

Criteria to accept a road in an “as-is” condition:

- The “unaccepted street” must be currently maintained by the City and have been maintained by the City since 1979. Public Works has found a memo dated 1979 that lists the private streets that have been receiving City services.
- The developer of the newer roads must have met all conditions established by the Planning Board or went out of business before the development was completed.
- The condition of the road must not be such that it is a disservice to the abutters to accept the road in an “as is” condition.
- The condition of the road and its drainage system is such that it does not present a hazard to the abutters or those residents that are downhill/downstream of the road.
- Deeds or covenants on the road or development do not restrict the private road from becoming public.
- The road has been constructed, i.e., it is not a trail used by vehicles to gain access to their property.
- The road must not be in a state right of way.

Additionally, all abutters on the road must provide an easement to the City. The City will not use eminent domain to obtain an easement on a property that prevents access to remainder of an unaccepted road that is being considered for acceptance “as-is”.