

HOUSE No. 5032

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, July 18, 2022.

The committee on State Administration and Regulatory Oversight to whom was referred the joint petition (accompanied by bill, House, No. 4959) of Sally P. Kerans and Joan B. Lovely that the commissioner of Capital Asset Management and Maintenance be authorized to convey a certain parcel of land located within the town of Danvers to said town, reports recommending that the accompanying bill (House, No. 5032) ought to pass.

For the committee,

ANTONIO F. D. CABRAL.

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**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act authorizing the division of capital asset management and maintenance to convey a certain parcel of land to the town of Danvers.

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 land located within the town of
4 Danvers, described in a deed recorded in the Essex north registry of deeds in Plan Book 330,
5 Plan 64, which is known as and numbered 99 Middleton road, to the town of Danvers, which the
6 department refers to as “the state hospital power plant site” and is currently designated by the
7 department as surplus land ; provided, however that the use of the parcel shall be restricted to
8 general municipal purposes. The parcel comprises three deeds: (1) Book 896, Page 204-207; (2)
9 Book 1624, Page 415-416; and (3) Book 2355, Page 544. The final boundaries of the parcel may
10 be determined by the commissioner of capital asset management and maintenance. The parcel
11 shall be conveyed by deed without warranties or representations by the commonwealth. The
12 consideration for the conveyance of the parcel pursuant to this section shall be the fair market
13 value of the parcel as determined by the commissioner of capital asset management and

14 maintenance based upon an independent appraisal of the fair market value and value in use of the
15 parcel described in section 1 shall be prepared in accordance with the usual and customary
16 professional appraisal practices by a qualified appraiser commissioned by the commissioner of
17 capital asset management and maintenance. Consideration shall be the full and fair market value
18 or the value in proposed use, whichever is greater, as determined by the commissioner of capital
19 asset management. The commissioner of capital asset management and maintenance shall submit
20 the appraisal to the inspector general for his or her review and comment. The inspector general
21 shall review and approve the appraisal, and the review examination of the methodology utilized
22 for the appraisal. The inspector general shall prepare a report of his or her review and file the
23 report with the commissioner of capital asset management and maintenance for submission by
24 said commissioner to the house and senate committees on ways and means and the joint
25 committee on state administration and regulatory oversight. Said commissioner shall submit
26 copies of the appraisal, and the inspector general's review and approval and comments, if any, to
27 the house and senate committees on ways and means and the joint committee on state
28 administration and regulatory oversight at least 15 days prior to the execution of documents
29 effecting the transfers described in section 1.

30 SECTION 2. Notwithstanding any general or special law to the contrary, the town of
31 Danvers shall be responsible for all costs and expenses of any transaction authorized by section 1
32 as determined by the commissioner of capital asset management and maintenance including, but
33 not limited to, the costs of any engineering, surveys, appraisals, title examinations, recording fees
34 and deed preparation related to the conveyance of the parcel. The town of Danvers shall acquire
35 the property thereon in its present condition. Upon the recording of the deed conveying the

36 parcel to the town of Danvers, the town of Danvers shall be responsible for all costs, liabilities
37 and expenses for its ownership.