

HOUSE No. 3147

The Commonwealth of Massachusetts

PRESENTED BY:

Karyn E. Polito

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

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act Relative To The Disposition Of Property In The Town Of Westborough.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Karyn E. Polito	11th Worcester
James B. Eldridge	Middlesex and Worcester
George N. Peterson, Jr.	9th Worcester
Carolyn Dykema	8th Middlesex

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

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

Whereas, The deferred operation for this act would tend to defeat its purpose, which is forthwith to make The deferred operation of this act would tend to defeat its purpose, which is to forthwith provide for the release of a use restriction on certain land in the town of Westborough, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience., 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. Notwithstanding any general or special law to the contrary, the Massachusetts
2 Historical Commission is hereby authorized and directed to release any preservation restriction held by
3 the Commission on the parcel designated as parcel E in section 5 of chapter 660 of the acts of 1987 which
4 was conveyed to the town of Westborough prior to the effective date of this act. The property is located
5 on the northern side of route 9, or Turnpike road, and is more commonly known as the “Nathan Fisher
6 House Property”, including any and all improvements.

7 SECTION 2. Notwithstanding any general or special law to the contrary, the DCAM
8 commissioner is hereby authorized and directed to release any restriction on use and any reversionary
9 interest held by the commonwealth in the portion of that certain parcel designated as parcel L in section
10 12 of chapter 660 of the acts of 1987 which portion was conveyed to the town of Westborough prior to
11 the effective date of this act.

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

15 SECTION 4. In consideration for the releases set forth in sections 1 and 2 of this act, upon any
16 disposition of said parcels E and L, or either of them, by the town of Westborough, the town shall pay to
17 the commonwealth 50 per cent of the net cash proceeds from the sale, lease or other disposition of said
18 parcel; said payment to the Commonwealth shall include \$22,000 to the Massachusetts Historical
19 Commission as repayment of the Massachusetts Preservation Projects Fund grant received by the town of
20 Westborough from the Massachusetts Historical Commission.

21 For the purposes of this section, “net cash proceeds” shall mean all payments paid to the town of
22 Westborough as and when paid, less any transaction-related expenses incurred by the town of
23 Westborough for which it is not otherwise reimbursed. The town of Westborough shall be entitled to
24 reimbursement from the gross proceeds for expenses reasonably incurred by the town in connection with
25 the custody, preparation of the parcel for sale, lease or other disposition, and reasonable transaction costs
26 relating to the sale, lease or other disposition of said parcel.

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