

# SENATE, NO. 2294

## **AN ACT** AUTHORIZING THE DEPARTMENT OF CAPITAL ASSET MANAGEMENT AND MAINTENANCE TO GRANT CERTAIN EASEMENTS IN THE TOWNS OF RUSSELL AND MONTGOMERY OVER LANDS HELD FOR CONSERVATION AND RECREATION PURPOSES

*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.

2 The commissioner of the division of capital asset management and maintenance, on  
3 behalf of and in consultation with the commissioner of the department of fish and game  
4 and the director of the division of fisheries and wildlife notwithstanding sections 40E to  
5 40J, inclusive of chapter 7 of the General Laws, is hereby authorized to convey an  
6 easement in a certain parcel of land, currently under the care and control of the division  
7 of fisheries and wildlife in consultation with the department of fish and game, to  
8 Northeast Utilities, its successors and assigns, for public utility access and purposes,  
9 subject to the requirements of sections 2, 3, and 4: Said easement is approximately 3.3  
10 miles long and 100 feet wide running northwest to southeast, and is located within an  
11 area bounded as follows: to the north, at the southern boundary of the property owned by  
12 Russell Biomass (formerly owned by the Westfield River Paper Company) on Station

13 Road in the Town of Russell; to the west, at the CSX right-of-way; to the south, at a point  
14 approximately 800 feet northwest of the Massachusetts Turnpike in the Town of  
15 Montgomery; and, to the east, at the western ridgeline of Mount Tekoa and Shatterack  
16 Mountain.

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18 SECTION 2. No deed conveying, by or on behalf of the commonwealth, the easements  
19 described in section 1 shall be valid unless such deed provides that said easements shall  
20 be used solely for the purposes described in section 1.

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22 SECTION 3. The grantee of said easement, or other persons acting on behalf of grantee,  
23 shall assume the cost of any appraisals, surveys and other expenses deemed necessary by  
24 the commissioner of the division of capital asset management and maintenance for the  
25 granting of the easement.

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27 SECTION 4. The grantee shall compensate the commonwealth through the transfer of an  
28 easement, of equal or greater value to the easement described in section 1, to the division  
29 of fisheries and wildlife in consultation with the department of fish and game. The  
30 corridor where the transmission line easement will be relocated is within the valley of the  
31 Tekoa and Shatterack mountain ranges along the northeastern bank of the Westfield  
32 River. Said easement is approximately 3.3 miles long and 100 feet wide running  
33 northwest to southeast, and is located within an area bounded as follows: to the north, at  
34 the southern boundary of the property owned by Russell Biomass (formerly owned by the

35 Westfield River Paper Company) on Station Road in the Town of Russell; to the west, at  
36 the CSX right-of-way; to the south, at a point approximately 800 feet northwest of the  
37 Massachusetts Turnpike in the Town of Montgomery; and, to the east, at the western  
38 ridgeline of Mount Tekoa and Shatterack Mountain.

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40 SECTION 5. This act shall take effect upon its passage.