



Nahant Town Hall  
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Board of Selectmen

October 6, 2020

To the Citizens of the Town of Nahant:

Greetings.

In our *Second Statement on the East Point Wildlife Preserve*, dated June 1, 2020, we examined the financial implications of having the Town acquire by eminent domain whatever rights are necessary to keep the East Point Wildlife Preserve undisturbed, protected and accessible to the public in perpetuity. In the several months since, we have continued to examine the financial implications to the Town in the event Town Meeting authorized and the Board decided that a taking by eminent domain is justified. We are pleased to provide you with the following additional information for your consideration.

Under Massachusetts eminent domain law, the Town has a constitutional responsibility to determine a full, fair and just compensation which will be paid to the owner when property is taken. The owner has a right to challenge that determination, but the Town makes the determination first by having the property's fair market value appraised by a qualified, real estate appraiser. Emmet T. Logue MAI was retained to prepare the appraisal. He is an appraiser with more than 40 years of experience and recommended to the Town as also having been involved in many eminent domain cases. We are making his full qualifications available for your review.

We have been provided with a copy of his 100+ page appraisal report and, together with our attorneys, have reviewed the report in detail. Mr. Logue's analysis of the property and his opinion of value are well-supported.

In matters of eminent domain where litigation must be anticipated, particularly here where the Town is already in a lawsuit with Northeastern University, the Board has been advised that to protect the Town's interests, the appraisal report may be treated as confidential under Massachusetts law. We believe that the Town's financial position would be severely jeopardized by voluntary disclosure of the appraisal report when it is not required. Owners of property taken have no obligation to disclose their appraisal reports either. However, it is also very important that the taxpayers of Nahant have as much information as possible about the potential financial consequences which may result from a taking. For that reason, we have instructed our lawyers to prepare a comprehensive summary of the Logue appraisal report and are making that public.

We welcome your questions.

*Nahant Board of Selectmen*