

CERTIFICATE OF HIGHWAY MILEAGE  
YEAR ENDING FEBRUARY 10, 2010

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2010 to:  
Vermont Agency of Transportation, Division of Planning, Outreach and Community Affairs, One National Life  
Drive, Montpelier, VT 05633.

We, the members of the legislative body of LINCOLN in ADDISON County  
on an oath state that the mileage of highways, according to Vermont Statutes Annotated, Title 19, Section 305,  
added 1985, is as follows:

PART I - CHANGES TOTALS - Please fill in and calculate totals.

Town Highways	Previous Mileage	Added Mileage	Subtracted Mileage	Total	Scenic Highways
Class 1	0.000			—	0.000
Class 1 Lane	0.000			—	
Class 2	17.040			17.040	0.000
Class 3	35.22		* 0.94	35.126 ← 35.13	0.000
State Highway	0.000			0.00	0.000
Class 4	6.06			6.06	0.000
Legal Trail	0.00				
<b>Total</b>	52.260			52.166	0.000


\* Mileage for Class 1 Lane, Class 4, and Legal Trail classifications is NOT included in total. 52.170


PART II - INFORMATION AND DESCRIPTION OF CHANGES SHOWN ABOVE. Adjustments by

1. NEW HIGHWAYS: Please attach Selectmen's "Certificate of Completion and Opening". S. Moulton 3/10/10
2. DISCONTINUED: Please attach SIGNED copy of proceedings (minutes of meeting).
3. RECLASSIFIED/REMEASURED: Please attach SIGNED copy of proceedings (minutes of meeting).
4. SCENIC HIGHWAYS: Please attach a copy of order designating/discontinuing Scenic Highways.

IF THERE ARE NO CHANGES IN MILEAGE: Check box and sign below. [ ]

PART III - SIGNATURES - PLEASE SIGN.

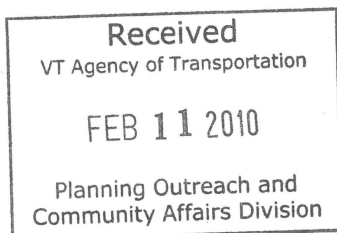
Selectmen/ Aldermen/ Trustees Signatures: 

T/C/V Clerk Signature:  Date Filed: 7/10/10

Please sign ORIGINAL and return it for Transportation signature.

AGENCY OF TRANSPORTATION APPROVAL: Signed copy will be returned to T/C/V Clerk.

APPROVED:  DATE: 5/19/2010  
Representative, Agency of Transportation



## Vermont Statutes Annotated

### 19 V.S.A. § 305. Measurement and inspection

#### § 305. Measurement and inspection

(a) After reasonable notice to the selectboard, a representative of the agency may measure and inspect the class 1, 2, and 3 town highways in each town to verify the accuracy of the records on file with the agency. Upon request, the selectboard or their designee shall be permitted to accompany the representative of the agency during the measurement and inspection. The agency shall notify the town when any highway, or portion of a highway, does not meet the standards for its assigned class. If the town fails, within one year, to restore the highway or portion of the highway to the accepted standard, or to reclassify, or to discontinue, or develop an acceptable schedule for restoring to the accepted standards, the agency for purposes of apportionment under section 306 of this title shall deduct the affected mileage from that assigned to the town for the particular class of the road in question.

(b) Annually, on or before February 10, the selectboard shall file with the town clerk a sworn statement of the description and measurements of all class 1, 2, 3, and 4 town highways and trails then in existence, including any special designation such as a throughway or scenic highway. When class 1, 2, 3, or 4 town highways, trails, or unidentified corridors are accepted, discontinued, or reclassified, a copy of the proceedings shall be filed in the town clerk's office and a copy shall be forwarded to the agency.

(c) All class 1, 2, 3, and 4 town highways and trails shall appear on the town highway maps by July 1, 2015.

(d) At least 45 days prior to first including a town highway or trail that is not clearly observable by physical evidence of its use as a highway or trail and that is legally established prior to February 10, 2006 in the sworn statement required under subsection (b) of this section, the legislative body of the municipality shall provide written notice and an opportunity to be heard at a duly warned meeting of the legislative body to persons owning lands through which a highway or trail passes or abuts.

(e) The agency shall not accept any change in mileage until the records required to be filed in the town clerk's office by this section are received by the agency. A request by a municipality to the agency for a change in mileage shall include a description of the affected highway or trail, a copy of any surveys of the affected highway or trail, minutes of meetings at which the legislative body took action with respect to the changes, and a current town highway map with the requested deletions and additions sketched on it. A survey shall not be required for class 4 town highways that are legally established prior to February 10, 2006. All records filed with the agency are subject to verification in accordance with subsection (a) of this section.

(f) The selectboard of any town who are aggrieved by a finding of the agency concerning the measurement, description or classification of a town highway may appeal to the transportation board by filing a notice of appeal with the executive secretary of the transportation board.

(g) The agency shall provide each town with a map of all of the highways in that town together with the mileage of each class 1, 2, 3, and 4 highway, as well as each trail, and such other information as the agency deems appropriate.

Excerpt of 19 V.S.A. § 305 - *Measurement and inspection* from Vermont Statutes Online located at –  
<http://www.leg.state.vt.us/statutes/fullsection.cfm?Title=19&Chapter=003&Section=00305>

12/29/2009

**TOWN OF LINCOLN  
NOTICE OF DISCONTINUANCE  
OF A PORTION OF TOWN ROAD #35**

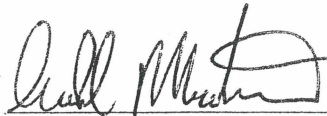
Pursuant to VT Statutes Annotated Title 19, Chapter 7, sections 708-711 relating to the discontinuance of town roads, the Board of Selectmen met on July 7, 2009 at 6:00 p.m. at the easterly end of Town Road #35, also known as Masterson Road, for the purpose of examining and inspecting the town road in question. Selectmen then and there took evidence about the use, location and necessity of discontinuing a portion of Town Road #35, and adjourned to the Town Offices for the purposes of taking further testimony.

Notice of said hearing was given in accordance with Vermont Statutes to interested and adjacent land owners and all interested persons.

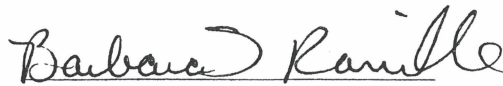
Based upon the testimony and evidence taken at the hearing, the Selectmen vote to discontinue that portion of the easterly end of Town Road #35 at the John Seibert property boundary and are discontinuing the easterly most 100 feet thereof. As a condition of this discontinuance, John Seibert will, at his own expense, and to the satisfaction of the Town Road Commissioner, construct a "turn around" and perform such ditching as is determined to be required at the end of the Town Road #35, said work to be completed within 90 days after the time for appealing this Order has expired.

Dated at Lincoln, Vermont this 25 day of August, 2009.

Town of Lincoln  
Board of Selectmen



Gerald Masterson, Chair



Barbara Rainville

\_\_\_\_\_  
Donovan Mayo

John Seibert  
490 Masterson Road



Draft  
Meeting of the Lincoln Selectboard  
July 7, 2009

Hearing and Examination for Purpose of Town Road  
Discontinuance, Masterson Road  
6 p.m.

Attending Hearing: Beanie Masterson, Barb Rainville, George Vince, Ann Kensek, John Siebert, Elwin Isham

John showed the Selectboard where he hoped to put the gate to his property and the turnaround for the Town Trucks. He affirmed that he'd build the turnaround large enough for the Town trucks to be able to safely turn around in. Garry Bashaw and John Boucher are abutters to Siebert's property in that area. No one's access is being denied by closing this section of the road

Once the change is made the drainage will be improved on Masterson road. Siebert's property is about 200 acres and is bordered on the east by National Forest. Siebert will assume all costs for building the turnaround.

Beanie recessed the Hearing to the Town Office at approximately 6:20.

Continuance of Hearing at the Lincoln Town Office. Discussion on time frame for the turnaround to be completed. John said sometime before it snows. Beanie asked George if there are any time issues. George said there is a 30 day appeal time then probably 90 days after that to finish by winter. The appeal process begins with the writing. Discussion on where the order is to be recorded in Town records. George said the Selectboard Order goes in the Highway Book if we have one and if not then in the Land Records and Selectboard files.

Selectboard Meeting called to order at 7:08p.m.

Attending: Beanie Masterson, Barb Rainville, Ann Kensek, George Vince, Elwin Isham, Gordy Folsom, Floyd Hall, Carl Mahanna, Bill Masterson, Wendy and Jim Macintosh, David and Mary Harrison, Harold Masterson, Barbara Ekedahl, Judith Falk, Jim Coons

Beanie motioned that upon a site visit and discussion with John Siebert, to end of Masterson Road as designated by a gate on the south side 50 feet to the east of the Bashaw/Siebert property marker and on the north side 100 feet east of the Boucher/Siebert property marker, generally to shorten



Masterson Road by 100 feet. John Siebert will, at his own expense, create with input from the Town Road Crew a new turnaround to be located on the north side of Masterson Road. Said turnaround will be completed before November 1, 2009. Barb Rainville seconded the motion. No discussion. Motion carried.

Ann will write up a Selectboard Order, and after running it by Beanie and Barb will submit it to the Addison Independent. In the Independent it will be indicated that there is a 30 day appeal period and that people can contact the Lincoln Town Office. A copy will be sent to John Siebert. Ann will also check with Bob Hall if there is any additional paperwork that John Siebert needs to file for Zoning.

The Selectboard reviewed the proposed new Tax Rate. Beanie moved that the Homestead Tax Rate become 2.414 and the Non-Residential Tax Rate become 2.6126. Barb seconded. Brief discussion. The shortage of State Aid money in January is why the rate went up a little. Beanie called the vote, passed.

Discussion on note for Chittenden Bank for the new Town truck. Beanie moved to sign the note for Chittenden Bank for \$147,980 for the new Freightliner Truck with a plow and sander package. No discussion. Beanie called the vote, motion passed.

Discussion on grant for ARRA re: sidewalks, etc. 20% matching, at least 10% in cash. The Selectboard will pass on this grant right now as the Town is low on matching funds for grants.

Discussion on paving grant. The Town received a grant to pave River Road. Barb will attend the mandatory meeting to learn how to implement the ARRA grant for this project.

Discussion on appointing an Emergency Manager. Beanie motioned to appoint Dave Harrison as Interim Emergency Manager until someone is appointed. Barb seconded, motion passed.

Discussion on the need of the Road Crew to document storm damage. Barb motioned to authorize Les Tracy to buy a digital camera with extra disk cards for an amount that does not exceed \$150. Beanie seconded, motion passed.

Floyd Hall came to speak for Neighborhood Watch. He said they wondered if the road crew and especially Les Tracy had hand held radios or pagers so Neighborhood Watch could get a hold of them when necessary. Discussion on pagers and radios. Barb will look into the cost of pagers and services.

**TOWN OF LINCOLN  
NOTICE OF HEARING AND EXAMINATION FOR PURPOSE OF  
TOWN ROAD DISCONTINUANCE**


Pursuant to VT Statues Annotated Title 19, Chapter 7, sections 708-711 relating to the discontinuance of town roads, that on the 2nd day of June, 2009 the Selectmen have initiated proceedings respecting the discontinuance of a portion of Town Road # 35, also known as Masterson Road.

Accordingly the Selectmen will meet on July 7, 2009 at 6 p.m. at the easterly end of Town Road # 35, also known as Masterson Road, for the purpose of examining and inspecting the town road in question. Following this examination at 7 p.m. on July 7, 2009, the Selectmen will meet at the Town Offices on Quaker Street for the purpose of receiving testimony by any person having interest respecting this matter.

All parties with an interest in the continuance or discontinuance of this town road are requested to be present at the examination and hearing relating to this action.

Dated at Lincoln, Vermont this 2<sup>nd</sup> day of June, 2009.

Town of Lincoln  
Board of Selectmen

  
Gerald Masterson, Chair

  
Barbara Rainville

\_\_\_\_\_  
Donovan Mayo



State of Vermont  
Planning, Outreach & Community Affairs Division  
Mapping Unit  
One National Life Drive  
Montpelier, VT 05633-5001  
<http://www.aot.state.vt.us>

*Agency of Transportation*

Telephone: 802-828-2600  
Fax: 802-828-2334  
Email: [johnathan.croft@state.vt.us](mailto:johnathan.croft@state.vt.us)

February 24, 2010

Gerald Masterson, Chair  
Town of Lincoln Selectboard  
c/o Lincoln Town Clerk  
62 Quaker St  
Lincoln, VT 05443

Dear Mr. Masterson,

In review of the 2010 Mileage Certificate submittal for the Town of Lincoln, a question has arisen regarding the remaining mileage of Masterson Road (TH-35). Based on review of the mileage for TH-35 that the VTrans Mapping Unit has on file, TH-35 is 0.53 miles long. This mileage was originally 0.46 miles and was re-measured in 1982, which led to an extension of 0.07 miles. This brings the total mileage in our files to 0.53 miles.

The discontinuance of 100 feet (0.02 miles) at the end of Masterson Road would bring the final mileage for this highway to 0.51 miles. This mileage does not match a measured mileage within the geographic information system (GIS) to the property lines that are described in the discontinuance proceedings.

There is also the discrepancy of the 100 feet (0.02 miles) noted in the discontinuance proceedings, but the Mileage Certificate notes a 0.094 mile subtraction for class 3 town highways. I am unable to find the description to this 0.094 miles and how it relates to the discontinuance of TH-35.

I have included a map that shows the current alignment of TH-35 and the several mileage points along the highway. This also includes our initial interpretation of the discontinuance, which I don't feel is correct and request additional input from the town to clarify the true mileage of this highway and current terminus.

Please forward more detail regarding the ending point of Masterson Road (TH-35) and the retained mileage of this class 3 town highway. Please feel free to contact me with any questions or comments regarding this request, or mapping in general.

Sincerely,



Johnathan Croft  
AOT GIS Database Administrator  
VTrans Mapping Unit

JFC/jfc

Enclosures





**CERTIFICATE OF HIGHWAY MILEAGE  
YEAR ENDING FEBRUARY 10, 2010**

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2010 to:  
Vermont Agency of Transportation, Division of Planning, Outreach and Community Affairs, One National Life  
Drive, Montpelier, VT 05633.

We, the members of the legislative body of LINCOLN in ADDISON County  
on oath state that the mileage of highways, according to Vermont Statutes Annotated, Title 19, Section 305,  
added 1985, is as follows:

**PART I - CHANGES TOTALS - Please fill in and calculate totals.**

Town Highways	Previous Mileage	Added Mileage	Subtracted Mileage	Total	Scenic Highways
Class 1	0.000			—	0.000
Class 1 Lane	0.000			—	
Class 2	17.040			17.040	0.000
Class 3	35.22		*.094	35.126	0.000
State Highway	0.000			0.00	0.000
Class 4	6.06			6.06	0.000
Legal Trail	0.00				
<b>Total</b>	52.260			52.166	0.000

\* Mileage for Class 1 Lane, Class 4, and Legal Trail classifications is NOT included in total.

**PART II - INFORMATION AND DESCRIPTION OF CHANGES SHOWN ABOVE.**

- NEW HIGHWAYS:** Please attach Selectmen's "Certificate of Completion and Opening".
- DISCONTINUED:** Please attach SIGNED copy of proceedings (minutes of meeting).
- RECLASSIFIED/REMEASURED:** Please attach SIGNED copy of proceedings (minutes of meeting).
- SCENIC HIGHWAYS:** Please attach a copy of order designating/discontinuing Scenic Highways.

IF THERE ARE NO CHANGES IN MILEAGE: Check box and sign below.

**PART III - SIGNATURES - PLEASE SIGN.**

Selectmen/ Aldermen/ Trustees Signatures:

*[Handwritten signatures]*

T/C/V Clerk Signature:

*[Handwritten signature]*

Date Filed:

2/10/10

Please sign ORIGINAL and return it for Transportation signature.

AGENCY OF TRANSPORTATION APPROVAL: Signed copy will be returned to T/C/V Clerk.

APPROVED:

Representative, Agency of Transportation

DATE:

HPM 09.01.73

checked  
2/12/88  
ad

List of roads with  
OK JAL 1994

ACT 63 RECLASSIFICATION  
(Preliminary Recommendations)

Town LINCOLN 1981

Sheet 1 of 2 1982

Field Work By E.J. Chabot 1983

Date 7/30/74

Compilation By E.J. Chabot 1983

Date 8/1/74

Officials Participating:

- Wilbert F. Clark, Selectman
- Harold L. Masterson, "
- Lee A. Cassidy, Selectman
- Richard K. Davis, Road Commissioner
- D. H. Remick, District Engineer

Town Hwy. No.	Present Mileage	Class 3	Provisional Class 3	Class 4	Remarks
4	2.70	2.70			
5	0.51	0.51			
6	4.61	4.61			
7	1.91	1.91			
8	0.86	<del>0.86</del> 0.88			+0.02 CL3 Due to Rem.
9	0.80	0.80			
10	0.10	0.10			
11	0.69	0.69		0.21	
12	0.70	<del>0.70</del> 0.62			-0.08 CL3 Due to Rem.
13	0.75	0.75		0.14	
14	0.27	0.27			
15		0.22		0.88	
16	0.51	0.51		0.24	
17	2.18	0.85		1.65	
18	0.85	0.85			
19	0.75	0.75			
20	1.20	1.20			
21				0.26	
22	0.24	0.24			
23	0.94	<del>0.94</del> 0.97			+0.03 CL3 Due to R.L.
24	0.40	0.40			
25	1.85	0.57		1.28	
26	0.78	0.78			
27	1.75	1.75			

APM 09.01.73

ACT 63 RECLASSIFICATION  
(Preliminary Recommendations)

Town LINCOLN  
Sheet 2 of 2

Officials Participating:

Wilbert F. Clark, Selectman  
Harold L. Masterson, "  
Lee A. Cassidy, Selectman  
Richard K. Davis, Road Commissioner  
D. H. Remick, District Engineer

Field Work By E. J. Chabot  
Date 7/30/74

Compilation By E. J. Chabot  
Date 8/1/74

Some

Town Hwy. No.	Present Mileage	Class 3	Provisional Class 3	Class 4	* PORTION SHOWN AS CLASS 4 ON MAP IS ACTUALLY CLASS 3 Remarks
28	1.40	1.40			
29	0.06	<del>0.06</del>		0.06	+0.06 TO CL.4 ROAD GATED 1982 *
30	NONE				
31	0.13	0.13			
32	2.25	2.25		0.60	
33	3.93	3.93			
34	1.40	1.40			
35	0.46	<del>0.53</del> <del>0.46</del>			+0.04 CL.3 REMEA. 1982
36	0.36	0.36		0.13	
37				0.21	
38	0.08	0.08			
39	0.12	0.12			
40	0.33	<del>0.29</del> <del>0.33</del>		0.04	+0.04 TO CL.4 ROAD GATED 1982 *
41	0.20	<del>0.14</del> <del>0.10</del> 1.10			PORTION ADDED TO CL.3 0.54 IN 1981 PORTION ADDED TO CL.3 0.36 IN 1983
42	0.22	0.22			
43	0.29	0.29			
45		0.02			OLD TOWN HWY. 1982
46		0.17			OLD TOWN HWY. 1982
47				0.36	+0.36 CL.4 OLD POST RD. 1985
		35,220		6.06	



Town Lincoln

Hwy. Dist. 5 County Adairson

**RECORD OF  
MILEAGE CHANGES  
PLANNING DIVISION**

Date	Road Class		Change		Net Change		Remarks
	System	No.	From	To	+	- (Deduct)	
11/27/76	Town Total	C13	17.04	34.19		3.54	
	Town Total	All Syst	54.770	51.230			Excludes Class 9
	Town Total	C14	0.00	5.60	5.60		<b>CHANGES DUE TO MARCH 1st REPORT 1976</b> EGL
2/28/81	C13	41	0.20	0.74	0.54		Addition
	Town Total	C13	34.19	34.73			<b>CHANGES DUE TO MARCH 1st REPORT 1981</b> EGL
	Town Total	All Syst	51.230	51.770			
2/28/82	C13	29	0.06	C14		0.06	+0.06 C14 Total C14 0.06 gated
	C13	35	0.46	0.53	0.07		reimbursement
	C13	40	0.33	0.29		0.04	+0.04 C14 Total C14 0.04 cabled
	C13	45	0.00	0.02	0.02		Old Town Highway
	C13	46	0.00	0.17	0.17		Old Town Highway
	Town Total	C13	34.73	34.89	0.16		
	Town Total	All Syst	51.77	51.93			excludes C14
	Town Total	C14	5.60	5.70	C14 0.10		<b>CHANGES DUE TO MARCH 1st REPORT 1982</b> EGL

VERMONT AGENCY OF TRANSPORTATION  
PLANNING DIVISION  
MAPPING & ROAD INVENTORY SECTION  
Form HPM- 02.11.69, Rev. April, 1979

# ROAD MEASUREMENT, 1993

Pursuant to the provisions of Title 19 V.S.A. Section 305, the Class 1, 2 and 3 highways of this Town/City were measured by:

FOR THE TOWN

Full Name, Printed:	Signature:	Title:	Date:
		Selectman	Mo. Day Year
<u>Ed Thompson</u>	<u>Ed Thompson</u>	<u>RF</u>	<u>6/3/93</u>
_____	_____	_____	_____
_____	_____	_____	_____

FOR THE STATE TRANSPORTATION BOARD

Full Name, Printed:	Signature:	Title:
<u>Jay H Kilton</u>	<u>Jay H Kilton</u>	<u>Road Inventory Supervisor</u>

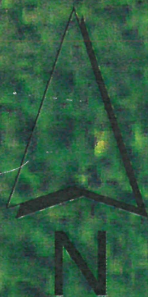
SELECTMAN'S STATEMENT OF DISCUSSION

This is to certify that on this date I have discussed with Mr. Kilton all of the mileage changes in this town as measured between the dates of 6/3/93 and         . I concur in these changes and in the designation of roads as Class 1, 2, 3, 4, private, or discontinued. It is understood that if changes in status should occur between now and the time of the next Annual Mileage Report, the selectmen will notify the Agency of Transportation, Planning Division, Montpelier.

Signed:	Full Name, Printed:	Signature:	Title:	Date:
	<u>Ed Thompson</u>	<u>Ed Thompson</u>	<u>RF</u> Selectman	<u>6/3/93</u> Mo. Day Year







Approximately 0.46 miles

0.53 miles at terminus

0.51 to 0.53 miles  
Possible Discontinued Section





