

Release of Easement Rights - Instructions

Proprietors who wish to be exempted or excluded from taxation from the Sherwood Forest Lake District need to file a petition with the prudential committee pursuant to Section 21 of Chapter 107 of the Acts of 2010. (Exclusion shall not be granted by the district if the petitioner's property directly abuts any lake under the jurisdiction of the district.)

Applications for exclusion from the Sherwood Forest Lake District that meet the criteria set forth in Chapter 107 of the Acts of 2010 which are provided to the prudential committee any time after its creation will be reviewed by the prudential committee who shall cause an appropriate article to be inserted in the warrant for the next district meeting, shall examine the reasons stated and shall report its findings, with recommendations to the meeting. The proprietors in attendance at the district meeting will vote to grant or deny an exclusion.

Applications for exclusion will not be accepted by the prudential committee unless the petitioner agrees to release any easement rights to access the lakes and the beaches in the district. Furthermore, the petitioner shall state a reason that exclusion is requested, stating that such property is so situated that it does not benefit from the activities of the district.

In any case exclusion from the district will not become final until a Release of Easement Rights form or an equivalent one prepared is filed and accepted at the Berkshire Middle District Registry of Deeds and recording fees have been paid. A copy of the recorded document shall be submitted to the prudential committee and the Town of Becket board of assessors prior to January 1, 2012.

SECTION 9. At least 30 days prior to the annual district meeting the board of assessors of the town of Becket shall prepare and forward to the committee a true and complete alphabetical listing, with addresses, of the proprietors reflected in their records, excluding the proprietors who have been granted exclusion from the district as of January 1.

The form on the reverse side of this instruction sheet may be used or the proprietor(s) may choose to have an attorney submit other documentation that legally meets the requirements set forth in this release form.

A petitioner aggrieved by the action of the committee or by the action of the proprietors of the district on his petition may appeal to the superior court sitting in equity within the county in which the district is located for a remedy.

If any proprietor receives a tax bill from the Town of Becket for taxes, which have been levied by the Sherwood Forest Lake District, but the proprietor believes the property has been excluded, then the proprietor must follow the procedures set forth by the Town of Becket and request an abatement. It behooves proprietors whose request for exemption has been acted upon favorably at the the district meeting to compete the required action at the Berkshire Middle District Registry of Deeds before the initial tax bill are sent out by the town.