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**Chap. 269**

of a department of conservation and recreation and Massachusetts Department of Transportation project to develop a bicycle-pedestrian corridor between the Charles River Reservation in the city known as the town of Watertown and Fresh Pond Parkway in the city of Cambridge for recreational use by members of the public. The easement area is shown as PARCEL BPE-1 on a plan entitled "Plan of Land in the Town of Watertown, Middlesex County, Showing Location Of Easement To Be Granted to the Commonwealth of Massachusetts (Department of Conservation and Recreation)," dated September 11, 2009, prepared by Vanasse Hangen Brustlin, Inc., and contains an area of about 16,293 square feet. The plan is on file with the department of conservation and recreation and shall be recorded with the south Middlesex county registry of deeds.

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

Approved, August 9, 2010.

**Chapter 270. AN ACT AUTHORIZING THE GRANTING OF EASEMENTS UPON LAND OF THE COMMONWEALTH LOCATED IN THE CITY OF CAMBRIDGE.**

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for easements necessary for the construction of a stormwater wetland and related improvements as part of a sewer separation and stormwater management project, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*Be it enacted, etc., as follows:*

**SECTION 1.** Notwithstanding sections 40E to 40J of chapter 7 of the General Laws or any other general or special law to the contrary, the commissioner of capital asset management and maintenance, in consultation with the commissioner of the department of conservation and recreation and the Massachusetts Water Resources Authority, may grant permanent non-exclusive easements to the city of Cambridge under the care and control of its department of public works, on parkland under the care and control of the department of conservation and recreation and other lands owned by the commonwealth and used for sewer or stormwater management purposes in accordance with chapter 372 of the acts of 1984 and as the easement areas are more particularly defined in subsections (a), (b) and (c) of section 2. Prior to the execution of an easement instrument to the city of Cambridge pursuant to this section, the city of Cambridge, by its city manager and the department of conservation and recreation shall execute a memorandum of agreement detailing the mitigation and maintenance responsibilities upon the easement areas and land under the control of the department.

**SECTION 2.** (a) The easement areas authorized in section 1 shall be as follows:

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**Chap. 270**

(1) an area containing 187,547 square feet±, or 4.305 acres, and shown as “Access and Maintenance Easement Area ‘R’” on a plan entitled, “Easement Plan, Access and Maintenance Easement Area R, Utility Easement Areas R1 & R2 and Easement Areas R3 & R4, ‘Alewife Reservation’ Cambridge, Mass.”, dated March 19, 2010, revised on July 1, 2010, by Harry R. Feldman, Incorporated, Land Surveyors;

(2) an area containing 8,226± square feet and shown as “Utility Easement Area ‘R1’,” an area containing 2,972± square feet and shown as “Utility Easement Area ‘R2’,” an area containing 1,278± square feet and shown as “Easement ‘R3’,” and an area containing 1,291± square feet and shown as “Easement ‘R4’” on a plan entitled, “Easement Plan, Access and Maintenance Easement Area R, Utility Easement Areas R1 & R2 and Easement Areas R3 & R4, ‘Alewife Reservation’ Cambridge, Mass.”, dated March 19, 2010, revised on July 1, 2010, by Harry R. Feldman, Incorporated, Land Surveyors; and

(3) an area of 8,401± square feet and shown as “Easement Area A-1,” and an area of 307± square feet and shown as “Easement Area A-2” on a plan entitled “Easement Plan, Easement Areas A1 & A2, 55 Wheeler Street & 70 Fawcett Street, Cambridge, Mass.” prepared by Harry R. Feldman, Inc., dated March 19, 2010.

(b) The commissioner of capital asset management and maintenance may approve necessary minor modifications to these areas, with the approval of the department of conservation and recreation and the city of Cambridge.

**SECTION 3.** No easement instrument executed pursuant to section 1 shall be valid unless it provides that the easements conveyed shall be used solely for, as the case may be, access and maintenance of a stormwater wetland or for stormwater management, sewer, water or utility purposes.

The easement instruments upon property under the control of the department of conservation and recreation shall not unreasonably interfere with the department’s use of its land, including use by the public, and shall include a reversionary clause that stipulates that the easement shall revert to the commonwealth and be extinguished, upon such terms and conditions as the commissioner of capital asset management and maintenance may determine, if an easement ceases to be used for the purposes for which it was granted.

Notwithstanding any other general or special law to the contrary, if the property ceases to be used at any time for such purposes or is used for any purpose other than the public purposes stated in this act, the commissioner of capital asset management and maintenance shall give written notice to the city of the unauthorized use. The city shall, upon receipt of the notice, have 90 days to respond and a reasonable time to establish an authorized use of the easement area.

**SECTION 4.** The consideration for the easements authorized under this act, and as a condition precedent to the granting of the easements by the commonwealth, shall be the conveyance by the city of Cambridge, upon enactment of legislation authorizing the granting of the same of a permanent easement to the commonwealth at no cost, which shall be under the care and control of the department of conservation and recreation for public recreation purposes, upon a 16,293± square foot area of land located in the town of Watertown and held by the city of Cambridge for water supply purposes.

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## Chap. 270

The easement instrument upon property under the control of the city of Cambridge shall not unreasonably interfere with the use by the city of Cambridge of its land and shall include a reversionary clause that stipulates that the easement shall revert to the city of Cambridge and be extinguished, upon such terms and conditions as the city of Cambridge may determine if the easement ceases to be used for the purposes for which it was conveyed.

Notwithstanding any other general or special law to the contrary, if the property ceases to be used at any time for the purposes pursuant to this section or is used for any purpose other than the public purposes stated in this section, the city of Cambridge shall give written notice to the department of conservation and recreation of the unauthorized use. The department of conservation and recreation shall, upon receipt of the notice, have 90 days to respond and a reasonable time to establish an authorized use of the easement area.

**SECTION 5.** The city of Cambridge shall be responsible for all costs and expenses incurred or required to be incurred by it including, but not limited to, costs associated with any engineering or surveys or other necessary due diligence in connection with the city's use of the easements granted under this act.

Approved, August 9, 2010.

## **Chapter 271. AN ACT DIRECTING THE STATE SECRETARY TO PLACE THE OFFICE OF SELECTMEN ON THE STATE ELECTION BALLOT IN THE TOWN OF MENDON.**

*Be it enacted, etc., as follows:*

**SECTION 1.** Notwithstanding any general or special law to the contrary, the state secretary shall print on the official state election ballot for the November 2, 2010 state election for the town of Mendon the office of selectmen to fill a vacancy.

**SECTION 2.** Notwithstanding section 7 of chapter 53 of the General Laws or any other general or special law to the contrary, nomination papers for said office of selectmen to fill the vacancy shall be filed with the board of registrars of the town of Mendon for certification of signatures on or before 5:00 P.M. on August 10, 2010.

**SECTION 2A.** Notwithstanding any general or special law to the contrary, the board of registrars shall complete certification of signatures on such nomination on or before 5:00 P.M. on August 17, 2010.

**SECTION 3.** Notwithstanding section 10 of chapter 53 of the General Laws or any general or special law to the contrary, certified nomination papers shall be filed with the town clerk on or before 5:00 P.M. on August 24, 2010.

**SECTION 4.** Notwithstanding section 13 of chapter 53 of the General Laws or any general or special law to the contrary, candidates who have filed nomination papers to fill the vacancy in the office of selectmen may withdraw their nomination by filing a notarized withdrawal letter on or before 5:00 P.M. on August 26, 2010.