

**HOUSE . . . . . No. 3513**

**[LOCAL APPROVAL RECEIVED.]**

---

---

The Commonwealth of Massachusetts

PRESENTED BY:

*Alice Hanlon Peisch and Cynthia S. Creem*

*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:

An Act authorizing the town of Wellesley to convey a portion of the aqueduct land to be acquired by said town pursuant to chapter 267 of the acts of 2002 to Bike Realty LLC, for parking purposes, provided said town votes to transfer jurisdiction to the Natural Resources Commission of said town, to be held as parkland, land currently held for general municipal purposes, in satisfaction of the article 97 land disposition policy of the Executive Office of Energy and Environmental Affairs.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Alice Hanlon Peisch</i>	<i>14th Norfolk</i>
<i>Cynthia S. Creem</i>	<i>First Middlesex and Norfolk</i>
<i>Richard J. Ross</i>	<i>Norfolk, Bristol and Middlesex</i>

**HOUSE . . . . . No. 3513**

---

By Ms. Peisch of Wellesley and Senator Creem, a joint petition (subject to Joint Rule 12) of Alice Hanlon Peisch, Cynthia S. Creem and Richard J. Ross (by vote of the town) that the town of Wellesley be authorized to convey a certain parcel of land in said town. State Administration and Regulatory Oversight. [Local Approval Received.]

---

The Commonwealth of Massachusetts

\_\_\_\_\_  
In the Year Two Thousand Thirteen  
\_\_\_\_\_

An Act authorizing the town of Wellesley to convey a portion of the aqueduct land to be acquired by said town pursuant to chapter 267 of the acts of 2002 to Bike Realty LLC, for parking purposes, provided said town votes to transfer jurisdiction to the Natural Resources Commission of said town, to be held as parkland, land currently held for general municipal purposes, in satisfaction of the article 97 land disposition policy of the Executive Office of Energy and Environmental Affairs.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to convey forthwith certain land in the town of Wellesley, 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. Upon conveyance to the Town of Wellesley of all or a portion of the  
2 Cochituate Aqueduct identified in Section 1 of Chapter 267 of the Acts of 2002, said Town is  
3 hereby authorized to convey the following described lot within said Aqueduct, containing  
4 11,000± sq. ft. of said Aqueduct, to BIKE REALTY LLC, owner of abutting land, for parking  
5 purposes, provided said Town votes to transfer jurisdiction to the Natural Resources Commission  
6 of said Town, established pursuant to the authority set forth in Section 4 of c. 555 of the Acts of  
7 1978, the following described land containing 30,667± square feet currently held by the Town  
8 under the jurisdiction of the Board of Selectmen, said land be held forever as parkland pursuant  
9 to the Article 97 Land Disposition Policy of the Executive Office of Energy and Environmental  
10 Affairs.

11           The 11,000± sq. ft. parcel to be conveyed to BIKE REALTY LLC by the Town is shown  
12 on a Plan entitled “0 Overbrook Drive – Site Plan of Land in Wellesley, Mass Prepared for the  
13 Comm. of Massachusetts” by David E. Ross Associates, Inc., dated May 2013, said parcel shall  
14 be exempt from the provisions regarding reversion set forth in Section 4 of said c. 267.

15           The 30,667± sq. ft. parcel to be transferred to the jurisdiction of the Natural Resources  
16 Commission of said Town and held as parkland is shown as Parcels A (10,852 sq. ft.) and C  
17 (7,163 sq. ft.) and Lot 2 (12,652 sq. ft.) as shown on a plan entitled “Subdivision Plan of Land,  
18 17 Seaver Street, Wellesley, MA and Parcels to be conveyed to the Town of Wellesley” by  
19 David J. Hickey, Jr., P.E., Town Engineer, Town of Wellesley, Department of Public Works,  
20 April 19, 2012, and recorded with the Norfolk County Registry of Deeds in Plan Book 616, Page  
21 29.”

22           SECTION 2. As shown on the plan referred to in said c. 267, the conveyance to the  
23 Town of the portion of the Aqueduct described in Section 1 of said Chapter 267 of the Acts of  
24 2002 shall be exclusive of the portion of said Aqueduct which is within the limits of Worcester  
25 Turnpike, United States Highway Route 9, title to which shall remain with the Commonwealth.

26           SECTION 3. The exact boundaries of all parcels of land herein described shall be  
27 established by the Commissioner of Capital Asset Management and Maintenance. The  
28 independent appraisal required in Section 2 of said Chapter 267 of the Acts of 2002 shall  
29 determine the fair market value of the entire Aqueduct portion authorized to be conveyed to the  
30 Town, and the consideration of the foregoing shall be the full and fair market value thereof based  
31 upon one or more professional appraisals commissioned by the Division of Capital Asset  
32 Management and Maintenance.

33           SECTION 4. Except as hereinabove set forth, the provisions of Chapter 267 of the Acts  
34 of 2002 shall remain in full force and effect, to which the foregoing authority is in supplement.