

By Mr. Miceli of Wilmington, petition of James R. Miceli relative to authorizing the Division of Capital Asset Management and Maintenance to convey a certain parcel of land in the town of Tewksbury. State Administration.

The Commonwealth of Massachusetts

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

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 deputy commissioner of the division of cap-
2 ital planning and operations is hereby authorized, subject to the
3 provisions of sections 40E-40J, inclusive, of chapter 7 of the
4 General Laws to convey by deed, approved as to form by the
5 attorney general, to James Brems and Dorothy Brems a certain
6 parcel of land located in the Town of Tewksbury bounded and
7 described as follows:—

8 Southwesterly by Chandler Street ninety-four feet;

9 Southwesterly by land of the Commonwealth of Massachusetts
10 one hundred seventy-two and 80/100 feet;

11 Westerly by said land of the Commonwealth of Massachusetts
12 ninety-four feet;

13 Northeasterly by Lot 1, one hundred seventy-two and 80/100
14 feet.

15 Said property is presently being used as a vegetable garden and
16 shall be used in the future for agricultural purposes.

1 SECTION 2. The consideration paid by James Brems and
2 Dorothy Brems for said easements shall be the full and fair
3 market value of the property determined by the independent
4 appraisal, for their use as described herein. The inspector general
5 shall review and approve said appraisal and said review shall
6 include a review of methodology utilized for said appraisal. The

7 inspector general shall prepare a report for his review and file
8 said report with the commissioner for submission to the house and
9 senate committees on ways and means and chairmen of the joint
10 committee on state administration in accordance with section five
11 of this act. James Brems and Dorothy Brems shall pay said con-
12 sideration in accordance with the terms of the agreement.

1 SECTION 3. In the event that the parcel of land conveyed by
2 section one of this Act is not used for the purpose described
3 therein, or the conditions and restrictions herein are not complied
4 within five years of the effective date of this Act, said parcel of
5 land shall revert to the Commonwealth under such terms and con-
6 ditions as the deputy commissioner may prescribe.

1 SECTION 4. James Brems and Dorothy Brems shall be respon-
2 sible for any costs for appraisals, surveys and other expenses
3 relating to the transfer of the easements, or for any costs and lia-
4 bilities and expenses of any nature and kind for its maintenance or
5 operation.

1 SECTION 5. 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 6. The commissioner shall, thirty days before the
2 execution of any agreement authorized by this act, or any subse-
3 quent 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 7. This act shall take effect upon its further.