

HOUSE No. 03859

The Commonwealth of Massachusetts

PRESENTED BY:

F. Jay Barrows 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 commissioner of Capital Asset Management and Maintenance to convey certain land to the Foxborough Housing Authority.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>F. Jay Barrows</i>	<i>1st Bristol</i>
<i>James E. Timilty</i>	<i>Bristol and Norfolk</i>

HOUSE No. 03859

By Mr. Barrows of Mansfield and Senator Timilty, a joint petition (subject to Joint Rule 12) of F. Jay Barrows and James E. Timilty for legislation to authorize the Division of Capital Asset Management and Maintenance to convey a certain parcel of land in the town of Foxborough to said town for housing purposes. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act authorizing the commissioner of Capital Asset Management and Maintenance to convey certain land to the Foxborough Housing Authority.

Whereas, the deferred operation of this act would tend to defeat its purpose, which is forthwith to transfer a certain parcel of land in the town of Foxborough, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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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 40E to 40J, inclusive, of chapter 7 of the General Laws or
2 any general or special law to the contrary, the commissioner of capital asset management and
3 maintenance may convey a certain parcel of state-owned land in the town of Foxboro to the
4 Foxboro Housing Authority for affordable housing purposes. The parcel contains approximately
5 16.02 acres and is located at the intersection of route 140 and Walnut street, adjacent to the
6 southbound ramp of interstate route 95 and is shown as lot 3604 on assessors map 133 of the

7 town of Foxborough. The use of the parcel shall be restricted to the development of affordable
8 housing. This parcel shall be conveyed by deed without warranties or representations by the
9 commonwealth.

10 SECTION 2. The consideration for the parcel shall be the full and fair market value of the parcel
11 for the use authorized by this act, as determined by the commissioner of the division of capital
12 asset management and maintenance based upon an independent professional appraisal and
13 including the conditions set forth in section 1; provided, however, that any costs related to
14 remediation of the site shall be applied against the final appraised value of the parcel; and
15 provided further, that the commissioner of capital asset management and maintenance may
16 accept the findings of a previous appraisal of the parcel conducted by an appraiser acceptable to
17 that commissioner.

18 SECTION 3. Notwithstanding any general or special law to the contrary, the inspector general
19 shall review and approve the appraisal required pursuant to section 2. The inspector general shall
20 prepare a report of his review of the methodology utilized for the appraisal and shall file the
21 report with the commissioner of capital asset management and maintenance, the house and
22 senate committees on ways and means and the joint committee on state administration and
23 regulatory oversight. Thirty days before the execution of a deed for the conveyance authorized
24 by this act or any subsequent amendment thereto, the commissioner of capital asset management
25 and maintenance shall submit the proposed deed or amendment and a report thereon to the
26 inspector general for his review and comment. The inspector general shall issue his review and
27 comment within 15 days after receipt of the proposed deed or amendment. The commissioner
28 shall submit the proposed deed or amendment, and the reports and the comments of the inspector
29 general, if any, to the house and senate committees on ways and means and the joint committee

30 on state administration and regulatory oversight at least 15 days before execution of the deed or
31 amendment.

32 SECTION 4. Notwithstanding any general or special law to the contrary, the Foxborough
33 Housing Authority shall be responsible for all costs and expenses of the transaction authorized in
34 this act as determined by the commissioner of capital asset management and maintenance
35 including, but not limited to, the costs of any engineering, surveys, appraisals, title examinations,
36 recording fees and deed preparation related to the conveyance of the parcel and all costs,
37 liabilities and expenses of any nature and kind for its ownership. The Foxborough Housing
38 Authority shall acquire the property thereon in its present condition.

39 SECTION 5. The deed or other instrument conveying the parcel to the Foxborough Housing
40 Authority shall provide that if the parcel ceases at any time to be used for the purposes set forth
41 in this act, title to the parcel shall, at the election of the commonwealth, revert to the
42 commonwealth.