

state forest campgrounds; and shall construct and maintain the access road to said treatment facility in such a way that it may be used by said department for the removal of logs, relocate portions of the existing trail near the treatment facility, if deemed necessary by the department, and transfer to the commonwealth, under the control of said department, a parcel of land of equivalent value, as the department shall determine. The cost of appraisals shall be borne by the town of Lenox.

Said lands and easements are shown on two plans entitled: "Plan of Water Line Easements in Lee, Mass, Surveyed for Mass Municipal Engineering Consultants, Inc. and the Town of Lenox, Sept. 1985 (2 sheets)" and "Plan of Land in Lee, Mass. Showing Land to be Conveyed to the town of Lenox, November, 1985." Both plans were prepared by Brown Associates, Inc., Engineers-Surveyors, Pittsfield, Mass.

SECTION 2. Notwithstanding the provisions of section four of chapter forty of the General Laws or any other provision of law to the contrary, the town of Lee and the town of Lenox shall be authorized to enter into an agreement titled "Agreement Between Town of Lee and Town of Lenox For Water Supply from Washington Mountain Brook Watershed Project" which sets forth the terms and conditions under which both towns shall share the water supply from the Washington Mountain Brook Watershed Project without any provisions as to fixed date for the termination of the said agreement.

SECTION 3. Notwithstanding the provisions of section nineteen of chapter forty-four of the General Laws or any other provision of law to the contrary, the town of Lenox shall be authorized to issue bonds and notes on a level debt service basis for a water supply treatment and distribution system, including the town of Lenox's share of the town of Lee's costs for the water supply facilities which are part of the Washington Mountain Brook Watershed Project, two treatment plants, a storage tank, pipeline, access roads, land acquisition costs, and design and engineering costs associated with the projects, all as more particularly authorized by the unanimous vote of the town of Lenox at a special town meeting held on July seventeenth, nineteen hundred and eighty-five.

Approved December 9, 1986.

Chapter 573. AN ACT DIRECTING THE DIVISION OF CAPITAL PLANNING AND OPERATIONS TO CONVEY AN EASEMENT IN CERTAIN LAND IN THE TOWN OF HARWICH UNDER THE CONTROL OF THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT TO COMMONWEALTH ELECTRIC COMPANY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately affect the conveyance of an easement by the division of capital planning and operations to Commonwealth Electric Company in land owned by the commonwealth in the town of Harwich, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

ACTS, 1986. – Chap. 574.

Be it enacted, etc., as follows:

SECTION 1. The deputy commissioner of capital planning and operations, acting for and on behalf of the commonwealth, in consultation with the department of environmental management, is hereby authorized to grant to Commonwealth Electric Company, its successors and assigns, a permanent easement on a parcel of land in the town of Harwich acquired by the department of environmental management for conservation and recreation purposes. Said conveyance shall be in accordance with the terms and conditions set out in section two and subject to the approval of the commissioner of environmental management and approved as to form by the attorney general. Said easement shall be for the construction, maintenance and operation of towers, poles, wires and appurtenances deemed necessary for the transmission of electricity on, over, across, and under the land of the commonwealth, described as follows:

Beginning at the SE corner of land of the town of Harwich disposal area and land of the department of environmental management and the NW corner of the easement to be described:

thence N 88° 24' 20" E crossing the land of the Department 92.69 ft;

thence S 25° 31' 06" W in line of land of Louis & Laura Fernandes 196.61 ft;

thence S 88° 24' 20" W crossing the land of the Department 92.69 ft.;

thence N 25° 31' 06" E in line of land of owners unknown 196.61 ft. to the point of beginning.

Containing 16,220 square feet, more or less, and being shown on a plan of land entitled "Plan of Proposed Easement Crossing Land of Commonwealth of Massachusetts, Department of Environmental Management, Harwich, Mass., prepared for Commonwealth Electric Company, 1" = 40' dated May 22, 1985 by Braman Engineering Company, Civil Engineers & Surveyors, 258 Main St. Buzzards Bay, MA.

SECTION 2. In consideration for the conveyance provided for in section one, Commonwealth Electric Company shall pay fair market value for the easement as determined by an independent appraisal process prepared for the department of environmental management. All appraisal costs shall be assumed by said company.

Said conveyance shall be subject to such conditions and restrictions as deemed advisable or necessary by the commissioner of the department of environmental management. The terms and conditions of the easement hereby authorized shall be set out in an instrument to be recorded in the registry of deeds for Barnstable county.

Approved December 9, 1986.

Chapter 574. AN ACT AUTHORIZING ESTIMATED TAX PAYMENTS FOR THE CITY OF NEW BEDFORD FOR THE FIRST HALF OF FISCAL YEAR NINETEEN HUNDRED AND EIGHTY-SEVEN.

Be it enacted, etc., as follows: