HOUSE DOCKET, NO. 2679 FILED ON: 1/21/2011

HOUSE . . . . . No. 2582

[LOCAL APPROVAL RECEIVED.]

The Commonwealth of Massachusetts

PRESENTED BY:

Denise C. Garlick

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 passage of the accompanying:

An Act relative to authorizing the town of Needham to take by eminent domain easements in land owned by the Commonwealth of Massachusetts adjacent to South Street and the Charles River for the purpose of installing utilities and to change the use of the land from open space to utility use under Article of Amendment XLIX .

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Denise C. Garlick	*13th Norfolk*
Richard J. Ross	*Norfolk, Bristol, and Middlesex*

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By Ms. Garlick of Needham, a petition (accompanied by bill, House, No. 2582) of Denise Garlick and Richard J. Ross (by vote of the town) for legislation to authorize the town of Needham to take easements in certain land owned by the Department of Conservation and Recreation located adjacent to South Street and the Charles River in said town. State Administration and Regulatory Oversight. [Local Approval Received.]

The Commonwealth of Massachusetts

An Act relative to authorizing the town of Needham to take by eminent domain easements in land owned by the Commonwealth of Massachusetts adjacent to South Street and the Charles River for the purpose of installing utilities and to change the use of the land from open space to utility use under Article of Amendment XLIX .

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 Town of Needham, acting by its Board of Selectmen, may take easements in land owned by the Department of Conservation and Recreation located adjacent to South Street and the Charles River in Needham for the purposes of accommodating Mass Highway Department's reconstruction of the bridge over the Charles River that connects South Street in the Town of Needham to Willow Street in the Town of Dover and for installing utilities to accommodate the reconstruction of the bridge.

Section 2. There shall be no damages paid to the Department of Conservation and Recreation for such takings.

Section 3. Under the provisions of Article of Amendment XLIX of the Constitution of the Commonwealth of Massachusetts, the Town of Needham is authorized to change the use of the land in which it takes easements from the Department of Recreation and Conservation adjacent to South Street and the Charles River in the Town of Needham from open space to highway purposes and utility purposes and may grant easements to utility companies and cable companies to install equipment necessary for them to provide their services.

Section 4. This act shall take effect upon its passage.