

231:23 Conditional Layout. – Whenever a highway will be of special advantage to any individual the selectmen may require him to bear such portion of land damages and expenses of constructing and maintaining it, and the gates and bars across it, if any, or any of the same, as they may deem just; and the highway may be laid out subject to such condition.

Source. 1850, 957:1. 1871, 20:1. GL 67:16; 78:4. PS 67:16. PL 74:16. RL 90:17. 1945, 188:1, part 5:19. RSA 234:19. 1981, 87:1, eff. April 20, 1981.

Section 231:24

231:24 Winter Roads. – The selectmen, upon petition, may, in any case where, in their judgment, the public good requires it, layout a public road exclusively for winter use, such public road to be open only from November 15 until April 1, and they shall assess the damages to the owners of land over which such road may pass in the form of yearly rentals. Hearings shall be had upon 7 days' notice to landowners. In all other respects such laying out shall be subject to the provisions for laying out a class V highway.

Source. 1897, 88:1. PL 74:22. RL 90:23. 1945, 188:1, part 5:20. RSA 234:20. 1981, 87:1, eff. April 20, 1981.

231:9 Notice. – Unless the selectmen are clearly of opinion that such petition ought not to be granted they shall cause notice in writing of the time and place of hearing appointed by them to be given at least 30 days previous to hearing to the first petitioner and to each owner of land over which such highway may pass.

Source. RS 49:2. CS 52:2. GS 61:2. GL 67:2. PS 67:3. PL 74:3. RL 90:4. 1945, 188:1, part 5:2. RSA 234:2. 1981, 87:1. 1989, 28:1, eff. June 3, 1989.

Section 231:10

231:10 Owner of Property; Notice. – Owners shall include tenants for life or years, remaindermen, reversioners, or holders of undischarged mortgages of record whose mortgages are dated not earlier than 20 years prior to date of filing such petition.

I. When the owner resides or lives within the state, notice shall be given to him in person or left at his abode or may be sent to him by certified mail.

II. When the owner does not reside or live within the state, notice may be given to the person, if any, who has the care or possession of the land or may be sent by registered mail to the owner's last known address.

III. If the owner is a person under guardianship or conservatorship notice shall be given to his guardian or conservator. If the owner is under any legal disability a guardian or conservator may be appointed.

IV. When the owner, or his residence, is unknown or uncertain, a copy of such notice, when posted in 2 public places in the city or town in which the land is situate, at least 30 days previous to hearing, shall be deemed sufficient notice to such owner.

Source. RS 49:3, 5, 6. RS 52:4. CS 52:3, 5, 6. GS 61:3-6. GL 67:3-6. PS 67:4-7. PL 74:4-7. RL 90:5-8. 1945, 188:1, part 5:3-7. RSA 234:3-7. 1955, 56:3. 1973, 174:1. 1981, 87:1. 1989, 28:2, eff. June 3, 1989.

231:11 Hearing. – At the time and place so appointed the selectmen shall make a personal examination of the several routes proposed, and of the highways for which such new highway is designed to be a substitute, shall hear all parties interested who may attend and any evidence they may offer, and may adjourn as they see cause.

Source. RS 49:7. CS 52:7. GS 61:7. GL 67:7. PS 67:8. PL 74:8. RL 90:9. 1945, 188:1, part 5:8. RSA 234:8. 1981, 87:1, eff. April 20, 1981.

Section 231:12

231:12 Layout. – They may lay out such highway over any ground they may deem most suitable, and alter any highway as they judge proper, without regard to intermediate limits or particular monuments described in the petition.

Source. RS 49:8. CS 52:8. GS 61:8. GL 67:8. PS 67:9. PL 74:9. RL 90:10. 1945, 188:1, part 5:9. RSA 234:9. 1981, 87:1, eff. April 20, 1981.