

# SENATE . . . . . No. 2160

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## *The Commonwealth of Massachusetts*

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SENATE, December 17, 1987.

The committee on Ways and Means, to whom was committed the House bill authorizing the division of capital planning and operations to convey a certain parcel of land in the city of Boston (House, No. 5220), reports recommending that the same ought to pass, with an amendment, striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2160.

For the committee,

JOSEPH B. WALSH.

## The Commonwealth of Massachusetts

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

1 SECTION 1. The deputy commissioner of the division of  
2 capital planning and operations is hereby authorized, subject to  
3 the provisions sections forty E to forty J, inclusive, of chapter  
4 seven of the General Laws, to sell and convey by deed approved  
5 as to form by the attorney general, a certain parcel of land known  
6 as the Pagel Playground located in the city of Boston, and under  
7 the control of the metropolitan district commission, to an  
8 individual or entity for mixed income housing development and  
9 parks and recreation, subject to the provisions of section two and  
10 to such additional terms and conditions as the deputy  
11 commissioner may prescribe in consultation with the metropol-  
12 itan district commission. Said parcel of land is shown on a plan,  
13 entitled "Commonwealth of Massachusetts, Metropolitan  
14 District Commission Parks Division, Hyde Park Avenue, Boston  
15 (West Roxbury District) Plan of Taking, From Bowers Motor  
16 Sales Inc., dated March 24, 1959 and on file with the metropolitan  
17 district commission,".

18 Said parcel of land contains sixty-six thousand one hundred and  
19 forty square feet more or less, and is bound and described as  
20 follows: -

21 Beginning at the intersection of the boundary line between land  
22 now or formerly of Bowers Motor Sales, Inc. and land of the city  
23 of Boston with the northwesterly side line of Hyde Park Avenue,  
24 as shown on said plan:

25 Thence the line runs south  $6^{\circ} 17' 49''$  west by said northwesterly  
26 side line of Hyde Park Avenue, two hundred fifty and 00/000  
27 (250.00) feet to a point at land now or formerly of Bowers Motor  
28 Sales, Inc.:

29 Thence north  $83^{\circ} 42' 11''$  west by said land of Bowers Motor  
30 Sales, Inc. one hundred ninety-six and 65/100 (196.65) feet to a  
31 point of land now or formerly of the New York, New Haven &  
32 Hartford Railroad;

33 Thence north  $4^{\circ} 07' 33''$  east by said land of the New York, New  
34 Haven & Hartford Railroad four hundred three and 53/100  
35 (403.53) feet to a point at same land of the city of Boston;

36 Thence south 47° 50' 05" east by said land of the city of Boston  
37 two hundred sixty-one and 63/100 (261.63) feet to a point of  
38 beginning; being shown on the aforesaid plan and comprising  
39 sixty-six thousand one hundred forty (66,140) square feet more  
40 or less of land owned by the commonwealth.

1 SECTION 2. Prior to the conveyance of land as authorized in  
2 section one the individual or entity which undertakes the  
3 development of mixed income housing pursuant to said section  
4 shall, submit a development plan with the secretary of the  
5 executive office of communities and development for approval.  
6 In approving such plan, said secretary shall consider the purchase  
7 cost of the proposed housing units with respect to median income  
8 of the area, the type of units to be developed and any other factors  
9 said secretary deems appropriate. Said secretary shall approve or,  
10 disapprove said plan with recommendations for changes in the  
11 plan within ninety days from the date that such plan is originally  
12 submitted by the individual or entity, or said plan shall be deemed  
13 approved.

1 SECTION 3. No conveyance made under the authority of this  
2 act shall be valid unless a condition is contained in the deed  
3 providing that in the event the land is not used for the purposes  
4 stated in section one and subject to the provisions of section two  
5 or any terms or conditions prescribed by the deputy commissioner  
6 are not complied with within five years from the effective date  
7 of this act, title to the property shall revert to the commonwealth.

1 SECTION 4. The cost of appraisals, surveys and other expenses  
2 deemed necessary by the deputy commissioner shall be assumed  
3 by the grantee.

The following is a list of the names of the members of the  
Committee on the Administration of the University, as  
appointed by the Board of Trustees at its meeting on  
January 10, 1911.

Chairman: [Name]

Members: [List of names]

Secretary: [Name]

The Committee is authorized to report to the Board of Trustees  
at its next meeting on the results of its work.