# Revocable Permit

Owner: Tax Account #

THIS AGREEMENT made the day of , 201 by and between, , located at in the Town of Victor, NY, hereinafter referred to as “Owner” and VICTOR HIKING TRAILS, INC., a not-for-profit corporation with offices at Victor Town Hall, 85 East Main Street, Victor, NY 14564.

WITNESSETH:

WHEREAS, Owner is the owner of premises situated in the Town of Victor, Ontario County, New York as the same are more particularly shown on a sketch map attached hereto and marked Schedule A.

WHEREAS, Victor Hiking Trails, Inc. has formulated plans for the creation of a system of hiking trails to be known as ‘Victor Hiking Trails”.

WHEREAS, the Town Board of the Town of Victor has indicated its approval and endorsement of the concept of establishing the Victor Hiking Trail.

WHEREAS, it is proposed that a section of the Victor Hiking Trail (the ‘Trail’) shall cross owner’s land as shown on said Schedule A and the location of the trail has been temporarily marked by Victor Hiking Trails, Inc. and has been inspected and approved by Owner.

THEREFORE, permission is hereby granted to Victor Hiking Trails, Inc. to temporarily make use of that portion of owner’s land shown as the Trail and indefinitely on Schedule A for the purpose of creating and maintaining a hiking trail for the recreational benefit of the general public at its own cost and expense upon the following conditions and restrictions:

1. This permit shall not be assigned or transferred without the written permission of the Owner.
2. The only work authorized by this permit is to remove underbrush and trees necessary to create a hiking trail, and to blaze trees with paint or by taking metal or plastic markers thereon for the purpose of defining the trail, and such construction (footbridges, steps, barriers, etc.) as may be required for the safety of hikers, to prevent erosion, and to prevent unauthorized use by motorized vehicles.
3. It is the intention of the Victor Hiking Trails, Inc. and the Owner that the trail NOT be used by motorized vehicles. Victor Hiking Trails, Inc. will provide the trail with natural and artificial barriers designed, to the best of its ability, to inhibit its use by any motorized vehicles including without limitation motorbikes, motorcycles, or snowmobiles.
4. No structures, shelters, restrooms, picnic, or cooking facilities or campsites shall be constructed without written permission of the Owner.
5. The Owner may at any time direct Victor Hiking Trails, Inc. to change the course of the ‘Victor Hiking Trail’ as it crosses Owner’s property.
6. It is understood between the parties that § 9-103 of the General Obligations Law of the State of New York provides that an owner of land owes no duty to keep the premises safe for the use of hikers and that the granting of this license does not:
   1. extend any assurance that the premises are safe for such purpose;
   2. constitute any person using the trail an invitee to whom a duty of care is owed, or
   3. assume responsibility for or incur liability for any injury to person or property caused by any act of persons to whom permission is granted to use the ‘Victor Hiking Trails’ hereunder.
7. Owner reserves the right at any time to revoke and annul this permit, whereupon it shall become the duty of Victor Hiking Trails, Inc., at is own cost and expense, forthwith to remove from ‘Victor Hiking Trails’ any and all works and structures erected by it thereon, and vacate and surrender to the Owner possession thereof. Upon failure of Victor Hiking Trails, Inc. to remove such works and structures, the Owner may summarily enter upon and remove from said premises any and all encroachments and property of Victor Hiking Trail, Inc.
8. Notice of revocation of license or realignment of ‘Victor Hiking Trail’ may be given to Victor Hiking Trails, Inc. by mailing to it a notice to that effect by certified mail in a postpaid wrapper addressed to Victor Hiking Trails, Inc., Victor Town Hall, 85 East Main Street, Victor, NY 14564.
9. This license is to be filed in the records of Victor Hiking Trails, Inc. and kept at the corporation’s offices, and in the records of the Town of Victor, but is not to be recorded in the Ontario County Clerk’s Office.
10. No modification to this permit shall be deemed valid and/or enforceable unless in writing and signed by the parties hereto.

By:

VICTOR HIKING TRAILS, INC.

By:

TOWN OF VICTOR

By: