D) Should the net revenue (whether the future Town Management chooses sales, rentals, or a combination) be dedicated exclusively to the School Budget, exclusively to the General Government Budget, or some combination of both?

Reasonable answers to some of the above questions may well require expert opinion - real estate appraisors to advise the Town of various permutations of possible net income(s) to calculate potential financial benefits to the public.

There may be other aspects of the Feoffee structure I am unaware of, and other questions I haven't thought of. I welcome anyone's raising any broad, policy questions concerning this subject at an early stage so that all of us are made aware of them, and hopefully arrive at a consensus before reaching the courtroom.

By way of an additional procedural comments:

I am not providing George Howe with a copy of this opinion, departing from my usual administrative procedure. I am not providing Dick Thompson a copy at Dick's specific request (to Jeff Simon and myself). Dick rents one of the 170 cottages on Little Neck and is apprehensive that there is or may be perceived a conflict between his financial interest as a Tenant and his public responsibility as Superintendant of Schools. I have, of course, honored his request that he not be informed of the status of my Opinion concerning the Feoffee situation. I leave it to Jeff and the School Committee to deal with the Dick Thompson - Feoffee - Tenant - Little Neck - aspects of this situation in future months. I have no objections to the Selectmen providing a copy of this Opinion to George Howe, but strongly suggest that you exercise discretion in distributing copies for the time being.

A great deal of work went into this project - trying to reconstruct 350 years of very narrow, tightly focused Town history and to determine what the 1990s legal options and applicable law are. The following people were kind and generous in helping me to locate very old documents and in helping me comprehend ancient law and society, to bring this project to this point. Therefore, I am very grateful to Mary Conley, Fran Richards, and Bette Siegel, Documents Librarian at the State House Law Library and an Ipswich resident.

I shall await further guidance from the School Committee and the Board of Selectmen in regard to the Feoffees before taking any additional actions.

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