

**HOUSE . . . . . No. 4637**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*F. Jay Barrows and Paul R. Feeney*

*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 adoption of the accompanying bill:

An Act authorizing the Commissioner of Capital Asset Management and Maintenance to convey certain land to the town of Foxborough for fire department use.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

*F. Jay Barrows*

*1st Bristol*

*Paul R. Feeney*

*Bristol and Norfolk*

**HOUSE . . . . . No. 4637**

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By Representative Barrows of Mansfield and Senator Feeney, a joint petition (subject to Joint Rule 12) of F. Jay Barrows and Paul R. Feeney (by vote of the town) that the commissioner of Capital Asset Management and Maintenance be authorized to convey a certain parcel of land to the town of Foxborough for use by the fire department of said town. State Administration and Regulatory Oversight. [Local Approval Received.]

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**The Commonwealth of Massachusetts**

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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 certain land to the town of Foxborough for fire department use.

*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 general or special law to the contrary, the Commissioner of Capital Asset  
3 Management and Maintenance may convey a certain parcel of state-owned land in the Town of  
4 Foxborough to the inhabitants of the Town of Foxborough for the purpose of housing a fire sub-  
5 station and all appurtenances associated with a fire station. The parcel contains approximately  
6 2.5 acres plus or minus and is located adjacent to 32 Commercial Street and is a part of the parcel  
7 as shown on the Town of Foxborough Assessors Map 121, Parcel 3446. The exact boundaries of  
8 the parcel shall be determined by the commissioner based upon a survey. The use of the  
9 proposed parcel shall be restricted to the construction of a fire department sub-station and all  
10 appurtenances associated with a fire station/firefighting. This parcel shall be conveyed by deed  
11 without warranties or representations by the Commonwealth.

12 SECTION 2: The consideration for the parcel shall be the full and fair market value of  
13 the parcel for the use authorized by this act, as determined by the Commissioner of Capital Asset  
14 Management and Maintenance based upon an independent professional appraisal and including  
15 the conditions set forth in section 1; provided, however, that the Commissioner of Capital Asset  
16 Management and Maintenance may accept the findings of a previous appraisal of the parcel  
17 conducted by an appraiser acceptable to that commissioner.

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

32 SECTION 4: Notwithstanding any general or special law to the contrary, the Town of  
33 Foxborough shall be responsible for all costs and expenses of the transaction authorized in this  
34 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, from  
37 liabilities and expenses of any nature and kind for its ownership. The Town of Foxborough shall  
38 acquire the property thereon in its present condition.

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

43 SECTION 6: The legislature shall have the authority to make editorial changes to the  
44 language of this Act while maintaining its spirit and purposed.