

**HOUSE . . . . . No. 4732**

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By Ms. Polito of Shrewsbury, petition of Karyn E. Polito and others relative to the disposition of certain property in the town of Westborough by the Division of Capital Planning and Operations and said town. Bonding, Capital Expenditures and State Assets.

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**The Commonwealth of Massachusetts**

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PETITION OF:

Karyn E. Polito  
Paul J. P. Loscocco

George N. Peterson, Jr.  
Pamela P. Resor

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In the Year Two Thousand and Eight.

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AN ACT RELATIVE TO THE DISPOSITION OF PROPERTY IN THE TOWN OF WESTBOROUGH.

*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. Notwithstanding any general or special law to the  
2 contrary, the commissioner is hereby authorized and directed to  
3 release any restriction on use and any reversionary interest held by  
4 the commonwealth in that certain parcel designated as parcel E in  
5 Section 5 of Chapter 660 of the acts of 1987 which was conveyed to  
6 the town of Westborough prior to the effective date of this act. The  
7 property is located on the northern side of Route 9, or Turnpike  
8 Road, and is more commonly known as the “Nathan Fisher House  
9 Property”, including any and all improvements.

1 SECTION 2. Notwithstanding any general or special law to the  
2 contrary, the commissioner is hereby authorized and directed to  
3 release any restriction on use and any reversionary interest held by  
4 the Commonwealth in the portion of that certain parcel designated as  
5 parcel L in Section 12 of Chapter 660 of the acts of 1987 which por-  
6 tion was conveyed to the town of Westborough prior to the effective  
7 date of this act.

1 SECTION 3. The town of Westborough may dispose of said  
2 parcels E and L in a manner consistent with public bidding laws, and  
3 notwithstanding any general or special law to the contrary, subject to  
4 the provisions of Section 4 of this act, may use the proceeds of any  
5 such disposition in any manner.

1 SECTION 4. In consideration for the releases set forth in Sections  
2 1 and 2 of this act, upon any disposition of said parcels E and L, or  
3 either of them, by the town of Westborough, the town shall pay to  
4 the Commonwealth 50% of the net cash proceeds from the sale,  
5 lease or other disposition of said parcel.

6 For the purposes of this section, “net cash proceeds” shall mean  
7 all payments paid to the town of Westborough as and when paid, less  
8 any transaction-related expenses incurred by the town of Westbor-  
9 ough for which it is not otherwise reimbursed. The town of West-  
10 borough shall be entitled to reimbursement from the gross proceeds  
11 for expenses reasonably incurred by the town in connection with the  
12 custody, preparation of the parcel for sale, lease or other disposition,  
13 and reasonable transaction costs relating to the sale, lease or other  
14 disposition of said parcel.

1 SECTION 5. Sections 5 and 12 of Chapter 660 of the acts of 1987  
2 are hereby repealed, provided however, that nothing in this act shall  
3 alter, interfere with or otherwise affect the title to, interest in and use  
4 of any parcels and easements acquired pursuant to said sections,  
5 prior to the effective date of this act except as expressly set forth in  
6 Sections 1 and 2 of this act.