

ARTICLE 18

**BYLAW AMENDMENT/APPRAISALS OF
TOWN PROPERTY INTERESTS**

To see if the Town will vote to amend the Town Bylaws to add a provision or provisions requiring the Town to determine the value of any real property interest before disposing of it by using procedures customarily accepted as valid by the appraising profession, including hiring an appraiser at the Town's discretion; or take any action related thereto.

(Inserted at the request of Lisa Reynolds and ten registered voters)

VOTED: That Title I, Article 8 be and is hereby amended to add a new provision regarding the assessment and disposal of Town owned real property interests, so as to read in its entirety as follows:

ARTICLE 8: DISPOSAL OF TOWN PROPERTY

A. Disposal of Material and Personal Property

No official or employee of the Town shall dispose of any material or other personal property belonging to the Town without permission being granted by a vote of the Town, subject to the following exception.

Any department, board, or committee of the Town may sell or otherwise dispose of scrap material or other discarded personal property belonging to the Town which is within the jurisdiction or control of such department, board, or committee, provided such department, board, or committee in its sound discretion first determines that a just and reasonable value for such property does not exceed \$500.

B. Disposal of Real Property and Related Interests

In addition to other applicable state law requirements, the Town must determine the value of any recorded real property interest, including leases, mortgages, preservation restrictions, easements, and/or profits à prendre before disposing of same whether by sale, abandonment, or other permanent disposal, by using procedures customarily accepted as valid by the appraising profession. The Town may hire an appraiser, but it is not required to do so.

The provisions of this subsection shall be construed apply even to those recorded property interests or instruments which do not require appraisal under state law.

(5-0)

COMMENT: The Board of Selectmen recommends favorable action on this straight-forward measure proposed by Ms. Lisa Reynolds to codify an appraisal requirement for any and all recorded Town real property interests and instruments within the Town Bylaws. The measure mirrors State law requirements for most real property and related transactions. However, the proposed addition, featured in many other communities' bylaws, would also unambiguously apply to a broader set of real property matters, including paper roads. The Board also notes that as constructed and advocated by its proponents, neither adherence to the results of such appraisals, nor the hiring of an appraiser are required. As such, the modest procedural requirements should yield long-term consistency and clarity without abridging flexibility in a burdensome manner.