



TOWN OF ACTON
Town Manager's Office
472 Main Street
Acton, Massachusetts, 01720
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February 6, 2004

Mr. Richard A Bruce
Briarbrook Village Board of Governors
21 Davis Road
Acton, MA 01720

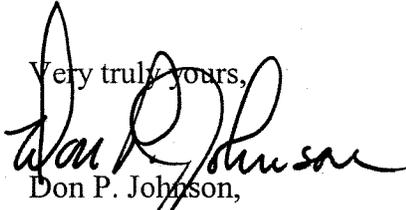
Subject: Parcel F, Davis Road

Dear Mr. Bruce:

Thank you for your letter of January 23 in the subject regard (copy attached). The Board of Selectmen reviewed this communication at their January 26 meeting. After due deliberation, the Board determined that an Eminent Domain Taking would not be appropriate under the circumstances.

The Selectmen had been hopeful that the Briarbrook Village Board of Governors would demonstrate a greater sense of community and entertain a "friendly" taking for nominal consideration. Unfortunately, your letter seeks compensation far in excess of that which the Selectmen consider nominal. Accordingly, the Board asked me to advise you of their decision and their disappointment in this matter. With this decision made, the Selectmen will be removing the Davis Road Street Acceptance Article from the pending Warrant for the April Town Meeting.

Very truly yours,


Don P. Johnson,
Town Manager

Cc: Board of Selectmen
Board of Trustees, The Arbors Condominium Association
Board of Trustees, Bellows Farm Condominium
Ronald Peabody, Northwest Development

Briarbrook Village

1/24 (11)

21 DAVIS ROAD • ACTON, MA 01720 • (978) 263-8866

23 January 2004

Mr. Don P. Johnson
Town Manager
472 Main Street
Acton, MA 01720

By fax to 978 264-9630
Original to be mailed.

Dear Mr. Johnson:

The Briarbrook Village Board of Governors has asked me to respond to your letter of November 19, 2003, concerning Parcel F and the Town's acceptance of Davis Road. The Briarbrook Board had met in November before your letter was sent and did not meet again until last week.

Our understanding is that the Town is considering taking Parcel F by eminent domain, which would avoid the difficulties that Briarbrook Village would face in trying to convey part of its common area. If Parcel F were taken by eminent domain, the Briarbrook Board would want to have assurance that Briarbrook would continue to have the ability to maintain and repair the sewage lines and any other utilities that run through Parcel F. In addition, the Briarbrook Board would want to be reimbursed for attorneys fees and any other transaction costs that would otherwise be borne by Briarbrook. If the foregoing could be satisfactorily addressed, the Briarbrook Board of Governors would accept \$25,000 as compensation for the taking of Parcel F.

If you have any question about this, please call me at (978) 263-8866.

Sincerely,



Richard A. Bruce

cc: Briarbrook Village Board
of Governors