

HOUSE No. 4688

By Mr. Murphy of Burlington, for the committee on Ways and Means , that the House Bill authorizing the lease of certain recreational facilities to the town of Milton (House, No. 845) ought to pass with an amendment substituting therefor the accompanying bill (House, No. 4688). May 19, 2010.

The Commonwealth of Massachusetts

In the Year Two Thousand Ten

An Act AUTHORIZING THE LEASE OF CERTAIN RECREATIONAL FACILITIES TO THE TOWN OF MILTON.

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 sections 40F to 40J of chapter 7 of the General Laws or
2 any other general or special law to the contrary, the division of capital asset management and
3 maintenance, in consultation with the department of conservation and recreation, may lease to
4 the department of parks and recreation in the town of Milton, for nominal consideration, pursuant
5 to such additional terms and conditions as the commissioner may prescribe, a certain parcel of
6 land in the town of Milton. The parcel, the exact boundaries of which shall be established prior
7 to such conveyance by a survey commissioned by said commissioner, is known as the Max Ulin
8 Rink located on Unquity road and includes the existing adjacent parking area located on Unquity
9 road in the town of Milton; provided, further, that any lease shall contain the restriction required
10 pursuant to section 2 of this act. The term of said lease agreement shall be for not less than 10
11 years, with an option to renew for not more than 10 years.

12 SECTION 2. Notwithstanding any general or special law to the contrary, the parcel
13 described in section 1 of this act shall be leased subject to a restriction limiting the use of the
14 parcel to municipal or other public purposes. If at any time the property ceases to be used for the
15 purposes described in this section the commissioner shall give written notice to the town of the
16 unauthorized use. The town shall, upon receipt of the notice, have 30 days to respond and a
17 reasonable time to establish an authorized use of the parcel. If an authorized use of the parcel is
18 not thereafter established, the lease of the parcel, upon the recording of a notice thereof by the
19 commissioner in the appropriate registry of deeds, shall terminate and any further disposition of
20 the property shall be subject to chapter 7 of the General Laws.

21 SECTION 3. Notwithstanding any general or special law to the contrary, the town of
22 Milton shall be responsible for all costs and expenses, including but not limited to, costs
23 associated with any engineering, surveys, appraisals, and deed preparation related to the transfers
24 and conveyances authorized pursuant to this act as such costs may be determined by the
25 commissioner of the division of capital asset management and maintenance. Upon conveyance
26 of the parcel, the town shall be solely responsible for all costs, liabilities and expenses of any
27 nature and kind for the development, maintenance, use and operation of the parcel.