

HOUSE No. 3745

By Mr. Peterson of Grafton, petition of George N. Peterson, Jr., Stephen M. Brewer and Edward M. Augustus, Jr., relative to the terms of a conveyance by the Division of Capital Asset Management and Maintenance of a certain parcel of land in the town of Grafton. Bonding, Capital Expenditures and State Assets.

The Commonwealth of Massachusetts

PETITION OF:

George N. Peterson, Jr. Edward M. Augustus, Jr.
Stephen M. Brewer

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO THE CONVEYANCE OF A CERTAIN PARCEL OF LAND IN THE TOWN OF GRAFTON.

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 1 of chapter 224 of the acts of 2002 is
2 hereby amended by striking out, in the first sentence, the words
3 “sections 40F ½, 40I and” and inserting in place thereof the
4 following word:— section.

1 SECTION 2. Said section 1 of said chapter 224 is hereby fur-
2 ther amended by striking out, in the first sentence, the words
3 “convey by deed” and inserting in place thereof the following
4 words:— lease for a term not to exceed 50 years, together with an
5 option to purchase as set forth in this act, and to sell and convey
6 by deed.

1 SECTION 3. Said chapter 224 of the acts of 2002 is hereby fur-
2 ther amended by striking out section 2 and inserting in place
3 thereof the following 4 sections:—

4 Section 2. Such lease shall include an option for the Massachu-
5 setts state police museum and learning center to purchase the
6 premises at the end of the term of said lease, shall require that the
7 lessee maintain adequate insurance, and shall contain such other
8 provisions as the commissioner, after consultation with the depart-
9 ment of state police, considers appropriate. The lease price to be
10 paid by the Massachusetts state police museum and learning
11 center shall be the full and fair market value of the building and
12 land based upon 1 or more professional appraisals commissioned
13 by the division of capital asset management and maintenance
14 reduced by any credit authorized and certified by the inspector
15 general. The commissioner of the division of capital asset man-
16 agement and maintenance shall, 30 days prior to the execution of
17 any lease authorized by this act or any subsequent amendment
18 thereof, submit the lease and any amendments thereto and a report
19 thereon to the inspector general. The inspector general shall
20 review and comment in writing on each appraisal and the review
21 and comment shall include an examination of the methodology
22 used for each appraisal. The inspector general shall prepare a
23 report of his review and action on the appraisal, lease or leases or
24 amendments and file the report with the commissioner. Copies of
25 this report shall be filed with the house and senate committees on
26 ways and means and with the chairmen of the joint committee on
27 state administration at least 15 days before execution of the lease.
28 The report shall also include a list of those credits that have been
29 certified by the inspector general as credits to be applied against
30 the lease price. The state police museum and learning center shall
31 be responsible for any costs for appraisals, surveys and other
32 expenses relating to the conveyance of the land and structure. The
33 lease price paid by the Massachusetts state police museum and
34 learning center for any lease or leases, or any amendments
35 thereof, authorized by this act shall be deposited in the General
36 Fund.

37 Section 3. Such lease shall set forth the procedure for the
38 Massachusetts state police museum and learning center to exercise
39 its option to purchase the premises at the end of the term of said
40 lease. The purchase price to be paid by the Massachusetts state
41 police museum and learning center shall be the full and fair
42 market value of the building and land based upon 1 or more pro-

43 fessional appraisals commissioned by the division of capital asset
44 management and maintenance reduced by any credit authorized
45 and certified by the inspector general. The commissioner of the
46 division of capital asset management and maintenance shall, 30
47 days prior to the execution of any agreement authorized by this
48 act or any subsequent amendment thereof, submit the agreement
49 and any amendments thereto and a report thereon to the inspector
50 general. The inspector general shall review and comment in
51 writing on each appraisal, and the review and comment shall
52 include an examination of the methodology used for each
53 appraisal. The inspector general shall prepare a report of his
54 review and action on the appraisal, agreement or amendments and
55 file the report with the commissioner. Copies of this report shall
56 be filed with the house and senate committees on ways and means
57 and with the chairmen of the joint committee on state administra-
58 tion at least 15 days before execution of the agreement. The report
59 shall also include a list of those credits that have been certified by
60 the inspector general as credits to be applied against the purchase
61 price. The purchase price paid by the Massachusetts state police
62 museum and learning center shall be deposited in the General
63 Fund.

64 Section 4. No lease agreement entered pursuant to this act by or
65 on behalf of the commonwealth, shall be valid unless the lease
66 provides that the property shall be used solely for activities
67 directly related to state police museum and learning center pur-
68 poses. If for any reason the property ceases to be used for the pur-
69 poses described herein, the commonwealth may terminate the
70 lease. If the lease is terminated, the property shall revert to the
71 commonwealth, under the care, custody and control of the divi-
72 sion of capital asset management and maintenance, in consultation
73 with the executive office of public safety. No deed conveying the
74 property to the Massachusetts state police museum and learning
75 center shall be valid unless the deed provides that the property
76 shall be used solely for activities directly related to state police
77 museum and learning center purposes. If for any reason the prop-
78 erty ceases to be used for the purposes described herein, the com-
79 monwealth may exercise its right of reverter after giving the
80 Massachusetts state police museum and learning center written
81 notice and an opportunity to cure and recording a notice of rever-

82 sion in the appropriate registry of deeds, whereupon the property
83 shall revert to the commonwealth under the care, custody and con-
84 trol of the division of capital asset management and maintenance,
85 in consultation with the executive office of public safety.

86 Section 5. The Massachusetts state police museum and
87 learning center shall be responsible for all costs associated with
88 any appraisal, survey or other expense incurred by the common-
89 wealth relating to the lease or conveyance of property pursuant to
90 this act, and for any costs, liabilities or expenses of any kind for
91 the development, improvement, maintenance or operation of the
92 parcel as may be determined by the commissioner of capital asset
93 management and maintenance in consultation with the commis-
94 sioner of public safety.