

SENATE No. 2445

The Commonwealth of Massachusetts

PRESENTED BY:

Edward J. Kennedy

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 relative to real property in Lowell.

PETITION OF:

NAME:

Edward J. Kennedy

DISTRICT/ADDRESS:

First Middlesex

SENATE No. 2445

By Mr. Kennedy, a petition (accompanied by bill) (subject to Joint Rule 12) of Edward J. Kennedy for legislation relative to the University of Massachusetts and a certain easement located in the city of Lowell. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to real property in Lowell.

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, with the consent and approval of the University of Massachusetts
4 Lowell, may convey to National Grid, or its affiliates, a non-exclusive easement to permit the
5 installation of a geothermal wellfield and associated accessory equipment and uses on the parcels
6 of land located at 813 Broadway Street, as described in the deed recorded at the Middlesex North
7 Registry of Deeds in Book 1663 page 241; and 100 Wilder Street, as described in the deed
8 recorded at the Middlesex North Registry of Deeds in Book 1922 page 246.

9 SECTION 2. The grantee shall be responsible for all costs and expenses including, but
10 not limited to, costs associated with any engineering, appraisals, surveys and deed preparation
11 related to the conveyance authorized in this section as such costs may be determined by the
12 commissioner of capital asset management and maintenance.

13 SECTION 3. Consideration for the conveyance of the easement pursuant to section 1
14 shall be the greater of: (i) the full and fair market value; or (ii) the value in proposed use. Any
15 independent appraisal of the fair market value and value in proposed use of the easement
16 described in section 1 shall be prepared in accordance with the usual and customary appraisal
17 practices by a qualified appraiser commissioned by the commissioner.

18 SECTION 3. The cash proceeds of the sale, lease, transfer, or other disposition of the
19 easement rights described in section 1, or portions thereof pursuant to this act, shall be deposited
20 into an expendable trust established pursuant to section 6 of chapter 6A of the General Laws and
21 801 CMR 50.00. Proceeds in the trust may be expended for costs associated with activities and
22 capital investments by the University of Massachusetts Lowell to align the campus with the goals
23 and objectives of Chapter 8 of the Acts of 2021, “An Act Creating a Next-Generation Roadmap
24 for Massachusetts Climate Policy” and Executive Order 594: Leading By Example:
25 Decarbonizing and Minimizing Environmental Impacts of State Government.

26 SECTION 4. The provisions of this act shall take effect upon passage.