

**NOTICE OF ACQUISITION OF UNIQUE PROPERTY**  
**IN THE TOWN OF BOURNE**  
**PROPERTY AT 0 ROUTE 28, BOURNE, MA**

**Determination of Uniqueness of Real Property Acquisition:**

The Town of Bourne, in accordance with Section 16 (e) (2) of G.L. Chapter 30B, hereby determines that the proposed land purchase described herein is unique and exempt from requirements to solicit proposals to acquire property. The Town has determined that advertising will not benefit the Town's interest because of the unique qualities and location of the property.

This determination is based on the following:

- The Town owns approximately 12-acres of land adjacent to its Solid Waste Management Facility on MacArthur Boulevard in Bourne which it intends to develop as part of long-term site development master plan for the facility.
- The Town needs as much space as possible on the 12-acre parcel in order to locate offices, maintenance facilities and solid waste handling and transfer facilities that will be displaced as the existing landfill is expanded. Therefore, acquiring this land is vital to providing Bourne and the Cape Cod region with long-term disposal capacity which is rapidly decreasing in MA and Southern New England overall.

The identified parcel is unique and meets the strict requirements of NHESP and is advantageous because it is located between two parcels of land currently owned by the Town for conservation purposes. This native pine-oak woodland has been designated by the MA Division of Fisheries and Wildlife, Natural Heritage and Endangered Species (NHESP) as Priority Habitat for the Eastern Box Turtle which is a state-listed Species of Special Concern. As such, the Town is required to mitigate any acreage it utilizes at a ratio of 1.5 acres for each acre it takes. This parcel will unite these parcels and put them under the care and custody of the Bourne Conservation Commission, creating a contiguous corridor protecting the Eastern Box Turtle population. On October 3, 2019, the Bourne Conservation Commission voted to support the acquisition of mitigation land for the purposes of developing the solid waste.

### Reasons for the Determination of Uniqueness:

The Town of Bourne has sought to acquire property deemed by the MA Division of Fisheries and Wildlife as suitable habitat for the protected Eastern Box Turtle.

Finding Priority Habitat for the Eastern Box Turtle in sufficient quantities has been very difficult. The Town has researched the area and in 2020 solicited proposals for sellers of such parcels. Through this process the Town has identified this six and one-half acre parcel in Bourne owned by the Flyover Nominee Trust. NHESP has determined that this parcel is appropriate for the mitigation purposes described above and is therefore a unique property under G.L. Chapter 30B.

### Name of the Parties with a Beneficial Interest in the Property:

The Town has identified the following parties as holding a beneficial interest in the proposed acquisition of unique property in the Town of Bourne. The following names of the parties who hold beneficial interests in the proposed acquisition have been provided to the Town by the attorney for the Flyover Nominee Trust:

Fred Abbe, Sue Abbe, Courtenay Harrington Bailey and Christopher Bailey.

Flyover Nominee Trust Trustee: Katherine Harding.

### Location and Size of the Property:

The parcel is approximately 6.5 acres and is located at 0 Route 28 in Bourne, MA. Identified as Flyover Nominee Trust shown as Lot 2 on Map 52, Parcel 41 on the Bourne Assessor's Map.

### The Proposed Purchase Price:

The proposed purchase price is \$130,000 as set forth in an Option to Purchase that has been recorded at the Barnstable County Registry of Deeds at Book 34397, Page 240. Funding will be provided by the Town of Bourne, Department of Integrated Solid Waste Management Enterprise Fund.