

Chapter 151 of the Acts of 2022

AN ACT AUTHORIZING THE TRANSFER OF CERTAIN LAND OF THE COMMONWEALTH TO THE CITY OF REVERE FOR MUNICIPAL PURPOSES

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize the transfer of certain parcels of land from the division of capital asset management and maintenance to the city of Revere, 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. Notwithstanding sections 32 to 37, inclusive, of [chapter 7C of the General Laws](#) or any other general or special law to the contrary, the commissioner of capital asset management and maintenance, in consultation with the commissioner of conservation and recreation, may convey or release to the city of Revere the fee interest in or easements upon certain parcels of land described in section 2, subject to the requirements of sections 2 to 4, inclusive, and to any additional terms and conditions consistent with this act as the commissioner of capital asset management and maintenance, in consultation with the commissioner of conservation and recreation, may prescribe. The parcels are currently under the care and control of the department of conservation and recreation and held for conservation and recreation purposes. Prior to finalizing a transaction or making the conveyances or releases authorized in this section, the division of capital asset management and maintenance may conduct a survey and make minor modifications to the area.

SECTION 2. The interests in land to be conveyed, as authorized in section 1, shall consist of all or a portion of the following:

- (i) a parcel of land to be held by the city of Revere for municipal public safety purposes, consisting of approximately 1.46 acres, taken by the commonwealth by order of taking recorded in the Suffolk county registry of deeds in book 2592, page 337 and shown as "Lot B" on a plan of land entitled "Subdivision Plan of Land in Revere, Mass.", dated January 27, 2003 and recorded at the Suffolk county registry of deeds in plan book 2006, plan 239;
- (ii) a parcel of land to be held by the city of Revere for municipal fire safety purposes, consisting of approximately 0.11 acres, acquired by the commonwealth by a deed recorded in the Suffolk county registry of deeds in book 7604, page 475 and shown as "Lot A" on a plan of land entitled "Approval Not Required (ANR) Plan Located in Revere, Massachusetts (Suffolk County)", prepared for Winter Street Architects by Brennan Consulting, dated June 8, 2021, to be kept on file at the office of the division of capital asset management and maintenance; or
- (iii) a nonexclusive subsurface electrical utility easement, shown on a plan of land entitled "Electrical Power Site Plan", prepared by WSP USA Buildings, Inc., which is on file with the city of Revere, in connection with a kiosk for signage and public service announcements that may be issued to the city of Revere by the commissioner of conservation and recreation pursuant to a

written permit for a term not to exceed 20 years, notwithstanding section 33 of chapter 92 of the General Laws. Such easement to be conveyed pursuant to this section is located in or upon a parcel of land taken by the commonwealth by order of taking recorded in the Suffolk county registry of deeds in book 2418, page 481, held by the commonwealth for park and open space purposes.

SECTION 3. An independent appraisal of the fair market value and value in use of the interests in land described in section 2 shall be prepared in accordance with the usual and customary professional appraisal practices by a qualified appraiser commissioned by the commissioner of capital asset management and maintenance. The city of Revere shall compensate the commonwealth for the conveyance or release of the above-described interests in land described in section 2 by: (i) making a payment in an amount equal to the full and fair market value or the value in proposed use, whichever is greater, as determined by the commissioner of capital asset management and maintenance; (ii) transferring land or interest in land to the department of conservation and recreation which shall be of equal or greater acreage than the land described in said section 2 and of equal or greater fair market value or value in use than the land described in section 2 for conservation and recreation purposes; or (iii) any combination of clauses (i) and (ii) acceptable to the department of conservation and recreation. Any payment made in accordance with clause (i) shall be deposited in the Conservation Trust established in section 1 of chapter 132A of the General Laws and expended by the department of conservation and recreation to acquire land or interest in land to be permanently under the care and control of the department of conservation and recreation for conservation and recreation purposes. For the purposes of appraisal, the full and fair market value of the land described in said section 2 shall be calculated with regard to its full development potential as assembled with other abutting land owned or controlled by the city, if any. The commissioner of capital asset management and maintenance shall submit the appraisal to the inspector general for review and comment. The inspector general shall review and approve the appraisal and the review shall include an examination of the methodology utilized for the appraisal. The inspector general shall prepare a report of such review and file the report with the commissioner of capital asset management and maintenance. After receiving the report, the commissioner shall submit copies of the report to the house and senate committees on ways and means and the joint committee on state administration and regulatory oversight at least 15 days prior to the execution of documents effecting the conveyance authorized in section 1 and described in said section 2. Should the appraised value of any land or interest in land described in said section 2 shall be determined to be greater than the appraised value of the interest in land to be conveyed to the commonwealth under clause (ii), the commonwealth shall have no obligation to pay the difference to the city.

SECTION 4. The city of Revere shall be responsible for all costs associated with the conveyances and releases authorized by this act including, but not limited to, any appraisal, survey, recording or legal costs and any other expenses incurred by the commonwealth in connection with the conveyance and for all costs, liabilities and expenses of any nature and kind for its ownership and use.

Approved, August 5, 2022.