

HOUSE No. 03431

[LOCAL APPROVAL RECEIVED.]

The Commonwealth of Massachusetts

PRESENTED BY:

Elizabeth Poirier and

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 authorizing the town of Norton to grant easements and restrictions over certain town-owned land.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Elizabeth Poirier</i>	<i>14th Bristol</i>
<i>James E. Timilty</i>	<i>Bristol and Norfolk</i>
<i>F. Jay Barrows</i>	<i>1st Bristol</i>
<i>Steven Howitt</i>	<i>4th Bristol</i>

HOUSE No. 03431

By Mrs. Poirier of North Attleborough and Senator Timilty, joint petition (accompanied by bill, House, No. 3431) of Elizabeth A. Poirier and others that the town of Norton be authorized to grant certain easements and restrictions over certain town-owned land. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act authorizing the town of Norton to grant easements and restrictions over certain town-owned land.

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 the provisions of any general or special law to the contrary and
2 pursuant to the provisions of Article 97 of the Amendments to the Constitution of the
3 Commonwealth of Massachusetts, and in recognition of the fact that the removal of the below-
4 described land from the protections of Article 97 will be tempered by the imposition of strict
5 regulation of future use of the land to protect public health and the environment, the Town of
6 Norton is hereby authorized to transfer the care, custody, management and control of a portion of
7 the property commonly known as the Shpack Site from the conservation commission for
8 conservation purposes to the conservation commission for conservation purposes and for the
9 purpose of conveyance to the Army Corps of Engineers and the performing defendants under the
10 below-referenced consent decree of such restrictions on the future use of the property and such

11 easements thereon as are necessary to effectuate environmental remediation and future use of
12 such land as provided by and in accordance with the Record of Decision and Consent Decree
13 lodged in the matter of U.S. v. City of Attleboro, Massachusetts et al. (Civil Action No. 1:08-cv-
14 120378), and to authorize the conservation commission to convey said easements and
15 restrictions; said parcel of land being further described as follows:

16 The land with the buildings and improvements thereon, being Lot 1 and Lot 3 on a Plan of Land
17 entitled: "Plan of Land on Union Road in Norton, Massachusetts, Prepared for: Lea Shpack
18 Date: March 16, 1981, Freeman Engineering Company" which plan is recorded at the Bristol
19 Northern District Registry of Deeds together with, and being more particularly described in, a
20 deed recorded with Bristol Northern District Registry of Deeds in Book 2106, Page 246, and as
21 shown on Assessor's Map 26 as Parcel 2 and Parcel 2-02;

22 SECTION 2. No document conveying interests in the property described in section 1 shall be
23 valid unless such document provides that said interests shall be solely for the purposes of
24 remediating the property and imposes restrictions on the future use of such property, so as to
25 meet the requirements of the Record of Decision and Consent Decree lodged in the above-
26 referenced matter.

27 SECTION 3. This act shall take effect upon passage.