

GEORGIA MUNICIPAL OFFICES

Office of the Selectboard

47 Town Common Road North

St. Albans, VT 05478

(802) 524-9794

Email: administrator@townofgeorgia.com

Class IV Road Agreement

The Georgia Selectboard, at its meeting on _____, approved the use of the Class 4 Road (T.H. # _____) known as _____ for residential access in accordance with:

- ☐ Planning Commission Notice of Decision in the matter of PC-_____, dated _____, or
- ☐ Zoning Board of Adjustment Findings and Decision in the matter of ZBA-_____, dated _____, or
- ☐ Building Permit #_____, dated _____ for the pre-existing, undeveloped lot or,
- ☐ Selectboard Decision.

for _____ ("Permittee"). This approval is subject to Permittee's compliance with the following limitations and conditions:

1. The use of this road for access purposes is non-exclusive, i.e. you may not prevent others from using the road.
2. The Town shall incur no obligation to improve or upgrade this road, or for summer or winter maintenance beyond that normally provided for a Class 4 Road. It is the Town's policy to provide no maintenance to Class 4 roads. Permittee should review the school transportation policy, as the Town does not maintain Class IV roads in a manner that facilitates bussing.
3. Permittee shall bear sole responsibility for upgrading this road to Town specifications, as approved by the Selectboard. The road shall be inspected and approved by a certified engineer (at the applicant's expense) who shall determine, in writing, if Town requirements have been met. Said inspection to take place with an agent of the Town present.
4. Permittee, by acceptance of this Agreement, waives any right to petition the Town to upgrade the Road to Class 3 or to request summer and winter maintenance for the road. Permittee instead acknowledges and agrees that it shall be responsible for maintenance and repairs necessary to allow use of the road by Permittee for its intended purpose.
5. In the event that the Town discontinues this Road, it agrees to convey sufficient right of way for Permittee to continue the use of the road as a private driveway.
6. By acceptance of this Agreement, Permittee understands that future proposals for land development may require that the road be brought up to Town Road Construction Standards as set forth in the Town of Georgia Policy for Roads, or such standards as the Selectboard may have in effect, and at the sole expense of Permittee.

7. The Town will make all reasonable attempts to respond to emergency situations (i.e. fire, rescue, etc.) on Permittee's property. However, Permittee shall bear sole responsibility and shall indemnify the Town of Georgia against any damage or loss resulting from the inability of emergency personnel to access the property.
8. Permittee shall notify the Town in writing and shall obtain such permits as may be required for any planned work proposed to the road or within the road right of way, such as graveling, grading, ditching, tree and brush removal, utility line placement, etc.
9. Any change in use of Permittee's property may require additional approvals, permits or agreements from the Selectboard.
10. As the current owner of Lots ____ and/or ____, Permittee further agrees that it and future owners of said lots, or lots subdivided from such lots as recorded into their property deeds shall be obligated to share the cost of performing any necessary maintenance, repair and upgrade of the road to enable use of the road for its intended purpose on a proportional basis in accordance with Hubbard v. Bolieau, 144 Vt. 373 (1984).
11. Permittee shall include the following statement in any deed conveying any interest in Lots ____ or portions thereof:

The property hereby conveyed is subject to an approval of the Town of Georgia Selectboard, dated _____, and recorded in volume ____ at page ____ of the Town of Georgia Land Records. Said approval contains limitations and conditions concerning the use of the Class 4 Road (T.H. # ____) known as _____.

12. This approval shall be recorded in the Town of Georgia Land Records and shall be binding on Permittee and Permittee's successors in interest to _____ (lot #/ developer name).

Signed:

Matthew Crawford, Chair
 Deb Woodward
 Steve Lamos
 Tara Wright
 Jason Burt

_____	____/____/____
_____	____/____/____
_____	____/____/____
_____	____/____/____
_____	____/____/____

Landowner:

_____	____/____/____
_____	____/____/____