
EASEMENTS - VERMONT

Echeverria v. Town of Tunbridge

Supreme Court of Vermont - February 20, 2026 - A.3d - 2026 WL 479445 - 2026 VT 5

Landowners brought action against town seeking declaratory judgment that town lacked authority to perform maintenance or conduct repairs on public trails that crossed their private properties.

The Superior Court granted town's motion to dismiss. Landowners appealed. The Supreme Court reversed and remanded. On remand, the Superior Court granted summary judgment in town's favor. Landowners appealed.

The Supreme Court held that town had authority to maintain and repair public trails that crossed private property.

Towns had authority to maintain and repair public trails across private land, even though amendments removed "trail" from definition of "highway," as relevant statute continued to define "trails" as rights-of-way for which town had authority to maintain to extent necessary to ensure public's use, and other statutory provisions allowed towns to regulate how trails were used.

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