

# HOUSE . . . . . No. 5776

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## *The Commonwealth of Massachusetts*

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HOUSE OF REPRESENTATIVES, June 2, 1988.

The committee on State Administration, to whom was referred the petition (accompanied by bill, House, No. 5710) of Charles N. Decas for legislation to authorize the Division of Capital Planning and Operations to convey a certain parcel of land under the control of the Department of Mental Health to the town of Wareham, reports recommending that the accompanying bill (House, No. 5776) ought to pass.

For the committee,

JOSEPH N. HERMANN.

## The Commonwealth of Massachusetts

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

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AN ACT AUTHORIZING THE DIVISION OF CAPITAL PLANNING AND OPERATIONS TO CONVEY A CERTAIN PARCEL OF LAND UNDER THE CONTROL OF THE DEPARTMENT OF MENTAL HEALTH TO THE TOWN OF WAREHAM.

*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 is hereby authorized, subject to  
3 the provisions of sections 40E through 40J inclusive of chapter 7  
4 of the General Laws, to convey by deed approved as to form by  
5 the Attorney General, a certain parcel of land located in the town  
6 of Wareham, to the town of Wareham, subject to the requirements  
7 of sections two through five and to such terms and conditions as  
8 the deputy commissioner may prescribe in consultation with the  
9 department of mental health, said parcel being described as  
10 follows: The land situated in the town of Wareham between  
11 Church Avenue and Broad Marsh River consisting of 4.0 acres,  
12 more or less of upland and 3.53 acres, more or less of salt marsh  
13 and being more particularly described as follows:

14 Beginning at a concrete bound set near the edge of the salt marsh  
15 at the most southeasterly corner of Lot F-7 as shown on a plan  
16 entitled:

17 "Division of Land Prepared For Eileen W. Farley, Church  
18 Avenue, Wareham, Mass., Scale 1" = 60', July 1, 1963, Walter E.  
19 Rowley & Associates, West Wareham, Mass.," recorded in Ply-  
20 mouth County Registry of Deeds, Plan Book 12, Page 1139;

21 thence in line of Lot F-7 as shown on said plan the following  
22 three (3) courses;

23 N 44°-10'-00" W, a distance of 69.15 feet to a concrete bound;  
24 N 44°-46'-10" E, a distance of 330.00 feet to a concrete bound;  
25 S 53°-04'-50" E, a distance of 125.34 feet to an iron pipe;

26 thence in line of Lot F-6 as shown on said plan the following  
27 two (2) courses;

28 S 88°-33'-10" E, a distance of 204.58 feet to an iron pipe;

29 S 60°-18'-00" E, a distance of 112.68 feet to a stone bound;

30 thence by remaining land of the Commonwealth of Massachu-  
31 setts, Department of Mental Health, S 50°-12'-10" E, a distance  
32 of 40 feet, more or less to land of the Wareham Housing Authority  
33 as shown on a plan recorded in Plymouth Registry of Deeds, as  
34 Plan No. 1164 of 1971, dated Nov. 20, 1971, Walter E. Rowley  
35 & Associates, West Wareham, Mass.;

36 thence in line of said Housing Authority land, S 39°-47'-50" W,  
37 a distance of 325 feet, more or less to a concrete bound;

38 thence continuing in the same course, a distance of 350 feet,  
39 more or less to Broad Marsh River;

40 thence southwesterly, southerly and northerly by Broad Marsh  
41 River, a distance of 1400 feet, more or less to a point 10 feet, more  
42 or less southwesterly of a concrete bound at the most westerly  
43 corner of Lot F-7 as shown on the first referenced plan;

44 thence in line of other land of the Town of Wareham,  
45 N 44°-26'-30" E, a distance of 10 feet, more or less to the last  
46 described corner of Lot F-7;

47 thence in line of Lot F-7 the following four (4) courses:

48 S 56°-29'-30" E, a distance of 120.60 feet;

49 S 74°-09'-50" E, a distance of 182.31 feet;

50 S 63°-30'-20" E, a distance of 198.52 feet;

51 S 69°-36'-00" E, a distance of 79.82 feet to the concrete bound  
52 first mentioned and point of beginning.

1 SECTION 2. No deed conveying by or on behalf of the com-  
2 monwealth the property described in section one shall be valid  
3 unless such deed provides that said property be used for construc-  
4 tion of a public school.

1 SECTION 3. The consideration for said conveyance shall be  
2 paid in a conveyance by the town of Wareham by deed of all right,  
3 title and interest in two parcels of land on Cranberry Highway  
4 in said Wareham shown as Lots T-12B and T-13 on Wareham  
5 Assessors Sheet 100, being the premises described in two instru-

6 ments of taking by the Wareham Tax Collector dated April 8,  
7 1976, recorded in Plymouth County Registry of Deeds, Book  
8 4163, Pages 294 and 295 and being a portion of the premises  
9 described in deed of Tremont Pondview Trust to Geneva E.H.  
10 Babbitt dated October 17, 1936, recorded in said Registry, Book  
11 1723, Page 186, and which lots together contain about 46,290  
12 square feet and also, the land situated on Church Avenue in said  
13 Wareham, more particularly bounded and described as follows:  
14 The land situated in the Town of Wareham on the southwesterly  
15 side of Church Avenue between Kennedy Lane and Warr Avenue,  
16 containing 1.23 acres, more or less and being more particularly  
17 described as follows: Beginning at a concrete bound in the  
18 southwesterly sideline of Church Avenue in line of land of the  
19 Commonwealth of Massachusetts, Department of Mental Health;  
20 said bound being the most easterly corner of Lot F-4 as shown  
21 on a plan entitled: "Division of Land Prepared for Eileen W.  
22 Farley, Church Avenue, Wareham, MA, Scale 1" = 60", July 1,  
23 1963, Walter E. Rowley & Associates, West Wareham, MA",  
24 recorded in Plymouth County Registry of Deeds, Plan Book 12,  
25 Page 1139; thence in line of said Department of Mental Health  
26 land, former of Tobey Hospital, as shown on said plan, and other  
27 land of the Town of Wareham, S 41°-46'-30" W, a distance of  
28 201.24 feet to a concrete bound; thence in line of other land of  
29 the Town of Wareham, N 45°-13'-30" W, a distance of 45.00 feet;  
30 thence continuing in line of other land of the Town of Wareham,  
31 northerly by a line parallel to and 10 feet distant easterly of a  
32 cranberry bog as shown on said plan, a distance of 185 feet, more  
33 or less, to a concrete bound in the southeasterly sideline of Walsh  
34 Boulevard, an unconstructed way as shown on a plan to be  
35 described; thence in line of remaining land of said Town of  
36 Wareham, northeasterly, crossing Walsh Boulevard, a distance of  
37 50 feet, more or less, to a concrete bound at the southerly corner  
38 of Lot F-2 as shown on the above described plan; thence in line  
39 of other land of the Town of Wareham, northeasterly by a line  
40 parallel to and 10 feet northeasterly of another cranberry bog, a  
41 distance of 166 feet, more or less to a point situated 60.00 feet  
42 southeasterly of the northwesterly line of Lot F-1 as shown on  
43 said plan; thence in line of the remainder of Lot F-1, N 44°-27'-  
44 10" E, a distance of 109 feet, more or less to the southwesterly

45 sideline of Church Avenue; thence in the southwesterly sideline  
46 of Church Avenue, S 46°-09'-30" E, a distance of 270.79 feet to  
47 a Wareham Highway Bound; thence a southeasterly in the  
48 southwesterly sideline of Church Avenue by a curve to the right  
49 having a radius of 1940.25 feet, a distance of 145.07 feet as  
50 measured along the arc to the concrete bound first mentioned and  
51 point of beginning.

52 Meaning and intending to describe the southeasterly portion  
53 of Lot F-1, Lot F-2, Lot F-3, Lot F-4 and that portion of Walsh  
54 Boulevard situated between Lots F-2 and F-3 as shown on the  
55 above described plan and on a plan of Walsh Boulevard Acres  
56 dated November 26, 1963, recorded in Plymouth County Registry  
57 of Deeds in Plan Book 13, Page 844.

58 The above described land currently under the ownership of the  
59 Town of Wareham and to be used by the department of mental  
60 health.

1 SECTION 4. The town of Wareham will assume the costs of  
2 any appraisals, surveys, and other expenses as deemed necessary  
3 by the deputy commissioner for the granting of this conveyance.

1 SECTION 5. If the aforementioned purpose as described in  
2 section two is not begun within five years from the effective date  
3 of this act, or ceases at any time thereafter, said property shall  
4 revert to the commonwealth under such terms and conditions as  
5 the deputy commissioner may prescribe.

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HOUSE REPORT No. 577

The Government of the United States

Department of the Interior

The following is a list of the names of the persons who were appointed to the position of Assistant Secretary of the Interior during the year 1907.

By the Secretary

1907

