

Accompanying the fifth recommendation of the Executive Office of Transportation and Construction (House, No. 180). State Administration.

The Commonwealth of Massachusetts

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

AN ACT AUTHORIZING THE COMMISSIONER OF THE DIVISION OF CAPITAL ASSET MANAGEMENT AND MAINTENANCE TO ACQUIRE AND OR TRANSFER THE OWNERSHIP OF CERTAIN PARCELS OF LAND IN THE CITIES OF WOBURN AND WORCESTER AND IN THE TOWN OF KINGSTON.

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 Asset Management and Maintenance is hereby authorized, subject
3 to the provisions of sections forty E through forty J, inclusive, of
4 chapter seven of the General Laws, to acquire by eminent domain,
5 purchase or otherwise, certain parcels of land hereinafter
6 described in the following sections. All parcels are to be diverted
7 from their present use to a highway use.

1 SECTION 2. Certain parcels of land in the city of Woburn
2 owned by the city of Boston and presently used for park land pur-
3 poses. Said parcels are more particularly described as follows:

4 Parcel 10-1, situated on the southwesterly side of Cambridge
5 street and southerly side of the dividing line between the town of
6 Burlington and city of Woburn, said dividing line also being the
7 southerly layout line of South Bedford street in the town of
8 Burlington, is bounded and described as follows:

9 Beginning at the point of intersection of the southwesterly
10 layout line of Cambridge street and the southerly layout line of
11 South Bedford street, said point also being an angle point in the
12 dividing line between the town of Burlington and city of Woburn;
13 thence south 25°-56'-17" east by said southwesterly layout line of
14 Cambridge street 156.93 feet to a point; thence leaving said layout

15 line south 58°-54'-31" west by land now or formerly of Daniel P.
16 Conway and Doreen M. Conway 10.04 feet to a point: thence
17 north 25°-56'-17" west by other land of city of Boston parks and
18 recreation department 158.38 feet to a point; thence north 67°-11'-
19 34" east by the dividing line between the town of Burlington and
20 city of Woburn, said dividing line also being the southerly layout
21 line of South Bedford Street, 10.01 feet to the point of beginning,
22 said Parcel 10-1 containing about 1,580 square feet of land.

23 Parcel 10-1-C, situated on the southerly side of the dividing
24 line between the town of Burlington and city of Woburn, said
25 dividing line also being the southerly layout line of South Bedford
26 street in the town of Burlington, is bounded and described as
27 follows:

28 Beginning at a point on said dividing line and layout line, said
29 point being south 67°-11'-34" west of and 412.88 feet distant from
30 the point of beginning of Parcel 10-1 hereinbefore described;
31 thence north 67°-11'-34" east by said dividing line and layout line
32 402.87 feet to a point; thence south 25°-56'-17" east by Par-
33 cel 10-1 hereinbefore described 45.47 feet to a point; thence by
34 other land of city of Boston parks and recreation department on
35 four courses as follows: northwesterly to westerly by a curve to
36 left of 30.00 feet radius, 39.61 feet; westerly to southwesterly by a
37 curve to the left of 620.00 feet radius, 119.11 feet; south 67°24'-
38 27" west, 194.64 feet; and south 71°-24'-39" west, 68.44 feet to
39 the point of beginning, said Parcel 10-1-C containing about 2,925
40 square feet of land.

41 Parcels 10-1 and 10-1-C are shown on a plan entitled, "PLAN
42 OF LAND IN THE CITY OF WOBURN, MASSACHUSETTS,
43 MIDDLESEX COUNTY, OWNED BY THE CITY OF BOSTON
44 PARKS AND RECREATION DEPARTMENT AND REQUIRED
45 FOR HIGHWAY PURPOSES, Scale 1"=40', February 25, 1994."
46 Said plan shall be kept on file by the Chief Engineer of the
47 Department of Highways.

1 SECTION 3. Certain parcels of land in the Town of Kingston
2 supposed to be owned by the Commonwealth of Massachusetts
3 under the supervision and control of the department of environ-
4 mental management and presently used for environmental pur-
5 poses. Said parcels are more particularly described as follows:

6 Parcel 6-6, located between state route 80 and Pratt pond, and
7 bounded as follows:

8 Northerly by land now or formerly of said commonwealth of
9 Massachusetts (department of environmental management) about
10 1,761 feet; easterly by land now or formerly of the town of
11 Kingston about 389 feet; southeasterly by land now or formerly of
12 the Congregation of the Sisters of Divine Providence about 85
13 feet; southerly by land now or formerly of said commonwealth of
14 Massachusetts (department of environmental management) about
15 2,281 feet; northwesterly by land now or formerly of Lawrence W.
16 and Paul W. Bernstein about 737 feet; containing about 18.87
17 acres.

18 Parcel 6-9, a parcel of land supposed to be owned by the Com-
19 monwealth of Massachusetts (department of environmental man-
20 agement) adjoining the easterly sideline of state route 80 and
21 being about 5,000 feet northerly from the Sacred Heart School,
22 and bounded as follows:

23 Southwesterly by said sideline of state route 80 in two courses
24 352.95 feet and about 169 feet; northwesterly, northeasterly and
25 northwesterly by land now or formerly of said Commonwealth of
26 Massachusetts (department of environmental management) in
27 three courses about 283 feet, about 144 feet and about 813 feet;
28 northeasterly by land now or formerly of Lawrence W. and Paul W.
29 Bernstein about 357 feet; southeasterly by land now or formerly
30 of Reed F. Stewart, Helen P. Lincoln, Leona Asker, William S.
31 Abbott and John W. Pierce, Trustees of Plymouth County
32 Wildland Trust about 191 feet; southerly by land now or formerly
33 of said Commonwealth of Massachusetts (department of environ-
34 mental management) about 32 feet; containing about 13.79 acres.

35 Parcel 6-10, a parcel of land supposed to be owned by the
36 Commonwealth of Massachusetts (department of environmental
37 management) adjoining the westerly sideline of state route 80 and
38 being about 5,000 feet northerly from the Sacred Heart School,
39 and bounded as follows:

40 Northeasterly by said sideline of state route 80 in two courses
41 about 35 feet and about 123 feet; southerly by land now or for-
42 merly of the Commonwealth of Massachusetts (department of
43 highways) about 283 feet; northwesterly by land now or formerly

44 of the said Commonwealth of Massachusetts (department of envi-
45 ronmental management) about 288 feet; containing about 0.50
46 acres.

47 The parcels of land, hereinbefore described, are shown on a
48 plan entitled "CARVER-PLYMPTON-KINGSTON RELOCATED
49 ROUTE 44, PRELIMINARY RIGHT OF WAY PLAN". This plan
50 shall be kept on file with the Chief Engineer of the Department of
51 Highways.

1 SECTION 4. A certain parcel of land in the city of Worcester
2 supposed to be owned by the Commonwealth of Massachusetts
3 (department of environmental management), known as parcel 46-
4 221, and presently used for environmental purposes. The parcel is
5 located on the westerly side of Millbury street, Worcester,
6 Massachusetts, and is bounded and described as follows:

7 Southerly by the Millbury town line about 130 feet; westerly by
8 land now or formerly of the Commonwealth of Massachusetts
9 (department of environmental management) by a curve to the right
10 with a radius of about 3,059 feet and a length of about 182 feet;
11 northerly by the Blackstone river about 190 feet; easterly by land
12 now or formerly of Commonwealth of Massachusetts (department
13 of environmental management) by two curves. The first is a curve
14 to the left with a radius of about 1,530 feet and a length of about
15 57 feet, the second is a curve to the left with a radius of about
16 2,390 feet with a length of about 293 feet. Said parcel contains
17 about 31,130 square feet.

18 The parcel of land, hereinbefore described, is shown on a plan
19 entitled "PLAN OF LAND IN THE CITY OF WORCESTER,
20 MASSACHUSETTS", prepared by Bryant Associates,
21 Incorporated, dated August 20, 1996. This plan shall be kept on
22 file with the Chief Engineer of the Department of Highways.

1 SECTION 5. In consideration of the transfer of parcels of land
2 pursuant to section 3 the commissioner of the division of capital
3 asset management is hereby authorized and directed to transfer the
4 care, custody and control of certain parcels of land in the town of
5 Kingston owned by the commonwealth and under the care,
6 custody and control of the department of highways to the depart-
7 ment of environmental management. These parcels are more
8 particularly described as follows:

9 Parcel 6-FRL-1, a parcel of land supposed to be owned by the
10 Commonwealth of Massachusetts, located about 2,200 feet east of
11 state route 80 and about 1,000 feet west of Great Mink Hole, and
12 bounded as follows:

13 Northerly by land formerly of Lawrence Bernstein and
14 Paul W. Bernstein, Trustees of the Bernstein Realty Trust
15 and Paul W. Bernstein and Marion J. S. Bernstein, Trustees
16 of the Paul W. Bernstein Realty Trust about 26 feet; south-
17 easterly by land now or formerly of the Commonwealth of
18 Massachusetts (department of environmental management) about
19 23 feet; southwesterly by land now or formerly of Reed F.
20 Stewart, Helen P. Lincoln, Leona Asker, William S. Abbott and
21 John W. Pierce, Trustees of Plymouth County Wildland Trust
22 about 14 feet; containing about 157 square feet.

23 Parcel 6-FRL-2, a parcel of land supposed to be owned by the
24 Commonwealth of Massachusetts, adjoining the easterly sideline
25 of state route 80 and being about 6,350 feet northerly from the
26 Sacred Heart School, and bounded as follows:

27 Westerly by said sidelines of state route 80, 452.46 feet;
28 northerly and westerly by land now or formerly of William E. and
29 Rosa A. Po and, in part, by land now or formerly of Indian Pond
30 Cranberry Corporation in two courses 388.65 feet and 727.18 feet,
31 respectively; northeasterly, northwesterly and northeasterly by
32 land now or formerly of Frederick M. Tonsberg in three courses
33 about 1,320 feet, 697.13 feet and about 495 feet, respectively;
34 southeasterly and northeasterly by land now or formerly of the
35 town of Kingston and in part now or formerly of Gerald V. and
36 Marleen T. Sheehan in two courses 222.75 feet and about 1,270.5
37 feet, respectively; southeasterly by land now or formerly of the
38 Commonwealth of Massachusetts (department of environmental
39 management) about 560 feet; southerly by land now or formerly
40 of Lawrence Bernstein and Paul W. Bernstein, Trustees of the
41 Bernstein Realty Trust and Paul W. Bernstein and Marion J. S.
42 Bernstein, Trustees of the Paul Bernstein Realty Trust about 1,663
43 feet; southwesterly by land now or formerly of the Common-
44 wealth of Massachusetts (department of environmental manage-
45 ment) and in part by land now or formerly of James W. and Ann
46 Maria Whittier about 1,323.4 feet; containing about 72.58 acres.

47 These parcels are shown on a plan entitled "The
48 Commonwealth of Massachusetts Plan of Land In The Town
49 of Kingston, Plymouth County, Taken For Highway & Functional
50 Replacement Purposes By The Department of Highways May 2,
51 1995." This plan is on file in the Plymouth Registry of Deeds,
52 being recorded in connection with an order of taking recorded at
53 Book 13569, Page 01.0.

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

