

HOUSE No. 5534

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, October 10, 1995.

The committee on Ways and Means, to whom was referred the Bill authorizing the Division of Capital Planning and Operations to convey certain easements in land in the town of Tewksbury (House, No. 4386), reports that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 5534).

For the committee,

THOMAS M. FINNERAN.

The Commonwealth of Massachusetts

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

AN ACT AUTHORIZING THE DIVISION OF CAPITAL PLANNING AND OPERATIONS
TO CONVEY CERTAIN LAND IN THE TOWN OF TEWKSBURY.

*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 Commissioner of the division of capital
2 planning and operations is hereby authorized and directed to
3 convey a certain sewer easement and construction easement in
4 land of the commonwealth located in the town of Tewksbury to
5 the Maple Estates Trust. Said easements are shown on a plan of
6 land entitled "plan of easements in Tewksbury, Mass. for Sewer
7 Main Construction and Maintenance", dated May 17, 1993, drawn
8 by William G. Troy and Associates, which is on file in the offices
9 of the board of selectmen of said town.

1 SECTION 2. The consideration paid by the Maple Estates Trust
2 for said easements shall be the full and fair market value of the
3 property determined by the independent appraisal, for their use as
4 described herein. The inspector general shall review and approve
5 said appraisal and said review shall include a review of method-
6 ology utilized for said appraisal. The inspector general shall
7 prepare a report for his review and file said report with the com-
8 missioner for submission to the house and senate committees on
9 ways and means and chairmen of the joint committee on state
10 administration in accordance with section five of this act. The
11 Maple Estates Trust shall pay said consideration in accordance
12 with the terms of the agreement.

1 SECTION 3. The Maple Estates Trust shall be responsible for
2 any costs for appraisals, surveys and other expenses relating to
3 the transfer of the easements, or for any costs and liabilities and
4 expenses of any nature and kind for its maintenance or operation.
5 In the event said easements cease to be used at any time for the

6 purposes contained herein interest in said easements of land shall
7 revert to the care and control of the division of capital planning.

1 SECTION 4. The sale price paid as consideration pursuant to
2 section two shall be deposited in the general fund of the common-
3 wealth.

1 SECTION 5. The commissioner shall, thirty days before the
2 execution of any agreement authorized by this act, or any sub-
3 sequent amendment thereof, submit the agreement or amendment
4 and a report thereon to the inspector general for his review and
5 comment. The inspector general shall issue his review and com-
6 ment within fifteen days of receipt of any agreement or amend-
7 ment. The commissioner shall submit the agreement and any
8 subsequent amendments thereof, the reports, and the comments of
9 the inspector general, if any, to the house and senate committees
10 on ways and means and the chairmen of the joint committee on
11 state administration at least fifteen days prior to execution.

1 SECTION 6. This act shall take effect upon its passage.

