

TRAIL EASEMENTS

WHAT, WHERE, WHY, HOW

What is a Trail Easement?

- Legally enforceable agreements between a landowner and a trail organization or local or state agency.
- Landowner promises permanent access through his/her property in the form of a trail.
- Trail easement runs with the land and is binding on future owners.
- May be broad or restricted to certain times or conditions (example: dawn to dusk, except mud season)
- Landowner may begin with temporary easement.

A trail easement is much like a right-of-way. The easement assures connectivity for the trail from one side of the property to the other as it passes onto neighboring properties. Some easements contain a provision for the relocation of the trail at the landowner's request. Trail easements are the best tool for trail protection. They are permanent and appear on the title of property at the Registry of Deeds in Salem.

Where are They Located?

Easement Name	Holder	Origin & Destination	Condition
Kelly	ECTA	Main Street to Lord	Unmaintained
Lord	ECTA	Kelly to Ocean Meadow	Unmaintained
Maina North	ECTA	Maina South to Grange	Unmaintained
Maina South	ECTA	Middle St. to Ocean Meadow	Trail open to public
DePiero	ECTA	Coffin Street to Riverbend	Trail open to public
Feehery/Riverrun	ECTA	Main Street to Beaucher	Trail open to public
Alden	ECTA	Main Street to Powerlines	Trail open to public
Cawley	Greenbelt	Indian Hill to Pine Ridge	Unmaintained
Culver/Bardeen	Greenbelt	Cherry Hill Street to Manzi	Unmaintained
Cena	Con Com	Bailey's Lane	Unmaintained
Ocean Meadow N	Con Com	Ocean Meadow to Lord	Trail open to public
Ocean Meadow S	Con Com	Chase Street to Maina	Trail open to public
Berkenbush	Town	Farm Lane to Merrimack River	Trail open to public
Pine Ridge	Town	Cawley to Thurlow	Unmaintained
Parson's Woods	Town	Main Street	Unmaintained
Archelaus Hill	Town	Archelaus Circle to Mill Pond	Trail open to public
Right of Way Trails			
Hilltop Circle	Town	Hilltop to Brake Hill	Trail open to public, access using Water Dept. road to tower.
Withers	Con Com	Middle Street to Upper Artichoke Reservoir	Trail open to public, access using driveway to Insight Meditation Ctr.

Connecting West Newbury



Why are Trail Easements a Good Idea?

For the Landowner

- Support a long tradition of public access in West Newbury and a legacy for future generations.
- An easement is a right of use only, not a right of possession.
- Agreement is customized to landowner's own requirements.
- Landowner can still develop the land or close it temporarily for private events or due to trail conditions.
- MA General Law (Chap 21 Sec 17C) protects landowner from liability for personal injury or property damage.
- ECTA can mark, maintain and manage trail use and include landowner on its insurance policy, if desired.
- Trail easements can increase property value. Plus, owners can benefit from bridges or other improvements.

For West Newbury and Its Residents

- Support interconnecting trail system for recreation and enjoyment.
- Make West Newbury a more desirable place to live!

Presented by

West Newbury Open Space Committee
WESTNEWBURYOPENSOURCE.NET

How To Establish a Trail Easement

Easements can be arranged with the Town of West Newbury, its Conservation Commission, Greenbelt or ECTA.

5-Step Process with Essex County Trails Association (ECTA):

1. ECTA sets up initial meeting to discuss landowner's goals, walk trails and collect GPS data.
2. Trail location and nearby property boundaries are defined and mapped.
3. ECTA and landowner customize legal trail easement documents to meet needs of both parties and agree on a trail maintenance plan.
4. Landowner, if she/he chooses, has legal document reviewed by an attorney.
5. Document is then signed, notarized and recorded at Registry of Deeds.

THINKING OF
GRANTING AN
EASEMENT?

NEED MORE
INFORMATION?

VISIT WNOS WEBSITE
WESTNEWBURYOPENSOURCE.NET

OR CONTACT ECTA
(978) 468-1133
ECTAONLINE.ORG