

By Mr. Nagle of Northampton, petition of William P. Nagle, Jr., that the Division of Capital Planning and Operations be authorized to transfer a parcel of land to the city of Northampton for open space and public recreation. State Administration.

The Commonwealth of Massachusetts

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

AN ACT AUTHORIZING THE DIVISION OF CAPITAL PLANNING AND OPERATIONS TO TRANSFER A PARCEL OF LAND TO THE CITY OF NORTHAMPTON FOR OPEN SPACE AND PUBLIC RECREATION.

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 division of capital planning and operations,
2 subject to the provisions of sections 40E through 40J inclusive of
3 chapter seven of the General Laws, in the name and on behalf of
4 the Commonwealth, is hereby authorized to convey and transfer
5 to the city of Northampton by deed approved as to form by the
6 attorney general a parcel of land along the Mill River in said city,
7 said parcel having been under the control of the Department of
8 Mental Health but having been declared surplus to its needs, said
9 parcel being bounded and described by the following:

10 Beginning at a point on the Northerly line of West Street at the
11 Southwesterly corner of the parcel herein described:

12 *Thence*, running N16°-36'-23"W 461.78 feet to a point;

13 *Thence*, running Northeasterly along a curve to the right have a
14 radius of 233.00 feet an arc length of 165.00 feet to a point of
15 reverse curvature;

16 *Thence*, running Northeasterly and Northerly along a curve to
17 the left having a radius of 243.35 feet an arc length of 405.70 feet to
18 a point;

19 *Thence*, running N26°-31'-11"W 278.27 feet to a point;

20 *Thence*, running N05°-57'-41"W 281.87 feet to a point;

21 *Thence*, running Northwesterly along a curve to the left having a

- 22 radius of 220.83 feet an arc length of 78.92 feet to a point;
23 *Thence*, running N76°-12'-27"E 83.39 feet to a point;
24 *Thence*, running N32°-19'-23"E 175.46 feet to a point;
25 *Thence*, running N41°-51'-01"W 160.12 feet to a point;
26 *Thence*, running S57°-05'-20"W 277.63 feet to a point;
27 *Thence*, running Northwesterly along a curve to the left having a
28 radius of 180.00 feet an arc length of 119.68 feet to a point;
29 *Thence*, running N18°-03'-35"W 106.28 feet to a point;
30 *Thence*, running Northwesterly and Westerly along a curve to
31 the left having a radius of 173.40 feet an arc length of 198.89 feet to
32 a point;
33 *Thence*, running N83°-46'-38"W 191.14 feet to a point;
34 *Thence*, running N06°-55'-42"W 486.46 feet to an iron pin;
35 *Thence*, running N06°-55'-42"W 250.78 feet, more or less, to a
36 point in the centerline of the Mill River, the last sixteen (16)
37 courses being along land of the Commonwealth of Massachusetts
38 — Northampton State Hospital;
39 *Thence*, running Easterly, Southeasterly and Easterly along the
40 centerline of the Mill River 1447 feet, more or less, to a point in the
41 centerline of said river;
42 *Thence*, running S05°-45'-15"E 50 feet, more or less, to the end
43 of a chain link fence;
44 *Thence*, running S05°-45'-15"E along said chain link fence
45 1233.89 feet to a corner of said fence;
46 *Thence*, running N48°-27'-46"E along said chain link fence
47 564.19 feet to a point, the last three (3) courses being along land of
48 Trustees of Smith College;
49 *Thence*, running S15°-52'-23"E 328.52 feet to a point;
50 *Thence*, running S66°-59'-27"W 135.07 feet to a point;
51 *Thence*, running S09°-07'-28"E 249.60 feet to a point on the
52 Northerly line of West Street, the last three (3) courses being along
53 land of the Commonwealth of Massachusetts — Northampton
54 State Hospital;
55 *Thence*, running S45°-44'-07"W along West Street 34.55 feet to
56 a concrete bound;
57 *Thence*, continuing S45°-44'-07"W along West Street 430.79
58 feet to a point;
59 *Thence*, running Southwesterly and Westerly along West Street
60 along a curve to the right having a radius of 408.03 feet an arc

61 length of 260.75 feet to a point;

62 *Thence*, running S82°-20'-58"W along West Street 280.00 feet
63 to the point of beginning.

64 The above described parcel contains 36.49 acres, more or less.
65 Meaning and intending to describe a portion of land of the Com-
66 monwealth of Massachusetts as described by deed in Book 331,
67 page 516 in the Hampshire County Registry of Deeds. The parcel
68 can be further understood as being referred to as Parcel VI in the
69 Northampton State Hospital Re-Use Plan: Final Report, March
70 1982, prepared by Lozano White and associates of the city of
71 Northampton and the Commonwealth of Massachusetts.

1 SECTION 2. Recognizing the need to preserve open space for
2 recreational and scenic beauty, and recognizing that the above
3 described parcel along the Mill River is unsuitable for building and
4 has historically been available to citizens of Northampton for
5 active and passive recreation, the General Court hereby directs the
6 city of Northampton and its assigned agents to preserve this land
7 in its natural state for the enjoyment of residents of Northampton
8 and citizens of the Commonwealth and further directs the city of
9 Northampton and its assigned agents to maintain the above men-
10 tioned parcel for the enjoyment of the residents of Northampton
11 and the citizens of the Commonwealth.

1 SECTION 3. This act shall in no way alter the current active
2 and passive recreational uses of said parcel, nor shall any current
3 or future use of said parcel alter the rights of the residents of
4 Northampton and the Commonwealth in regard to using said
5 parcel for recreational purposes.

1 SECTION 4. Title to aforesaid parcel, described in section one,
2 shall revert to the Commonwealth, if such conditions and restric-
3 tions as required by this act are not met.

1 SECTION 5. The deputy commissioner of capital planning
2 and operations shall ensure that such conditions and restrictions
3 are set forth in any deed executed by or on behalf of the Common-
4 wealth under this act. This act shall take effect upon passage.

