Town of Stratford

1956 US Rt. 3, PO Box 366, Stratford, NH 03590
(603) 922-5533
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ACKNOWLEDGEMENT OF THE LIMITS OF MUNICIPAL RESPONSISIBLITY AND LIABILITY FOR *CHOOSE ONE:* CLASS VI HIGHWAY OR PRIVATE HIGHWAY IN CONNECTION WITH A BUILDING PERMIT APPLICATION PURSUANT TO *CHOOSE ONE:* RSA 674:41,I(C)(2)&(3) *[CLASS VI]* OR 674:I(D)(2) & (3) *[PRIVATE ROAD]*

NOW COMES, _____(hereinafter referred to as "OWNER") of_____ and the TOWN OF STRATFORD (hereinafter referred to as "TOWN"), a municipal corporation existing under the laws of the State of New Hampshire, and agree as follows:

WHEREAS, OWNER possesses certain real property fronting on Percy Road as stated in deed recorded at Book ____, Page ____ at the Coos County Registry of Deeds, and as identified on the TOWN_____; and

WHEREAS, the relevant portion of said _____ upon which the OWNER's real property fronts is a Class VI road as defined in RSA 229:5, VII; and

WHEREAS, the Town of Stratford Select Board has, on _____, adopted a policy pursuant to RSA 674:41, I(c) permitting buildings upon the above named real property at _____;

WHEREAS, said OWNER's construction shall also comply with all other applicable Regulations and Ordinances; and

WHEREAS, the TOWN and OWNER on behalf of themselves, their heirs, legal representatives, successors and assigns, covenant and agree as follows:

1. The TOWN shall allow OWNER to construct a camp on the OWNER's property at 87 Percy Road; and

2. The TOWN neither assumes responsibility for maintenance, including snow plowing, nor liability for any damages resulting from the use of the Class VI portions of (_____) Road; and

3. OWNER agrees that at his/her/their expense or at the expense of themselves and other owners of property similarly located on the Class VI portions of (_____) Road shall be responsible for maintaining access to the subject property in good and passable condition in a manner consistent with the requirements of the TOWN's Select Board and the TOWN's Fire Chief; and

4. That OWNER does hereby acknowledge that, pursuant to State statutes including but not limited to RSA 674:41, I(c)(2) (or I(d)(2) for private roads) and RSA 231:93, the TOWN, its officers, agents, and employees shall not assume any responsibility nor legal obligation for maintaining the Class VI portions of (_____) Road and are not, as well as shall not be, liable under any claim of any nature, whether in tort or otherwise, which OWNER might have against the TOWN for any loss or damage, arising out of the condition of the Class VI roadway or the TOWN's lack of responsibility for construction or maintenance of said roadway, including any claim grounded in the TOWN's failure to provide municipal services, including police, fire, ambulance and/or other emergency response services, resulting from the condition or lack of maintenance of the said roadway; and

5. That (_____) Road remains a public highway and OWNER shall not act to prohibit public use. The TOWN retains full authority to regulate the public use of the highway pursuant to RSA 41:11, including use by OWNER and the erection by the TOWN of unlocked gates or bars, as provided by RSA 231:21-a; and

6. That OWNER assumes any and all responsibility for transporting any children to the nearest regular school bus stop; and

7. That OWNER assumes any and all responsibility for transporting any rubbish to the nearest point of the regular rubbish collection; and

8. That this Acknowledgment is signed and executed by the OWNER as a condition to the approval to construct said building as provided by the TOWN and this document shall be recorded in the Coos County Registry of Deeds and within OWNER's chain of title concerning the subject property from which said Acknowledgment shall be binding upon the OWNER as well as all heirs, executors, administrators, successor and/or assigns.

EXECUTED this _____ day of _____.

_____

Scott V. Kurzweil & Kathleen M. Kurzweil, OWNER

STATE ON NEW HAMPSHIRE
COUNTY OF COOS, SS

Adopted June 10, 2019

On this _____day of _____, _____, before me, _____, the undersigned officer, personally appeared _____, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he/she/they executed the same for the purposes therein contained. In witness whereof, I hereunto set my hand and official seal.

_____
Notary Public/Justice of the Peace
My Commission Expires:_____

TOWN OF STRATFORD SELECT BOARD

_____
James M. Davis, Chairman

_____
Clayton Macdonald, Selectman

_____
Charles V. Goulet, Selectman
Selectmen of Stratford, NH

Adopted June 10, 2019

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Permit to perform road maintenance

Whereas a permit for Work in a Public Way or Place is required as set forth in RSA 236:9 through 236:12, the Stratford Select Board grants to _____ (hereinafter referred to as "OWNER"), of _____, :

1. Permission to perform regular maintenance on the western end of the Class VI portion of (_____) Road consisting only of snow removal, minor grading and resurfacing, and minor ditching and drainage. OWNER shall be required to obtain permits for other work and accepts the obligation to seek TOWN guidance and additional permits for other or more extensive work; and
2. That this approval by the TOWN shall expire ___ years from the recorded date of this document.

TOWN OF STRATFORD SELECT BOARD

_____
James M. Davis, Chairman

_____
Clayton Macdonald, Selectman

_____
Charles V. Goulet, Selectman
Selectmen of Stratford, NH

Adopted June 10, 2019