

HOUSE No. 4877

The Commonwealth of Massachusetts

PRESENTED BY:

Lindsay N. Sabadosa and Joanne M. Comerford

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 commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land in the city of Northampton.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Lindsay N. Sabadosa

1st Hampshire

Joanne M. Comerford

Hampshire, Franklin and Worcester

HOUSE No. 4877

By Representative Sabadosa of Northampton and Senator Comerford, a joint petition (subject to Joint Rule 12) of Lindsay N. Sabadosa and Joanne M. Comerford that the commissioner of Capital Asset Management and Maintenance be authorized to convey a certain parcel of land in the city of Northampton to said city. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

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

An Act authorizing the commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land in the city of Northampton.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith authorize the transfer of a certain parcel of land in the city of Northampton, 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:

1 SECTION 1. Notwithstanding Sections 33 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 may convey a certain parcel of state-owned land known and
4 numbered as 33 King street in the city of Northampton, with any building thereon, to the city of
5 Northampton pursuant to this act. The exact location and boundaries of the parcel to be conveyed
6 may be determined by the commissioner based upon a survey. The use of the parcel to be
7 conveyed to the city shall not be restricted to use for municipal or other specific purposes;
8 provided, however, that the city may so restrict the parcel at a later date, in accordance with any

9 applicable general and special laws. The parcel shall be conveyed by deed without warranties or
10 representations by the commonwealth.

11 SECTION 2. As consideration for the conveyance of the parcel described in section 1,
12 the city of Northampton shall pay the commonwealth \$1.00.

13 SECTION 3. In the event that the city of Northampton sells or leases any portion of the
14 parcel described in section 1, the net proceeds from such sale or lease as determined by the city
15 and agreed to by the commissioner shall be allocated between the city of Northampton and the
16 commonwealth in equal shares; provided, however, that the commissioner may agree to reduce
17 the share of the commonwealth's proceeds to not less than 40 per cent of net proceeds in order to
18 provide certain incentives to the city to sell or lease the parcel expeditiously. In the event that the
19 net proceeds, as so determined, is a negative amount, the commonwealth shall not be required to
20 make any payments to the city of Northampton.

21 SECTION 4. Notwithstanding any general or special law to the contrary, the city of
22 Northampton shall pay for all costs and expenses of the sale of the parcel to the city pursuant to
23 this act as determined by the commissioner including, but not limited to, the costs of any
24 recording fees and deed preparation related to the conveyance and for all costs, liabilities and
25 expenses of any nature and kind related to the city's ownership of the parcel; provided, however,
26 that such costs shall be included for the purposes of determining the net proceeds of the city's
27 sale or lease of any portion of the parcel described in section 1. Amounts paid by the city of
28 Northampton pursuant to section 2 shall not be included for the purposes of determining the net
29 proceeds from a sale or lease.

SECTION 5. In the event that the city of Northampton does not complete its purchase of the property described in section 1 on or before December 31, 2021, then notwithstanding sections 33 to 37, inclusive, of chapter 7C of the General Laws or any other general or special law to the contrary, the commissioner may sell, lease for terms of up to 99 years, including all renewals and extensions, or otherwise grant, convey or transfer to purchasers or lessees an interest in the property described in section 1 or portions thereof, subject to this section and on such terms and conditions that the commissioner considers appropriate.

The commissioner shall dispose of the parcel pursuant to this section using appropriate competitive bidding processes and procedures. At least 30 days before the date on which bids, proposals or other offers to purchase or lease the parcel are due, the commissioner shall place a notice in the central register published by the state secretary pursuant to section 20A of chapter 9 of the General Laws stating the availability of the parcel, the nature of the competitive bidding process and other information that the commissioner considers relevant, including the time, place and manner for the submission of bids and proposals and the opening of the bids or proposals.

Notwithstanding any general or special law to the contrary, the grantee or lessee of the parcel described in section 1 pursuant to this section shall be responsible for costs and expenses including, but not limited to, costs associated with deed preparation and recording fees related to the conveyances and transfers authorized in this section as such costs may be determined by the commissioner.