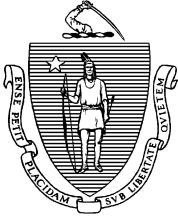


SENATE, No. 2589

[SIMILAR MATTER FILED DURING PAST SESSION
SEE NO. OF]



The Commonwealth of Massachusetts

IN THE YEAR OF TWO THOUSAND AND EIGHT

AN ACT AUTHORIZING THE CITY OF FITCHBURG TO USE CERTAIN PARK LAND FOR THE WALLACE CIVIC CENTER AND PLANETARIUM AND TO LEASE THE SAME TO THE COMMONWEALTH

*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 city of Fitchburg is hereby authorized to use for the George R.
2 Wallace, Jr. Civic Center and Alice G. Wallace Planetarium a certain parcel of land in said city
3 now held for park purposes, bounded and described as follows:

4 Beginning at a point at the centerline of Falulah Brook said point being the most easterly corner
5 of land of the City of Fitchburg known as the Wallace Civic Center; thence S 86° 06' 42" E, a
6 distance of ninety-six and 47/100 feet (96.47') to an angle; thence S 52° 53' 42" E, a distance of
7 one hundred sixty-nine and 40/100 feet (169.40') to an angle. The previous two courses are
8 along land of the Commonwealth of Massachusetts; thence S 29° 52' 29" W, a distance of four

9 hundred twenty-five and 10/100 feet (425.10') to an angle; thence N 76° 12' 42" W, a distance of
10 one hundred-thirty two and 53/100 feet (132.53') to an angle. The previous two courses are
11 along other land of the City of Fitchburg known as Coolidge Park; thence N 13° 48' 50" E, a
12 distance of one hundred forty-three and 92/100 feet (143.92') to an angle; thence N 13° 43' 33"
13 E, a distance of three hundred-fifteen feet (315'), more or less, to the place of beginning. Said
14 parcel containing 89,002 square feet, more or less.

15 SECTION 2. As used in this act the following terms shall, unless the context clearly
16 requires otherwise, have the following meanings:

17 "City", the city of Fitchburg.

18 "Civic center", the civic center as defined in chapter 88 of the acts of 2007 together with
19 the parcel of land described in section 1, including all buildings and facilities that are a part of or
20 are appurtenant to said parcel.

21 "Division", the division of capital asset management and maintenance.

22 SECTION 3. Notwithstanding any general or special law to the contrary, the division,
23 acting on behalf of the college, shall, but only in conjunction with the making of a lease pursuant
24 to section 3 of chapter 88 of the acts of 2007, lease from the city the parcel of land, together with
25 any improvements thereon, described in section 1 of this act. Any lease made pursuant to this
26 section 3 shall be made as a part of or a supplement to any lease made pursuant to section 3 of
27 chapter 88 of 2007 and shall be made consistently with the requirements of said section 3.

28 SECTION 4. Upon the making of a lease pursuant to section 3 of this act, the provisions
29 of sections 4, 5, 6 and 7 of chapter 88 of the acts of 2007 shall apply to the parcel of land,

30 including any improvements thereon, so leased and to the college's and the division's rights and
31 responsibilities with respect thereto.

32 SECTION 5. The parcel of land described in section 1, including all buildings and
33 facilities that are a part thereof or appurtenant thereto, shall be deemed to be a part of the civic
34 center for all purposes under chapter 88 of the acts of 2007, and the definition of "civic center"
35 in said chapter 88 shall be deemed to include the same for all such purposes.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in the General Court assembled.

The undersigned, citizen of _____, respectfully petitions for the passage of the accompanying bill and for legislation.

AUTHORIZING THE CITY OF FITCHBURG TO USE CERTAIN PARK LAND FOR THE WALLACE CIVIC CENTER AND PLANETARIUM AND TO LEASE THE SAME TO THE COMMONWEALTH

[Local Approval Received.]

Robert Antonioni(RAA0)
Stephen DiNatale(SLD1)

Worcester and Middlesex
Third Worcester