HOUSE DOCKET, NO. FILED ON: 1/13/2009

**HOUSE . . . . . . . . . . . . . . No.**

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The Commonwealth of Massachusetts

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PRESENTED BY:

**Cleon H. Turner**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General
 Court assembled:*

 The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to private road maintenance .

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

PETITION OF:

|  |  |
| --- | --- |
| Name: | District/Address: |
| Cleon H. Turner | 1st Barnstable |

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 4482 OF 2007-2008.]

The Commonwealth of Massachusetts

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**In the Year Two Thousand and Nine**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

An Act relative to private road maintenance .

 *Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1.Chapter 184 of the General Laws shall be amended by adding after Section 23A, the following new section:

Section 23B. “Notwithstanding any general or special law to the contrary, the obligation of property owners in private subdivisions to maintain private roads, bridges, beaches or other common areas shall be deemed to be a servitude and not a condition or restriction whether such obligation is imposed by a recorded document or otherwise.”

SECTION 2. This act shall go into effect upon its passage.