

**City of Northampton**  
MASSACHUSETTS

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*In City Council, June 16, 2022*

*Upon the recommendation of Mayor Gina-Louise Sciarra and Planning & Sustainability*

**22.129 An Order to petition the General Court to further amend chapter 86 of the acts of 1994**

WHEREAS, Chapter 86 of the Acts of 1994, as amended by chapter 307 of the acts of 1994, authorized the Department of Capital Assets Management and Maintenance (“DCAMM”) to transfer to the City of Northampton Parcel C as shown on a plan entitled “Boundary Survey of Land of the Commonwealth of Massachusetts Formerly the Northampton State Hospital,” dated December 17, 1996, and recorded in the Hampshire Registry of Deeds in Plan Book 183, Page 1 (sheet 5); and

WHEREAS, By virtue of the deed dated November 19, 1998 and recorded in the Hampshire Registry of Deeds in Book 5558, Page 019, DCAMM transferred Parcel C to the City; and

WHEREAS, Chapter 86, as amended, restricts the use of Parcel C to municipal purposes; and

WHEREAS, In 2013, the city permanently dedicated all of Parcel C, except for a parcel on Chapel Street containing 1.119 acres (“the Chapel Street Parcel”), to recreation and open space as the Ray Ellerbrook Recreation Field (Hampshire Registry of Deeds, Book 11547, Page 342);

WHEREAS, The Chapel Street Parcel is shown as Parcel C-1 on a plan entitled “Plan of Land in Northampton, Massachusetts Hampshire County Prepared for the City of Northampton,” dated November 18, 2013, and recorded in the Hampshire Registry of Deeds in Plan Book 231, Page 15; and

WHEREAS, On August 19, 2021, City Council passed an Order declaring the Chapel Street Parcel as surplus to City needs; and

WHEREAS, The municipal purpose restriction is impeding the redevelopment of the Chapel Street Parcel.

***Ordered, that***

The City requests and petitions our legislative delegation to file legislation substantially as follows, with such amendments as the approved by the Mayor, in her sole discretion:

**An Act Further Amending Chapter 86 of the Acts of 1994.**

*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. Chapter 86 of the acts of 1994, as amended by chapter 307 of the acts of 1994, is hereby further amended by inserting in section 15A as the third paragraph thereof the following:

Notwithstanding the preceding two paragraphs of this section, the parcel of land shown as Parcel C-1 on a plan entitled Plan of Land in Northampton, Massachusetts Hampshire County Prepared for the City of Northampton, dated November 18, 2013, and recorded in the Hampshire Registry of Deeds in Plan Book 231, Page 15, shall not be subject to the condition that it be used for municipal purposes, and said parcel shall not revert to the to the care and control of the division of capital planning and operations for failure to use the property for municipal purposes. Upon passage of this act, the commissioner of the division of capital asset management and maintenance shall execute an instrument in a form suitable for recording releasing the municipal purpose restriction from Parcel C-1.

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