

107TH CONGRESS  
1ST SESSION

# H. R. 3300

To reconvey certain property.

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IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 15, 2001

Mr. CAPUANO introduced the following bill; which was referred to the  
Committee on Financial Services

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## A BILL

To reconvey certain property.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. AUTHORITY FOR ACQUISITION OF AND DEVEL-**  
4 **OPMENT WITHIN CERTAIN URBAN RENEWAL**  
5 **PROJECT AREAS.**

6 (a) DEFINITIONS.—As used in this section, the  
7 term—

8 (1) “date of reconveyance” means the date on  
9 which the disposable real property is reconveyed to  
10 the Cambridge Redevelopment Authority;

11 (2) “NTSC” means the John A. Volpe National  
12 Transportation Systems Center;

1           (3) “Authority” means the Cambridge Redevel-  
2           opment Authority of the city of Cambridge, Massa-  
3           chusetts;

4           (4) “CRA controls” means the restrictions, re-  
5           quirements, and other provisions affecting the use  
6           and ownership of property within the Kendall  
7           Square Urban Renewal Project Area contained—

8                   “(A) in the Urban Renewal Plan;

9                   “(B) the Land Disposition Contract;

10                   “(C) the deed or deeds or transfer of any  
11           such property from the Authority to the United  
12           States;

13                   “(D) zoning and building laws of the city  
14           of Cambridge, Massachusetts; and

15                   “(E) any other applicable provisions or  
16           agreements previously approved by the Federal  
17           Government;

18           (5) “disposable real property” means certain  
19           land and the building thereon within parcel 1 of the  
20           Kendall Square Urban Renewal Project Area, gen-  
21           erally shown as tract 1 on a plan entitled “Master  
22           Action Plan, Kendall Square Urban Renewal Project  
23           Area, parcel 1, tracts 1, 2 and 2A, September 2000,  
24           scale: 1”=80’”, prepared by Fay, Spofford and  
25           Thorndike, Inc., Engineers, Burlington, Massachu-

1       setts, presently owned by the United States subject  
2       to CRA controls;

3               (6) “tract 1” means that tract of land con-  
4       taining 5.8 acres and the building thereon shown as  
5       tract 1 on the plan entitled “Master Action Plan,  
6       Kendall Square Urban Renewal Project Area, parcel  
7       1, tracts 1, 2, and 2A, September 2000, scale:  
8       1”=80’”, prepared by Fay, Spofford and Thorn-  
9       dike, Inc., Engineers, Burlington, Massachusetts;

10              (7) “tract 2 and tract 2A” means those tracts  
11       of land and the buildings thereon shown as tract 2  
12       and as tract 2A, containing 8.5 acres of land and  
13       the buildings thereon, on a plan entitled “Master  
14       Action Plan, Kendall Square Urban Renewal Project  
15       Area, parcel 1, tracts 1, 2, and 2A, September 2000,  
16       scale: 1”=80’”, prepared by Fay, Spofford and  
17       Thorndike, Inc., Engineers, Burlington, Massachu-  
18       setts;

19              (8) “Urban Renewal Plan” means the Urban  
20       Renewal Plan for the Kendall Square Urban Re-  
21       newal Project Area dated October 1965, as amend-  
22       ed;

23              (9) “Land Disposition Contract” means the  
24       Land Disposition Contract between the Authority

1 and the United States, dated June 13, 1966, as  
2 amended and supplemented; and

3 (10) “Moderate-income family” means a family  
4 whose income does not exceed 80 percent of the me-  
5 dian income for the area.

6 (b) EXTENSIONS OF PLAN AND RESTRICTIONS.—The  
7 provisions of the Urban Renewal Plan applicable to prop-  
8 erty in the Kendall Square Urban Renewal Area conveyed  
9 by the Authority to the United States and such restric-  
10 tions, agreements, and covenants in the deeds of convey-  
11 ance of such property which would otherwise terminate on  
12 August 30, 2010, shall be extended by the Authority until  
13 August 30, 2020, as may be required by Federal or State  
14 housing subsidies and changes in permitted uses to allow  
15 public open space, housing, and accessory uses. The ap-  
16 propriate instruments to effectuate such extensions on be-  
17 half of and in the name of the United States upon receipt  
18 from the Authority shall be executed and delivered.

19 (c) RECONVEYANCE REQUIRED; CONDITIONS AND  
20 CONSEQUENCES.—

21 (1) RECONVEYANCE.—Notwithstanding provi-  
22 sions of any other law and any provisions of the  
23 Land Disposition Contract to the contrary, the dis-  
24 posable real property shall be reconveyed, not later  
25 than 6 months after the date of enactment of this

1 Act, from the Government to the Authority, and in  
2 consideration therefore—

3 (A) the Authority shall prepare and carry  
4 out a master plan for the development and  
5 reuse of the disposable real property that in-  
6 cludes the making of appropriate demolition, al-  
7 terations, installation of public improvements,  
8 and sale or lease of tract 1 for the purpose of  
9 open space and housing (of which, a total of 30  
10 percent of the dwelling units shall be for low-  
11 and moderate-income families, who, with re-  
12 spect to the lease of such units, shall not be re-  
13 quired to pay more than 30 percent of their an-  
14 nual income for the yearly rental thereof);

15 (B) the Authority shall, upon the reconvey-  
16 ance of the disposable real property to it under  
17 this subsection, shall be responsible to make a  
18 payment to the Government, calculated on the  
19 basis of the number of market rate housing  
20 units constructed times a factor of \$15,000 per  
21 unit, by a nonrecourse note of the Authority in  
22 such principal amount, payable in or within 5  
23 years from the date of reconveyance, which note  
24 shall be secured by a first mortgage on such  
25 disposable real property and shall provide for

1 partial release or releases upon payment of rea-  
2 sonably equitable portions of the outstanding  
3 unpaid principal; and

4 (C) the Authority shall cooperate with the  
5 Department of Transportation to secure addi-  
6 tional space, if needed, within the Kendall  
7 Square Urban Renewal Project Area for the ex-  
8 pansion of the facilities and functions of the  
9 Department.

10 (2) PROVISIONS OF OFFICE SPACE, PARKING  
11 AND RELATED FACILITIES.—

12 (A) FEASIBILITY STUDY.—In order to  
13 carry out the purpose of this Act, the Secretary  
14 of Transportation shall make available  
15 \$500,000 for the purposes of undertaking a  
16 feasibility study to determine the amount of  
17 new general office space in new buildings on  
18 parcel 1 to be used—

19 (i) by contractors engaged in NTSC  
20 work activities;

21 (ii) by NTSC for expansion space; and

22 (iii) for lease to other private firms  
23 seeking space in the Kendall Square area.

24 (B) GROUND LEASE.—The Secretary is  
25 authorized to enter into a long-term ground

1 lease with the Authority for the purpose of pro-  
2 viding buildable lots to accommodate office uses  
3 the amount of which to be determined by the  
4 feasibility study described in subparagraph (A)  
5 and based on office market conditions in the lo-  
6 cality. Office space, biotechnology office and  
7 manufacturing facilities shall be located on Par-  
8 cel 1 south of Potter Street and shall involve,  
9 exclusively, entities having development rights  
10 in the Kendall Square Urban Renewal Area.  
11 Further, the Secretary shall grant to the Au-  
12 thority a permanent easement on tract 2 for the  
13 construction and operation of an electric utility  
14 station.

15 (C) STRUCTURED PARKING.—The Sec-  
16 retary shall make available \$12,500,000 for the  
17 purpose of providing structured parking to be  
18 used by the NTSC and its contractors' employ-  
19 ees to be constructed in accordance with the  
20 ground lease described in subparagraph (B).  
21 Such structured parking may be incorporated  
22 into an office building structure. In the event  
23 that the construction of office buildings is not  
24 feasible, funds shall be used to construct a  
25 multilevel parking deck for employee parking.

1           (D) DEMOLITION.—The Secretary of  
2           Transportation shall make available to the Au-  
3           thority \$3,000,000 for the purpose of demol-  
4           ishing the existing shipping and receiving facil-  
5           ity (building 6), relocating and incorporating  
6           the existing functions and occupants in the  
7           high-rise building (building 1), and for site  
8           preparation.

9           (E) OPEN SPACE AND AMENITIES.—The  
10          Secretary of Transportation and the Secretary  
11          of Housing and Urban Development are di-  
12          rected to make available funds to the Authority  
13          in the amount of \$2,000,000 for the purpose of  
14          developing approximately 165,000 square feet  
15          of open space for a full-size soccer field and re-  
16          lated amenities and a replacement playground  
17          to serve the NTSC day care program which will  
18          be relocated from its present location. Further,  
19          the Secretaries are directed to identify and  
20          make available to the Authority sufficient hous-  
21          ing subsidies to finance not less than 75 dwell-  
22          ing units of housing that qualifies as affordable  
23          housing under the provisions of section 215 of  
24          the Home Investment Partnerships Act (42  
25          U.S.C. 12745). If an abutting tract of land is

1 developed for housing, the Secretary of Housing  
2 and Urban Development shall identify and  
3 make available subsidies to finance not less  
4 than an additional 75 units of affordable hous-  
5 ing units.

6 (F) PEDESTRIAN PASSAGEWAY.—The Sec-  
7 retary of Transportation shall make available  
8 through the Federal Transit Administration  
9 funds to design and construct a safe pedestrian  
10 passageway from the rapid transit facility (Ken-  
11 dall Square Station) to the NTSC facilities.

12 (G) HOUSING PROGRAM.—The Secretary  
13 of Housing and Urban Development shall assist  
14 the Authority and the city of Cambridge to im-  
15 plement a program to create housing on parcel  
16 1 and the existing residential neighborhoods in  
17 East Cambridge and Area 4, north and west of  
18 NTSC, respectively.

19 (H) PREPARATION.—The Authority may  
20 take such actions as are appropriate to ensure  
21 that it is prepared to enter into ground leases  
22 with the Government for the purpose of devel-  
23 oping office buildings and a parking structure  
24 as described in subparagraphs (B) and (C) and  
25 shall take such actions as are appropriate to en-

1           sure that not later than 1 year of the date of  
2           enactment of this Act, not less than 500 park-  
3           ing spaces on parcel 1 of the Kendall Square  
4           Urban Renewal Project Area are available for  
5           use by employees of the NTSC, its contractors  
6           and tenants, and that such parking is located  
7           on parcel 1. The Authority shall cooperate with  
8           any implementing actions taken by the Depart-  
9           ment of Transportation to ensure that—

10                   (i) the existing shipping and receiving  
11                   facility is demolished; and

12                   (ii) the functions from such facility  
13                   are relocated.

14           (3) AUTHORITY TO EXECUTE INSTRUMENTS.—

15           In making the reconveyance provided for in para-  
16           graph (1), the Government may execute any instru-  
17           ments, including contracts and deeds necessary or  
18           appropriate to carry out the provisions of this sec-  
19           tion.

20           (4) UNITED STATES RELIEVED OF OBLIGA-

21           TIONS.—Upon the reconveyance of the disposable  
22           real property to the Authority, the United States  
23           shall be relieved by the Authority of any obligation  
24           to develop the disposable real property under the  
25           Land Disposition Contract.

1           (d) EFFECTS ON OTHER RIGHTS AND OBLIGATIONS  
2 PROHIBITED.—Nothing in this section shall affect any of  
3 the rights and obligations of any party, or the responsibil-  
4 ities and authority of the Authority and the United States  
5 applicable to any other portions of the Kendall Square  
6 Urban Renewal Project Area. Nothing in subsection (c)  
7 shall limit the Authority from seeking or obtaining avail-  
8 able Federal, State, or local financial assistance in order  
9 to comply with the requirements of subsection (c).

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