

**Condemnor Commonly Asked Questions:**

**Q. How much does it cost to file an eminent domain Declaration of Taking?**

A. There is a \$100.00 filing fee that should be made payable to “*Treasurer, State of New Hampshire.*”

**Q. How many copies of the Declaration do I need to provide the Board?**

A. There should be one (1) original signed copy for the file, plus an original and copy for each listed Condemnee on the taking.

**Q. Who should I make the deposit of damage check payable to?**

A. It should be made payable to all listed Condemnees on the declaration of taking and it must list “or CLERK, BTLA” (*Example: John Doe, Mary Doe or Clerk, BTLA*)

**Q. What information should be included in the Declaration?**

A. The requirements are listed in RSA 498-A:5, II.

**Q. What if a Condemnee only has a P.O. Box for an address?**

A. Both the statute and the Board require that the Condemnor identify each Condemnee’s interest in the property (ie. fee simple owner, mortgagee, easement holder, etc.), along with a physical street address for each Condemnee.

**Q. Does the Board require any additional information from the Condemnor?**

A. The Board requires a physical street address and location of the subject property being taken.

**Q. How long do I have to record the Declaration with the Registry of Deeds?**

A. The statute requires the Condemnor record the Notice within forty-eight (48) hours after the Declaration is filed with the Board. It must be recorded at the Registry where the property being taken is located.

**Q. When can I take possession of the property?**

A. Possession can occur once the estimated deposit of damages is filed with the Board.

**Q. How is service perfected on the Condemnee(s)?**

A. The Condemnor must notify the Board when the Declaration is filed how it wishes service to be perfected. Service can be perfected by: certified mail or by sheriff. If requested by certified mail, the Board will forward orders of notice to you for mailing, upon which you must file the return of service (U.S. Postal Service Return Receipt) with the board. If you choose by sheriff, the Board will mail the orders of notice to the appropriate county sheriff for service with a letter asking the sheriff to return the “return of service” to you, along with his fee, upon which you must file the return of service with the board indicating once all services are complete.