

HOUSE No. 3810

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, July 17, 2017.

The committee on State Administration and Regulatory Oversight to whom was referred the petition (accompanied by bill, House, No. 3380) of Thomas M. Stanley, Michael J. Barrett and John J. Lawn, Jr. for legislation to authorize the commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land in the city of Waltham, reports recommending that the accompanying bill (House, No. 3810) ought to pass.

For the committee,

PETER V. KOCOT.

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**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act authorizing the commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land in the city of Waltham.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to convey forthwith a certain parcel of land in the city of Waltham, 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 sections 32 to 37, inclusive, of chapter 7C of the General
2 Laws or any other general or special law to the contrary, the commissioner of capital asset
3 management and maintenance shall, within 90 days of the effective date of this act, convey by
4 deed, a certain parcel of land in the city of Waltham, without the buildings thereon, to the Roman
5 Catholic Archbishop of Boston, a corporation sole, otherwise known as the Archdiocese of
6 Boston. The parcel, located at 939 Trapelo road and containing approximately 1.426 acres of
7 land, is identified in the “Atlas, City of Waltham, Massachusetts 1988” as Map 15, Block 1, Lot
8 1, and further as “Lot 2” on a plan entitled “Plan of Land in Waltham & Lexington (Middlesex
9 Co.) Mass.”, surveyed for Geraghty & Miller, dated December 2, 1996, recorded with the
10 Middlesex south district registry of deeds as Plan No. 379 of 1997 in book 27228, page 430,
11 being the same premises conveyed to the County of Middlesex by deed of the Roman Catholic

12 Archbishop of Boston dated December 8, 1959 recorded with the Middlesex south district
13 registry of deeds in book 9512, page 539.

14 SECTION 2. The consideration for the conveyance authorized in section 1 shall be the
15 full and fair market value of the parcel, as determined by the commissioner of capital asset
16 management and maintenance based upon an independent professional appraisal.

17 SECTION 3. An independent appraisal of the fair market value and value in use of the
18 parcel described in section 1 shall be prepared in accordance with the usual and customary
19 professional appraisal practices by a qualified appraiser commissioned by the commissioner of
20 capital asset management and maintenance. Consideration for the grant of the above-described
21 interest shall be the full and fair market value or the value in proposed use, whichever is greater,
22 as determined by the commissioner of capital asset management, and calculated with regard to
23 its full development potential as assembled with other lands owned or otherwise controlled by
24 the grantee. The commissioner of capital asset management and maintenance shall submit the
25 appraisal or appraisals to the inspector general for his or her review and comment. The inspector
26 general shall review and approve the appraisal or appraisals, and the review shall include an
27 examination of the methodology utilized for the appraisal or appraisals. The inspector general
28 shall prepare a report of his or her review and file the report with the commissioner of capital
29 asset management and maintenance for submission by said commissioner to the house and senate
30 committees on ways and means and the joint committee on state administration and regulatory
31 oversight. Said commissioner shall submit copies of the appraisals, and the inspector general's
32 review and approval and comments, if any, to the house and senate committees on ways and
33 means and the joint committee on state administration and regulatory oversight at least 15 days
34 prior to the execution of documents effecting the transfers described in section 1.

35 SECTION 4. The Roman Catholic Archbishop of Boston shall be responsible for all costs
36 and expenses, including, but not limited to, costs associated with any engineering, surveys,
37 appraisals, and deed preparation related to the conveyance authorized in this act as such costs
38 may be determined by the commissioner of capital asset management and maintenance.