

Chap. 877. AN ACT DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO CONVEY CERTAIN PARCELS IN THE CITY OF REVERE TO THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY AND THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY TO LEASE AIR RIGHTS OVER CERTAIN PARCELS IN THE CITY OF REVERE TO THE CITY OF REVERE.

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission, hereinafter called the commission, is hereby authorized and directed to convey to the Massachusetts Bay Transportation Authority, hereinafter called the Authority, for such consideration and upon such terms as the commission may determine, and as agreed upon by the Authority, two parcels of land located in the Revere beach area of the city of Revere, adjacent to the Wonderland station in said city. Said parcels being further identified as parcels A and B on a plan entitled "Commonwealth of Massachusetts, Metropolitan District Commission - Engineering Division - Plan of land in Revere to be conveyed to the Massachusetts Bay Transportation Authority . . . April 8, 1977, Francis T. Bergin, Chief Engineer, being plan accession number 63040, which is bounded and described as follows:

Parcel A beginning at a stone bound set in the northwesterly line of Ocean Avenue by land now or formerly of the Commonwealth of Massachusetts Metropolitan District Commission thence turning and running S 14° 27'06" W for a distance of forty-one and 23/100 (41.23) feet to a point; thence turning and running N 75° 32'54" N for a distance of two hundred and twenty five and 00/100 (225.00) feet to a point; thence turning and running N 14° 27'06" E, twenty five and 00/100 (25.00) feet to a point; thence turning and running S 75° 32'54" E fifty and 00/100 (50.00) feet to a point; thence turning and running N 14° 27'06" E seventy five and 00/100 (75.00) feet to a point; thence

turning and running S 42°45'19" E forty two and 38/100 (42.36) feet to a point; thence S 64°50'55" E nineteen and 15/100 (19.15) feet to a point; thence S 77°52'46" E sixteen and 29/100 (16.29) feet to a point; thence N 77°08'02" E twelve and 81/100 (12.81) feet to a point; thence N 56°15'58" E twenty six and 38/100 (26.88) feet to a point; thence S 75°35'34" E seventy six and 81/100 (76.81) feet to a point; thence turning and running S 16°01'06" W fifty eight and 93/100 (58.93) feet to a stone bound first mentioned, the point of beginning.

Parcel B beginning at a point south fifty and 02/100 feet (50.02) from a stone bound set in the northwesterly sideline of Ocean Avenue, thence following a line S 16°01'06" W one hundred forty and 10/100 (140.10) feet to a point; the turning and running N 75°35'34" W eighty two and 35/100 (82.35) feet to a point; thence turning and running N 14°27'06" E one hundred forty and 00/100 (140) feet to a point; thence turning and running S 75°37'23" E eighty six and 18/100 (86.18) feet to the point of beginning; being shown on aforesaid plan and comprising land supposed to be owned by the following owners:

Parcel	Owner	Area to be conveyed in square feet
A	Commonwealth of Massachusetts M.D.C.	17,068
B	Commonwealth of Massachusetts M.D.C.	11,799

SECTION 2. Upon conveyance by the commission to the Authority of the two parcels of land described in section one, the Authority is hereby authorized and directed to lease to the city of Revere, subject to such terms and conditions, if any, that said Authority may impose, such air rights and space over said parcels, including rights for support, access, utilities, and light and air, as the Authority may determine are not needed by said Authority for the construction and maintenance of a pedestrian connector and vehicular access, over said parcels, for a term of years not exceeding ninety-nine years.

In addition, said Authority is hereby authorized and directed to lease to said city of Revere, subject to such terms and conditions, if any, that said Authority may impose, such air rights and space, including rights for support, access utilities, and light and

air, as the Authority may determine are not needed by said Authority for the construction and maintenance of a pedestrian connector and/or vehicular access, for a term of years not exceeding ninety nine years, over a certain parcel of land presently owned by said Authority, adjacent to the Wonderland station in the Revere Beach area of the City of Revere. Said parcel of land is that shown on a plan entitled "Commonwealth of Massachusetts Metropolitan District Commission Parks Division Ocean Avenue, Revere Plan of taking Redevelopment Area Beach Street to Revere Street - dated April 30, 1972, revised August 3, 1962 - signed by Benjamin W. Fink, Director of Engineering", and bounded and described as follows:

Beginning at the point of intersection of the southerly line of Chester Avenue and the easterly right of way line of the Authority, thence running in a generally north, northeasterly direction along said easterly right of way of the Authority a distance of seven hundred eighty five and forty four hundredths feet, more or less, to the point of intersection of said easterly right of way line and the westerly line of land now or formerly owned by the Authority; thence turning and running in a generally south, southeasterly direction a distance of one hundred ninety nine feet, more or less; thence turning and running in a generally east, southeasterly direction a distance of two hundred thirty seven feet, more or less, to the point of intersection of the southerly line of land now or formerly owned by the Commission and the westerly line of Ocean Avenue; thence turning and running in a generally south, southwesterly direction a distance of fifty and two hundredths feet, more or less; thence turning and running in a generally west, northwesterly direction along the line of land now or formerly owned by the Commission for a distance or eighty six and eighteen hundredths feet, more or less; thence turning and running in a generally south, southwesterly direction along the line of land now or formerly of the Commission for a distance of one hundred and forty feet, more or less; thence turning and running in a generally easterly direction along the line of land now or formerly of the Commission for distance or eighty two and thirty five hundredths feet, more or less, to the point of intersection of the westerly line of Ocean Avenue and the southerly line of land now or formerly of the Commission; thence turning and running in a generally south, southwesterly direction along said westerly line of Ocean Avenue a distance of two hundred nine and ninety eight hundredths feet, more or less, to the point of intersection of said westerly line of Ocean Avenue and the northerly line of land now or formerly of the Commis-

sion; thence turning and running in a generally west, northwesterly direction a distance of seventy six and sixty one hundredths feet, more or less, along said northerly line of land now or formerly of the Commission; thence turning and running in a generally southwesterly direction a distance of twenty six and eighty eight hundredths feet, more or less; thence continuing in a generally west, southwesterly direction a distance of twelve and eighty one hundredths feet, more or less; thence continuing in a generally westerly direction a distance of sixteen and twenty nine hundredths feet, more or less; thence continuing in a generally west, northwesterly direction a distance of nineteen and fifteen hundredths feet, more or less; thence continuing in a generally northwesterly direction a distance of forty two and thirty six hundredths feet, more or less; thence turning and running in a generally south, southwesterly direction a distance of fifty feet, more or less; thence turning and running in a generally westerly direction a distance of fifty feet, more or less; thence turning and running in a generally south, southwesterly direction a distance of fifty feet, more or less, to the southerly line of Chester Avenue; thence turning and running in a generally westerly direction along said southerly line of Chester Avenue for a distance of eighty two and thirty five hundredths feet, more or less, to the point of intersection of said southerly line of Chester Avenue and the easterly right of way line of the Authority, which is the point of beginning.

The leasehold estate created by such lease or leases may be subleased in whole or in part, assigned, pledged, or mortgaged, and any pledge or mortgage may be foreclosed by appropriate action. The construction or occupancy of any building or other thing erected or affixed under any lease under this act shall be subject to the building, fire, garage, health, and zoning ordinances, by-laws, rules, and regulations of the city of Revere. The construction or occupancy of any building or other thing erected or affixed under any lease under this act shall occur only after an affirmative finding by the Revere Beach Design Review Board established pursuant to section four of chapter eight hundred and forty-one of the acts of nineteen hundred and seventy-five, that any proposed design is suited to the characteristics of the Revere beach site and is adequately integrated with the surrounding area. Any building or other thing erected or affixed under any such lease shall be taxed to the lessee thereof or his assigns in the same manner and to the same extent as if such lessee or his assigns were the owners of the land in fee; provided

that no part of the value of the land shall be included in any such assessment. Any such leasehold estate may be sold or taken by the collector of taxes of said city for the nonpayment of any taxes assessed as aforesaid in the manner provided by law for the sale or taking of real estate for nonpayment of local taxes. Said collector shall have for the collection of taxes assessed under this act all remedies provided by the General Laws for the collection of taxes by collectors of cities and towns. No billboards shall be erected under the provisions of this act. The premises authorized to be leased under the provisions of this act shall be leased by said Authority to the city for a nominal rental. The provisions of paragraph (c) of section five of chapter one hundred and sixty-one A of the General Laws shall not apply to any lease made under the provisions of this act.

Approved December 29, 1977.