SENATE . . . . . No. 2250

The Commonwealth of Massachusetts

In the Year Two Thousand Twelve

An Act authorizing the Massachusetts Department of Transportation to acquire certain parcels of land in the city of Worcester.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize the Massachusetts Department of Transportation to acquire certain parcels of land in the city of Worcester to facilitate bridge construction, 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 40E to 40J, inclusive, of chapter 7 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 to the Massachusetts Department of Transportation certain parcels of land in the city of Worcester described in section 2. The parcels shall be diverted from their present use as conservation and recreation land to a highway use.

SECTION 2. The parcels referenced in section 1 are as follows, subject to verification and approval by the commissioner of capital asset management and maintenance:

Parcel 61-1: A parcel of land dedicated to conservation and recreation use owned by the commonwealth, under the care and control of the department of conservation and recreation, adjoining the northerly sideline of the City Layout of Belmont Street (Route 9) and bounded as follows: Beginning on the northerly line of said City Layout at the southwesterly corner of the parcel hereinafter described; thence continuing along said City Layout northeasterly a distance of about 39.9 feet to the southeasterly corner of the property supposed to be owned by the Commonwealth of Massachusetts, under the care and control of the department of conservation and recreation; thence continuing along the easterly sideline of said property along a curve to the left with a radius of about 56.6 feet, a distance of about 24.2 feet; thence leaving said sideline

and continuing northwesterly a distance of about 53.8 feet; thence southeasterly a distance of about 25.3 feet to the point of beginning. The parcel contains about 1,095 square feet;

Parcel 61-3-C: A parcel of land dedicated to conservation and recreation use owned by the commonwealth, under the care and control of the department of conservation and recreation, adjoining the easterly sideline of the City Layout of Lake Avenue North and bounded as follows: Beginning on the easterly line of said City Layout at the northwesterly corner of the parcel hereinafter described; thence southeasterly a distance of about 3.0 feet; thence southwesterly a distance of about 29.0 feet; thence along a curve to the left having a radius of about 47.0 feet, a distance of about 66.3 feet to a point on the northerly sideline of the City Layout of Belmont Street (Route 9); thence continuing southwesterly along said City Layout a distance of about 61.0 feet to a point on the easterly sideline of the City Layout of Lake Avenue North; thence continuing northeasterly along said City Layout a distance of about 86.3 feet to the point of beginning. The parcel contains about 1,252 square feet;

Parcel 61-WD-1: A parcel of land dedicated to conservation and recreation use owned by the Commonwealth of Massachusetts, under the care and control of the department of conservation and recreation, adjoining the northerly sideline of the City Layout of Belmont Street (Route 9) and bounded as follows: Beginning on the northerly line of said City Layout at the southwesterly corner of the parcel hereinafter described; thence northwesterly a distance of about 34.5 feet; thence northeasterly a distance of about 46.1 feet; thence southeasterly a distance of about 60.2 feet; thence southeasterly a distance of about 25.3 feet to a point on the northerly sideline of the City Layout of Belmont Street (Route 9); thence continuing southwesterly a distance of about 105.9 feet to the point of beginning. The parcel contains about 3,222 square feet.

SECTION 3. The parcels of land described in section 2 are shown on a plan entitled "Massachusetts Department of Transportation Highway Division Proposed Bridge Replacement Project For Route 9 Over Lake Quinsigamond Bridge No. S-14-001=W-44-018 In The Town Of Shrewsbury/Worcester Worcester County" By Transystems, 38 Chauncy Street, Suite 200, Boston, MA 02111, revised 2/13/2012, Plan Sheets 12-13 of 21. This plan is on file with the Chief Engineer of the Highway Division of the Massachusetts Department of Transportation. The parcels of land are a portion of real estate taken in fee under chapter 79 of the General Laws by the commonwealth, acting through the commissioner of natural resources, the predecessor-in-interest to the department of conservation and recreation, by instrument dated April 23, 1956 and recorded with Worcester district registry of deeds, book 3770, pages 28 and 29, and shown on a plan recorded with Worcester district registry of deeds, plan cook 215, plan 36. Said parcels are a portion of Lot 2 delineated as "City of Worcester" containing 5.93 acres on plan book 215, plan 36. Notwithstanding the description of the parcels in section 2, the commissioner of capital asset management and maintenance may verify and approve the exact boundaries of the parcels.

SECTION 4. The Massachusetts Department of Transportation may acquire, by purchase or otherwise, certain parcels of land in the city of Worcester as described in section 5 from the commonwealth, University of Massachusetts (UMASS). The parcels shall be diverted from their present use for higher education purposes to highway purposes.

SECTION 5. The parcels referenced in section 4 are as follows:

Parcel 61-2-C: A parcel of land dedicated to a higher education use supposed to be owned by the commonwealth, UMASS, adjoining the northerly sideline of the City Layout of Belmont Street, (Route 9) and bounded as follows: Beginning on the northerly sideline of said City Layout at the southwesterly corner of the parcel hereinafter described; thence northwesterly a distance of about 7.6 feet along the westerly sideline of the property supposed to be owned by the Commonwealth of Massachusetts UMASS; thence northeasterly a distance of about 143.9 feet; thence continuing northeasterly a distance of about 114.5 feet; thence continuing northwesterly a distance of about 12.0 feet; thence continuing northeasterly a distance of about 50.9 feet to a point on the westerly sideline of the City Layout of Lake Avenue North; thence southwesterly along said City Layout a distance of about 21.4 feet to a point on the northerly sideline of the City Layout of Belmont Street (Route 9); thence leaving the City Layout of Lake Avenue North and continuing southwesterly along the City Layout of Belmont Street (Route 9) a distance of about 300.3 feet to the point of beginning. The parcel contains about 2,834 square feet;

Parcel 61-W-GR-1-C: A parcel of land dedicated to a higher education use supposed to be owned by the commonwealth, UMASS, adjoining the northerly sideline the aforementioned Parcel 61-2-C and bounded as follows: Beginning at a point on the northerly sideline of Parcel 61-2-C at the southwesterly corner of the parcel hereinafter described; thence northeasterly a distance of about 33.2 feet; thence continuing northeasterly a distance of about 40.4 feet; thence continuing northeasterly a distance of about 21.5 feet; thence continuing northeasterly a distance of about 21.3 feet to a point along the northerly sideline of said Parcel 61-2-C; thence continuing southwesterly along the sideline of said Parcel 61-2-C a distance of about 12.0 feet; thence continuing southwesterly along said sideline a distance of about 114.5 feet to the point of beginning. The parcel contains about 988 square feet.

SECTION 6. The parcels of land described in section 5 are shown on a plan entitled "Massachusetts Department Of Transportation Highway Division Proposed Bridge Replacement Project For Route 9 Over Lake Quinsigamond Bridge No. S-14-001=W-44-018 In The Town Of Shrewsbury/Worcester Worcester County" by TranSystems, 38 Chauncy Street, Suite 200, Boston, MA 02111, revised 2/13/2012, Plan Sheets 11-12 of 21. The plan is on file with the chief engineer of the highway division of the Massachusetts Department of Transportation. The parcels of land are a portion of real estate taken in fee pursuant to the chapter 79 of the General Laws by the commonwealth, acting through the trustees of the University of Massachusetts by instrument dated November 17, 1967 and recorded with Worcester district registry of deeds,

book 4810, page 22 and shown on plan recorded with Worcester district registry of deeds, plan book 313, plan 42.