

HOUSE No. 2020

By Mr. Barrows of Mansfield and Senator Timilty, joint petition of F. Jay Barrows and others that the Division of Capital Asset Management and Maintenance be authorized to convey a certain parcel of land located in the town of Foxborough. Rules. [Local Approval Received.]

The Commonwealth of Massachusetts

PETITION OF:

F. Jay Barrows
James E. Timilty

Elizabeth A. Poirier

In the Year Two Thousand and Seven.

AN ACT AUTHORIZING THE COMMISSIONER OF CAPITAL ASSET MANAGEMENT AND MAINTENANCE TO CONVEY CERTAIN LAND IN FOXBOROUGH.

1 *Whereas*, the deferred operation of the act would tend to defeat
2 its purpose, which is to permit the conveyance of certain lands in
3 Foxborough, it is hereby declared to be an emergency act neces-
4 sary for the immediate preservation of the public convenience.

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 capital asset management
2 and maintenance may, notwithstanding section 40E to section 40I,
3 inclusive, of chapter 7 of the General Laws and any other general
4 or special law or rule or regulation to the contrary, convey by deed
5 a certain parcel of property of commonwealth land, including the
6 improvements thereon, located in the town of Foxborough and
7 further described in section 1 of chapter 504 of the acts of 1990,
8 to Feeling Foxy, LLC. The exact boundaries shall be determined
9 by the commissioner based upon a survey. The parcel consists of
10 approximately 1.53 acres and abuts other land owned by the pur-
11 chaser. The exact boundaries of the parcel shall be determined by
12 the commissioner based on a survey. The parcel shall be conveyed

13 by release deed in its existing condition without warranties or rep-
14 resentations by the commonwealth.

1 SECTION 2. The consideration for the conveyance authorized
2 by this act shall be the full and fair market value of the property,
3 based upon an independent professional appraisal as determined
4 by the commissioner. The inspector general shall review and
5 approve the appraisal and prepare a report of his review of the
6 methodology utilized for the appraisal. The inspector general shall
7 prepare a report of his review and file the report with the commis-
8 sioner for submission to the house and senate committee on ways
9 and means and the chairmen of the joint committee on bonding,
10 capital expenditures, and state assets. The inspector general shall
11 prepare a report of his review and file the report with the commis-
12 sioner of the division for submission to the house and senate com-
13 mittees on ways and means and the chairmen of the joint
14 committee on state administration. The commissioner shall, 30
15 days before the execution of any agreement authorized by this act,
16 or any subsequent amendment thereto, submit the agreement or
17 amendment and a report thereon to the inspector general for his
18 review and comment. The inspector general shall issue his review
19 and comment within 15 days of receipt of any agreement or
20 amendment. The commissioner shall submit the agreement and
21 any subsequent amendments thereto, the reports, and the com-
22 ments of the inspector general, to the house and senate commit-
23 tees on ways and means and the chairmen of the joint committee
24 on bonding, capital expenditures and state assets at least 15 days
25 prior to execution.

1 SECTION 3. The purchaser shall be responsible for all costs
2 associated with the conveyance authorized by this act, including
3 but not limited to any appraisal, survey, recording and legal costs,
4 any and all other expenses incurred by the commonwealth in con-
5 nection with said conveyance and any and all costs or liabilities
6 arising from or connected with ownership of the parcel.

1 SECTION 4. The purchaser and its agents, tenants or contrac-
2 tors agree to hold the commonwealth and its agents and
3 employees harmless from and against all claims, actions, damages

4 or costs claimed from injuries or damages to persons or property
5 arising out of, or in any way relating to, the conveyance autho-
6 rized by this act, and shall indemnify and defend the common-
7 wealth and its agents and employees from and against any and all
8 such claims, actions, damages, or costs.