

**AN ACT AUTHORIZING THE DIVISION OF CAPITAL ASSET MANAGEMENT AND
MAINTENANCE TO GRANT AN EASEMENT TO THE TOWN OF NATICK FOR THE
RECONSTRUCTION OF NORTH MAIN STREET (ROUTE 27)**

Whereas, the deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the authority of the division of capital asset management and maintenance to grant an easement for the purpose of installing a sedimentation area to accommodate an improved drainage system as part of the Route 27 North Main Street project.

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 the provisions of sections 34 to 37 of chapter 7C of the General Laws, the commissioner of capital asset management and maintenance may grant a permanent easement over a portion of a certain property, being Natick assessor's map ____, lot ____, held for purposes of conservation and recreation by the department of conservation and recreation, commonly known as Cochituate State Park, said easement to be used for the purpose of drainage of North Main Street (Route 27), subject to the requirements of sections 2 through 5 and to such additional terms and conditions consistent with this act as the commissioner of capital asset management and maintenance may prescribe. The easement is shown on a plan of land entitled "_____", revised through _____, 2019, as "parcel _____," containing _____ square feet, more or less. Prior to finalizing the transaction herein, the division of capital asset management and maintenance may make minor modifications to the plan and easement area in order to carry out the purposes of this act.

SECTION 2. To mitigate impacts to public lands protected for natural resources, the commissioner of capital asset management and maintenance may, in his discretion, require the grantee to compensate the commonwealth for the interest in land described in section 1 through the conveyance of land to the commonwealth and/or the transfer of funds, the value of such compensation, if any, to be determined by the commissioner. Any payments to the commonwealth authorized by this act shall be deposited in the Conservation Trust established under section 1 of chapter 132A of the General Laws.

SECTION 3. The commissioner of capital asset management and maintenance may commission an independent appraisal of the value of the easement described in section 1, which shall be prepared in accordance with the usual and customary professional appraisal practices by a qualified appraiser. Consideration for the grant of the above-described easement interest may be the value of the easement interest, or some lesser consideration, including nominal consideration, as determined by the commissioner of capital asset management and maintenance, in his discretion.

SECTION 4. The grantee shall assume any and all costs associated with engineering, surveys, appraisals, deed preparation and other expenses deemed necessary by the commissioner of capital asset management and maintenance to execute the conveyances authorized by this act.

SECTION 5. No instrument executed pursuant to this act shall be valid unless it provides that the easement shall be used solely for the purposes described in section 1. The instrument or instruments authorized in section 1 shall include a reversionary clause that stipulates the property shall revert to the commonwealth, upon such terms and conditions as the commissioner of capital asset management and maintenance may determine, if the property ceases to be used for the express purposes authorized in this act, following notice of such to the grantee by the division of capital asset management and maintenance and a failure by the grantee to cure the violation to the satisfaction of the division. If any interest reverts to the commonwealth, any further disposition shall be subject to sections 34 to 37 of chapter 7C of the General Laws and the prior approval of the General Court.

SECTION 6. This act shall take effect upon its passage.