} 44' 07''$  W, 43.81' to a point at land of the  
15 Commonwealth of Massachusetts;

16 thence N  $09^{\circ} 07' 28''$  W, 249.60' to a point;

17 thence N  $66^{\circ} 59' 27''$  E, 135.07" to a point;

18 thence N  $82^{\circ} 13' 48''$  E, 215' to a point at the centerline of the  
19 Mill River at land now or formerly of the Trustees of the Smith  
20 College, the preceding three courses being by land of the  
21 Commonwealth of Massachusetts;

22 thence southerly along the centerline of Mill River and land now

23 or formerly of the aforesaid Trustees, approximately 155' to the  
24 point of beginning.

25 The above described Parcel K-1 contains approximately 1.62  
26 acres and is more particularly shown on a plan entitled "Plan of  
27 Land in Northampton, Massachusetts," by Almer Huntley, Jr.  
28 and Associates, Inc., 125 Pleasant Street, Northampton,  
29 Massachusetts, sheet 1 of 1, scale 1" = 100', dated September 16,  
30 1981, a copy of which is on file with the division of capital planning  
31 and operations. The precise configuration and area shall be  
32 described in a land survey accompanying the Master Plan.

1 SECTION 4. This act shall take effect upon passage.