The Commonwealth of Massachusetts

By Mr. Walsh of Lynn, for the committee on State Administration and Regulatory Oversight, on House, No. 3837, a Bill authorizing the conveyance of certain state land in the town of Sharon (House, No. 4357) November 18, 2009.

An Act AUTHORIZING THE CONVEYANCE OF CERTAIN STATE LAND IN THE TOWN OF SHARON.

FOR THE COMMITTEE:

NAME: Steven M. Walsh
DISTRICT/ADDRESS: 11th Essex
An Act AUTHORIZING THE CONVEYANCE OF CERTAIN STATE LAND IN THE TOWN OF SHARON.

Whereas, The deferred operation for this act would tend to defeat its purpose, which is forthwith to make for the exchange of certain parcels of land in the town of Sharon, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The commissioner of capital asset management and maintenance may, in consultation with the commissioner of conservation and recreation, notwithstanding the provisions of sections 40E to 40J, inclusive, of chapter 7 of the General Laws, for the consideration set forth in section 2, convey to Edward A. Welch and Nancy R. Welch, certain parcels of land in the town of Sharon. Said parcels are shown as Lot A, consisting of 18,000 square feet more or less, and Lot B, consisting of 18,000 square feet more or less, as shown on a plan of land entitled “Plan of land in the town of Sharon, MA, Norfolk County,” dated December 18, 2008, prepared by Edward A. Welch, PLS.

SECTION 2. As consideration for the conveyance of the parcels of land described in section 1, Edward A. Welch and Nancy R. Welch shall convey to the commissioner of capital asset management and maintenance for the commissioner of conservation and recreation a certain parcel of land on Mountain Street in the town of Sharon consisting of 40,584 square feet more or less and shown as Lot 6 on the plan of land described in section 1 of this act, or such other real property as the commissioner in consultation with the commissioner of conservation and recreation may deem appropriate. Said commissioner shall also receive such additional consideration established to be the difference between the full and fair market value of the parcels of land described in section 1 to be conveyed and the full and fair market value of the parcel described herein to be received. Under no circumstances shall the commonwealth be obligated to pay any additional consideration to the grantees Edward A. Welch and Nancy R.
Welch. The full and fair market value of both properties shall be determined by said commissioner on the basis of independent appraisals commissioned by said commissioner. The inspector general shall review and approve said appraisals including the methodology utilized for said appraisals. Said commissioner shall, 30 days prior to the conveyance authorized by this act submit said appraisals and a report thereon to said inspector general. Said inspector general shall prepare a report of his review and approval of said appraisal and file said report with the commissioner, and copies of the same shall be filed with the house and senate committees on ways and means and with the chairmen of the joint committee on state administration and regulatory oversight at least 15 days prior to said execution.

SECTION 3. At the option of the commissioner of capital asset management, in consultation with the commissioner of conservation and recreation, any additional consideration to be paid by Edward A. Welch and Nancy R. Welch to the commonwealth for the conveyance authorized by this act shall be deposited into the General Fund.

SECTION 4. Edward A. Welch and Nancy R. Welch shall be responsible for any and all costs that the commissioner of capital asset management may deem necessary in connection with the conveyances provided for in sections 1 and 2 of this act, including, but not limited to, the costs of all appraisals, surveys, deed and other document preparation, recording or filing fees and any other expenses incurred in connection with the conveyances.