

Text of law:

Chapter 240 of the Acts of 2002

AN ACT DIRECTING THE DIVISION OF CAPITAL ASSET MANAGEMENT AND MAINTENANCE TO CONVEY A CERTAIN PARCEL OF LAND IN THE TOWN OF RANDOLPH.

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 the division of capital asset management and maintenance shall, in consultation with the metropolitan district commission, notwithstanding the provisions of sections 40E to 40J, inclusive, of chapter 7 of the General Laws, for the consideration set forth in section 2 by deed approved as to form by the attorney general, convey to Hart Family Limited Partnership, a certain parcel of land containing 3.2 acres located off of High street in the town of Randolph presently under the care and control of the metropolitan district commission, more particularly shown on a plan of land entitled "Plan of Land Located on High Street in Randolph, MA" dated February 28, 2002 and prepared by Coler & Colantonio, Inc., together with the interest of the commonwealth, if any, in Reta street located nearby or adjacent to the above referenced parcel. The commonwealth land to be conveyed to the grantee shall be subject to conditions that it shall be used only for surface parking, recreation and open space purposes, that patrons of the Blue Hills reservation be permitted to park on the parcel to be conveyed during periods when the reservation is open, that appropriate signage relating to the location of the Blue Hills reservation be provided on said parcel by the grantee, and such other reasonable terms and conditions as the commissioner of capital asset management and maintenance, in consultation with the commissioner of the metropolitan district commission may establish. All terms and conditions shall be a part of a management and use agreement to be executed between the division, the commission and the grantee.

SECTION 2. As consideration for the conveyance of the parcel of land described in section 1, the commissioner of the division of capital asset management and maintenance shall receive title to a certain parcel of land comprising 3.2 acres located off of High street in the town of Randolph, more particularly described in a deed recorded with the Norfolk county registry of deeds in Book 16063, Page 88. Said commissioner shall also receive such additional consideration established to be the difference between the full and fair market value of the parcel of land described in section 1 and the full and fair market value of the parcel described herein. Under no circumstances shall the commonwealth be obligated to pay any additional consideration to the grantee. The full and fair market value of the parcel described in section 1 shall take into consideration the uses said parcel are to be limited to as set forth therein, and the full and fair market value of both properties as determined by an independent appraisal prepared in accordance with the usual and customary professional appraisal practiced by a qualified appraiser commissioned by said commissioner.

The inspector general shall review and approve said appraisal, and said review and appraisal shall include an examination of the methodology utilized for said appraisal. 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 at least 15 days prior to said execution.

SECTION 3. The grantee shall be responsible for all costs associated with any appraisal, survey, or other expense incurred by the commonwealth relating to the conveyance authorized by section 1.

SECTION 4. At the option of the commissioner of the division of capital asset management, in consultation with the metropolitan district commission, any additional consideration to be paid by the grantee may be provided by in-kind contribution, so-called, as may be set forth in the management and use agreement referred to in section 1. Any monetary consideration paid to the commonwealth for the conveyance authorized by this act shall be deposited into the General Fund.

SECTION 5. This act shall take effect upon its passage.

Approved August 9, 2002.