



The Commonwealth of Massachusetts
Office of the Inspector General

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August 5, 2004

David B. Perini, Commissioner
Division of Capital Asset Management and Maintenance
One Ashburton Place, 15th Floor
Boston, MA 02108

Re: Chapter 275 of the Acts of 1998, amended by Chapter 183 of the Acts of 2002
Lease Disposition to Mini-Fenway Park, Inc.

Dear Commissioner Perini:

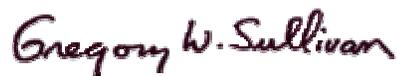
Pursuant to Chapter 275 of the Acts of 1998, amended by Chapter 183 of the Acts of 2002, the Office has reviewed the amended draft of the Ground Lease Disposition Agreement (lease) between the Division of Capital Asset Management and Maintenance (DCAM) in consultation with the Department of Conservation and Recreation (DCR) and Mini-Fenway Park, Inc. (Mini-Fenway). The lease would convey approximately 11.48 acres of Commonwealth land in the City of Quincy, abutting the Blue Hills Reservation, to Mini-Fenway for 50-years, including extensions, to construct, notwithstanding M.G.L. chapter 149, a replica of Fenway Park to be used for affordable public recreation purposes, including T-Ball Baseball, Little League Baseball, and Softball programs. The Office has previously reviewed and approved the associated Management and Use Agreement between the DCR and Mini-Fenway Park, Inc.

In a June 2004 letter we had expressed concerns with some of the terms and conditions of a previous version of the lease. Our review of the most recent draft shows that DCAM has addressed those earlier concerns. However, based on our review, it appears that certain provisions of the lease do not adequately protect the Commonwealth with regard to the planned "Phase 2" construction of a domed facility. The lease terms governing such factors as plans and specifications approvals, prior submissions, commencement date, and full operations date refer only to the replica building and do not appear to anticipate the phased plan. We verbally relayed these

concerns to DCAM staff. DCAM has subsequently proposed revisions to be incorporated into the lease that will better protect the Commonwealth.

In conclusion, this Office approves the Lease disposition agreement with Mini-Fenway Park, Inc. as drafted with the suggested revisions. The Office appreciates the cooperation received from your agency. Please feel free to call if you have any questions regarding this letter.

Sincerely,

A handwritten signature in black ink that reads "Gregory W. Sullivan". The signature is written in a cursive, slightly slanted style.

Gregory W. Sullivan
Inspector General

Cc: Katherine Abbott, Commissioner
Department of Conservation and Recreation