



## Catamount Trail Association

# Trail Easement Stewardship Plan

*As adopted by CTA Board of Directors July 9, 2007*

With procurement of an easement comes the responsibility of stewardship, monitoring, and enforcement. CTA has developed the following guidelines to address baseline documentation, annual monitoring, responding to landowners' requests, enforcement of easements, and funding of CTA's stewardship responsibilities.

### **A. Baseline Documentation**

Baseline documentation refers to the information that describes the existing conditions of the involved property at the time the easement was granted. The document is a critical record for effective enforcement of the easement, should a violation occur. This document is also required by the IRS if the easement is claimed as a gift for tax purposes. CTA addresses baseline documentation for easements held solely by CTA or co-held with another organization as outlined below.

#### **1. Easements Solely Held by CTA**

For easements solely held by CTA, CTA prepares and maintains the baseline documentation. The Trail Protection Director compiles a detailed file for each property at the time of acquisition. The Baseline Documentation Report (BDR) draft is sent to each landowner for confirmation of data. The annual monitoring reports are added to the BDR file upon completion each year. The baseline documentation includes (at a minimum) the following items:

- a) Introduction: purpose of the report, date and recording information of the easement, name of person who performed the initial documentation visit and date of the visit;
- b) Description of trail and current use: Length of Trail on property and complete trail description; name of Trail Chief: information on landowner: name, physical and mailing addresses, telephone numbers, current use of the easement, current use of the surrounding property where appropriate;
- c) Summary of Grantor's reserved rights: any use, development or other rights reserved;
- d) Summary of Grantee's reserved rights; access to the property, and rights pertaining to relocation of the trail and corresponding easement area;
- e) Legal documents and references: Grant of Development Rights and Conservation Restrictions; title opinion; any relevant management plans; appraisal;
- f) List of deeds conveying property to current owner;
- g) Signature pages from easement;
- h) Maps: Location map and directions to property; USGS topographic map depicting the property boundaries and location of the Trail;
- i) Photos of the easement area and other conservation values protected corresponding to a photo point map.

#### **2. Easements Co-Held with Another Organization**

For easements co-held by CTA and other conservation organizations, the responsibility for baseline documentation is negotiated and agreed upon in advance. At a minimum, these easements will follow the same baseline documentation preparation and monitoring guidelines as easements held solely by CTA. If there are co-holders of the easement, all co-holders will receive a copy of the BDR.

## **B. Stewardship Files**

CTA maintains two sets of files for all of the easements it holds. The original documents are kept in a fire-resistant cabinet in the CTA office. The Trail Protection Director also maintains a set of copies of the documents at another location. The files contain the easement documents, baseline documentation reports, official maps of the easement areas, and other relevant correspondence.

## **C. Easement Monitoring**

CTA monitors all easements and properties yearly. Monitoring is generally done in the wintertime when there is adequate snow for skiing the protected segment of Trail. Off-season monitoring is possible if it is determined that the conservation values and skiing experience can be properly evaluated without snow. Local trail chiefs or student interns monitor all protected trail corridors under the supervision of the Trail Protection Director. In the event of a vacant trail chief position, the Trail Protection Director will designate a trail monitor or do the monitoring him/herself.

Monitoring reports are kept with each baseline documentation file in the CTA office. Copies of past monitoring reports and baseline documentation are also provided to the CTA trail chief for that section.

The **Annual Monitoring and Inspection Report** form will include at a minimum the following:

1. Date of inspection.
2. Name(s) of inspector(s).
3. Name and address of current property owner.
4. Book and page of deed conveying property if property was sold since last monitoring visit.
5. Date of contact of the landowner informing him/her of the visit. Signature of landowner acknowledging the visit, if he/she was present.
6. Description of current uses of the easement area.
7. Note any changes in the easement area since last monitoring visit. Note any nearby activity that may impact the use or enjoyment of the trail.
8. State whether these changes or current uses conform to easement.
9. State any observed violations.
10. Take photographs from the same vantage points documented in the baseline documentation.

A copy of CTA's **Annual Monitoring and Inspection Report** is included on pages 13 and 14 of this plan.

## **D. Stewardship Education**

The landowner is informed about CTA's annual monitoring program and is provided a copy of the Baseline Documentation Report. The local trail chief or CTA staff will contact all landowners with protected sections yearly in the spring to thank them, invite feedback on trail management, and discuss any issues that may have arisen related to provisions in the easement.

## **E. Responding to Landowner Requests for Approval**

The CTA maintains a policy for responding to landowners who have reserved the right within the easement document to conduct specific practices that do not degrade or hinder the

conservation values of the property. This **Policy on Landowner Requests for Approval** document can be found on pages 7 -- 9 of this plan.

## **F. Amendments**

Requests for amending easements will be reviewed on a case-by-case basis and will be approved or rejected following the **CTA Easement Amendment Policy**, which can be found on pages 10 -- 12 of this plan.

Easements may be amended for the following reasons:

1. Correction of an error or ambiguity.
2. Prior agreement, such as to relocate the protected trail corridor.
3. Abandonment of the existing trail on the property.
4. Settlement of condemnation proceedings.
5. Minor modifications consistent with conservation purposes.

See Policy document for details on guidelines and procedures.

## **G. Easement Enforcement**

If a violation is noted during the annual monitoring visit, it is documented and reported to the CTA Trail Protection Director who informs the Trail Protection Committee and the landowner of the violation promptly. The Trail Protection Committee then discusses and recommends a course of action.

For minor violations on trail easement properties including, but not limited to trespass by persons on snowmobiles, dumping of trash, and activities that do not seriously harm the property, CTA will attempt to resolve the problem by using educational and mitigative measures. CTA will keep any co-holders of easements informed of such minor violations and actions taken by CTA to resolve them.

The CTA will make a good effort to remedy violations without involving legal counsel or court action but when an educational or mitigative approach is unsuccessful, CTA and the landowner may be required by the easement terms to submit to arbitration or take other action. Each easement should include a standard binding arbitration clause or other language addressing enforcement of the restrictions dictated by the easement. Should formal arbitration fail, or issues arise which are not covered by the arbitration clause, the CTA may initiate court action. The CTA Trail Protection Committee will initiate this action after consultation with the CTA Executive Committee, which must approve the action.

## **H. Post-Closing Tasks**

- Send easement and property transfer tax form to Town Clerk for recording and include fees. Make a copy of these documents before sending.
- Finalize baseline document report.
- Prepare IRS form 8283 provided by the donor if gift is tax deductible.
- Prepare and send press release to local papers; other celebration activities.
- Send copies of baseline document and recorded deed to Grantor (and funders or co-holders if necessary) together with a Guidebook and thank you note.
- Add recorded documents to baseline document file and make a second copy for storage off site.
- Report the easement acquisition at the next board meeting.

## **I. Stewardship Funds**

Holding easements necessitates committing resources to monitoring and enforcement. The CTA calculates an assumed cost of stewardship for each easement and endeavors to add the funds to the Stewardship Account at the time of closing on an acquisition. The CTA also uses volunteers to help with annual monitoring thereby minimizing some of the costs associated with stewardship.

### **1. Stewardship Account**

The CTA has a Stewardship Account separate from our Operating Budget and other accounts. The CTA Treasurer and Finance Committee closely monitor the fund to ensure proper management and promote growth. This fund is utilized only to cover costs associated with annual monitoring and maintenance of easements or for legal enforcement in the event of a serious violation that cannot be otherwise resolved. Use of the account must be authorized by the Executive Committee upon request by the Executive Director or the Trail Protection Committee.

As the CTA grows and acquires more easements, the CTA may develop two separate accounts, one to cover annual monitoring and mitigative actions, and the other to cover legal enforcement. The CTA may also choose to develop investment and withdrawal policies.

### **2. Sources of Stewardship Funding**

The CTA considers the following sources when fundraising for stewardship:

- Landowners
- VHCB
- Foundations
- CTA Trail Fund
- Private individuals, CTA members, and businesses

### **3. Considerations to Determine the Amount of Stewardship Funds**

CTA had developed the following list of considerations to determine the cost of providing stewardship funds for each trail easement:

- a) Length of trail being protected
- b) Width of trail access easement
- c) Number of adjacent landowners
- d) Current land use
- e) Risk of development adjacent to the Trail
- f) Other restrictions on the land
- g) Complexity of the access easement, and the extent to which easement provisions will impose significant administrative burdens
- h) Annual monitoring visit -- completed by volunteers or paid staff
- i) Preparation and annual maintenance of baseline documentation
- j) A calculation of possible legal defense

## **Land Trust Alliance Standards and Practices**

Excerpts from the **Land Trust Alliance's Standards and Practices** that apply to stewardship, and informed this document:

**A. Funding Easement Stewardship.** The land trust determines the long-term stewardship and enforcement expenses of each easement transaction and secures the dedicated or operating funds to cover current and future expenses. If funds are not secured at or before the completion of the transaction, the land trust has a plan to secure these funds and has a policy committing the funds to this purpose. (See 6G.)

**B. Baseline Documentation Report.** For every easement, the land trust has a baseline documentation report (that includes a baseline map) prepared prior to closing and signed by the landowner at closing. The report documents the important conservation values protected by the easement and the relevant conditions of the property as necessary to monitor and enforce the easement. In the event that seasonal conditions prevent the completion of a full baseline documentation report by closing, a schedule for finalizing the full report and an acknowledgement of interim data [that for donations and bargain sales meets Treasury Regulations §1.170A-14(g)(5)(i)] are signed by the landowner at closing.

**C. Easement Monitoring.** The land trust monitors its easement properties regularly, at least annually, in a manner appropriate to the size and restrictions of each property, and keeps documentation (such as reports, updated photographs and maps) of each monitoring activity.

**D. Landowner Relationships.** The land trust maintains regular contact with owners of easement properties. When possible, it provides landowners with information on property management and/or referrals to resource managers. The land trust strives to promptly build a positive working relationship with new owners of easement property and informs them about the easement's existence and restrictions and the land trust's stewardship policies and procedures. The land trust establishes and implements systems to track changes in land ownership.

**E. Enforcement of Easements.** The land trust has a written policy and/or procedure detailing how it will respond to a potential violation of an easement, including the role of all parties involved (such as board members, volunteers, staff and partners) in any enforcement action. The land trust takes necessary and consistent steps to see that violations are resolved and has available, or has a strategy to secure, the financial and legal resources for enforcement and defense.

**F. Reserved and Permitted Rights and Approvals.** The land trust has an established procedure for responding to landowner required notices or requests for approvals in a timely and consistent manner, and has a system to track notices, approvals and the exercise of any significant reserved or permitted rights.

**G. Contingency Plans/Backups.** The land trust has a contingency plan for all of its easements in the event the land trust ceases to exist or can no longer steward and administer them. If a backup grantee is listed in the easement, the land trust secures prior consent of the backup grantee to accept the easement. To ensure that a backup or contingency holder will accept an easement, the land trust has complete and accurate files and stewardship and enforcement funds available for transfer.

H. **Contingency Plans for Backup Holder.** If a land trust regularly consents to being named as a backup or contingency holder, it has a policy or procedure for accepting easements from other land trusts and has a plan for how it will obtain the financial resources and organizational capacity for easements it may receive at a future date.

I. **Amendments.** The land trust recognizes that amendments are not routine, but can serve to strengthen an easement or improve its enforceability. The land trust has a written policy or procedure guiding amendment requests that: includes a prohibition against private inurement and impermissible private benefit; requires compliance with the land trust's conflict of interest policy; requires compliance with any funding requirements; addresses the role of the board; and contains a requirement that all amendments result in either a positive or not less than neutral conservation outcome and are consistent with the organization's mission.

J. **Condemnation.** The land trust is aware of the potential for condemnation, understands its rights and obligations under condemnation and the IRC, and has appropriate documentation of the important conservation values and of the percentage of the full value of the property represented by the easement. The land trust works diligently to prevent a net loss of conservation values.

K. **Extinguishment.** In rare cases, it may be necessary to extinguish, or a court may order the extinguishment of, an easement in whole or in part. In these cases, the land trust notifies any project partners and works diligently to see that the extinguishment will not result in private inurement or impermissible private benefit and to prevent a net loss of important conservation values or impairment of public confidence in the land trust or in easements.

**Catamount Trail Association  
Stewardship Program**  
*As approved by CTA Board on July 9, 2007*

**Policy on Landowner Requests for Approval**

The Catamount Trail Association (CTA) holds trail easements in perpetuity as a result of voluntary agreements with landowners. It is the policy of CTA to ensure that each easement is properly drafted, and monitored on a yearly basis. Each easement is drafted individually for each landowner but is drafted under the same fundamental principles, with a purpose and conservation value(s) specific to the trail section being protected articulated in the document.

The property owner may reserve the right within the easement document to conduct specific practices that do not degrade or hinder the conservation values of the property. If certain reserved rights have the possibility of affecting the conservation values, CTA can require approval of those reserved rights. Conducting timber harvests in or adjacent to the protected corridor is an example of reserved rights for which CTA may require approval.

*This policy only applies to reserved rights that require CTA approval. If and when a landowner wishes to exercise a reserved right needing CTA approval, CTA will abide by the following procedure.*

**Notification of Request**

The initial request must be made in writing to all parties involved with the request. This must include the intent and nature of the action, the specific reason(s) why the action is needed, and how the request does not impede on the original easement. When appropriate, the request must be accompanied by a map or other documentation.

**Consideration of Request**

A request must meet the following guidelines:

- The request must relate to the original easement, the documented conservation values, and the stated purpose of the trail easement.
- No request shall jeopardize the obligations of CTA to monitor and enforce the easement, shall not terminate the easement, or cause the easement to fail under IRS tax codes or any other applicable law.
- Any request must not increase the net value of the property, which could be seen as a violation of private benefit/inurement provisions under IRS tax code regulations.
- CTA will follow the guidelines and time constraints as written in the original conservation easement document.
- CTA will contact co-holders of the easement, if appropriate, with a recommendation upon consideration of the request.

**Approval Procedure**

1.) CTA staff will review each request within the stated timeframe to determine whether the request is properly documented and satisfies the guidelines and purposes stated in this policy. The request must be consistent with the original easement document and the baseline documentation report. Evaluations of all requests may include reasonable efforts to contact parties involved with the original transaction, including the landowner who donated/sold the easement or his/her heirs. After staff determines whether the request is properly documented and satisfies the stated guidelines and purposes above, it will submit the request to the Trail Protection Committee and any co-holders of the easement.

2.) If the Committee and co-holders conclude that the request is legally permissible, consistent with the terms of the policy statement, and clearly warranted by circumstances, the committee and co-holders may approve, approve with modification, or reject the request. Notification of the decision will be forwarded in writing to the party proposing the request.

**Tracking System**

CTA maintains a system for tracking reserved and permitted rights, the exercise of landowner rights, and approvals granted by the Association. The rights that require notification and/or approval are noted in the Baseline Documentation Report for each easement. CTA fills out a “Reserved Rights Approval Form” for any request to maintain a record of these requests. A copy of this form follows.

**CATAMOUNT TRAIL ASSOCIATION  
RESERVED RIGHTS APPROVAL FORM**

**Purpose: For use when an easement grantor requests CTA to approve the exercise of a right reserved in an approved and signed trail easement.**

Prepared by: \_\_\_\_\_ Date: \_\_\_\_\_

Easement Name: \_\_\_\_\_

Identification of this Reserved Right- \_\_\_\_\_  
\_\_\_\_\_

Location: \_\_\_\_\_

Current Landowner: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Action Requested for Approval: \_\_\_\_\_  
\_\_\_\_\_

Relevant Easement Provisions: (i.e. trail relocation, etc..) \_\_\_\_\_  
\_\_\_\_\_

Are any federal, state or local permits required? Yes/No. If yes, list permits required:  
\_\_\_\_\_

Site Visit Conducted by CTA Staff Member: \_\_\_\_\_ Date: \_\_\_\_\_

Findings after Document Review & Site Visit: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Recommendations: Approve/Disapprove/Request further information  
\_\_\_\_\_  
\_\_\_\_\_

Conditions: \_\_\_\_\_  
\_\_\_\_\_

The Reserved Right Approval Form must be signed by CTA's Trail Protection Director or designated representative.

BY: \_\_\_\_\_ DATE: \_\_\_\_\_

TITLE: \_\_\_\_\_  
\_\_\_\_\_

## **Catamount Trail Association Stewardship Program**

### **Easement Amendment Policy**

*As approved by CTA Board on July 9, 2007*

This policy sets forth 1) the principles governing the amendment of existing trail easements of which the Catamount Trail Association (CTA) is the grantee and 2) the procedures for implementing such an amendment.

The Catamount Trail Association acquires and holds trail easements in order to protect recreational and open space values for the benefit of present and future generations in Vermont. Because easement acquisitions are accomplished through voluntary agreements with landowners, the success of the program depends upon the confidence of these owners that CTA will meet its obligations to monitor and enforce the agreements. This confidence would be seriously eroded if CTA allowed modifications of its trail easements. Amendments could also raise problems with the Internal Revenue Service, both for CTA in terms of its tax-exempt status and for donors of easements in terms of any charitable deduction that may have been claimed for a gift.

Therefore, it is the policy of CTA to hold and enforce its easement agreements as written. Any request for an amendment will be reviewed according to the procedures set forth in this policy statement and will be implemented only where the CTA Executive Committee and Trail Protection Committee determine that the following principles are met.

#### **PRINCIPLES**

1. The requested modification is consistent with the CTA vision and mission, and will not undermine CTA's obligation to monitor and enforce trail easements it has accepted;
2. It is warranted under one or more of the guidelines set forth below;
3. There are no feasible alternatives available to achieve the given purpose and it is the minimum change necessary to achieve that purpose;
4. It will not erode the confidence of CTA's supporters about the goals of the organization or its intent to enforce its trail easements;
5. It will not adversely affect the CTA's status as a qualified conservation organization and easement holder under applicable state law and Sections 170(h) or 501(c)(3) of the Internal Revenue Code.

Unless specifically waived by the Executive Committee, the requestor shall pay all staff costs pertaining to reviewing the change, whether or not the request is approved. Additionally, the Board may condition the approval of an amendment request upon payment to the Stewardship Monitoring Fund of an amount sufficient to offset any increased monitoring obligations.

## **GUIDELINES**

CTA will consider modification to its trail easements only in the following circumstances:

**1. Correction of an Error or Ambiguity.** CTA may authorize an amendment to correct an obvious error or oversight made at the time the easement was entered into. This may include correction of a legal description, inclusion of standard language that was unintentionally omitted, or clarification of an ambiguity in the terms of the restrictions in order to avoid litigation over the interpretation of the document in the future.

**2. Prior Agreement.** In a few cases, an easement may include a specific provision allowing modification of the restrictions at a future date under specified circumstances. Any amendment must be consistent with the terms and preservation intent of the modification provision and the intent and purpose of the original easement. In the event of any inconsistency between deed provisions and this easement amendment policy, the provisions of the deed shall govern.

Specifically, CTA often includes a relocation clause within its easements that allows one or both parties to relocate the Trail. The agreed-upon site for relocation must be illustrated on a revised map and the change made to the trail easement document, signed by all parties, and be re-recorded on the town's land records.

**3. Abandonment of the existing Trail on the property.**

For a variety of reasons it may be desirable to relocate the CT off a property on which the Trail is protected by easement. Whether CTA chooses to relinquish the easement that protects that section of Trail will be treated on a case-by-case basis, and dependent on language agreed upon in the easement document.

**4. Settlement of Condemnation Proceedings.** Conservation easements and other interests that CTA holds in land are subject to condemnation for public purposes, such as highways, schools, etc. Where it appears that the condemnation power would be properly exercised, CTA shall attempt to preserve the intent of the original trail easement to the greatest extent possible.

**A.** Whenever all or part of the conserved trail corridor is taken in exercise of eminent domain by public, corporate, or other authority so as to abrogate in whole or in part the Trail Easement conveyed, the landowner and CTA shall thereupon act jointly to recover the full damages resulting from such taking with all incidental or direct damages and expenses incurred by them thereby to be paid out of the damages recovered.

**B.** The balance of the damages recovered shall be divided between them in proportion to the fair market value of their respective interests in that part of the property condemned on the date of execution of the trail easement deed. For this purpose, CTA's interest shall be the amount by which the fair market value of the Property immediately prior to the execution of the trail easement deed is reduced by the use limitations imposed. CTA shall use its share of the proceeds in a manner consistent with and in furtherance of the conservation purposes set forth in its by-laws.

**5. Minor Modifications Consistent with Conservation Purpose.** CTA may authorize other, minor modifications of the conservation restrictions where (a) the modification is not inconsistent with the intent of the principal parties of the original conservation project, and (b) the amended agreement is substantially equivalent to or enhances the conservation

goals of the original agreement. The Board of Directors will be extremely cautious in consenting to a change under this section, and will do so only where the circumstances suggest that a change is clearly warranted and in the best interests of conservation.

## **PROCEDURES FOR REQUESTING AN AMENDMENT**

1. **CTA-initiated Amendments.** If CTA staff recognizes the need for an amendment consistent with this policy, it will contact the landowner and recommend the amendment to the existing easement. After CTA staff and the landowner have reached agreement on the language of the amendment, which must satisfy the Guidelines set forth above, the proposed amendment will be submitted to CTA's Trail Protection Committee and Executive Committee for consideration as provided below. If CTA determines that the amendment is mutually beneficial to the landowner and CTA, the landowner may be asked to share any associated expenses. If the amendment is important to CTA's mission, CTA may proceed, whether or not the landowner agrees to share expenses. If the easement is co-held with another organization, CTA will consult with the co-holder and get its approval prior to proceeding.
2. **Landowner-initiated Amendments.** Any landowner seeking a modification to an existing trail easement shall file a request in writing with CTA stating what change is being sought and the specific reasons why it is needed or warranted. Where appropriate, the request shall also be accompanied by a map and other documentation. Unless waived, the request shall also be accompanied by a deposit equal to estimated staff costs, as determined by CTA. Any unexpended portion of the deposit shall be refunded. The landowner shall be responsible for all costs exceeding the initial deposit.

The Trail Protection Committee shall review all requests and, where appropriate, shall request CTA's staff to undertake an evaluation and a site visit and to make a recommendation. The field review shall include reasonable efforts to contact the principal parties to the original transaction, including the landowner who donated/sold the restrictions, any town or state board or agency that contributed funds to the acquisition, any co-holders of the easement, and any people who supported the acquisition through financial gifts, etc.

The staff shall present all of the information thus gathered, together with its recommendations, to the Trail Protection Committee and the Executive Committee. If these committees conclude that the amendment is legally permissible, consistent with the terms of this Policy Statement, approved by any co-holders of the easement, and clearly warranted by circumstances, the Board Chair shall direct the appropriate CTA staff to proceed with the amendment. A decision of the Executive Committee to disapprove the request shall be final, unless the landowner requests further review by the Executive Committee. The Executive Committee may approve, approve with modification, or reject the request for amendment at its next regularly scheduled meeting or at a special meeting convened for that purpose. Approval shall require a majority vote of the Executive Committee.

If approved, the amendment will be set forth in a document reviewed and approved by legal counsel, signed by all necessary parties, and recorded in the governmental office where the existing easement is recorded. During this process the staff and Trail Protection Committee may decide whether a restated and amended conservation easement is preferable to a separate amendment agreement.

## **MONITORING TRAIL EASEMENTS HELD BY THE CTA**

All easements will be monitored yearly.

Ideally, protected segments will be monitored when there is adequate snow for skiing the segment of trail. Off-season monitoring is permissible if it is determined by the Trail Chief and landowner that the conservation values and skiing experience can be properly evaluated without snow.

All protected corridors will be monitored by the local Trail Chief or student interns. In the event a trail volunteer position is vacant, CTA staff will conduct the monitoring.

All landowners with easements will be contacted yearly by the local Trail Chief to touch base on any possible issues and to foster positive, open communication.

The annual monitoring and inspection report form will include at a minimum the following information (these questions are on the accompanying form):

- 1) Date of inspection.
- 2) Name(s) of inspector(s).
- 3) Name and address of property owner. Has the land changed hands?
- 4) Did you contact the landowner prior to your visit?
- 5) Did the landowner or representing party accompany you on your inspection?
- 6) Did any of the permitted uses of the easement area alter the trail?
- 7) Provide a brief description of the trail condition at the time of the inspection. Note any nearby activity that may impact the use and enjoyment of the trail.
- 8) Please note any alterations that are inconsistent with the permitted uses that may be possible violations. Describe.
- 9) Has the property been altered by any natural causes? Describe if any.
- 10) Take photographs from the same vantage points documented in the baseline documentation if a violation is suspected or there is some other concern you would like to note.

Monitoring reports will be kept with each landowner file in the CTA office. If the project was funded by VHCB, a copy of the annual monitoring reports will be submitted to the VHCB and other co-holders if applicable.

**Catamount Trail Easement Monitoring Form**

1. Date of inspection \_\_\_\_\_

2. Name(s) of inspector(s) \_\_\_\_\_

3. Name and address of property owner \_\_\_\_\_

Has the land changed hands? \_\_\_\_\_

4. Did you contact the landowner prior to your visit? \_\_\_\_\_

5. Did the landowner or representing party accompany you on your inspection? \_\_\_\_\_

6. Did any of the permitted uses of the easement area alter the trail? \_\_\_\_\_

7. Provide a brief description of the trail condition at the time of the inspection. Note any nearby activity that may impact the use and enjoyment of the trail. \_\_\_\_\_

8. Please note any alterations that are inconsistent with the permitted uses that may be possible violations. Describe if any. \_\_\_\_\_

9. Has the property been altered by any natural causes? Describe if any. \_\_\_\_\_

10. Take photographs from the same vantage points documented in the baseline documentation.