

TOWN OF WESTFORD

1713 Vermont Route 128 • Westford, Vermont 05494
Town Office (802) 878-4587 • Fax (802) 879-6503

April 5, 2008

Mr. & Mrs. Landowner
Everywhere
Westford, Vermont 05494

Dear Mr. & Mrs. Landowner:

The Westford Conservation Commission has chartered a Trail Maintenance Committee with the responsibility of identifying, developing and maintaining a network of trails in town. The trails would connect various parts of town and provide four-season, non-motorized recreation possibilities to the residents of the Town of Westford.

The Trail Maintenance Committee would like to develop an existing private trail ...add description here... that would cross a portion of your land. We are writing to ask for your permission to open, mark and maintain this trail across your land for a period of one year (January 1 through December 31). We consider the right to use your land a tremendous privilege, and we will work hard to make this a positive experience. You will always retain the option to shut down the trail(s) at your discretion. In addition, we will return to ask permission on a year-to-year basis so there is no long-term commitment required on your part.

As a landowner granting permission for the use of your land, your liability is limited by Vermont Statute 12 V.S.A. §5791, et seq. You, as a landowner, can only be successfully sued if a recreationalist is hurt as a result of willful and wanton misconduct on your part. This, incidentally, is the same standard of care that landowners owe to a trespasser. In addition, under the law you, as a landowner, have no duty to inspect the land to be sure it is safe for a specific recreational use or to discover any dangerous conditions. For more information, the State of Vermont publishes a booklet, which is available from the State and can be directly printed from the State's website at: www.state.vt.us/anr/fpr/recreation/pubrec.pdf. A copy of the booklet is also available from the Town Office or from the Conservation Commission.

We would like to thank you in advance for your consideration. If you have any questions please feel free to contact one of the members of the Trail Maintenance Committee. A member of the Trail Maintenance Committee will be calling you in a week to see if you have any questions.

Joel Fay
Chair, Westford Trail Maintenance Committee
878-1215 or joelmary4h@aol.com

Landowner Permission Form

Westford Conservation Commission

Approval for non-motorized, multi use trail(s) to cross private land.

I/We _____ hereby give permission to the Westford Conservation Commission and the Westford Trail Maintenance Committee to use and maintain existing trails on my property for non-motorized travel, such as hiking, bicycling, horseback riding, snowshoeing, and cross-country skiing, or, to construct and maintain a new recreational trail on my property for the same type use, from 1 January 2008 to 31 December 2008.

This is not a transfer of property rights. It merely gives the residents of the Town of Westford permission to cross privately owned land. The landowner can terminate this permission at any time. Trails will not be constructed without prior permission, and the Westford Conservation Commission and the Westford Trail Maintenance Committee will coordinate all trail construction activities with the landowner. It is understood that my land is open only on marked trails or specially designated areas as follows:

...add description here...

I am fully aware that my liability exposure is limited by the Vermont State Law VSA Title 12, Section 5793.(a), which states, "An owner shall not be liable for property damage or personal injury sustained by a person who, without consideration, enters or goes upon the owner's land for a recreational use unless the damage or injury is the result of the willful or wanton misconduct of the owner."

Landowner or Lessee

Name:

Address:

Phone:

Signature of Landowner or Lessee: _____

Date: _____