

SENATE No. 2780

The Commonwealth of Massachusetts

—
In the One Hundred and Ninety-First General Court
(2019-2020)
—

SENATE, June 29, 2020.

The committee on Senate Ways and Means to whom was referred the Senate Bill authorizing the commissioner of capital asset management and maintenance to convey an easement in certain land in the city of Fall River (Senate, No. 2472), - reports, recommending that the same ought to pass with an amendment substituting a new draft entitled "An Act authorizing the Massachusetts Department of Transportation to release its interest by deed or to grant an easement in a certain parcel of land in the City of Fall River" (Senate, No. 2780).

For the committee,
Michael J. Rodrigues

SENATE No. 2780

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**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act authorizing the Massachusetts Department of Transportation to release its interest by deed or to grant an easement in a certain parcel of land in the City of Fall River.

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. (a) Notwithstanding sections 3 and 20 of chapter 6C of the General Laws or
2 any other general or special law to the contrary, the Massachusetts Department of Transportation
3 may release its interest in or grant an easement to a parcel of land in the city of Fall River,
4 currently owned by the department and held by the city of Fall River by an easement and license,
5 to Eric J. Lepage and Carol A. Lepage, their heirs, successors and assigns for purposes of
6 continuing to use the land and improvements within the conveyed area.

7 (b) The parcel of land which the release deed or easement shall apply is located on the
8 south side of 439 Martine Street in the City of Fall River, shown approximately on a plan of land
9 entitled “Sketch Plan”, 439 Martine Street, Fall River, Massachusetts dated June 3, 2020,
10 described in Exhibit A.

11 (c) The parcel shall be conveyed by release deed or easement without warranties or
12 representations by the department upon such terms and conditions as the department deems
13 necessary or advisable. The grantee agrees to assume the cost of any appraisals, surveys and

14 other expenses deemed necessary by the department to execute the release or easement pursuant
15 to this act. As consideration for the release deed or easement authorized in this act, the grantees
16 shall pay to the commonwealth an amount equal to the fair market value of the department's
17 interest in the parcel of land authorized to be released or granted under this act, as determined by
18 an independent appraisal prepared in accordance with the usual and customary professional
19 appraisal practices by a qualified appraiser commissioned by the department.