

SENATE No. 1301

By Mr. LoPresti, a petition (accompanied by bill, Senate, No. 1301) of Michael LoPresti, Jr., and the Massachusetts Conveyancers Association, by William V. Hovey, for legislation to require recording of certain plans relative to orders of a conservation commission. Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-four.

**AN ACT TO REQUIRE RECORDING OF CERTAIN PLANS RELATIVE
TO ORDERS OF A CONSERVATION COMMISSION.**

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 40 of chapter 131 of the General Laws is hereby fur-
2 ther amended by striking the fourteenth paragraph as most
3 recently amended by chapter 248 of the acts of 1978 and insert-
4 ing in place thereof the following paragraph: —
5 No work proposed in any notice of intention shall be under-
6 taken until the final order, determination or notification with
7 respect to such work has been recorded in the registry of
8 deeds, or if the land affected thereby be registered land, in
9 the registry section of the land court for the district wherein
10 the land lies, nor until a plan made by a registered land
11 surveyor in recordable form is recorded in the registry of
12 deeds, or if the land is registered land with the registry sec-
13 tion of the land court for the district wherein the land lies show-
14 ing the land of the owner and where on said land the work to
15 be done by the applicant or the owner, under the order is
16 located. At the applicant's option, the applicant and the con-
17 servation commission shall enter into an agreement under
18 which the applicant shall agree to complete all of the work call-
19 ed for in the order of conditions and shall deposit with the con-
20 servation commission, as security for the performance of such
21 agreement cash, or surety company bond, or letter of credit
22 in such amounts and in such form as the conservation com-
23 mission may reasonably require in order to insure the appli-

24 cant's performance. Upon the execution of such agreement
 25 and the delivery of such surety, the conservation commission
 26 shall release the land affected from the operation of said order
 27 of condition.