LAND SUBDIVISION CONTROL REGULATIONS

FOR THE TOWN OF RANODLPH

PROPOSED SEPTEMBER 21, 1988

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TABLE OF CONTENTS

PAGE

PURPOSE 1

SECTION I BASIS OF THESE REGULATIONS

Section 1.1 Authority 1

Section 1.2 Validity 1

Section 1.3 Variation 1

Section 1.4 Conflicting Provision 1

SECTION II DEFINITION

Section 2.1 Town 2

Section 2.2 Sub-division 2

Section 2.3 Board 2

Section 2.4 Plat 2

Section 2.5 Street 2

Section 2.6 Applicant 2

Section 2.7 Site Plan Review 2

Section 2.8 Abutter 3

SECTION III GENERAL

Section 3.1 Approval of Sub-division Plan Required 3

Section 3.2 Compliance with these Rules and Regulations 3

Section 3.3 Compliance with Zoning By-laws 3

Section 3.4 Criteria for Board Action 3

Section 3.5 Penalties for Transferring 4

SECTION IV PROCEDURE WITH RESPECT TO PRELIMINARY PLANS

Section 4.1 Review 4

Section 4.2 Contents 4

Section 4.3 Tentative Approval 4

SECTION V PROCEDURE FOR THE SUBMISSION AND APPROVAL OF PLANS

Section 5.1 Application and Plat Submission Procedures 5

Section 5.2 Action by the Board 6

Section 5.3 Approval 7

Section 5.4 Appeals 7

Section 5.5 Recording of Final Plat 7

Section 5.6 Covenants and Conditions 7

SECTION VI REQUIRED IMPROVEMENTS OF AN APPROVED SUBDIVISION

Section 6.1 General 8

Section 6.2 Street System 8

SECTION VII BUILDING NUMBERING 10

SECTION VIII PLANNED UNIT PROJECTS 11

SECTION IX INTERPRETATION 11

SECTION X AMENDMENTS 11

SECTION XI NUMBERING 11

EXHIBIT A Covenant relating to required improvements in proposed subdivision of land in Randolph, Vermont 12

EXHIBIT B Covenant relating to the release of the Town of Randolph and any or all water or sewer systems in either from furnishing certain facilities in the proposed subdivision of land in Randolph, Vermont 13

PURPOSE

As a means of retaining the scenic beauty of our community and for the purpose of protecting the Health, Safety, Convenience, Prosperity and Welfare of our inhabitants, the following land subdivision regulations are hereby enacted. The authority granted to the BOARD shall be exercised with due regard for adequate access to all lots in a sub-division by ways that will be safe and convenient for travel; for minimizing the congestion in such ways and in adjacent public ways; for reducing danger to life and limb in the operation of motor vehicles; for securing safety in the case of fire, flood, panic, and other emergencies; for insuring compliance with the applicable zoning ordinances or by-laws and State laws; for securing adequate and safe provisions for water, sewerage, drainage, and other requirements where necessary in a sub-division; and for coordinating the ways in the Community with the ways in neighboring sub-divisions, in a manner that will require a minimum expenditure of Town funds.

SECTION I

BASIS OF THESE REGULATIONS

SECTION 1.1 AUTHORITY

Under the authority vested in the BOARD by the Vermont Planning and Development Act of 1968 (VSA, Chap. 117) and every other authority thereto enabling.

SECTION 1.2 VALIDITY

If any section, clause, provision, portion or phrase of these regulations shall be held to be invalid or unconstitutional by any court of competent authority, such holding shall not affect, impair or invalidate any other section, clause, provision, portion or phrase of these regulations.

SECTION 1.3 VARIATION

Strict compliance with the requirements of these rules and regulations may be waived only as the provisions of Sec. 4413 of the aforementioned Planning and Development Act provide.

SECTION 1.4 CONFLICTING PROVISIONS

Whenever the regulations made under the authority hereof differ from those prescribed by any statute, ordinance or other regulations that provision which imposes the greater restriction or the higher standard shall govern.

SECTION II

DEFINITIONS

SECTION 2.1 TOWN

Shall include the Community for the purpose of these regulations.

SECTION 2.2 SUB-DIVISION

SUB-DIVISION

Shall mean the division of a lot, tract, or parcel of land into three or more lots, plats, sites, or other division of land for the purpose, whether immediate or future, of sale, lease, or rent or of building development, or the extension of an existing road or street or the creation of one or more new streets or roads. In the INT District only, this definition shall apply as stated above for two - instead of three - or more lots.

When the owner of the initial lot, tract or parcel of land transfers ownership of a portion of that land to a person or corporation, and that person or corporation further transfers ownership of any portion of that land, that person or corporation becomes a sub-divider and must meet all requirements of this Sub-division Regulation.

SECTION 2.3 BOARD

Shall mean the Planning and Zoning Board of the Town of Randolph.

SECTION 2.4 PLAT

Shall mean the final map and accompanying information by which the sub-divider's plan of sub-division is presented to the BOARD for approval and which, if approved, will be submitted to the Town Clerk for recording.

SECTION 2.5 STREET

Means, related, to, and includes street, avenue, boulevard, road, land, alley, viaduct, highway, freeway and other ways. A discontinued highway shall not constitute an existing approved highway.

SECTION 2.6 APPLICANT

Shall mean an owner, or his/her agent or representative.

SECTION 2.7 SITE PLAN REVIEW

Shall mean the review of site plans for the development of tracts for uses other than one or two family dwellings, whether or not such development includes a sub-division or re-sub-division of the site.

SECTION 2.8 ABUTTER

Shall mean all property owners whose property lines abut a proposed sub-division; those whose property lines lie directly across a public highway from the proposed sub-division; and those whose property lines lie a distance of not more than 300 feet from the proposed sub-division.

SECTION III

GENERAL

SECTION 3.1 APPROVAL OF SUB-DIVISION PLAN REQUIRED

Any person desiring to make a sub-division within the meaning of the Sub-division Control Regulation of any land within the Town shall, before proceeding with the improvement or sale, or offer for sale, of lots in the sub-division or the construction or ways, or the installation or services therein, submit to the BOARD a plan of the sub-division and secure approval by the BOARD of a definitive plan as hereinafter provided.

SECTION 3.2 COMPLIANCE WITH THESE RULES AND REGULATIONS

All plans and all provisions relating thereto shall in all respects comply with the provisions of these rules and regulations unless variation therefrom in specified instances is authorized as set forth in Sec. 4413 of the aforementioned Planning and Development Act.

SECTION 3.3 CONFORMANCE WITH ZONING BY-LAWS

The BOARD may not approve or modify and approve any plan of a sub-division of land unless all building, structures and lots shown on said plan comply with the zoning bylaws of the Town, or until a variance from the terms thereof has been properly granted.

SECTION 3.4 CRITERIA FOR BOARD ACTION

The BOARD, in considering any proposed sub-division plan will be concerned with the requirements of the community and the best use of the land being sub-divided. Particular attention will be given to width, arrangement and location of streets, sanitation, drainage, sized and arrangements of lots, open areas, parks, and retention of major site features. Adequate street connection will be required whenever feasible to ensure access to adjoining sub-divisions and lands.

The BOARD may require that the plat show a park or parks suitably located and of specified size for playground or recreation area. Due regard shall be shown for all natural features such as large trees, water courses, scenic points, historic spots, and other community assets, which is preserved, will enhance the value of the sub-division and enrich the neighborhood. Reserve strips controlling access to land dedicated or to be dedicated to public use will not be permitted, nor will reserve strips of land which may prove to be untaxable for improvements be permitted.

SECTION 3.5 PENALTIES FOR TRANSFERRING LOTS IN UNAPPROVED SUB-DIVISIONS

Any owners, or agent of the owner, of any land located within a sub-division, who transfers or sells any land, before a plat of the said sub-division has been approved by the BOARD and recorded or filed in the office of the Town Clerk, shall pay a penalty of up to One Thousand dollars ($1,000.00) to the town for each lot or parcel so transferred or sold; and the description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction for such penalties. The town, through its solicitor or other official designation by its council, shall enjoin such transfer or sale or agreement and recover the said penalty by civil action.

SECTION IV

PROCEDURE WITH RESPECT TO PRELIMINARY PLANS

SECTION 4.1 REVIEW

A preliminary layout of a subdivision may be submitted by the sub-divider for discussion and tentative approval by the BOARD. The submission of such a preliminary plan will enable the subdivider, the BOARD, other municipal agencies and owners of property abutting the sub-division to discuss and clarify the problems of such sub-division before a final plan is prepared.

SECTION 4.2 CONTENTS

The preliminary plan may be drawn on tracing paper with pencil at rough scale and the original and a copy shall be filed with the BOARD. Said preliminary plan should show sufficient information about the proposed subdivision to form a clear basis for discussion of its problems and for the preparation of the final plan.

1. Such information will include proposed streets, lots, north point, and major site features such as existing stone walls, fences, buildings, large trees, rock outcroppings and ridges, swamps, bodies of water, and existing topography as required by items (a) to (g) inclusive, of the contents of the final plan. (Section V, par. 5.1.4)
2. Where the preliminary plan submitted covers only a part of the subdividers entire holding, a sketch of the prospective future streets system of the remaining part shall be furnished and the street system of the submitted part will be considered in the light of adjustment and connections with the future street system of the remaining part.

SECTION 4.3 TENTATIVE APPROVAL

The BOARD may give the preliminary plan its "tentative approval" with or without modification. Such approval does not constitute formal approval of a subdivision, but does facilitate the final plat procedural work.

The preliminary plan shall be returned to the subdivider after BOARD action.

SECTION V

PROCEDURE FOR THE SUBMISSION AND APPROVAL OF PLANS

SECTION 5.1 APPLICATION AND PLAT SUBMISSION PROCEDURES

5.1.1 Whenever any subdivision is proposed to be made, and before any contract for sale of, or offer to sell, such subdivision or any part thereof shall be negotiated, and before any application for a permit for erection of a structure thereon shall be made, the owner thereof or his agent shall apply in writing to the BOARD for approval of such subdivision. The application shall conform to the specifications contained in these regulations. A fee, set by the SELECTMEN, shall accompany each submission.

5.1.2 Environmental Protection Division approval for lots under ten acres.

5.1.3 Before the final plat shall have been approved or disapproved, the BOARD shall hold a public hearing. Notice thereof shall be sent to the subdivider and all abutters by certified or registered mail with return receipt requested, stating the time and place of such hearing, not less than 15 days before the date fixed thereof. The provisions of Section 4414 of the Planning Development Act shall be followed.

5.1.4 The final plat shall be prepared by a land surveyor and shall conform to Title 27, Chapter 17 Filing of Land Plats, The Vermont Plat Law. When necessary a Professional Engineering seal may be required as added protection in areas of health, safety, and welfare for the residents of Randolph. Multiple sheets with match lines are acceptable in order to use desirable scales. Scale shall be set by the Planning Administrator. The final plat plan shall contain the following information in addition to that required by the Vermont Plat Law:

a. Name, boot and page number as of the date of the survey of all abutters, and tax map identifiers.

b. Existing and proposed lines of streets, ways, lots, easements and public areas within the plan.

c. Location, names and present width of adjacent streets.

d. Topography (when required by the BOARD).

e. A system of drainage.

f. Proposed use of property.

g. Insert map showing total holdings of subdivider within a five mile radius of proposed subdivision.

h. Proposed connection to village water and sewer.

i. Sufficient data to determine the location, direction and length of every street and way line, lot line, and boundary lines, and to reproduce the same on the ground in relation to abutting properties, public streets and road.

j. High and low elevations.

k. Proposed street names shall be in pencil until approved.

l. The location of all permanent monuments, identified as to existing or proposed. If proposed – monuments must be set prior to sale.

m. A title block in the following form shall be suitably filled in, except for notations by the BOARD, in lower right hand corner of the final plat, adjacent to the Title block required by the Vermont Plat Law.

NAME OF SUBDIVISION

Name of Land Surveyor _____

Address of L.S. _____

Signature of Subdivider _____

_____

_____

TOWN OF RANDOLPH DEVELOPMENT REVIEW BOARD

Application Filed _____ Hearing Date _____

Approval Date _____

Board Approval

_____ _____

Chair Secretary

SECTION 5.2 ACTION BY THE BOARD

5.2.1 The BOARD shall hold a public hearing on such plat after public notice in accordance with Section 4414 of the Vermont Planning and Development Act. The BOARD shall within 45 days after the public hearing approve, modify and approve, or disapprove such plat. Failure to so act within such 45 days shall be deemed approval.

5.2.2 Before approval of a subdivision by the BOARD there shall be filed a bond with the Town Clerk by the subdivider in an amount sufficient to cover the cost of the preparation of the public streets and the applicable extension of the public water and sewer lines. The amount of the Bond shall be as determined by the Town Manager. This Bond shall be approved as to form and sureties by the legal counsel of the Town of Randolph, and conditioned on the completion of such improvements within five years of the date of the Bond. This Performance Bond shall serve in lieu of actual completion of above improvement for the purpose of permitting BOARD action of the plat. Release of any Bond shall be with the approval of the Board of Selectmen.

5.2.3 The owner of the land shall execute and deliver to the BOARD for recording a signed Covenant, entitled "Covenant Relating to Required Improvements in Proposed Subdivision of Land, Randolph, Vt." (Exhibit A of these Regulations), binding upon the land that no lots in the subdivision shall be sold and no building shall be erected or placed on any lot until any improvements necessary to meet the BOARD's requirements under Section VI of these Regulations have actually been made, constructed or installed so as to adequately serve such lot or lots.

Upon performance of the improvements with respect to any lots the BOARD shall issue a Certificate of Performance to the subdivider which shall serve as approval by the BOARD of as much of the plat as has been improved. However, the terms as set forth in Section 5.2.2 as above, may be substituted for the actual construction requirements.

If the BOARD disapproves the plat proposal it shall give its reasons in writing to the applicant.

SECTION 5.3 APPROVAL

Approval of the final plat shall be attested on the original drawing by signatures of the Chairperson and the Secretary of the BOARD and showing such date of approval. After approval the plat shall be turned over to the Administrative Officer who shall act as required by Sections 4442 or 4443 of the Planning and Development Act.

SECTION 5.4 APPEALS

Appeals from the decisions of the BOARD shall be made as authorized by the Sub-Chapter 8 of the Planning and Development Act.

SECTION 5.5 RECORDING OF FINAL PLAT

5.5.1 Within thirty (30) days after date of final approval the subdivider shall transmit to the Town Clerk a copy of the final plat for recording. Final plat must contain approval and signatures as provided in Section 5.3.

5.5.2 Final approval of the completed streets and other required sub-division improvements for the purpose of Town acceptance is the responsibility of the Town Manager.

SECTION 5.6

The Planning Administrator shall forward to the Town Clerk after final approval a list of all covenants and conditions attached to the subdivision for filing by the Town Clerk. Such covenants and conditions shall be indexed in the general index with the subdivider as Grantor and the Town of Randolph as Grantee.

SECTION VI

REQUIRED IMPROVEMENTS OF AN APPROVED SUBDIVISION

SECTION 6.1 GENERAL

All improvements involving water, sewer, streets, etc., shall be the responsibility of the subdivider. All proposed streets and facilities shall be public except when it is the decision of the BOARD that public acquisition of specific proposed streets is not in the public interest. In that event such proposed streets shall remain private and if there are required for plat approval the subdivider shall sign a covenant with the Town of Randolph regarding said streets. (Exhibit B of these Regulations). Furthermore, said covenant shall become part of every deed of transfer within the proposed subdivision.

SECTION 6.2 STREET SYSTEM

All construction of new roads shall conform to the following basic data: With the approval of the SELECTMEN and Town Manager lay out a street if one is required, with a right of way of 50 feet wide and 32 feet roadbed. Such roadbed shall be excavated to a depth of 24 inches if deemed necessary by the Selectmen and Town Manager and refilled with 18 inches of coarse gravel and 6 inches of fine gravel on top, using only approved gravel. Storm sewers, for proper drainage, shall be installed using pipe size and grade approved by the Selectmen and Town Manager. Any development that has six or more building lots per ¼ mile of road shall blacktop the road before the Selectmen and Town Manager will accept the highway. With the Approval of the Selectmen and Town Manager lay out and construct a sidewalk if one is required or deemed necessary. Such sidewalk shall have at least 18 inches of gravel for a base, be five (5) feet wide and over the gravel either a three inch slab of concrete or three inches of asphalt hotmix shall be applied, and either a curb in case of concrete, or a blending curb to the roadbed in case of the asphalt hotmix, shall be installed. Granite curb may be substituted.

Where town water is available, with approval of the Selectmen, a water line connecting with the community water lines and of a size deemed necessary shall be laid along one side of the roadbed to a depth of five (5) feet below the finished grade of the road, from which service lines to each house or building, if such building requires water service, shall be laid, and hydrants shall be installed so that each house or building shall be within 500 feet of a hydrant. Where town water is not available, water supply system and distribution must be approved by the Selectmen and Town Manager.

With the approval of the Selectmen and Town Manager, a sewer main and lines to each house or building, and of a sufficient size to properly care for the sewage needs of such property, shall be laid on the opposite side of the road from that which the water of the road. Such services shall be laid at the proper slope and shall connect to the town sewage lines at a place to be designated by the Selectmen and Town Manager. After such installation is complete they shall become the property of the Town of Randolph and shall be maintained and repaired at the expense of the Town with the exception that water and sewer lines from the property line to the building shall remain the property of and be at the expense of the owner. The cost of installing any or all of the requirements in the proceeding sections shall be borne by the applicant. If town sewer is not available, sewage and sewer system must be approved by the BOARD where possible, consideration shall be given to the connection of sewer lines to one large septic tank and absorption field.

STREET SYSTEM

Streets shall be continuous and in alignment with existing streets in as far as possible.

Provision shall be made for the proper projection of streets if adjoining property is not subdivided.

The minimum center line radii of streets shall be 100 feet: greater radii may be required for principal streets. All curved streets must be designed to permit safe vehicular travel.

The minimum width of streets rights of way shall be 50 feet.

A greater width may be required for principal streets. Dead-end streets shall terminate with a turn-around area as prescribed by the BOARD.

Streets shall be laid out so as to intersect as nearly as possible at right angles. No street shall intersect any other street at an angle of less than 60 degrees. Property lines at street intersections shall be rounded to provide a property line radius of not less than 20 feet.

Highway bounds as approved by the BOARD shall be installed at all intersections of streets, at all points of change in direction, and at any other points the BOARD may deem necessary to control the lines of the streets.

The entire area of each proposed public right of way shall be cleared of all stumps, brush, roots, boulders, trees and like material except such trees specifically designated and approved for preservation by the BOARD. All loam and other unsatisfactory material shall be removed from the roadbed and replaced with a suitable material. All boulders and ledge shall be broken off or removed to a depth of not less than 12 inches below the subgrade. All streets shall be finished with a minimum of 24 inches of compacted gravel to a width to be determined by the BOARD, but not less than 24 feet.

Adequate disposal of surface water shall be provided for. Catch basins shall be built where required and culverts of proper capacity installed at water courses, with necessary headers of an approved construction.

Sidewalks of not less than 5 feet in width and conforming to the grades of the street shall be constructed on one or both sides of the street when in the opinion of the BOARD such sidewalks are necessary.

Water and sewer lines must conform to specific standards set by the Town Manager and installed under the inspection schedule as announced by said Town Manager.

All service wiring shall be underground, and shall be the responsibility of the subdivider. The only exception to this rule shall be when the BOARD and the subdivider agree that sub-surface structure precludes the feasibility of underground wiring.

Underground wiring shall be separated at least 6 feet laterally from other surface lines. Underground wiring shall be at a depth below the surface certified to be safe by utility and communications companies supplying these services.

All underground service lines shall be marked in such a manner that their location shall be accurately and permanently known. Upon completion of work, as-built drawings shall be submitted.

Whenever the words street or road, water or sewer line are used in this paragraph, it to be interpreted as meaning public street or road or water or sewer line.

LOTS

Lot size shall be governed by the Randolph Zoning Ordinance. Severely irregular configurations of lots may be disapproved when in the opinion of the BOARD such configurations are not in the public interest.

Land of such character that it cannot be safely used for building purposes because of exceptional danger to health, or peril from fire, flood, or other menace, shall not be platted for residential occupancy, nor for such other uses as may increase danger to health, life, or property, or aggravate the flood hazard, until appropriate measures have been taken by the owner, or his agent, to remove such hazards.

In areas not currently serviced by public sewer systems it shall be the responsibility of the subdivider, or his agent, to provide adequate information to prove that the land platted is of such condition as to permit the proper installation and operation of an individual sewage disposal system (septic tank and drain field).

Such information shall consist of the report of the health officer regarding seepage and other tests he may require; further, the State Board of Health approval must be obtained. The subdivider, or his agent, shall be required to provide the necessary equipment and labor for the making of these tests.

SECTION VII

SECTION 7.1 BUILDING NUMBERING

For the purpose of providing a uniform system of building numbering on plats approved for subdivision under these regulations, the BOARD as a condition to its approval, shall require that the applicant, his heirs, successors, and assigns agree to number buildings currently existing or are proposed for construction in accordance with the following criteria or standards.

a. All new public or private streets and roads shall be laid out with station numbers indicating the linear foot distance from the point of beginning of said road or street. These stations shall be indicated on all approved plats on at least 100 feet intervals.

b. All buildings shall be assigned numbers corresponding to the linear distance from the point of beginning of said streets or roads.

c. The beginning of the road or street shall be determined as the point at which it connects to a town or state highway or is closest to Randolph Village proper.

d. Buildings on the left side of the street or road shall be assigned even number, and building on the right side shall be assigned odd numbers, said building number starting with one at the point of beginning.

e. Building numbers will correspond to the closest station number or linear distance of street or road. For example, building centered 450 feet distance from the beginning of said road or street located on the right side of the highway could be assigned a street number of 45.

f. A building having frontage on two or more streets or roads shall be assigned the number on which the building fronts.

SECTION VIII

PLANNED UNIT PROJECTS

Proposals for Planned Unit Projects shall conform to all subdivision regulations. In addition, such Planned Unit Projects shall include provisions for common facilities of water, sewer and roadway. Such facilities shall have the approval of the state and local agencies concerned.

SECTION IX

INTERPRETATION

In matters or judgement or interpretation of the above general requirement, the opinion of the BOARD shall prevail.

SECTION X

AMENDMENTS

These regulations may be amended or repealed as set forth in Section 4403 and 4404 of the Planning and Development Act, but only following public hearing on the proposed change. The Chairman or Secretary of the BOARD shall transmit a record of any changes so authorized to the Town Clerk.

SECTION XI

NUMBERING

After amendments are adopted, the BOARD shall have the authority to re-number the sections consecutively.

EXHIBIT A

COVENANT RELATING TO REQUIRED IMPROVEMENTS IN PROPOSED SUBDIVISION OF LAND IN RANDOLPH, VERMONT

The undersigned developer(s), (1) having proposed to subdivide a certain tract or parcel of land situated in Randolph in the county of Orange and State of Vermont, as more particularly described in deed to the undersigned date _____ and recorded in the Office of the Town Clerk of Randolph, Book number ___ Page number ____ to which reference is made, and (2) having requested approval of the proposed subdivisions by the BOARD of the Town of Randolph, (3) in consideration of the approval of the proposed subdivision by said BOARD, for himself, his heir, administrators, successors and assigns, does hereby covenant, grant and agree to and with the Town of Randolph, and all water and sewage systems therein, and their respective successors and assigns, as follows:

A. On behalf of himself, and his successors in title to all or any part of said tract of land, he an they hereby agree that no lots in the said subdivision shall be sold and no buildings or structure shall be erected or placed on any lot therein until all improvements necessary to meet the BOARD's requirement voted under Section V and VI of the subdivision Regulations of the Town of Randolph have actually been made, constructed or installed so as to adequately serve such lot or lots.

B. It is understood and agreed that upon the performance and completion of the improvements with respect to all or a portion of the lots in said subdivision, the BOARD under the signature of its chairman, shall issue a certificate of performance to the undersigned developer or his successors in title which shall constitute approval by the BOARD of the sale and building upon such lots or portion thereof as to which the required improvements have been completed. Such certificate of performance may be issued by the BOARD as to single lots, groups of lots or all lots, according to the stage of completion of required improvements.

C. This covenant shall run with and be binding upon the foregoing tract of land and every part thereof and be a servitude thereon and shall be recorded in the office of the Town Clerk of Randolph's record of deeds, as evidence thereof.

Given under the hand and seal of the undersigned developer(s) this _____ day of _____, 19__.

Witness

_____ _____

_____ _____

The State of Vermont

County of Orange

Town of Randolph, ss.

Personally appeared the above subscriber(s) and each acknowledge the following instrument to be his (her) free act and deed.

Before me: _____

Notary Public

EXHIBIT B

COVENANT RELATING TO THE RELEASE OF THE TOWN OF RANDOLPH AND ANY OR ALL WATER OR SEWER SYSTEM IN EITHER FROM FURNISHING CERTAIN FACILITIES IN THE PROPOSED SUBDIVISION OF LAND IN RANDOLPH, VERMONT

The undersigned developer(s), (1) having proposed to subdivide a certain tract or parcel of land situated in Randolph in the county of Orange and State of Vermont, as more particularly described in deed to the undersigned date _____ and recorded in the Office of the Town Clerk of Randolph, Book number ___ Page number ____ to which reference is made, and (2) having requested approval of the proposed subdivisions by the BOARD of the Town of Randolph, (3) having represented to said BOARD that he does not now desire or require public highway, public water or public sewer services and facilities for all or any of the land in said subdivision as described in the foregoing deed, (4) in consideration of the approval of the proposed subdivision by said BOARD, or himself, his heirs, administrators, successors, and assigns, does hereby covenant, grant and agree to and with the Town and in connection with any or all water and sewer systems in either, and their respective successors and assigns, as follows:

A. On behalf of himself, and his successors in title of all or any part of said tract of land, he and they hereby absolve, release and forever discharge the Town and any or all water and sewer systems in either and their respective successors from all obligations to provide, at public expense, any public highways (including drainage, sidewalks and curbs), public water service and public sewer service for the benefit of all or any portion of said tract of land.

B. On behalf of himself, and his successors in title of all or any part of said tract of land, he and they jointly and severally undertaken that, whenever any of the foregoing public services or facilities are desired or required for the benefit of all or any part of said tract of land, they will cause the same to be constructed at their own expense and with out cost to the Town of Randolph or to any water or sewer system therein, in accordance with the then currently subdivision regulations of the Town of Randolph and the then current specifications and standards of the municipal officers having jurisdiction thereof.

C. This covenant shall run with and be binding upon the foregoing tract of land and every part thereof and shall be recorded in the office of the Town Clerk of Randolph's record of deeds as evidence thereof. Is each and every deed of lot in said subdivision the developer undertakes to insert a clause referring to this covenant and binding the grantee to it.

Given under the hand and seal of the undersigned developer(s) this _____ day of _____, 19__.

Witness

_____ _____

_____ _____

The State of Vermont

County of Orange

Town of Randolph, ss.

Personally appeared the above subscriber(s) and each acknowledge the following instrument to be his (her) free act and deed.

Before me: _____

Notary Public