

# **HOUSE . . . . . No. 4252**

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, November 15, 2021.

The committee on Ways and Means, to whom was referred the Bill authorizing the Commonwealth of Massachusetts to convey a certain parcel of land to the Claremont Realty Trust in the city of Framingham (House, No. 4125), reports recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 4252).

For the committee,

AARON MICHLEWITZ.

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The Commonwealth of Massachusetts

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**In the One Hundred and Ninety-Second General Court  
(2021-2022)**  
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An Act authorizing the Commonwealth of Massachusetts to convey a certain parcel of land to the Claremont Realty Trust in the city of Framingham.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the conveyance of a certain parcel of land for vehicle storage purposes in the city of Framingham, 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, in consultation with the department of state police, may convey  
4 to the Claremont Realty Trust for vehicle storage purposes a certain parcel of land as described  
5 in a deed recorded with the Middlesex south registry of deeds at book 1321, page 133, and  
6 shown as “Lease Area” on a plan entitled “Lease Area Sketch in Framingham, Mass.”, dated  
7 November 17, 2010, prepared by Metrowest Engineering, Inc, which is to be recorded with the  
8 Middlesex south registry of deeds. The parcel contains approximately 0.17 acres. The  
9 conveyance shall be subject to such additional conditions and restrictions as the commissioner of  
10 capital asset management and maintenance, in consultation with the department of state police,  
11 may determine.

12 SECTION 2. An independent appraisal or appraisals of the fair market value and value in  
13 use of the parcel described in section 1 shall be prepared in accordance with the usual and  
14 customary professional appraisal practices by a qualified appraiser commissioned by the  
15 commissioner of capital asset management and maintenance. The commissioner of capital asset  
16 management and maintenance shall submit the appraisals to the inspector general for review and  
17 comment. The inspector general shall review and approve the appraisals, and the review shall  
18 include an examination of the methodology utilized for the appraisals. The inspector general  
19 shall prepare a report and file the report with the commissioner of capital asset management and  
20 maintenance. After receiving the report, the commissioner of capital asset management and  
21 maintenance shall submit copies of the report to the house and senate committees on ways and  
22 means and the joint committee on state administration and regulatory oversight not later than 15  
23 days prior to the execution of documents affecting the conveyance authorized in section 1.

24 SECTION 3. The consideration for the conveyance of the parcel or interests described in  
25 section 1 shall be the: (i) full and fair market value or the value in proposed use, whichever is  
26 greater, as determined by the commissioner of capital asset management and maintenance  
27 pursuant to section 2; or (ii) transfer to the division of capital asset management and maintenance  
28 of an interest in land or funding for the acquisition of land or an interest therein equal to or  
29 greater than the value of the highest appraised values as determined under section 2 or any  
30 combination of land, an interest in land or funding that is acceptable to the division of capital  
31 asset management and maintenance. If the Claremont Realty Trust proposes to convey land or an  
32 interest in land to the commonwealth, the commissioner of capital asset management and  
33 maintenance shall include the land or interest in land within the appraisal assignment under  
34 section 2. The land or interest in land shall be acceptable to the department of state police. Any

35 land or interest in land, whether conveyed by the Claremont Realty Trust or acquired by the  
36 department of state police, shall be permanently held and managed for purposes designated by  
37 the department of state police. If the value of the land or interest in land being conveyed to the  
38 commonwealth exceeds the appraised values determined pursuant to section 2, the  
39 commonwealth shall have no obligation to pay the difference to the Claremont Realty Trust. Any  
40 monetary payments made to the commonwealth as a result of the conveyance authorized by this  
41 act shall be deposited into the General Fund established in section 2 of chapter 29 of the General  
42 Laws.

43 SECTION 4. Notwithstanding any general or special law to the contrary, the Claremont  
44 Realty Trust shall be responsible for all costs and expenses of any transaction authorized by this  
45 act as determined by the commissioner of capital asset management and maintenance, including,  
46 but not limited to, the costs of any engineering, surveys, appraisals, title examinations, recording  
47 fees and deed preparation.

48 SECTION 5. No instrument executed pursuant to this act shall be valid unless it provides  
49 that the area conveyed shall be used solely for the purposes described in section 1. The  
50 instrument authorized in section 1 shall include a reversionary clause that stipulates the property  
51 shall revert to the commonwealth and be assigned to the care, custody and control of the  
52 department of state police, upon such terms and conditions as the commissioner of capital asset  
53 management and maintenance may determine, if the property ceases to be used for the express  
54 purposes authorized in this act. If any interest reverts to the commonwealth, any further  
55 disposition shall be subject to sections 34 to 37, inclusive, of chapter 7C of the General Laws and  
56 the prior approval of the General Court.