

**TOWN OF MONTGOMERY**  
**CLASS 4: TOWN ROAD & TRAIL POLICY**

**GENERAL**

1. Any land owner in the Town of Montgomery wishing to perform, or arrange for the performance of maintenance work on a Class 4 Town Road, Trail, or unclassified Trail shall make a written request to the Board of Selectmen prior to commencing any such work. The request shall contain drawings and descriptions of the work to be done, and the request should be submitted far enough in advance to give the Selectmen time to discuss the project with the Road Commissioner at a regularly scheduled Selectmen's meeting. No work on a Class 4 Town Road, Trail, or unclassified Trail shall commence without a signed agreement with the Selectmen. The land owner who signs the agreement with the Selectmen for work to be performed shall bear all costs associated with the work.
2. Before commencing work, the land owner shall sign and deliver to the Town Clerk, a letter in which they state that all the requirements for signs, work safety, and public safety required by law or reasonable prudence will be adhered to, that the road work will be done in accordance with specifications established by the Selectboard in conjunction with the Road Commissioner, and agree to indemnify the Town and its Agents for any and all damage, loss, or claim associated with the work.
3. When the work is finished, the Selectmen shall be notified in writing so that they can arrange for inspection and approval of the work.

**SUMMER MAINTENANCE**

1. The Road Commissioner shall annually inspect all Class 4 Town Roads that have, as of the date of the adoption of this Policy, at least one year round resident. The Road Commissioner will evaluate the roads inspected, and as time permits, will perform minimal maintenance. Resident input shall be considered. This maintenance shall not constitute improvements or upgrades.

**WINTER MAINTENANCE**

1. The Town shall not provide any winter maintenance on Class 4 Town Roads, Trails, or unclassified Trails. Plowing by private parties may only be done with the prior written permission of the Selectmen.

**UPGRADES**

1. It is the policy of the Selectboard to not upgrade Class 4 Town Roads, Trails, or unclassified Trails, however it is a landowner's right to request a reclassification. When considering any such reclassification, the Selectboard shall follow the procedures as set forth in 19 V.S.A §§708-716.

Adopted by the Montgomery Board of Selectman September 9, 2002

Kenneth Cota,  
Chairman

Jerome Mayhew

Arthur St. Onge Jr.

Merle Van Giesan

Tosca Smith

Review and Renewed June 2, 2008 by the Montgomery Selectboard

**CLASS FOUR, TRAIL, OR UNCLASSIFIED TRAIL  
AGREEMENT**

The Town of Montgomery, a municipal corporation in the County of Franklin and State of Vermont, and \_\_\_\_\_, property owner(s) in said Town, hereby agree as follows regarding the use and maintenance of a certain Class 4 road, Trail, or unclassified Trail in said Town, commonly known as \_\_\_\_\_.

1. The Town hereby grants to the above listed property owner(s) permission to use and maintain the above listed Class 4 Road, Trail, or unclassified Trail, for access to Parcel I.D. No. \_\_\_\_\_ that abuts said listed Class 4 Road, Trail, or unclassified Trail. Any improvements, repairs and maintenance shall be at the expense of the said property owners.

2. It is agreed that the Town of Montgomery, in granting permission for use and maintenance of said highway, shall have no responsibility, financial or otherwise, for any work to said Class 4 Road, Trail, or unclassified Trail, nor shall the Town be responsible for the use or damage to said Class 4 Road, Trail, or unclassified Trail caused by others.

3. This agreement is meant to allow the above property owner(s) access to their property without obligating the Town to any work or expense now or in the future, while also recognizing that this access will still be subject to the vagaries of winter and mud season travel and shall remain a Class 4 Road, Trail, or unclassified Trail.

4. Should the above owner(s) transfer the above identified property, it is agreed that the owner(s) will provide a full copy of this agreement to any prospective purchaser at the time a Purchase and Sale Agreement is signed.

IN WITNESS WHEREOF, the undersigned have set their hands and seals this \_\_\_\_ day of \_\_\_\_\_.

Witness: \_\_\_\_\_

Property Owner \_\_\_\_\_

Witness: \_\_\_\_\_

Property Owner \_\_\_\_\_

\_\_\_\_\_  
Chairman, Board of Selectmen

STATE OF VERMONT  
FRANKLIN COUNTY, SS.

At Montgomery in said County on this \_\_\_\_ day of \_\_\_\_\_ personally appeared \_\_\_\_\_, Chairman of the Montgomery Board of Selectmen, and \_\_\_\_\_ the above mentioned property owner(s), and they acknowledged this instrument, by them sealed and. subscribed, to be their free act and deed.

Before me, \_\_\_\_\_

Notary Public

My commission expires: \_\_\_\_\_