

§16104. Appeals

If the owner is aggrieved at the damages awarded that owner under this chapter, the owner may appeal to the Superior Court of the county in which the land or any part of it lies. [RR 2019, c. 2, Pt. B, §25 (COR).]

1. Procedure. The owner shall file a complaint in the court and serve the school administrative unit with a copy within 90 days of the date of recording of the description of the lot in the registry of deeds. The complaint shall set forth substantially the facts, but shall not state the amount of the damages previously awarded to the owner.
[PL 1981, c. 693, §§ 5, 8 (NEW).]

2. Determination of damages. The damages may be determined in the Superior Court by a committee of reference if the parties so agree, or by a jury verdict.
[PL 1981, c. 693, §§ 5, 8 (NEW).]

3. Costs. If the damages are increased, the school administrative unit shall pay the damages and costs; otherwise, the costs shall be paid by the appellant.
[PL 1981, c. 693, §§ 5, 8 (NEW).]

4. Committee of reference compensation. A committee of reference shall be allowed a reasonable compensation for its services. This compensation shall be fixed by the court upon the presentation of its report and paid from the county treasury upon the certificate of the clerk of courts.
[PL 1981, c. 693, §§ 5, 8 (NEW).]

5. Further appeal. An appeal may be taken by a party from the judgment of the court to the Supreme Judicial Court.
[PL 1981, c. 693, §§ 5, 8 (NEW).]

SECTION HISTORY

PL 1981, c. 693, §§5,8 (NEW). PL 1983, c. 806, §102 (AMD). RR 2019, c. 2, Pt. B, §25 (COR).

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