

HOUSE No. 805.

Bill accompanying the petition of Alfred Bowditch and another for an amendment of the law relative to the recovery of damages for the establishment of building lines in cities and towns. Mercantile Affairs. January 26.

Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Five.

AN ACT

Relative to Recovery of Damages from the Establishment of Building Lines in Cities and Towns.

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. Section one hundred and three of
2 chapter forty-eight of the Revised Laws is hereby
3 amended by adding at the end thereof the follow-
4 ing: —

5 *Provided, however,* that where land upon which
6 a building line has heretofore or may hereafter be
7 established as aforesaid, is or appears to be sub-
8 ject to restrictions of record which are claimed to
9 establish a line beyond which no structure may be

10 erected thereon, and the supreme judicial court,
11 in any proceeding whatever shall at any time
12 within five years of the establishment of such
13 building line under the provisions of this section
14 determine that such land is no longer subject to
15 such restrictions, the owner thereof may file his
16 petition for damages for the establishment of such
17 building line at any time within one year from the
18 date of the final judgment, order or decree in such
19 proceeding.

1 SECTION 2. This act shall take effect upon its
2 passage.