

**SENATE . . . . . No. 2549**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Walter F. Timilty*

*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 town of Milton to use certain property for school purposes.

PETITION OF:

NAME:

*Walter F. Timilty*

DISTRICT/ADDRESS:

*Norfolk, Plymouth and Bristol*

**SENATE . . . . . No. 2549**

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By Mr. Timilty, a petition (accompanied by bill, Senate, No. 2549) of Walter F. Timilty (by vote of the town) for legislation to authorize the town of Milton to use certain property for school purposes. Municipalities and Regional Government. [Local Approval Received.]

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Third General Court  
(2023-2024)**  
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An Act authorizing the town of Milton to use certain property for school purposes.

*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. The town of Milton may transfer to the care, custody, management and  
2 control of the Select Board of the town of Milton for school purposes certain land owned by the  
3 town of Milton and further described in subsection (b).

4           (b) The land to be used for school purposes pursuant to subsection (a) shall be:

5           (i) approximately 2.81 acres of land shown on the town of Milton Assessors’ Map as Map  
6 D, Block 65, Lot 6A, which is presently under the care, custody, management and control of the  
7 town of Milton Conservation Commission, as evidenced by a Quitclaim Deed recorded in the  
8 Norfolk County Registry of Deeds in Book 5553, Page 389 for conservation purposes; and

9           (ii) approximately 4.4 acres of land shown on the town of Milton Assessors’ Map as Map  
10 D, Block 65, Lot 6B, which is presently under the care, custody, management and control of the  
11 Milton Parks and Recreation Department, as evidenced by a Quitclaim Deed recorded in the  
12 Norfolk County Registry of Deeds in Book 5553, Page 391 for recreation purposes.

13 Said parcels are shown collectively as Parcel C on plan entitled “Approval Not Required  
14 Plan of Land Blue Hills Parkway in Milton, Massachusetts (Norfolk County) dated March, 2023,  
15 Scale 1”=60’, prepared by BSC Group 803 Summer Street, Boston, Massachusetts 02127, a copy  
16 of which is on file with the office of the town of Milton director of planning and community  
17 development.

18 SECTION 2. In consideration for the transfer of land pursuant to section 1, the town shall  
19 transfer the following parcels to the care, custody, management and control of the town of  
20 Milton Conservation Commission subject to restrictions under the provisions of Article 97 of the  
21 Amendments to the Constitution of the Commonwealth:

22 (i) approximately 6 acres of land located on Randolph Avenue, shown on the town of  
23 Milton Assessors’ Map as a portion of Map I, Block 38D, Lot 10A, which is presently under the  
24 care, custody, management, and control of the Milton Select Board as evidenced by an Order of  
25 Taking recorded in the Norfolk County Registry of Deeds in Book 6055, Page 474;

26 (ii) approximately 3 acres of land located on Herrick drive, shown on the town of Milton  
27 Assessors’ Map as Map E, Block 17, Lot 34 and Map E, Block 17, Lot 35 which is presently  
28 under the care, custody, management, and control of the Milton Select Board as evidenced by a  
29 Judgment Foreclosing Tax Lien Case recorded in the Norfolk County Registry of Deeds in Book  
30 32064, Page 543;

31 (iii) approximately 1 acre of land located on School street, shown on the town of Milton  
32 Assessors’ Map as Map E, Block 17, Lot 19 which is presently under the care, custody,  
33 management, and control of the Milton Select Board as evidenced by a Judgment Foreclosing  
34 Tax Lien Case recorded in the Norfolk County Registry of Deeds in Book 32064, Page 543;

35 (iv) approximately 5 acres of land located at the corner of Highland street and Canton  
36 avenue, shown on the town of Milton Assessors' Map as Map K, Block 2, Lot 1A which is  
37 presently under the care, custody, management, and control of the Milton Select Board, as  
38 evidenced by a Judgment Foreclosing Tax Lien Case recorded in the Norfolk County Registry of  
39 Deeds in Book 4782, Page 338;

40 (v) approximately 41 acres of land located around and inclusive of Pope's pond, shown  
41 on the town of Milton Assessors' Map as Map C, Block 34A, Lot 4, a portion of which, not to  
42 exceed 4 acres, shall be transferred to the care, custody, management and control of the town of  
43 Milton Parks and Recreation Department to be used for a playground, which is presently under  
44 the care, custody, management, and control of the Milton Select Board, as evidenced by a  
45 Quitclaim Deed recorded in the Norfolk County Registry of Deeds in Book 4080, Page 379; and

46 (vi) approximately 18.94 acres of land off of Randolph avenue shown on the town of  
47 Milton Assessor's Map as Map I, Block 38E, Lot 2 and Map I, Block 38E, Lot 3 (A to F  
48 included), which is presently under the care, custody, management, and control of the Milton  
49 Select Board as evidenced by an Order of Taking recorded in the Norfolk County Registry of  
50 Deeds in Book 6055, Page 474.

51 SECTION 3. In further consideration for the transfer of land pursuant to section 1, the  
52 town shall transfer to the care, custody, management and control of the town of Milton by the  
53 Parks and Recreation Department, subject to the restrictions under said Article 97, approximately  
54 4.86 acres of land off Randolph avenue in the town of Milton consisting of portions of land  
55 shown on the town of Milton Assessors' Map as Map I, Block 38D, Lot 6 and Map I, Block 38D,  
56 Lot 7 which is presently under the care, custody, management, and control of the Milton Select

57 Board as evidenced by an Order of Taking recorded in the Norfolk County Registry of Deeds in  
58 Book 6055, Page 474.

59 SECTION 4. The authority conferred by this act shall be conditioned upon compliance by  
60 the town with applicable laws and regulations regarding the disposition of land, including, but  
61 not limited to, section 5A of chapter 3 of the General Laws.

62 SECTION 5. If, not later than June 30, 2028, the town does not appropriate money for  
63 construction of a new school, then: (i) the parcel referenced in clause (i) of subsection (b) of  
64 section 1 shall be transferred back to the care, custody, management and control of the town of  
65 Milton Conservation Commission, to be subject to the provisions of Article 97 of the  
66 Amendments to the Constitution of the Commonwealth; and (ii) the parcel referenced in clause  
67 (ii) of said subsection (b) of said section 1 shall be transferred back to the care, custody,  
68 management and control of the town of Milton Parks and Recreation Department for recreation  
69 purposes.

70 SECTION 6. This act shall take effect upon its passage.