

271.
Chapter
of the Acts of 2016

THE COMMONWEALTH OF MASSACHUSETTS

In the One Hundred and Eighty-Ninth General Court

AN ACT RELATIVE TO THE PROCEDURE FOR MUNICIPAL ACCEPTANCE OF SUBDIVISION
ROADS IN THE TOWN OF NATICK.

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 chapters 79 and 82 of the General Laws or any other general or special law to the contrary, the town of Natick may employ the procedure set out in this act for municipal acceptance of roads constructed within a subdivision in accordance with a definitive subdivision plan that has been approved pursuant to the subdivision control law, as defined in section 81K of chapter 41 of the General Laws.

The board of selectmen of the town of Natick shall hold a public hearing, after first giving: (i) written notice by first-class mail, postage prepaid, to the owner of record of each property abutting the road, as appearing in the records of the assessors of the town of Natick; and (ii) notice by publication in a newspaper of local circulation not less than 7 days before the hearing. The records of the assessors of the town of Natick shall be conclusive evidence of ownership for purposes of this act. If the board of selectmen determines, after the public hearing, that it is in the public interest to accept the road, they shall so vote, by a majority vote, and place an article on the warrant for the next annual or special town meeting for acceptance of the road.

Upon a 2/3 vote of town meeting to accept the road, the board of selectmen shall prepare an order of acceptance setting forth the vote of the town meeting for recording at the Middlesex county registry of deeds. The order of acceptance shall contain a description of or reference to a plan showing the boundaries and measurements of the road, which may be an existing approved and recorded definitive subdivision plan. The order of acceptance shall be recorded not later than 60 days after the town meeting vote and, upon recordation, shall vest ownership of a permanent roadway easement in the road for all purposes for which public ways are commonly used in the town of Natick, together with ownership of all utility, drainage, access and other easements shown on the plan and specifically identified in the order of acceptance, as well as all pipes, structures and other improvements located therein, in the town of Natick with no additional notice or other action required.

SECTION 2. This act shall take effect upon its passage.

House of Representatives, September 19, 2016.

Passed to be enacted,

Paul J. Donato

Acting
Speaker.

In Senate, September 19, 2016.

Passed to be enacted,

Kathleen O'Connor Pres.

Acting
President.

Sept 18, 2016.

Approved,

at

11 o'clock and 18 minutes, A. M.

Charles D. Bass

Governor.