

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

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**The Commonwealth of Massachusetts**

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:

Cleon H. Turner

DISTRICT/ADDRESS:

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

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### 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:*

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

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

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