

By Mr. Turkington of Falmouth, petition of Eric Turkington for legislation to authorize the Division of Capital Planning and Operations to exchange a certain parcel of land in Edgartown for a parcel owned by the Nature Conservancy. State Administration.

**The Commonwealth of Massachusetts**

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

AN ACT AUTHORIZING THE DIVISION OF CAPITAL PLANNING AND OPERATIONS TO EXCHANGE A CERTAIN PARCEL OF LAND IN THE TOWN OF EDGARTOWN FOR A PARCEL OWNED BY THE NATURE CONSERVANCY TO ENHANCE THE PROTECTION AND RECREATIONAL USE OF THE MANUEL F. CORRELLUS STATE FOREST ON MARTHA'S VINEYARD.

*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. Notwithstanding the provisions of sections  
2 forty E to forty J, inclusive, of chapter seven of the General Laws  
3 or any other general or special law to the contrary, the commis-  
4 sioner of the division of capital planning and operations is hereby  
5 authorized and directed to convey by deed a certain parcel of land  
6 in the town of Edgartown, which currently is a part of the Manuel  
7 F. Correllus State Forest, to the Nature Conservancy, a not for  
8 profit land conservation organization incorporated in the District  
9 of Columbia and with offices in the Commonwealth of  
10 Massachusetts, for conservation, research, educational, and public  
11 access purposes, including the building of one or more structures  
12 thereon, in exchange for the conveyance to the Commonwealth,  
13 acting through its department of environmental management, of a  
14 certain parcel of land also in Edgartown and adjacent to said state  
15 forest, said exchange to be subject to such terms and conditions as  
16 the commissioner may prescribe, in consultation with the depart-  
17 ment of environmental management.

18 The parcel to be transferred to the Commonwealth by the  
19 Nature Conservancy is further described as a certain parcel of

20 vacant land located on the southerly side of the Edgartown-West  
21 Tisbury Road in the Town of Edgartown adjacent to the Manuel F.  
22 Correllus State Forrest, and bounded and described as follows: —

23 NORTHERLY by Edgartown-West Tisbury Road  
24 (Massachusetts State Highway — 66 feet wide), One Thousand  
25 Ten and No/100 (1010.000) feet; EASTERLY by Parcel I on the  
26 plan hereinafter mentioned; SOUTHERLY by said Parcel I, One  
27 Thousand Two Hundred and Ninety-Eight and 15/100 (1298.15)  
28 feet; NORTHWESTERLY by land now or formerly of Allen W.  
29 and Judith A. Norton, Six Hundred Sixty-Two and 93/100  
30 (662.93) feet; SOUTHWESTERLY by land of said Nortons, One  
31 hundred Eighteen and 86/100 (118.86) feet; and WESTERLY by  
32 land of said Nortons, Twenty-Four and 12/100 (24.12) feet.

33 Being Parcel A as shown on a plan entitled “Taking Plan of  
34 Land in Edgartown, Mass. Prepared for the Commonwealth of  
35 Massachusetts, Department of Environmental Management Scale  
36 1”=100 ft. May 15, 1995 Schofield, Barbini, and Hoehn, Inc. State  
37 Road Vineyard Haven, Mass.”, which plan is recorded with Dukes  
38 County Registry of Deeds as Edgartown case file No. 635, said  
39 Parcel A containing 15.00 acres, more or less, according to said  
40 plan.

1 SECTION 2. The parcel of land to be transferred to the Nature  
2 Conservancy by the Commonwealth is a portion of the land  
3 located on the southerly side of the Edgartown-West Tisbury  
4 Road, a Massachusetts State Highway, managed by the depart-  
5 ment of environmental management as part of the Manuel F.  
6 Correllus State Forest and further described as follows: land  
7 shown as Parcel I and Parcel II on a plan entitled “Taking Plan of  
8 Land in Edgartown, Dukes County, Massachusetts Prepared for  
9 Commonwealth of Massachusetts,” dated May 15, 1995 and pre-  
10 pared by Schofield, Barbini, and Hoehn, Inc., of Vineyard Haven,  
11 Massachusetts, Sheets 1-10, recorded in Edgartown Case File No.  
12 635. Said parcel shall be conveyed together with such rights of  
13 way and other easements as are necessary for the purposes set  
14 forth in section 1, above, as determined by the commissioner in  
15 consultation with the department of environmental management.

16 The more precise configuration of the parcel to be conveyed by  
17 the commonwealth shall be determined by the commissioner in

18 consultation with the department of environmental management,  
19 provided that the parcel to be conveyed by the Commonwealth  
20 shall be of equal or lesser value than the parcel being conveyed by  
21 the Nature Conservancy, as such value is determined by the  
22 Commonwealth's independent appraisal. The boundaries of the  
23 parcel to be conveyed by the Commonwealth shall be shown on a  
24 recordable plan of land to be recorded with the Dukes County  
25 Registry of Deeds.

1 SECTION 3. This act shall take effect upon its passage.

