

AGREEMENT AND RELEASE  
BUILDING PERMIT for CLASS VI/PRIVATE HIGHWAY

NOW COMES Michael Kay and Catherine Zarakotas, (hereinafter referred to as "Owner") of County of Merrimack, State of New Hampshire, and the Town of Canterbury (hereinafter referred to as "TOWN"), a municipal corporation existing under the laws of the State of New Hampshire, and agree as follows:

WHEREAS OWNER is the owner of certain real property, Tax Map 227, Lot 7, situated at Rangeway Road (hereinafter referred to as "SAID ROAD", as stated in a Deed Recorded in Book 3626 Page 1259 at the Merrimack County Registry of Deeds.

WHEREAS the relevant portion of said Rangeway Road upon which OWNER'S real property fronts is a Class VI Highway or Private Road as classified by New Hampshire Revised Statutes Annotated 229:5/a private way not currently a municipal highway.

THEREFORE the TOWN and OWNER on behalf of themselves, their heirs, legal representatives, successors and assigns, covenant and agree as follows:

1. The TOWN shall allow OWNER'S to construct a residence pursuant to a building permit issued by the TOWN on the OWNER's property on Rangeway Road;
2. The TOWN neither assumes responsibility for maintenance, including snow plowing, nor liability for any damages resulting from the use of Rangeway Road;
3. OWNER, individually or through a neighborhood association, shall be responsible for maintaining access to the subject property and does hereby forever release and discharge the TOWN, its officers, agents and employees from the obligation of maintaining Rangeway Road, and from any claim of any nature whether in or otherwise which OWNER might have against the TOWN for any loss or damage, including those incurred through failure to provide municipal services, including police, fire and ambulance services, arising out of the condition of the roadway from the point wherein the Rangeway Road is a Class VI Highway/private road;
4. OWNER assumes responsibility for transporting any children to the nearest regular school bus stop;

5. OWNER assumes responsibility for maintenance and repair of Rangeway Road, and agrees that at his expense or at the expense of themselves and other owners of property similarly located on Road, to clear and maintain the traveled way of Rangeway Road to a suitable width for travel, and to repair and maintain the traveled portion of Rangeway Road, in a good and passable condition.

Witness Catherine Kay

Owner: Michael Kay

Date: 4/4/2023

Witness Michael Kay

Owner: Catherine Kay

Date: 4/4/2023

TOWN OF CANTERBURY  
By Its Selectmen, Duly Authorized

Witness \_\_\_\_\_

Selectmen: \_\_\_\_\_

Witness \_\_\_\_\_

Selectmen: \_\_\_\_\_

Witness \_\_\_\_\_

Selectmen: \_\_\_\_\_

Date: \_\_\_\_\_



Town of  
CANTERBURY, NEW HAMPSHIRE, Settled 1737



**TOWN OF CANTERBURY  
ROAD UPGRADE & MAINTENANCE AGREEMENT**

LOCATION OF PROJECT (to be completed by person requesting improvement)

ROAD Rangeway LENGTH OF IMPROVEMENT 175'

TAX MAP(S) LOCATION 227 7 ESTIMATED START DATE 8/2023

IMPROVEMENTS REQUIRED (to be completed by Road Agent)

The following improvements will be required to bring the section of road listed above to an acceptable condition and to perform in perpetuity all maintenance required to keep the road in "good and safe passage" condition year-round including winter maintenance. (Include types and depths of gravel and or surface coverings, any culverts required. Required width and grade should be listed. Include any other detail required so the work will be done in compliance with the Town of Canterbury Road Standards).

Upgrade Rangeway, class VI that currently serves #134 Asby Rd., by clearing road shoulders and ditch-lines of leaves and debris to reestablish drainage of travel way. The current "farmers mix" pavement can be patched with 4" min. reclaim/millings to bring back the 15' paved travelway for length of 175' from Asby Rd. intersection. This will allow a turn-around at the new driveway entrance which is 150' from Asby Rd. intersection. No culverts are needed with the new driveway graded so no water enters road travelway.

Reviewed by: Donald J O'Connor  
Selectmen or Designee (i.e. Road Agent)

Date: 3-28-23

I agree to perform all of the work requested above to bring the above-mentioned section of road to a year-round "Good and Passable" condition for emergency vehicles.

Accepted by: Michael Kay  
(property owner printed name)

Date: 4/4/2023

Accepted by: Catherine Kay  
(property owner printed name)

Date: 4/4/23

Signature: Muel Key

Final Review: \_\_\_\_\_  
Selectmen or Designee

Revised June 15, 2020

Signature: Catherine Key

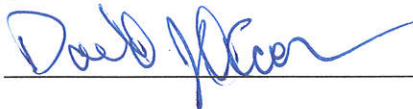
Date: 4/4/23

**SA 674:41 Application to Build on  
a Class VI Highway or Private Road**

Name: Michael Kay and Catherine Zarakotas

Map & Lot: 227 7

Road Agent:

Signature: 

Date: 3-28-23

Comments:

Rangeway was plowed by the town when I started in 2004 which stopped shortly after and was not maintained year-round. It currently serves #134 Asby. It is paved with a "farmers mix" which is breaking up in spots. I propose that a quality reclaim/milling of 4" min. depth could patch the bad spots to return it back to 15' width and clean the ditches/shoulders for the 175' of Rangeway that would serve this house. This will keep a nice tree line and stone wall currently along Asby Rd undisturbed.

Building Inspector:

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Comments:

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Fire Dept.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Comments:

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Police Dept.

Signature: Michael Schrey Date: 4/12/23

Comments:

P.D Has No ISSUES or CONCERNS

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Planning Board:

Chairman Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Comments:

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Board of Selectmen

Signatures: \_\_\_\_\_

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Date: \_\_\_\_\_

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Date: \_\_\_\_\_

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Date: \_\_\_\_\_

Comments:

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Revised: June 29, 2020

