

- 1 (1) Information regarding the potential retention of a public easement;
2 (2) The affected property owner's maintenance obligations for and right of access to the
3 town way, if any;
4 (3) The right of access to the town way by the public if a public easement is retained; and
5 (4) Information regarding the rights of affected property owners to enter into agreements
6 regarding maintenances of and access to that town way, including the right of affected property
7 owners to allow prior private easements.
8 (d) An easement for public utility facilities to provide or maintain service remains in a town
9 way declared to be discontinued by abandonment regardless of whether a public easement is
10 retained by the municipality.
11 (e) If the municipality has declared a town way discontinued by abandonment and have
12 retained a public easement in the town way, the municipality shall remove any gates, bars or other
13 obstructions in the town way.
14 (f) This section does not alter the status of a previously abandoned town way.

15 SECTION 2. This act shall take effect upon passage.

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LC004638
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO HIGHWAYS -- QUALIFIED ABANDONMENT OF TOWN ROADS

1 This act would allow for a qualified abandonment of public town roads which grants a
2 public easement over said road allowing it to be converted to walking, biking, and hiking trails and
3 access to parks, nature preserves and other recreational facilities. The municipality would no longer
4 be responsible for the maintenance of said road. Any existing public utility easement would not be
5 affected and this section would not alter the status of a previously abandoned town way.

6 This act would take effect upon passage.

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