

Chapter 219 Acts of 2016

SECTION 119. Chapter 301 of the acts of 1998, as amended by section 37 of chapter 303 of the acts of 2008, and as further amended by chapter 291 of the acts of 2014, is hereby further amended by striking out, in subsection (c) of section 19, the last sentence and inserting in place thereof the following 5 sentences: -

The preceding three sentences of this subsection shall not apply to any portion of the parkway. Ownership of any completed portion of the parkway, together with ownership of any associated and completed infrastructure including but not limited to public utilities and sewer and storm drain lines located within or adjacent to said portion, shall be transferred to the applicable town, or to the authority, no later than the later of thirty days following the date on which said portion of the parkway is completed or October 1, 2016, as applicable. Prior to the date on which any portion of the parkway is completed and until such date that ownership of said portion is transferred in accordance with the provisions of this subsection, said portion shall remain subject to the master developer's control. On or after the date on which any portion of the parkway is completed and ownership of said portion is transferred in accordance with the provisions of this subsection, any applicable town, or the authority, may enter into a contract with a governmental person, a nonprofit person or a private person for the operation and maintenance of said portion, together with operation and maintenance of associated infrastructure including but not limited to public utilities and sewer and storm drain lines located within or adjacent to said portion. For purposes of this subsection, (i) except for that portion of the parkway constituting "Parkway-Phase 1" as defined in Article I of the Parkway financing MOA, any portion of the parkway shall be deemed completed on the date on which said portion is open and available for public use, and (ii) that portion of the parkway constituting "Parkway-Phase 1" as defined in Article I of the Parkway financing MOA shall be deemed to have been completed no later than August 19, 2013.