

Mark S. Ells, Director
Town of Barnstable Public Works
230 South Street
Hyannis, Ma. 02601

Re: Stewart's Creek Sewer Extension Project, Notice of Refusal to Provide
Permission to Access a Private Way

Dear Mr. Ells:

This is official notification of my refusal to provide any permission to the Town of Barnstable Public Works Department or your agents to construct, maintain, or operate a subsurface sewer main and upgrade water mains in or on the private way which abuts my property at _____.

The basis for this notification is to be sure that you and the Town of Barnstable do not construe my failure to give permission is defacto permission. The Town of Barnstable has chosen to destroy, acquire or devalue my property without proper and reasonable compensation. Your letter of notification did fail to provide any notice of the effect upon me, my family or the value of my property or the cost to me and my family of your action. Your letter and request for permission to enter upon the private way is a fraudulent misrepresentation by the Town of Barnstable upon me as well as the other abutters to the private way.

Therefore, should the Town of Barnstable or it's agents enter upon _____ for the purpose of installing a municipal sewerage and an upgraded waterline to the said benefit of the Town of Barnstable, I will consider such as criminal trespass. The aforesaid basis for such project is for the sole benefit the Town of Barnstable pursuant to your notice and therefore the

Town of Barnstable is mandated by the fairness doctrine to pay for said upgrade and sewer main. Should your action continue, you and the Town of Barnstable and Town Counsel, by this action, have been deprived of my property rights and the value of my home due to the Town of Barnstable and Town Counsel, without proper and reasonable due process, forcing me and the other property owners, who are affected by this vile and illegal action, which by your own words, benefits the Town of Barnstable in it's totality, to personally pay for this upgrade where there is no benefit to me or my family.

Therefore, I refuse any permission for the Town of Barnstable or it's agents to enter upon said way for the purpose to install a sewer main and upgrade the water mains, due to the fraudulent, misrepresentation and illegal taking perpetrated upon me and my family by you, the Town Counsel, and the Town of Barnstable.

Respectfully submitted,

Date:

cc: Town Manager
President of the Town Counsel