

CITY OF LACONIA, NEW HAMPSHIRE

**Notice of Limits of Responsibility and Liability Regarding
Building Permit for Property Abutting a Private Road
Pursuant to RSA 674:41**

NOW COME _____

(hereinafter referred to jointly or severally as "owner") with a residential address of

_____, and the City of Laconia, New Hampshire (hereinafter referred to as "city"), a municipal corporation existing under the laws of the State of New Hampshire with an address of _____, and agree as follows:

WHEREAS, owner owns certain real property (Tax Map_____, Lot_____) which abuts _____ Road, conveyed to said owner by a Deed recorded at Book_____, Page _____ at the Belknap County Registry of Deeds; and

WHEREAS, the relevant portion of said _____ Road upon which owner's real property fronts a private road that has not approved by the Laconia Planning Board, so that the owner's property is therefore subject to the building restrictions imposed under RSA 674:41;

NOW THEREFORE, the city and owner on behalf of themselves, their heirs, legal representatives, successors and assigns, covenant and agree as follows:

1. The city shall allow owner to construct a single family residence on the property identified above subject to the terms and conditions of a building permit to be issued by the city.
2. The owner understands and accepts that the city has no duty or authority as a matter of law to maintain the private road; the parties understand and agree that the city assumes no responsibility for maintenance, including but not limited to snowplowing, of said _____ Road, and no liability for any damages arising from the owner's maintenance or the owner's or other parties' use of said road.
3. Owner agrees to be responsible for maintaining access to the subject property and does hereby forever release and discharge the city, its officers, agents and employees from any loss, damage, claim or expense of any kind or nature whatsoever arising directly or indirectly from the condition and use of said road, including but not limited to any loss, damage, claim or expense arising from failure to provide any municipal services such as police, fire and ambulance services.

4. Owner hereby acknowledges that school bus service will not be provided on said road and assumes responsibility for transporting any children who may now or in the future reside on the property to the nearest regular school bus stop.

5. The parties understand and agree that this Notice of Limits shall be recorded at the Belknap County Registry of Deeds before the building permit is issued, as required under RSA 674:41, I(c)(3).

IN WITNESS WHEREOF the parties have hereunder set their hands this _____ day of _____, 20 ____.

Witness: _____ (Owner)

Witness: _____ (Owner)

CITY OF LACONIA

Witness: _____ By: _____
Laconia City Manager
Duly Authorized