

TOWN OF SANBORNTON

ACKNOWLEDGMENT OF PRIVATE RIGHT-OF-WAY/PRIVATE ROAD/CLASS VI HIGHWAY AND NOTICE OF LIMITS OF MUNICIPAL RESPONSIBILITY

NOW COMES _____ (hereinafter referred to as “Owner” or “Owners”) residing at _____ and owning property located at _____ (property address), Town of Sanbornton, County of Belknap, and State of New Hampshire, (hereinafter referred to as “Town”), a municipal corporation existing under the laws of the State of New Hampshire.

WHEREAS, Owner is the owner of certain real property in Sanbornton, identified as Tax Map _____, Lot _____, as stated in Deed recorded at Book _____, Page _____ at the Belknap County Registry of Deeds;

WHEREAS, the relevant portion of the Road upon which Owner’s real property fronts or which Owner uses as a means of access to said real property, is either a private right-of-way, or a private road or a Class VI highway, as those terms are referenced in **RSA 229:5 & RSA 674:41**, as may be amended from time to time;

WHEREAS, the Planning Board reviewed and commented on the Certificate of Zoning Compliance permit application and the governing body voted on _____ (date) to authorize the processing of the Certificate of Zoning Compliance permit application;

WHEREAS, the Town will issue or has issued a Certificate of Zoning Compliance permit on said real property for _____ (describe subject of the Certificate of Zoning Compliance permit application) upon execution of this document and the filing of the same at the Belknap County Registry of Deeds by the Town.

NOW THEREFORE, said Owner, on behalf of himself, his heirs, legal representatives, successors and assigns, does acknowledge and agree that the Road is either a private right-of-way, or a private road or a Class a Class VI highway and further agrees that the Town has no legal duty to maintain the relevant portion of the Road and that the Town neither assumes responsibility for maintenance or repair, including snow plowing, nor liability for any damages resulting from the use of the relevant portion of the Road;

Owner shall be responsible for maintaining access to the subject property, including snow plowing, and shall assume responsibility for transporting any child to and from the nearest designated school bus stop; and does hereby forever release and discharge the Town, its officers, agents and employees from the obligation of maintaining the relevant portion of said Road and from any claim of any nature, whether in tort or otherwise, which Owner might have against the Town for any loss or damage, including those incurred through failure to provide municipal services including police, fire and ambulance services;

FURTHER, the Owner(s) will defend, indemnify and hold harmless the Town of Sanbornton, its officers, agents or employees against any and all claims, demands, costs and judgments arising from the use of the private right-of-way, or private road or Class VI highway.

Witness (Signed Name)

Owner (Signed Name)

Date

(Witness Printed Name)

(Owner's Printed Name)

Witness (Signed Name)

Owner (Signed Name)

Date

(Witness Printed Name)

(Owner's Printed Name)

TOWN OF SANBORNTON, by its Selectmen, Duly Authorized.

Witness

Selectman

Date

Witness

Selectman

Date

Witness

Selectman

Date

S:\SA-SD\Sanbornton, Town of\General\Class VI Road Acknowledgment form.doc

NOTE:

- A. Filing fee for recording this document at the Belknap County Registry of Deeds is \$16.
 - B. Filing fee for processing this document by the Town of Sanbornton is \$50.
- Please provide two separate checks, payable as noted above. This document will not be filed until these fees are paid.