

SENATE NO. 58

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

Whereas, The deferred operation of this act would tend to defeat its purpose, which is forthwith to permit the conveyance of certain lands in the town of Foxborough, therefore it is hereby declared to be an emergency law, necessary 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 and maintenance may,
2 notwithstanding section 40E to section 40I, inclusive, of chapter 7 of the General Laws and any
3 other general or special law or rule or regulation to the contrary, convey by deed a certain parcel
4 of commonwealth land, including the improvements thereon, located in the town of Foxborough
5 and further described in section 1 of chapter 504 of the acts of 1990, to Feeling Foxy, Inc. The
6 parcel consists of approximately 1.53 acres and abuts other land owned by the purchaser. The
7 exact boundaries of the parcel shall be determined by the commissioner based upon a survey.
8 The parcel shall be conveyed by release deed in its existing condition without warranties or
9 representations by the commonwealth.

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

25 SECTION 3. The purchaser shall be responsible for all costs associated with the conveyance
26 authorized by this act, including but not limited to any appraisal, survey, recording and legal
27 costs, any and all other expenses incurred by the commonwealth in connection with said
28 conveyance and any and all costs or liabilities arising from or connected with ownership of the
29 parcel.

30 SECTION 4. The purchaser and its agents, tenants or contractors agree to hold the
31 commonwealth and its agents and employees harmless from and against all claims, actions,
32 damages or costs claimed for injuries or damages to persons or property arising out of, or in any

33 way relating to, the conveyance authorized by this act, and shall indemnify and defend the
34 commonwealth and its agents and employees from and against any and all such claims, actions,
35 damages or costs.