

THE COMMONWEALTH OF MASSACHUSETTS

Advance Copy

1981

Acts and Resolves

MICHAEL JOSEPH CONNOLLY, State Secretary

Chap. 691. AN ACT RELATIVE TO THE PROCEDURES FOR
DISPOSITION OF CERTAIN LAND OF THE COM-
MONWEALTH LOCATED IN THE CITY OF CAM-
BRIDGE.

Be it enacted, etc., as follows:

SECTION 1. Section 6 of chapter 298 of the acts of 1976 is hereby amended by striking out, in line 1, the word "Upon" and inserting in place thereof the words:- Notwithstanding the provisions of any general or special law to the contrary, upon.

SECTION 2. Said section 6 of said chapter 298 is hereby further amended by striking out the fourth, fifth, and sixth paragraphs and inserting in place thereof the following three paragraphs:-

There shall be established for purposes of this act a Cambridge MBTA Yards Project Review Board, hereinafter called the board. The board shall be comprised of five members, one of whom shall be a member of the general court from the legislative district in which the development is to be located who shall be the chairman, one of whom shall be the city manager of the city of Cambridge, and three of whom shall be appointed by the governor.

Notwithstanding the provisions of any general or special law to the contrary, the secretary, after receipt of notification from the secretary of the executive office of environmental affairs that a final environmental impact report concerning the development of said parcel 1B is in compliance with section sixty-two of chapter thirty of the General Laws, is authorized and directed to sell and convey, by deed approved as to form by the attorney general, all right, title and interest of the commonwealth in and to said parcel 1B to a public or private entity approved by the secretary, provided that such entity has been issued a special permit for a planned unit development by the planning board of the city of Cambridge and provided further that such entity or a partner of such entity has been recommended by the board. Said parcel 1B shall be developed in accordance with such permit, as the same may be modified by said planning board or, to the extent permitted by the zoning ordinance of the city of Cambridge, in accordance with such terms and conditions as may be set forth in said deed. Such sale shall be in consideration of payment by the grantee to the commonwealth of a price equal to the sum of the fair market value of said parcel as determined by taking the average of the two independent appraisals furnished

to the board prior to its recommendation and as such appraisals are revised to reflect the fair market value of said parcel not more than six months prior to the date of its conveyance. The fees for all such appraisals may be paid out of the proceeds of such sale or disposition. The certification of the secretary as to any of the foregoing facts shall be conclusive. The entity to which said parcel 1B is conveyed shall comply with the requirements of section forty J of chapter seven of the General Laws, concerning disclosure of direct or indirect beneficial interests in such entity, but the conveyance of said parcel 1B shall not be subject to the requirements of sections forty E, forty F, forty H or forty I of said chapter seven.

The entire proceeds to the commonwealth from the sale or other disposition of parcel 1B in accordance with this section shall be credited to the JFK Fund. Said proceeds shall be used, subject to appropriation, as follows: the first two million dollars shall be donated by the commonwealth, acting by and through the commissioner of administration, to the United States of America, acting by and through the Administrator of General Services, to finance improvements on the site for the library and approaches thereto; and the balance shall be applied by the MDC for the acquisition, laying out, and construction of the John Fitzgerald Kennedy Park, up to an amount which the MDC, after consulting with the board, determines to be required for such purposes and then to the General Fund of the commonwealth.

Approved December 23, 1981.

6.

S-18

Comm. from Paul E. Healy, City Clerk, transmitting an advance copy of an Act entitled "AN ACT RELATIVE TO THE PROCEDURES FOR DISPOSITION OF CERTAIN LAND OF THE COMMONWEALTH LOCATED IN THE CITY OF CAMBRIDGE".

In City Council,

January 11, 1982

1/11/82

Placed
ON
FILE.