

HOUSE No. 65

By Mr. Walsh of Boston, petition of Martin J. Walsh and John A. Hart, Jr. relative to authorizing the commissioner of the Division of Capital Asset Management and Maintenance to convey certain land to Sullivan and McLaughlin Companies, Inc.. Bonding, Capital Expenditures and State Assets.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT AUTHORIZING THE COMMISSIONER OF THE DIVISION OF CAPITAL ASSET MANAGEMENT AND MAINTENANCE TO CONVEY CERTAIN LAND TO SULLIVAN AND MCLAUGHLIN COMPANIES, INC.

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. The commissioner of the division of capital asset
2 management and maintenance, in consultation with the commis-
3 sioner of the department of conservation and recreation may,
4 notwithstanding sections 40E to 40J, inclusive, of chapter 7 of the
5 General Laws, or any other general or special law to the contrary,
6 by deed approved as to form by the attorney general, convey cer-
7 tain property located on Tenean Street in the city of Boston,
8 including any and all rights-of-way and easements appurtenant
9 thereto, which is currently under the control of and used by the
10 department of conservation and recreation for recreation and nat-
11 ural resource purposes, to Sullivan & McLaughlin Companies,
12 Inc., or its nominees, successors and assigns, subject to the provi-
13 sions of section 2 of this act. Said parcel is more particularly
14 described as being all or a portion of Parcel 2 in the “Order of
15 Taking, Commonwealth of Massachusetts, Metropolitan District
16 Commission” dated January 18, 1962, recorded at the Suffolk
17 Registry of Deeds in Book 7624, Page 579 and shown on the plan
18 made a part thereof and recorded therewith entitled: “Common-
19 wealth of Massachusetts, Metropolitan District Commission,
20 Parks Division, William T. Morrissey Boulevard, Boston (Dorch-
21 ester District), Plan of Land to be Taken from the City of Boston

22 Board of Park Commissioners under the provisions of
23 Chapter 509, Acts of 1949, * * * January 17, 1962, Benjamin W.
24 Fink, Director of Park Engineering,” being plan accession
25 number 40251-V.T. This parcel shall be conveyed by deed
26 without warranties or representations by the commonwealth; pro-
27 vided, further, that the commissioner shall grant within thirty days
28 of the effective date of this act a temporary lease or license for the
29 aforementioned property at a nominal amount to Sullivan &
30 McLaughlin Companies, Inc. that will permit them full and com-
31 plete access to and control of said property until the provisions of
32 section 2 have been met. The commissioner shall determine the
33 exact boundaries and acreage of the parcel based upon a survey of
34 the parcel.

1 SECTION 2. There shall be an independent appraisal of the
2 conveyance described in section 1 to be conveyed as authorized
3 by this act to determine the full and fair market value based upon
4 a professional appraisal as commissioned by the commissioner of
5 capital asset management and maintenance. Sullivan &
6 McLaughlin Companies, Inc. shall compensate the commonwealth
7 in an amount equal to the full and fair market value, as determined
8 by said independent appraisal. Sullivan & McLaughlin Compa-
9 nies, Inc. shall assume all costs associated with any engineering,
10 surveys, appraisals, deed preparation and other expenses deemed
11 necessary by the commissioner of the division of capital asset
12 management and maintenance to execute the conveyance autho-
13 rized by this act. All money paid to the commonwealth by Sul-
14 livan & McLaughlin Companies, Inc. as a result of the
15 conveyance of the property authorized by this act shall be
16 deposited in the general fund of the commonwealth.

17 The commissioner of capital asset management and mainte-
18 nance shall submit said appraisal and a report thereon to the
19 inspector general for his review and comment. Said inspector
20 general shall review and approve said appraisal and said review
21 shall include an examination of the methodology utilized for said
22 appraisal. The inspector general shall prepare a report of his
23 review and file said report with the commissioner for submission
24 by said commissioner to the house and senate committees on ways
25 and means and the chairmen of the joint committee on bonding,

26 capital expenditures and state assets. Said commissioner shall
27 submit copies of said appraisal, his report, and the inspector gen-
28 eral's review and approval, and comments, if any, to the house and
29 senate committees on ways and means and the chairmen of the
30 joint committee on bonding, capital expenditures and state assets
31 prior to the execution of said conveyance.