

HOUSE No. 21

By Mr. Brownsberger of Belmont, petition of William N. Brownsberger and others for legislation to acquire the silver maple forest for the Department of Conservation and Recreation upon receipt of sufficient local contributions toward said acquisition. Bonding, Capital Expenditures and State Assets.

The Commonwealth of Massachusetts

PETITION OF:

William N. Brownsberger J. James Marzilli, Jr.
Steven A. Tolman

In the Year Two Thousand and Seven.

AN ACT TO ACQUIRE THE SILVER MAPLE FOREST FOR THE DEPARTMENT OF CONSERVATION AND RECREATION UPON RECEIPT OF SUFFICIENT LOCAL CONTRIBUTIONS TOWARD SAID ACQUISITION.

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. In this Act, the term “Silver Maple Forest” shall
2 refer to a property also known as the Belmont Uplands and com-
3 prised of Parcel 40-1 on the assessors’ map of the Town of Bel-
4 mont and an adjoining triangular parcel in the City of Cambridge.

1 SECTION 2. The commissioner of capital asset management
2 and maintenance, in this act called the commissioner, shall acquire
3 in fee simple the Silver Maple Forest on behalf of the department
4 of conservation and recreation, in this act called the department,
5 through purchase, negotiation, eminent domain taking, gift, any
6 combination of the foregoing, or otherwise and shall convey said
7 property to the department for conservation purposes.

1 SECTION 3. The sum of six million dollars is hereby appropri-
2 ated towards to the cost of said acquisition.

1 SECTION 4. Within 60 days of the effective date of this act,
2 the commissioner shall conduct an appraisal of the fair market
3 value of the Silver Maple Forest and shall transmit to the Board of
4 Selectman in Belmont, the Board of Selectmen in Arlington and
5 the City Council of Cambridge, in this act called the local authori-
6 ties, the results of that appraisal.

1 SECTION 5. Within 180 days of the transmittal of the
2 appraisal, the local authorities shall each certify, in language to be
3 determined by the commissioner, the amount of funds under their
4 control which are available for contribution towards the cost of
5 the acquisition of the Silver Maple Forest by the commissioner.
6 Said funds may include funds lawfully appropriated by the appro-
7 priating bodies in Arlington, Belmont and Cambridge and may
8 also include private funds received by or on behalf of the local
9 authorities and held in escrow for application towards the acquisi-
10 tion.

1 SECTION 6. If the amount of said funds so certified equals or
2 exceeds the difference between the appraised fair market value of
3 the property, or such lesser amount as the then owner of the prop-
4 erty indicates is an acceptable acquisition price, and the sum of
5 six million dollars, the commissioner shall forthwith direct the
6 local authorities to provide said funds and upon receipt of said
7 funds shall forthwith consummate the acquisition. If the amount
8 of funds received does not equal or exceed said difference, this act
9 shall become null and void.

1 SECTION 7. This act shall be effective upon its passage.