

CERTIFICATE OF HIGHWAY MILEAGE  
YEAR ENDING FEBRUARY 10, 2016

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2016 to:  
Vermont Agency of Transportation, Division of Policy, Planning and Intermodal Development, Mapping Section  
One National Life Drive, Montpelier, VT 05633.

We, the members of the legislative body of ESSEX in CHITTENDEN 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	0	0.000	0.000
Class 2	10.830	0	0	10.830	0.000
Class 3	64.78	0.045	0	64.82	0.000
State Highway	22.312	0	0	22.312	0.000
<b>Total</b>	97.922	0.045		97.967	0.000
* Class 1 Lane	0.000	0	0	0.000	
* Class 4	3.40	0	0	3.40	0.000
* Legal Trail	0.50	0	0	0.50	

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

PART II - INFORMATION AND DESCRIPTION OF CHANGES SHOWN ABOVE.

1. NEW HIGHWAYS: Please attach Selectmen's "Certificate of Completion and Opening".

Commonwealth Avenue (Sta. 10+40 to 12+50)

Mileage adjustments by K. Alley, as per email to A. Martin 3/29/2016

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:

*[Handwritten signatures: E. Frantz, W. M. ...]*  
*[Handwritten signature: Cheryl Mooney]*

T/C/V Clerk Signature:

Date Filed:

3/16/16

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:

5/12/2016

**Received**

MAR 18 2016

Policy, Planning & Intermodal  
Development Division

Vermont Statutes Annotated

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

**Received**

FEB 08 2016

Policy, Planning & Intermodal  
Development Division

**§ 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.

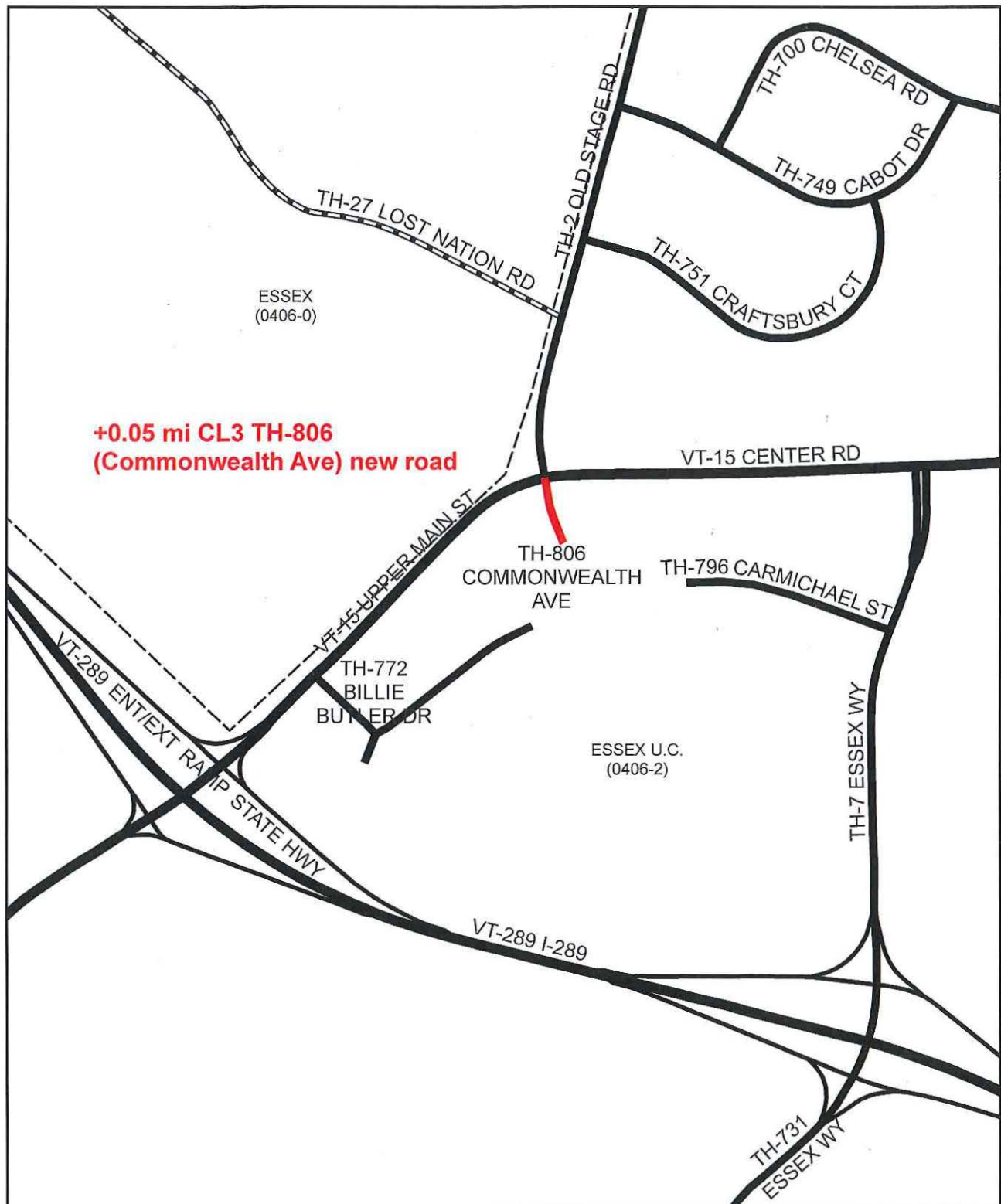
(e) The agency shall not accept any change in mileage until the records required to be filed in the town clerk's office by this section are received by the agency. A request by a municipality to the agency for a change in mileage shall include a description of the affected highway or trail, a copy of 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://legislature.vermont.gov/statutes/section/19/003/00305>

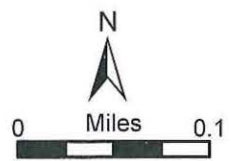
December 2015

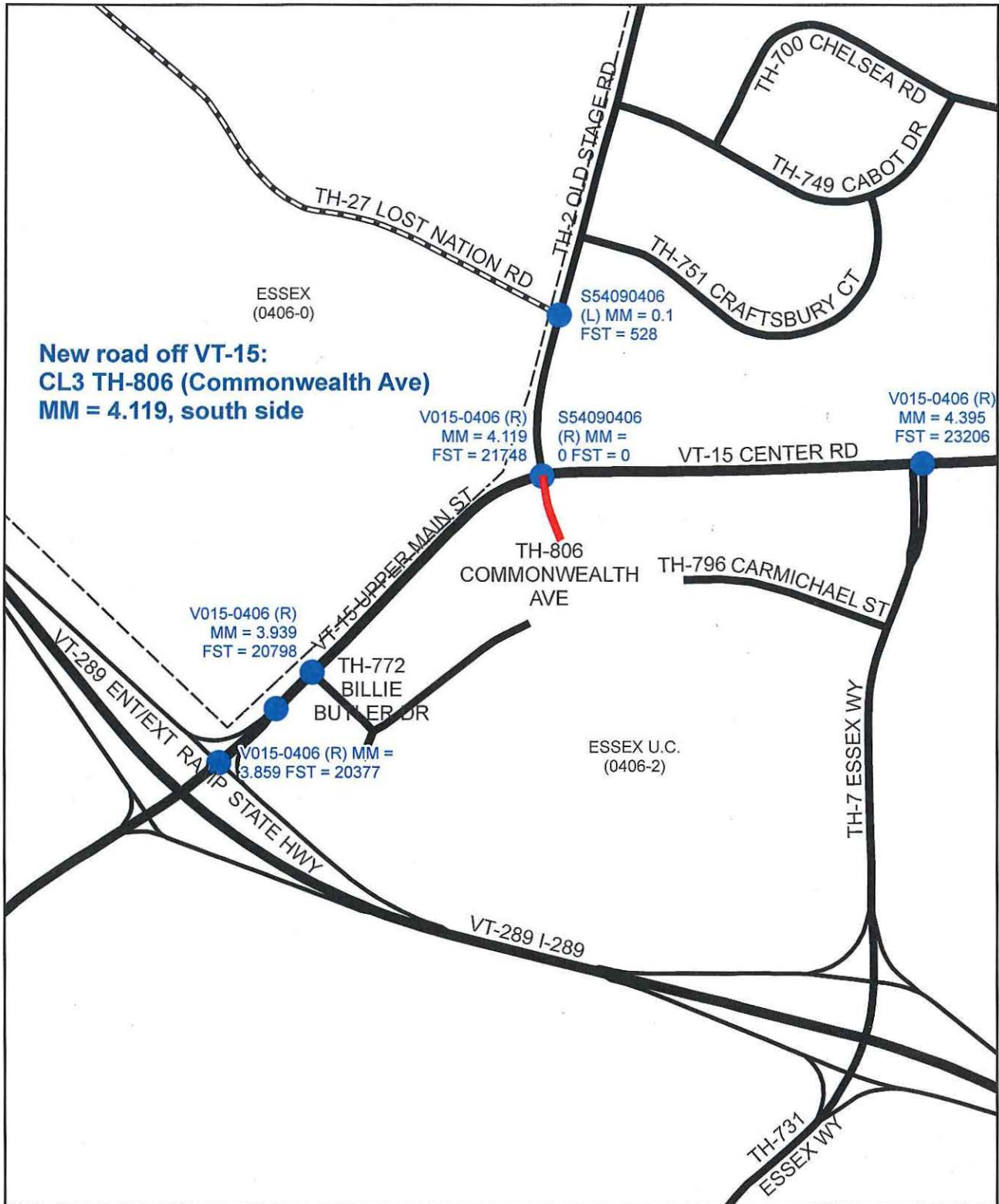


**+0.05 mi CL3 TH-806  
(Commonwealth Ave) new road**

**Mileage Certificate Changes 2016  
ESSEX CENTER U.C. (0406-2)**

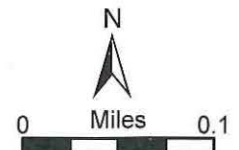
Mapping Section  
Division of Policy and Planning  
Vermont Agency of Transportation -- March 29, 2016





**Mileage Certificate Changes 2016  
ESSEX CENTER U.C. (0406-2)**

Mapping Section  
 Division of Policy and Planning  
 Vermont Agency of Transportation -- March 29, 2016



## Alley, Kerry

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**From:** Aaron Martin <amartin@ESSEX.ORG>  
**Sent:** Tuesday, March 29, 2016 11:39 AM  
**To:** Alley, Kerry  
**Subject:** RE: Town of Essex - Mapping Commonwealth Ave.

Thanks Kerry

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**From:** Alley, Kerry [mailto:Kerry.Alley@vermont.gov]  
**Sent:** Tuesday, March 29, 2016 11:18 AM  
**To:** Aaron Martin  
**Subject:** RE: Town of Essex - Mapping Commonwealth Ave.

Thanks Aaron!

Rounded off to 2 decimal places will put the length of Commonwealth Ave (TH-806) at 0.05 mi instead of 0.04 mile. I will make this adjustment to the 2016 Mileage Certificate, with an explanatory note. A copy will be returned to the Town Clerk in a couple months.

Thanks again,  
Kerry

Original Attachments of message below: <<slide 456 - Commonwealth ROW plat BW 02-24-2011.pdf>>

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**From:** Aaron Martin [mailto:amartin@ESSEX.ORG]  
**Sent:** Tuesday, March 29, 2016 9:20 AM  
**To:** Alley, Kerry <Kerry.Alley@vermont.gov>  
**Subject:** RE: Town of Essex - Mapping Commonwealth Ave.

Kerry

Sorry for not getting back with this. Attached is the information you require.

Call with questions or if you need more.

**Aaron K. Martin, P.E.**  
Utilities Director / Town Engineer  
Town of Essex  
81 Main Street  
Essex Junction, VT 05452  
P: 802.878.1344  
F: 802.878.1355  
C: 802.363.5607  
[www.essex.org](http://www.essex.org)

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**From:** Alley, Kerry [mailto:Kerry.Alley@vermont.gov]  
**Sent:** Monday, March 28, 2016 10:53 AM

**To:** Aaron Martin

**Subject:** Town of Essex - Mapping Commonwealth Ave.

Hi Aaron,

Have you been able to get a copy/scan of the Map Slide showing Commonwealth Ave? I received the Mileage Certificate with the Clerk's signature and date on March 18<sup>th</sup>, so thanks for any prompting you might have done!

Kerry

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Kerry Alley

AOT Mapping & GIS Specialist

Vermont Agency of Transportation (VTrans)

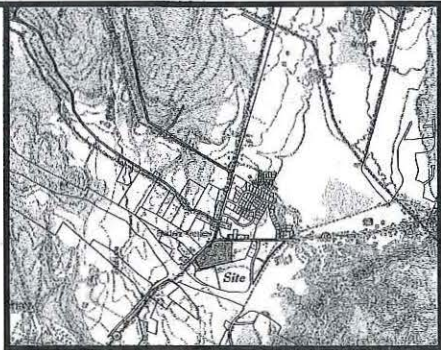
[Kerry.Alley@vermont.gov](mailto:Kerry.Alley@vermont.gov) – Please note new email address

(802) 828-3666

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This is an Original Mylar

Town of Essex  
Received for Record  
March 21 A.D. 2011  
at 2 o'clock 3 minutes P.M.  
and recorded in Slide 456  
attest: *[Signature]*  
Town Clerk

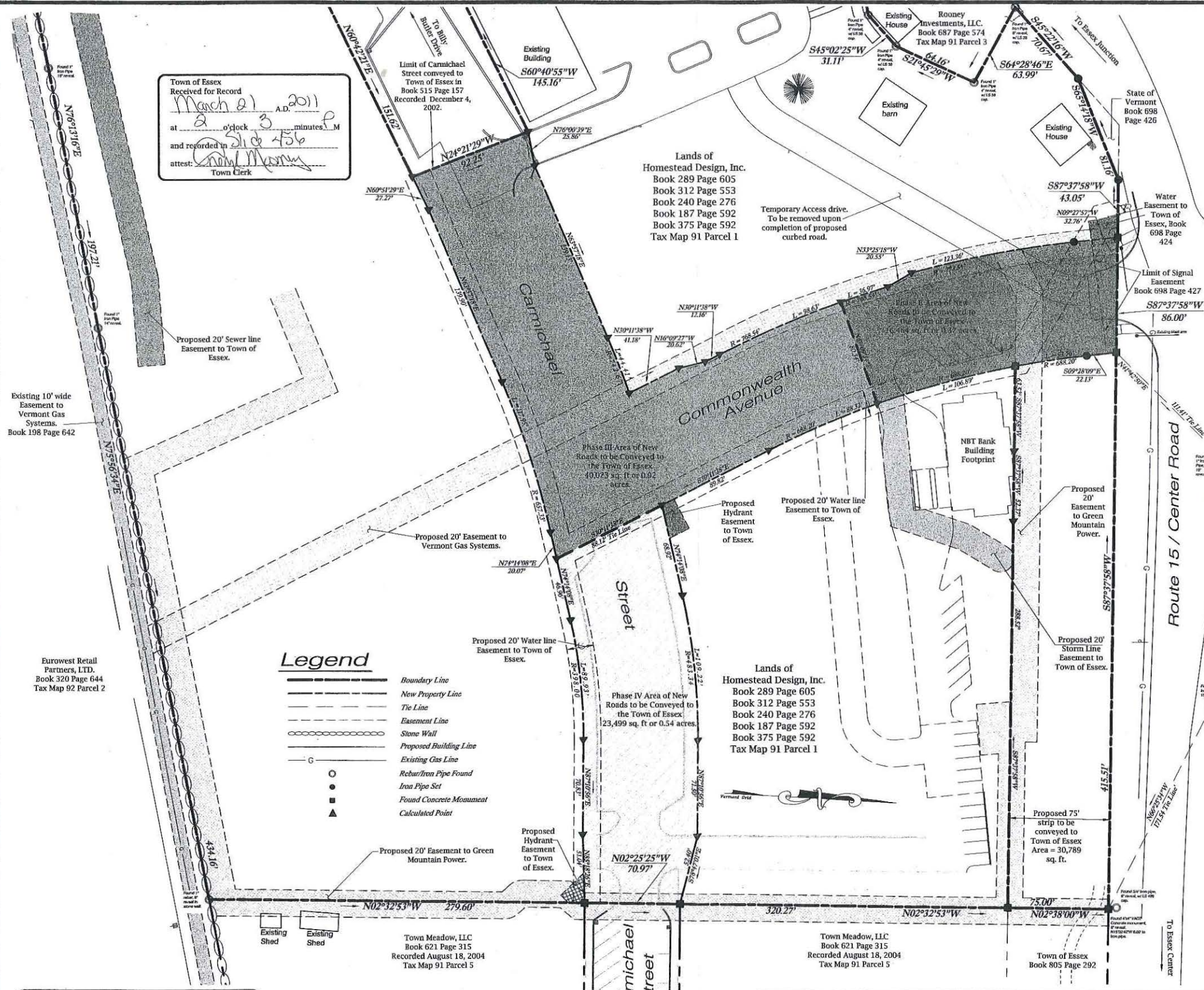


Location Plan-n.t.s.

Survey Notes:

- This Subdivision Survey has been compiled from field surveys and record evidence including the following plans:
  - A) "The Lang Farm, Boundary Plat, Parcels A and A-1", by Donald L. Hamlin Consulting Engineers Inc., recorded on slide #159 in the Town of Essex Land Records.
  - B) "Right of way Plans for Vermont Route 289, sheets 25-30 of 55, dated January 1989. Found in the Vermont Highway District 5 records.
  - C) "The Lang Farm, Parcels A & F-3, Essex Way, Essex Vermont, Property Plat", by Lamoureux & Stone Consulting Engineers Inc., dated 12-4-91, last revised 7-9-02, recorded on slide #273 in the Town of Essex Land Records.
  - D) "The Lang Farm Center, Parcels A to A-4, Essex, Vermont, Property Plat", by Lamoureux & Stone Consulting Engineers Inc., dated 12-4-91, last revised 7-9-02, recorded on slide #273 in the Town of Essex Land Records.
  - E) "The Lang Farm, Essex Vermont, Boundary Plat, Parcel F Subdivision", prepared by Donald L. Hamlin Consulting Engineers, Inc., dated 1-26-80, last revised 6-19-80, recorded August 28, 1980 on slide #175 in the Town of Essex Land Records.
  - F) "Lang Farm, Essex, Vermont, Sketch Plat", prepared by Donald L. Hamlin Consulting Engineers Inc., dated 8-19-85, approved by resolution of the planning commission of the Town of Essex Feb. 28, 1985 and recorded on slide # 159 in the Town of Essex Land Records.
  - G) "The Lang Farm Center, Parcels A & F-3, Essex, Vermont, Property Plat", prepared by Lamoureux & Stone Consulting Engineers Inc., dated 2-28-94, last revised 8-5-96 and recorded on June 5, 1996 on slide #306 in the Town of Essex Land Records.
  - H) "Sketch of gas main off Essex Way", prepared by Vermont Gas Systems, dated 8/29/89 and found in the Vermont Gas Systems records.
  - I) "Lands of Town Meadow, LLC", prepared by O'Leary-Burke Civil Associates, PLC., revised on November 28, 2007 and filed in slide 443 of the Town of Essex Land Records.
  - J) "ALTA/ACSM, Land Title Survey, Essex Senior Housing", prepared by O'Leary-Burke Civil Associates, PLC., revised on February 6, 2008 and filed in slide 443 of the Town of Essex Land Records.
  - K) "ALTA/ACSM, Land Title Survey, Cathedral Square", prepared by O'Leary-Burke Civil Associates, PLC., dated December 13 2007 and filed in slide 441 of the Town of Essex Land Records.
  - L) "Footprint Lot, Cathedral Square", prepared by O'Leary-Burke Civil Associates, PLC., dated August 15, 2007 and filed in slide 441 of the Town of Essex Land Records.
  - M) "Lands to Town Meadow, Property Plat, Congregate Housing Complex" prepared by O'Leary-Burke Civil Associates, PLC., revised on August 16, 2007 and filed in slide 438 of the Town of Essex Land Records.
  - N) "Lands to Town Meadow, Property Plat, Congregate Housing Complex" prepared by O'Leary-Burke Civil Associates, PLC., dated July 8, 2007 and filed in slide 432 of the Town of Essex Land Records.
  - O) "Minor Final Plan Amendment for Homestead Design, Inc., Essex Town Center", prepared by Burton Professional Land Surveys, PC., dated May 7, 2003 and filed in slide 392 of the Town of Essex Land Records.
  - P) "Right of Way Plans, Project # STP 030 11175, prepared by Lamoureux & Dickinson Engineers, Inc., dated January 20, 2003, and filed in slide 397 of the Town of Essex Land Records.
  - Q) "Lands of Homestead Design, Inc., and Victoria Granite", prepared by Lamoureux, Stone & O'Leary revised December 18, 1998 and filed in slide 329 of the Town of Essex Land Records.
  - R) "Lands of Homestead Design, Inc., and Victoria Granite", prepared by Lamoureux, Stone & O'Leary revised January 27, 1998 and filed in slide 328 of the Town of Essex Land Records.
  - S) "Footprint Lot, Homestead Design Inc., at Essex Town Center, prepared by O'Leary-Burke Civil Associates, PLC., dated June 11, 2009 and filed in slide 440 of the Town of Essex Land Records.
  - T) "Property Plat, Building E", prepared by O'Leary-Burke Civil Associates, PLC., last revised January 28, 2010, and filed in slide 450 of the Town of Essex Land Records.
  - U) "Subdivision Plat, Lands of Homestead Design at Essex Town Center", prepared by O'Leary-Burke Civil Associates, PLC., dated September 10, 2008 and filed in slide 444 of the Town of Essex Land Records.
- Bearings are based on Vermont Grid as referenced by "The Lang Farm, Boundary Plat, Parcels A and A-1", prepared by Donald L. Hamlin Consulting Engineers Inc., recorded on slide #159 in the Town of Essex Land Records (Note 1A).
- Survey methods employed (total station) and the resulting error of closure/precision ratio, meet or exceed minimum precision requirements for Urban Surveys as outlined in "Standards for the Practice of Land Surveying", adopted by the Vermont Board of Land Surveyors, effective 10/11/99.
- There may be additional easements, restrictions, and/or reservations not shown hereon that may or may not be found in the Town of Essex Land Records.
- This survey depicts the property lines of Homestead Design, Inc., and the abutting owners based on Town of Essex Land Records as of September, 2008.
- This plat is for the depiction of boundaries based upon V.S.A. Title 26 Chapter 45 § 2502 (3) a-c and (4) a-e. Any information identified graphically or noted on this plat which is outside the scope and expertise of a Vermont Licensed Land Surveyor as outlined in the statutes herein referenced to, is not warranted to be correct and is not covered by the certification contained hereon.
- Where conflicts between physical evidence and written evidence are substantial, deed and/or documents should be executed to eliminate any color of title or conflict.
- This plat is valid for recording only if stamped in the left margin with "This is an Original Mylar", signed, dated and stamped with blue ink containing the Licensed Land Surveyors Seal.
- Parcel is subject to a 10' easement to NET&T, recorded in Book 376 Page 435 of the Town of Essex Land Records. The location of the easement could not be ascertained.
- Parcel is subject to a 10' easement to Vermont Gas Systems, recorded in Book 374 Page 682 of the Town of Essex Land Records. The location of the easement could not be ascertained.

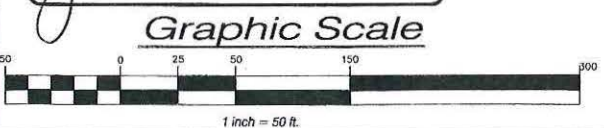
slide 456 - Commonwealth ROW Plat BW 02-24-2011.pdf



Legend

- Boundary Line
- New Property Line
- Tie Line
- Easement Line
- Stone Wall
- Proposed Building Line
- Existing Gas Line
- Rebar/iron Pipe Found
- Iron Pipe Set
- Found Concrete Monument
- Calculated Point

Approved by Resolution of the Town of Essex Planning Commission on Dec. 9, 2010 Subject to all requirements and conditions of said Resolution. Signed this 21 day of March 2011. BY: *[Signature]* Chairman/Clerk



I hereby certify that the information shown hereon is correct to the best of my knowledge and belief and is based upon a collaboration of pertinent deeds, plats, parcel, and other recorded evidence. This plat was prepared in accordance with and complies with Vermont Statute Title 27, § 1403, (a) through (e).  
*[Signature]* Dated 3/1/2011



DATE	REVISION
SURVEY	RECORD DRAWING
OBCA	PRELIMINARY
DESIGN	FINAL
DWB	SKETCH
DRAWN	
JRF	
CHECKED	
DWB/HLS	
SCALE	
1"=50'	

**Right-of-Way Plat**  
Lands and Easements to be Conveyed to  
**Town of Essex**  
**Commonwealth Avenue & Carmichael Street**

DATE 02/24/11  
JOB 008  
FILE 008-ROAD-PLAT  
PLAN SHEET # PL

**O'LEARY-BURKE**  
CIVIL ASSOCIATES, PLC  
1 CORPORATE DRIVE, SUITE 1  
ESSEX, VT  
PHONE: 878-9990  
FAX: 878-9988  
EMAIL: obca@olearyburke.com



# TOWN OF ESSEX VERMONT

81 MAIN STREET, ESSEX JUNCTION, VERMONT 05452  
Fax: 878-1353 • E-mail: [manager@essex.org](mailto:manager@essex.org) • Website: [www.essex.org](http://www.essex.org)

February 05, 2016

Vermont Agency of Transportation  
Attn: Kerry Alley, Mileage Certificate Specialist  
Division of Policy, Planning and Intermodal Development  
Mapping Section  
1 National Life Drive  
Montpelier, Vermont 05633-5001

Re: 2016 Highway Acceptance

Dear Kerry,

The Town of Essex has enclosed our 2016 Certificate of Highway Mileage, Certificate of Completion and Opening, and other documentation describing the section of the Class III Town Highway known as Commonwealth Avenue that has been accepted by the Town of Essex.

Please feel free to contact the Public Works office if you have any questions or comments after review of the information submitted.

Sincerely,

Aaron Martin, P.E.,  
Utilities Director / Town Engineer

Attachments

CC: Patrick C. Scheidel, Town Manager  
Cheryl Moomey, Town Clerk  
Dennis Lutz, P.E., Public Works Director  
Shannon Lunderville, GIS Coordinator  
File



**CERTIFICATE of COMPLETION and OPENING  
of a HIGHWAY for PUBLIC TRAVEL**

VTrans Use Only	
Certificate Year:	2016
Highway Class:	3
Town Highway #:	806
Mileage:	0.05

CHERYL MOOMEY, TOWN Clerk of the TOWN of  
(Clerk's Name) (City/Town/Village) (City/Town/Village)  
ESSEX, Vermont.  
(City/Town/Village Name)

Pursuant to Title 19, V.S.A., Chapter 7, this is to certify that the following described section of Class \_\_\_\_\_  
(1,2,3 or 4)  
 Highway in the TOWN of ESSEX was COMPLETED AND OPENED  
(City/Town/Village) (City/Town/Village Name)  
 FOR PUBLIC TRAVEL on SEPTEMBER 6, 2011.  
(Month - Day) (Year)

DESCRIPTION OF RIGHT OF WAY: **Commonwealth Avenue**  
(Include road name and intersecting town highway numbers) (Sta. 10+40 to 12+50)

Beginning at the intersection of Center Road, (Vermont Route 15 at Butler's Corner's),  
 for a distance of approximately 210.0' (0.040 miles). See attached deed description and  
 drawing.

and as shown on a Highway Map of the TOWN of ESSEX,  
(City/Town/Village) (City/Town/Village Name)  
 dated \_\_\_\_\_, \_\_\_\_\_, and filed in Book \_\_\_\_\_ on page \_\_\_\_\_ of the Records of  
(Month - Day) (Year) (Book #) (Page #)  
 the TOWN of ESSEX by the TOWN Clerk of said TOWN  
(City/Town/Village) (City/Town/Village Name) (City/Town/Village) (City/Town/Village)  
 incorporated herein by reference and attested to on said map by said TOWN Clerk.  
(City/Town/Village)

Dated at TOWN OF ESSEX, County of CHITTENDEN and State of Vermont,  
(City/Town/Village Name) (County Name)  
 this \_\_\_\_\_ day of \_\_\_\_\_, A.D.,  
(Date - Day) (Date - Month) (Date - Year)

[Signature]  
(Selectman/Alderman/Trustee Signature)  
[Signature]  
(Selectman/Alderman/Trustee Signature)  
[Signature]  
(Selectman/Alderman/Trustee Signature)

[Signature]  
(Selectman/Alderman/Trustee Signature)  
[Signature]  
(Selectman/Alderman/Trustee Signature)  
[Signature]  
(Selectman/Alderman/Trustee Signature)

BOARD  
 OF  
 SELECTMEN,  
 ALDERMAN,  
 or TRUSTEES

\_\_\_\_\_  
(Manager/Mayor Signature)  
 and the Manager/Mayor of the City/Town/Village of \_\_\_\_\_  
(City/Town/Village Name)

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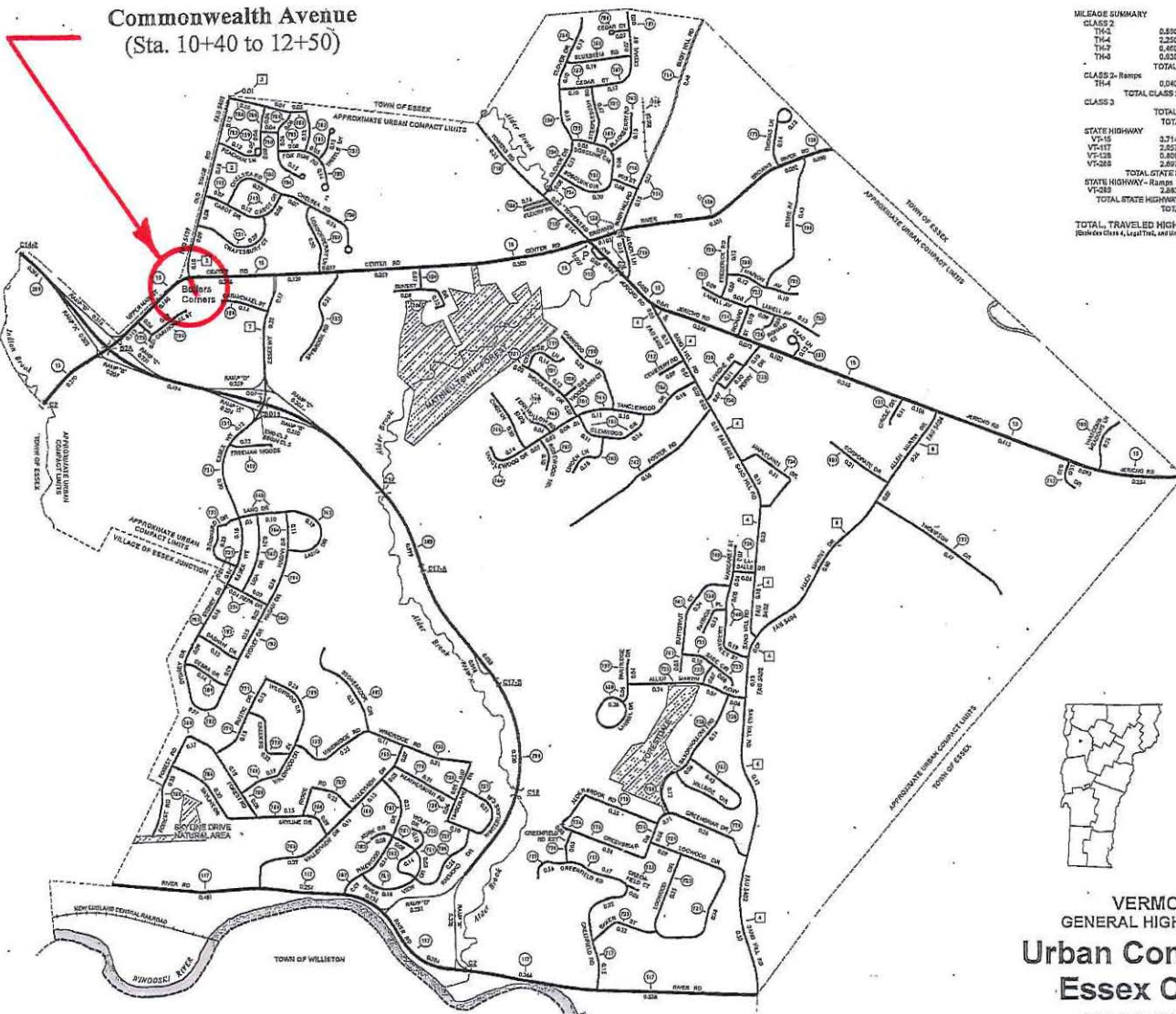
\_\_\_\_\_, VERMONT  
(City/Town/Village Name) (Month - Day) (Year)

THE ABOVE IS A TRUE COPY OF THE DESCRIPTION OF CLASS \_\_\_\_\_ HIGHWAY COMPLETED AND OPENED  
(1,2,3 or 4)  
 FOR PUBLIC TRAVEL, RECORDED IN BOOK \_\_\_\_\_ ON PAGE \_\_\_\_\_ OF THE \_\_\_\_\_ RECORDS  
(Book #) (Page #)  
 OF THE \_\_\_\_\_ OF \_\_\_\_\_ ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_  
(City/Town/Village) (City/Town/Village Name) (Date - Day) (Date - Month)  
 \_\_\_\_\_, AT \_\_\_\_\_ O'CLOCK, \_\_\_\_\_ M.  
(Date - Year) (Time) (A or P)

ATTEST: \_\_\_\_\_  
(Clerk's Name)  
 \_\_\_\_\_ CLERK OF \_\_\_\_\_, VERMONT  
(City/Town/Village) (City/Town/Village Name)

TOWN	LENGTH IN MILES	CLASS	TOWN ROAD NAME
No.	1	4	
702	0.55		CHERRY RD
701	0.32		WOODLAWN DR
704	0.20		LONGWOODERRY LN
703	0.37		CLEMMOND DR
706	0.27		SUNSET DR
705	0.19		LINDEN LN
708	0.21		SUNSET DR
707	0.10		ROSEWOOD TRIL
705	0.18		FLUERY DR
709	0.25		WOODLAWN CT
710	0.48		TOWERS DR
711	0.14		CYPRESS LN
712	0.07		TRUCKMONG
713	0.10		LED DR
714	0.08		BERRY HILL RD
715	0.53		IRIS ST
716	0.08		TRIPLE
717	0.70	(0.20)	GREENFIELD RD
719	0.15		ALDER LN
718	0.25		ALTERBROOK RD
720	0.10		FREDERICK RD
721	0.25		LONGWOOD DR
722	0.08		LAMMELL AV
723	0.08		GREENFIELD CT
724	0.10		RICHARD ST
725	0.22		BAKER ST
726	0.05		RONALD CT
727	0.31		WINTERLANE CIR
728	0.11		LAURENS DR
728	0.19		TRAILBLANE DR
729	0.15		LAURENS DR
730	0.20		PERRY DR
731	0.21		SWINEY DR
731	0.54		ESSEX VY
732	0.11		CIRCLE DR
732	0.27		WINDRIDGE RD
734	0.31		MAPLEAVEN DR
735	0.27		ALICE MARTIN PKWY
736	0.06		LASALLE RD
737	0.07		HICKORY LN
735	0.13		PATRICIA PL
738	0.16		SAGE DR
740	0.23		MARGARET ST
741	0.29		BUTTERNUT CT
742	0.15		FORTER RD
743	0.15		BLACKBERRY RD
744	0.23		TRAILWOOD DR
745	0.34		LANG DR
746	0.15		EMERY LN
747	0.24		LEDA DR
748	0.04	(0.25)	FERN HOLLOW RD
749	0.27		DART DR
750	0.20		CANNOD LN
751	0.20		DRAFTSBURY CT
752	0.28		CEMETERY RD
753	0.31		SAVINGBROOK RD
754	0.57		CLOWER DR
755	0.41		BROOKLINE CIR
756	0.42		SAXONHOLLOW DR
757	0.44		PINWOOD DR
758	0.19		WILLOUGHBY DR
759	0.18		FRANKLIN LN
760	0.18		BLUESTEM RD
761	0.20		RIVER VIEW DR
762	0.14		PERNISE DR
763	0.40		HILLADE DR
764	0.24		NAGAN DR
765	0.55		VALLEYVIEW DR
766	0.24		SHILLY DR
767	0.23		RIDGE RD
768	0.28		FOREST RD
769	0.45		WILDWOOD DR
770	0.22		CREEK RD
771	0.28		BLUTIC DR
772	0.27		SILLIE BUTLER DR
773	0.27		THOMAS LN
774	0.13		NEPA DR
775	0.10		WOLFEY DR
776	0.72		BRENDRARI DR
777	0.47		THOMPSON DR
778	0.21		WEATHERBUSH RD
779	0.25		GREENFIELD RD EXT
780	0.28		STEPTON WEAVER LN
781	0.17		STEEPLEBUSH RD
782	0.88		QUINN DR
783	0.12		POMPRET LN
784	0.29		WINDERSFIELD BOW
785	0.27		FOX RUN RD
786	0.28		RAYMOND DR
787	0.28		CEGAR DR
788	0.27		CEGAR CT
789	0.12		PEACHAM LN
790	0.24		CAVENDISH DR
791	0.13		WHISTLE LN
792	0.18		CRITCHFIELD DR
793	0.15		BARSHAW DR
794	0.14		CEGAR DR
795	0.24		STANNARD DR
796	0.28		CARRIE LN
797	0.04		HARTBRIDGE DR
798	0.43		HEMLOCK DR
799	0.22		MARTIN AV
800	0.24		LAUREL DR
801	0.21		CONFORTE DR
802	0.13		FRESHMAN WOODS
803	0.21		STONEBROOK CIR
805	0.13		LILAC LN
TOTAL	28.31	0.25	

### Commonwealth Avenue (Sta. 10+40 to 12+50)



**MILEAGE SUMMARY**

CLASS 2		
T164	0.80	
T164	2.20	
T163	0.40	
T163	0.00	
T162	0.00	
T161	0.00	
TOTAL CLASS 2	4.22	
CLASS 3 - Ramps		
T164	0.00	
TOTAL CLASS 3 - Ramps	0.00	
CLASS 3		
TOTAL CLASS 3	28.31	
TOTAL TOWN	32.570	
STATE HIGHWAY		
VT-15	3.714	
VT-117	2.227	
VT-128	0.800	
VT-288	2.897	
TOTAL STATE HIGHWAY	9.237	
STATE HIGHWAY - Ramps		
VT-288	0.863	
TOTAL STATE HIGHWAY - Ramps	2.853	
TOTAL STATE	12.127	
TOTAL, TRAVELED HIGHWAYS, FEB. 10, 2015	44.707	

*(Includes Class 4, Legal Trail, and Unimproved Center Allevy)*

**VERMONT  
GENERAL HIGHWAY MAP  
Urban Compact of  
Essex Center**

CHITTENDEN COUNTY  
Transportation District #8

Prepared by the  
Vermont Agency of Transportation  
Division of Policy, Planning and Intermodal Development  
In cooperation with  
U.S. Department of Transportation  
Federal Highway Administration

Map as of February 10, 2015  
Map passed June 10, 2015  
SCALE 1:13,000

0 0.1 0.2 0.3 0.4  
Miles  
0 0.1 0.2 0.3 0.4  
Kilometers

- INTERSTATE OR DIVIDED HIGHWAY
- STATE-PAVED SURFACE OR PAVED
- TOWN-PAVED SURFACE OR PAVED
- GRAVEL
- SOIL OR GRADED AND DRAINED EARTH
- UNIMPROVED OR UNPAVED
- UNPAVED OR UNTRAVELED
- LEGAL TRAIL
- DISCONTINUED
- HIGHWAY CLASS CHANGE
- RAILROAD
- INACTIVE RAILROAD
- NATIONAL FOREST ROAD
- STATE FOREST HIGHWAY
- PARK AND RIDE
- PUBLIC LAND - GREEN MOUNTAIN NATIONAL FOREST
- PUBLIC LAND - STATE/COMMERCIAL
- POLITICAL SUBDIVISION
- STATE BOUNDARY
- COUNTY BOUNDARY
- TOWN BOUNDARY
- VILLAGE BOUNDARY
- URBAN COMPACT BOUNDARY
- WATER BODY
- STREAM OR BROOK
- BRIDGE OR CULVERT
- BRIDGE OR CULVERT > 20'
- BRIDGE OR CULVERT > 30'
- VOICED BRIDGE
- VOICED CULVERT > 0'
- STATE BRIDGE OR CULVERT IDENTIFIER
- TOWN BRIDGE OR CULVERT IDENTIFIER

# Commonwealth Avenue

**Vermont State Plane Coordinate System**  
North American Datum of 1983  
SPCS\_Zone\_18N  
Geoid Height System 80  
2,000-meter grid, Easting = Northing

**DISCLAIMER:**  
The unimproved highways (dashed town highways), discontinued highways, and legal trails herein are those of which the Agency of Transportation has record, others may exist.

Highway and bridge data by the Agency of Transportation. Town street boundaries are drawn from the Vermont Center Bridge & Culvert Inventory Tool (VOCBIT) database. All other data from the Vermont Center for Geographic Information. Only named streams are shown.



# TOWN OF ESSEX VERMONT

81 MAIN STREET, ESSEX JUNCTION, VERMONT 05452  
**Fax:** 878-1353 • **E-mail:** [manager@essex.org](mailto:manager@essex.org) • **Website:** [www.essex.org](http://www.essex.org)

January 19, 2016

HDI Real Estate  
Attn: Rick Bove  
218 Overlake Drive  
Colchester, Vermont 05446

Re: 2016 Town Highway Acceptance  
(Commonwealth Avenue)

Dear Mr. Bove;

This letter is to notify you of an upcoming Selectboard meeting on Monday, February 1, 2016, at which a section of Commonwealth Avenue, a property adjoining yours, will be accepted as a Class III Town Highway. The enclosed information regarding the highway acceptance has been attached for your information.

You are invited to attend this meeting to be held in the Community Room at the Police Department, 145 Maple Street, Essex Junction, Vermont. If you have any further questions or comment, please feel free to contact the office at (802) 878-1344.

Sincerely,

Aaron Martin, P.E.  
Utilities Director / Town Engineer

Enclosure

Cc: Dennis Lutz, P.E., Public Works Director  
File

TOWN MANAGER	PARKS AND RECREATION	COMMUNITY DEVELOPMENT	PUBLIC WORKS	ASSESSOR	FINANCE	TOWN CLERK	LIBRARY	POLICE
878-1341	878-1342	878-1343	878-1344	878-1345	878-1359	879-0413	879-0313	878-8331

**SELECTBOARD**

**Agenda**

**Monday, February 1, 2016  
ESSEX POLICE DEPARTMENT  
145 Maple Street, Essex Junction, VT 05452  
Multi-Purpose Room  
7:30 P.M.**

**7:30 PM      PLEDGE OF ALLEGIANCE**

**PUBLIC TO BE HEARD**

**AGENDA ADDITIONS/CHANGES**

**APPROVAL OF AGENDA**

**7:35 PM      PUBLIC HEARING  
FYE 2017-21 Capital Budget**

**BUSINESS**

**\*Interviews (Ad Hoc Governance Committee)**

- Ben Gilliam
- Vanessa Zerillo
- Elizabeth Dunn
- Hilary Jones

Chittenden Solid Waste District Update – Alan Nye

Acceptance of 2016 Town Highways and Signing of 2016 Certificate of  
Highway Mileage – Dennis Lutz

Capital Replacement Plan for Fire Department – Charlie Cole

Approval of the Capital Budget

Ratification of Warning Vote – Pat Scheidel

Minutes: January 18 & 25, 2016

**Consent Agenda**

Check Warrants – January 22, 2016

Certification: \_\_\_\_\_  
Date Posted                                      Initials

**Letters**

To Selectboard from Matthew Graf re Resignation from Conservation Committee

To Dennis Lutz from Frederick Satink, VLCT Loss Control Supervisor re 2016 PACIF Scholarship Program

**Memos**

To Patrick Scheidel and Selectboard from Dennis Lutz re Tree Farm Building

**EXECUTIVE SESSION**

An Executive Session is anticipated to discuss Personnel, Contracts, and/or Litigation Issues.

1. Personnel

Members of the public are encouraged to speak during the Public To Be Heard agenda item, during a Public Hearing, or, when recognized by the Chair, during consideration of a specific agenda item. The public will not be permitted to participate when a motion is being discussed, except when specifically requested by the Chair.

This agenda is available in alternative formats upon request. Meetings of the Selectboard like all programs and activities of the Town of Essex, are accessible to people with disabilities. For information on access, call the Town Manager's office at 878-1341.

Times on the agenda are approximate and agenda is subject to revision at the meeting.

Certification: \_\_\_\_\_  
Date Posted Initials

295 since there is only one landfill and no other options. Mr. Levy asked about the franchising option for  
296 hauling services. Mr. Nye explained that the CSWD is not moving in that direction because it could not  
297 guarantee business for the small haulers as required in the Interstate Commerce Clause. He reported  
298 that Westford has franchised this service and pays for it through their taxes.

299  
300 Mr. Nye confirmed for Mr. Scheidel that there were about 45 applicants for the General Manager  
301 position. The issue is whether the applicants will accept the salary that can be offered by the CSWD.  
302 Mr. Nye confirmed for Mr. Scheidel that the consulting firm did an excellent job creating an  
303 outstanding package that gave a wonderful overview of the position and the community to interested  
304 candidates. Mr. Nye confirmed for Mr. Levy that the CSWD anticipated a two-month overlap between  
305 the new hire and Mr. Moreau. Mr. Levy thanked Mr. Nye for his work as representative on the CSWD  
306 Board.

307

308 **Acceptance of 2016 Town Highways and Signing of 2016 Certificate of Highway Mileage – Dennis**  
309 **Lutz**

310

311 Mr. Lutz introduced the issue of whether or not the SB will accept a portion of Commonwealth Avenue  
312 as a Town Highway, and sign the 2016 Certificate of Highway Mileage. Commonwealth Avenue has  
313 been fully constructed in accordance with the Town's Specifications for Construction and the Town of  
314 Essex has taken over winter maintenance responsibility. The book and page numbers have not been  
315 included on the certification for Commonwealth Avenue, but will be recorded by the Town Clerk upon  
316 acceptance by the SB.

317

318 Mr. Levy asked Mr. Lutz to explain the difference in the classification of roads. Mr. Lutz explained that  
319 under State Statute, Class I roads are State roads taken over by the community. An example of a Class I  
320 road is Route 15 in the Village. The Town has no Class I roads. Class I roads get a higher rate of  
321 mileage return and usually higher traffic, and the State will repave them periodically, which is planned  
322 for Route 15 near Five Corners in the near future. Class II are major roads that interconnect the  
323 communities to other major roadways. Examples of Class II roads are North Williston Road, Kellogg  
324 Road, Sandhill Road and Allen Martin Road. Class III roads make up the majority of the roads in the  
325 Town. Class IV roads, such as West Sleepy Hollow, connect onto existing properties and there are only  
326 a few of these in the Town. The connecting properties have the right to utilize the roads for access, but  
327 have to go to the Town for permission for any upgrades. The Town determines the level of maintenance  
328 for Class IV roads. Overall, the amount of State aid is minimal, but each level gets a different amount.

329

330 Mr. Watts asked about the island on Commonwealth Avenue. Mr. Lutz explained that, originally, the  
331 applicant and the applicant's engineer wanted the island, but that the Town was opposed. The PC  
332 approved the island, but the Town owns it and can decide what to do with it. The highway crew will  
333 pave over the island some time this summer as it is a hinderance for the snow plow.

334

335 Mr. Levy asked if the length of road and the subsequent State aid was worth the paperwork for this  
336 issue. Mr. Lutz stated that this road is important for the Town because it is a major access to the future  
337 growth and development that could still occur in the Town Center. He concurred with Mr. Levy that the  
338 paperwork didn't make sense for the amount of State aid. However, the process does legalize it as a  
339 public roadway. Mr. Lutz confirmed for Mr. Levy that there wasn't any reason not to accept this length  
340 of road. Mr. Levy wondered if the Town had to contact the developer with regard to the island. Mr.  
341 Lutz replied that it wasn't an issue because there is a different developer.

342

343 **IRENE WRENNER MOVED AND ANDREW WATTS SECONDED A MOTION TO ACCEPT**

344 THE MILES OF TOWN ROADS AS LISTED AND IDENTIFIED UNDER THE DISCUSSION  
345 SECTION OF THE MEMORANDUM DATED JANUARY 22, 2016 FROM DENNIS LUTZ  
346 AND AARON MARTIN TO THE TOWN MANAGER AND SELECTBOARD REGARDING  
347 THE 2016 ACCEPTANCE OF TOWN HIGHWAYS, SIGN THE CERTIFICATIONS OF  
348 COMPLETION AND OPENING OF A HIGHWAY FOR PUBLIC TRAVEL FOR  
349 COMMONWEALTH AVENUE, AND SIGN THE 2016 CERTIFICATE OF HIGHWAY  
350 MILEAGE.

351  
352 Mr. Lutz confirmed for Mr. Levy that the adjusted amount of highway for the 2016 Certificate of  
353 Highway is .040 miles.

354  
355 THE MOTION PASSED 4-0.

356  
357 With regard to the Tree Farm facilities, Mr. Levy asked Mr. Lutz why this issue had not been addressed  
358 as recommended. Mr. Lutz explained that staff needed time to explore the condition of the buildings  
359 and the cost for any proposals. During the past few years, there have been other major projects  
360 happening, such as the police facility and 81 Main Street. Now that those projects have been resolved,  
361 it is time to move forward with the Tree Farm buildings. The information in the Consent Agenda is not  
362 a recommendation, but for information to the SB. Mr. Scheidel recalled that there was a discussion  
363 about taking money from the Capital Budget to hire an engineer to provide an estimate of the cost to fix  
364 the buildings. Mr. Lutz replied that this was done in-house.

365  
366 Capital Replacement Plan for Fire Department – Charles Cole

367  
368 Chief Cole reviewed his memorandum dated January 12, 2016 to the Municipal Manager and SB  
369 regarding the Capital Replacement Plan for Fire Apparatus. He summarized that current repair histories,  
370 age of the fleets, demographics/community development trends, and staffing levels have mandated a  
371 review of the plan. He reviewed details with the members that show that the existing Capital Plan is not  
372 sustainable and must be revised. He reviewed the age and issues with Engine 1, Engine 3 and Tanker 1  
373 that place the Town at risk. He noted that there have been an increasing number of multi-story high  
374 occupancy buildings in the community and that the Town does not own an aerial truck despite having  
375 shared the costs for the current Village ladder truck. As a result, fire insurance rates for residents of the  
376 Town are higher.

377  
378 Chief Cole explained that Engine 1 should be replaced as soon as possible. Given its history, this truck  
379 will never be worth more than it is at this moment. Tanker 1 should be also be replaced with a larger  
380 unit to allow the Town to maximize its personnel as well as to improve efficiency. Chief Cole  
381 recommended that Engine 3 be sold while it is fully functional to a community that could use its unique  
382 design capabilities and should be replaced with an aerial Quint ladder truck. Essex is not alone in its  
383 need for increased efficiency. Fire apparatus manufacturers have now created leasing opportunities that  
384 would allow the Town to acquire the needed apparatus without having to bond for them. The current  
385 lease rates make this option very affordable and would not place a significant burden on the existing  
386 budget. In addition to the lease options, the fire department is also seeking grant funding sources  
387 through the Assistance to Firefighters Fund (AFF). If this grant is successful, it would be applied  
388 towards an aerial apparatus to replace Engine 3. The fire department would like to pursue a specific  
389 manufacturer for quality reasons to replace both Engine 1 and Tanker 1 and pursue grant funding for  
390 the ladder truck. Chief Cole told Mr. Levy that the ladder on the ladder truck would be roughly 100 feet  
391 to 110 feet high.

392

## WARRANTY DEED

**KNOW ALL PERSONS BY THESE PRESENTS**, that **HOMESTEAD DESIGN, INC.**, a Vermont corporation, with an office in the Town of Essex, County of Chittenden and State of Vermont (the "Grantor"), in consideration of **TEN AND MORE DOLLARS** paid to its full satisfaction by the **TOWN OF ESSEX**, a Vermont municipality in the County of Chittenden and State of Vermont (the "Grantee"), by these presents does freely **GIVE, GRANT, SELL, CONVEY, AND CONFIRM** unto the Grantee, **TOWN OF ESSEX**, and its successors and assigns forever, a parcel of land located in the Town of Essex in the County of Chittenden and State of Vermont (the "Premises") described as follows, viz:

Being the **Phase II Roadways** at the Essex Town Center consisting of a parcel of land for roadway purposes and all improvements therein or thereon depicted as "Phase II Area of New Roads to be Conveyed to the Town of Essex, 16,464 sq. ft. or 0.37 acres" on a plat entitled: "Right-of-Way Plat, Lands and Easements to be Conveyed to the Town of Essex, Commonwealth and Carmichael Street," Sheet PL, prepared by O'Leary-Burke Civil Associates, PLC, dated February 24, 2011 and recorded in Map Slide 456 of the Town of Essex Land Records, as amended by revision dated September 16, 2015 and recorded in Map Slide \_\_\_\_ of the Town of Essex Land Records (the "Plat"). Said Phase II Roadways are more particularly described with reference to the Plat as follows:

Commencing at a concrete monument located at the southeast corner of the intersection of Route 15 and Commonwealth Avenue as shown on the Plat; thence proceeding in a southerly direction in and along the easterly boundary of Commonwealth Avenue S09°28'09"E a distance of 22.13 feet to a point; thence continuing along the easterly boundary of Commonwealth Avenue along a curve to the left with a radius of 688.20 feet a distance of 53.76 feet to a concrete monument; thence continuing along the easterly boundary of Commonwealth Avenue along a curve to the left with a radius of 688.20 feet a distance of 106.89 feet to a point; thence turning to the right and proceeding S67°09'34"W a distance of 80.34 feet to a point; thence turning to the right and proceeding along the westerly boundary of Commonwealth Avenue along a curve to the right with a radius of 768.54 feet a distance of 36.97 feet to a point; thence continuing along the westerly boundary of Commonwealth Avenue N33°25'18"W a distance of 20.55 feet to a point; thence continuing along the westerly boundary of Commonwealth Avenue along a curve to the right with a radius of 773.54 feet a distance of 123.36 feet to a point; thence continuing along the westerly boundary of Commonwealth Avenue N09°27'57"W a distance of 32.76 feet to a concrete monument located at the southwest intersection of Route 15 and Commonwealth Avenue; thence turning to the right and proceeding N87°37'58"E a distance of 86.00 feet to the point or place of beginning. All courses and distances are more or less.

Also included is an easement for the operation, use, maintenance, inspection, testing, repair and replacement of a water line depicted as the "Proposed 20' Water Line Easement to Town of Essex" on the Plat.

The Premises are conveyed to Grantee for use for municipal roadway purposes. This Deed shall act as a bill of sale and does hereby convey all improvements located on, over and under the Premises, including but not limited to all roadway improvements, water mains and/or lines, sewer lines and force mains, stormwater pipes, catch basins, and appurtenances depicted on the Plat.



By acceptance and recording of this Warranty Deed, Grantee acknowledges that it has received the necessary "as-built" certifications and test results, and has performed the investigations it deems necessary to accept the above-mentioned improvements in their "as is - where is" condition.

The Premises are a portion of the land and premises conveyed to Homestead Design, Inc., by the following Deeds:

1. Warranty Deed of William Busier and Marjorie J. Busier, dated October 2, 1992 and recorded in Volume 289 at Page 605 of the Town of Essex Land Records.
2. Quit Claim Deed of Winston W. Hart, dated March 23, 1989 and recorded in Volume 240 at Page 276 of the Town of Essex Land Records, ALSO being all and the same lands and premises conveyed to Homestead Design, Inc. by Warranty Deed of Winston W. Hart dated February 11, 1985 and recorded in Volume 187 at Page 592 of the Town of Essex Land Records.
3. Warranty Deed of Timothy Grannis a/k/a Timothy A. Grannis dated October 7, 1993 and recorded in Volume 312 at Page 553 of the Town of Essex Land Records.
4. Warranty Deed of Victoria Graf f/k/a Victoria Grannis dated November 21, 1997 and recorded in Volume 375 at Page 639 of the Town of Essex Land Records.
5. Warranty Deed of John Lang and Nancy Lang dated December 28, 2001 and recorded in Volume 523 at Page 223 of the Town of Essex Land Records.

The Premises are conveyed subject to all easements and rights of way depicted on the Plat and as of record, not meaning to reinstate any claims barred by operation of the Vermont Marketable Record Title Act, 27 V.S.A. §601-611, both inclusive.

Reference is hereby made to the above-mentioned plans and deeds and the records thereof, and the references therein made all in further aid of this description.

**TO HAVE AND TO HOLD** the said granted Premises, with all the privileges and appurtenances thereto, to the Grantee, **TOWN OF ESSEX**, and its successors and assigns, to their own use and behoof forever; and Grantor, for itself and its successors and assigns, does covenant with Grantee, and its successors and assigns, that until the ensealing of these presents, Grantor is the sole owner of the Premises, and has good right and title to convey the same in the manner aforesaid, that the said Premises are **FREE FROM EVERY ENCUMBRANCE**, except as aforementioned; and it hereby engages to **WARRANT and DEFEND** the same against all lawful claims whatever, except as aforementioned.

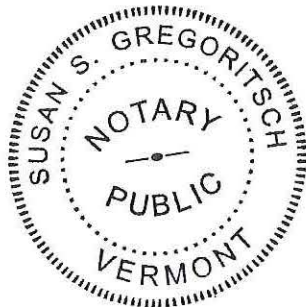
IN WITNESS WHEREOF, **HOMESTEAD DESIGN, INC.**, has set its hand and seal by its Duly Authorized Agent on this 21<sup>st</sup> day of September, 2015.

HOMESTEAD DESIGN, INC.

By: Jeffrey Feussner  
Duly Authorized Agent

STATE OF VERMONT  
COUNTY OF CHITTENDEN, SS.

On this 21<sup>st</sup> day of September, 2015, personally appeared Jeffrey Feussner Duly Authorized Agent of **HOMESTEAD DESIGN, INC.**, to me known to be the person who executed the foregoing instrument, and he acknowledged this instrument, by him signed, to be his free act and deed and the free act and deed of **HOMESTEAD DESIGN, INC.**



Before me, Susan S. Gregoritsch  
Notary Public

Notary commission issued in Chittenden County  
My commission expires: 2/10/15

**IRREVOCABLE OFFER OF DEDICATION**  
**(Phase II, Phase III and Phase IV Roads)**

This Irrevocable Offer of Dedication (the "Irrevocable Offer") is by and between **HOMESTEAD DESIGN, INC.**, a Vermont corporation with a place of business in Essex Junction, Vermont (the "Owner") and the **TOWN OF ESSEX**, a Vermont municipality with a place of business in Chittenden County, Vermont (the "Municipality").

Background

1. The Municipality's Planning Commission granted Site Plan Amendment and Master Plan Amendment #PC:2110-30 on January 13, 2011 for the construction of a 3,000 square foot bank building and related site improvements at the Owner's Essex Town Center project, including the construction of Commonwealth Avenue up to the bank entrance and a temporary roadway from the bank entrance to Carmichael Street.

2. The final approval of the Planning Commission contains conditions that the Owner shall execute and deliver to the Municipality an Irrevocable Offer of Dedication and accompanying deed conveying all remaining public roadways within the Owner's project.

3. Pursuant to the Planning Commission's approval, the Owner now proposes according to the terms of this Irrevocable Offer to dedicate to the Municipality, free and clear of all encumbrances, the remaining roadways in three phases as more particularly described on Exhibit "A," Exhibit "B," and Exhibit "C" attached hereto.

NOW, THEREFORE,

In consideration of the final approval of the Planning Commission and for other good and valuable consideration, it is covenanted and agreed as follows:

Section 1. The Owner herewith delivers to the Municipality Warranty Deeds for the roadway phases, the descriptive portions of which are attached hereto as Exhibit "A," Exhibit "B," and Exhibit "C," said delivery constituting a formal offer of irrevocable dedication to the Municipality of the roadways, to be held by the Municipality until the acceptance or rejection of such Warranty Deeds by the Municipality's Selectboard.

Section 2. The Owner agrees that this Irrevocable Offer is irrevocable and the Warranty Deeds may be accepted by the Municipality in any order and at any time.

Section 3. This Irrevocable Offer shall run with the land and be binding upon the Owner and its respective successors and assigns.

Section 4. This Irrevocable Offer shall serve as notice to any and all utility companies that the Municipality has an interest in all of the roadways of the Essex Town Center, which interest shall be first and superior to any easements granted to said utility companies, and all work within the area of the roadways shall be in accordance with the Municipality's public works standards as they may be amended from time to time.

IN WITNESS WHEREOF, the parties, as evidenced by the signatures of their Duly Authorized Agents, do hereby execute this Irrevocable Offer as of the 22<sup>nd</sup> day of April, 2011.

IN PRESENCE OF:

HOMESTEAD DESIGN, INC.

Susan A. Bogaritsch  
Witness

By: Jeffrey Fessenden  
Duly Authorized Agent

TOWN OF ESSEX

Sharon L. Kelley  
Witness

By: Patrick C. Schreid  
Duly Authorized Agent

STATE OF VERMONT  
COUNTY OF CHITTENDEN, SS.

On this 22 day of January, 2015, personally appeared Jeffrey Fessenden Duly Authorized Agent of **HOMESTEAD DESIGN, INC.**, to me known to be the person who executed the foregoing instrument, and he acknowledged this instrument, by him signed, to be his free act and deed and the free act and deed of **HOMESTEAD DESIGN, INC.**

Before me, [Signature]  
Notary Public

Notary commission issued in Chittenden County  
My commission expires: 2/10/15

STATE OF VERMONT  
COUNTY OF CHITTENDEN, SS.

On this 7<sup>th</sup> day of January, 2016, personally appeared Patrick (Schreid) Duly Authorized Agent of the **TOWN OF ESSEX**, to me known to be the person who executed the foregoing instrument, and he/she acknowledged this instrument, by him/her signed, to be his/her free act and deed and the free act and deed of the **TOWN OF ESSEX**.

Before me, [Signature]  
Notary Public

Notary commission issued in Chittenden County  
My commission expires: 2/10/15 19 c/m

Exhibit "A"

Phase II Roadways

Being the **Phase II Roadways** at the Essex Town Center consisting of a parcel of land for roadway purposes and all improvements therein or thereon depicted as "Phase II Area of New Roads to be Conveyed to the Town of Essex, 16,464 sq. ft. or 0.37 acres" on a plat entitled: "Right-of-Way Plat, Lands and Easements to be Conveyed to the Town of Essex, Commonwealth and Carmichael Street," Sheet PL, prepared by O'Leary-Burke Civil Associates, PLC, dated February 24, 2011 and recorded in Map Slide 456 of the Town of Essex Land Records (the "Plat"). Said Phase II Roadways are more particularly described with reference to the Plat as follows:

Commencing at a concrete monument located at the southeast corner of the intersection of Route 15 and Commonwealth Avenue as shown on the Plat; thence proceeding in a southerly direction in and along the easterly boundary of Commonwealth Avenue S09°28'09"E a distance of 22.13 feet to a point; thence continuing along the easterly boundary of Commonwealth Avenue along a curve to the left with a radius of 688.20 feet a distance of 53.76 feet to a concrete monument; thence continuing along the easterly boundary of Commonwealth Avenue along a curve to the left with a radius of 688.20 feet a distance of 106.89 feet to a point; thence turning to the right and proceeding S67°09'34"W a distance of 80.34 feet to a point; thence turning to the right and proceeding along the westerly boundary of Commonwealth Avenue along a curve to the right with a radius of 768.54 feet a distance of 36.97 feet to a point; thence continuing along the westerly boundary of Commonwealth Avenue N33°25'18"W a distance of 20.55 feet to a point; thence continuing along the westerly boundary of Commonwealth Avenue along a curve to the right with a radius of 773.54 feet a distance of 123.36 feet to a point; thence continuing along the westerly boundary of Commonwealth Avenue N09°27'57"W a distance of 32.76 feet to a concrete monument located at the southwest intersection of Route 15 and Commonwealth Avenue; thence turning to the right and proceeding N87°37'58"E a distance of 86.00 feet to the point or place of beginning. All courses and distances are more or less.

Also included herein is an easement for the operation, use, maintenance, inspection, testing, repair and replacement of all stormwater catch basins, swales, ditches, drainage lines, pipes extending from said roadways to the private stormwater drainage system serving Grantor's subdivision including, without limitation, the stormwater and utility easement depicted as "Proposed 20' Storm Line Easement to Town of Essex" on the Plat. Also included is an easement for the operation, use, maintenance, inspection, testing, repair and replacement of a water line depicted as the "Proposed 20' Water Line Easement to Town of Essex" on the Plat.

The Premises are conveyed to Grantee for use for municipal roadway purposes. This Deed shall act as a bill of sale and does hereby convey all improvements located on, over and under the Premises, including but not limited to all roadway improvements, water mains and/or lines, sewer lines and force mains, stormwater pipes, catch basins, and appurtenances depicted on the Plat.

By acceptance and recording of this Warranty Deed, Grantee acknowledges that it has received the necessary "as-built" certifications and test results, and has performed the investigations it deems necessary to accept the above-mentioned improvements in their "as is - where is" condition.

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1. Warranty Deed of William Busier and Marjorie J. Busier, dated October 2, 1992 and recorded in Volume 289 at Page 605 of the Town of Essex Land Records.
2. Quit Claim Deed of Winston W. Hart, dated March 23, 1989 and recorded in Volume 240 at Page 276 of the Town of Essex Land Records, ALSO being all and the same lands and premises conveyed to Homestead Design, Inc. by Warranty Deed of Winston W. Hart dated February 11, 1985 and recorded in Volume 187 at Page 592 of the Town of Essex Land Records.
3. Warranty Deed of Timothy Grannis a/k/a Timothy A. Grannis dated October 7, 1993 and recorded in Volume 312 at Page 553 of the Town of Essex Land Records.
4. Warranty Deed of Victoria Graf f/k/a Victoria Grannis dated November 21, 1997 and recorded in Volume 375 at Page 639 of the Town of Essex Land Records.
5. Warranty Deed of John Lang and Nancy Lang dated December 28, 2001 and recorded in Volume 523 at Page 223 of the Town of Essex Land Records.

The Premises are conveyed subject to all easements and rights of way depicted on the Plat and as of record, not meaning to reinstate any claims barred by operation of the Vermont Marketable Record Title Act, 27 V.S.A. §601-611, both inclusive.

Reference is hereby made to the above-mentioned plans and deeds and the records thereof, and the references therein made all in further aid of this description.

## Exhibit "B"

### Phase III Roadways

Being the **Phase III Roadways** at the Essex Town Center consisting of a parcel of land for roadway purposes and all improvements therein or thereon depicted as "Phase III Area of New Roads to be Conveyed to the Town of Essex, 40,023 sq. ft. or 0.92 acres" on a plat entitled: "Right-of-Way Plat, Lands and Easements to be Conveyed to the Town of Essex, Commonwealth and Carmichael Street," Sheet PL, prepared by O'Leary-Burke Civil Associates, PLC, dated February 24, 2011 and recorded in Map Slide 456 of the Town of Essex Land Records (the "Plat"). Said Phase III Roadways are more particularly described with reference to the Plat as follows:

Commencing at a point at the southeast corner of the Phase II Roadways depicted on the Plat; thence proceeding along the easterly boundary of Commonwealth Avenue along a curve to the left with a radius of 688.20 feet a distance of 88.32 feet to a point; thence continuing along the easterly boundary of Commonwealth Avenue S30°11'38"E a distance of 89.82 feet to a point; thence continuing across Carmichael Street S30°11'38"E a distance of 88.12 feet to a point located in the southerly boundary of Carmichael Street; thence turning to the right and proceeding in and along the southerly boundary of Carmichael Street S74°14'08"W a distance of 20.07 feet to a point; thence continuing along the southerly boundary of Carmichael Street along a curve to the left having a radius of 657.33 feet a distance of 117.95 feet to a point; thence continuing along the southerly boundary of Carmichael Street S63°57'18"W a distance of 139.90 feet to a point; thence continuing along the southerly boundary of Carmichael Street S60°51'29"W a distance of 27.27 feet to a point at the easterly boundary of the Phase I Roadways previously conveyed to the Town of Essex; thence turning to the right and proceeding along the easterly boundary of the Phase I Roadways N24°21'29"W a distance of 92.25 feet to a point; thence turning to the right and proceeding along the northerly boundary of Carmichael Street N76°00'39"E a distance of 25.86 feet to a point; thence deflecting to the left and continuing along the northerly boundary of Carmichael Street N63°57'18"E a distance of 139.13 feet to a point; thence continuing along the northerly boundary of Carmichael Street along a curve to the right having a radius of 742.67 feet a distance of 44.41 feet to a point; thence turning to the left and proceeding along the westerly boundary of Commonwealth Avenue N30°11'38"W a distance of 41.18 feet to a point; thence deflecting to the right and proceeding N16°09'27"W a distance of 20.62 feet to a point; thence continuing N30°11'38"W a distance of 12.16 feet to a point; thence continuing along a curve to the right having a radius of 768.54 feet a distance of 98.63 feet to a point at the southwest intersection of the Phase II Roadways; thence turning to the right and proceeding along the southerly boundary of the Phase II Roadways N67°09'34"E a distance of 80.34 to the point or place of beginning. All courses and distances are more or less.

Also included herein is an easement for the operation, use, maintenance, inspection, testing, repair and replacement of all stormwater catch basins, swales, ditches, drainage lines, pipes extending from said roadways to the private stormwater drainage system serving Grantor's subdivision. Also included is an easement for the operation, use, maintenance, inspection, testing, repair and replacement of a water line depicted as the "Proposed 20' Water Line Easement to Town of Essex" on the Plat, and for the operation, use, maintenance, inspection, testing, repair and replacement of a hydrant depicted as "Proposed Hydrant Easement to Town of Essex" on the Plat.

The Premises are conveyed to Grantee for use for municipal roadway purposes. This Deed shall act as a bill of sale and does hereby convey all improvements located on, over and under the Premises, including but not limited to all roadway improvements, water mains and/or lines, sewer lines and force mains, stormwater pipes, catch basins, and appurtenances depicted on the Plat.

By acceptance and recording of this Warranty Deed, Grantee acknowledges that it has received the necessary "as-built" certifications and test results, and has performed the investigations it deems necessary to accept the above-mentioned improvements in their "as is - where is" condition.

The Premises are a portion of the land and premises conveyed to Homestead Design, Inc., by the following Deeds:

1. Warranty Deed of William Busier and Marjorie J. Busier, dated October 2, 1992 and recorded in Volume 289 at Page 605 of the Town of Essex Land Records.
2. Quit Claim Deed of Winston W. Hart, dated March 23, 1989 and recorded in Volume 240 at Page 276 of the Town of Essex Land Records, ALSO being all and the same lands and premises conveyed to Homestead Design, Inc. by Warranty Deed of Winston W. Hart dated February 11, 1985 and recorded in Volume 187 at Page 592 of the Town of Essex Land Records.
3. Warranty Deed of Timothy Grannis a/k/a Timothy A. Grannis dated October 7, 1993 and recorded in Volume 312 at Page 553 of the Town of Essex Land Records.
4. Warranty Deed of Victoria Graf f/k/a Victoria Grannis dated November 21, 1997 and recorded in Volume 375 at Page 639 of the Town of Essex Land Records.
5. Warranty Deed of John Lang and Nancy Lang dated December 28, 2001 and recorded in Volume 523 at Page 223 of the Town of Essex Land Records.

The Premises are conveyed subject to all easements and rights of way depicted on the Plat and as of record, not meaning to reinstate any claims barred by operation of the Vermont Marketable Record Title Act, 27 V.S.A. §601-611, both inclusive.

Reference is hereby made to the above-mentioned plans and deeds and the records thereof, and the references therein made all in further aid of this description.



## Exhibit "C"

### Phase IV Roadways

Being the **Phase IV Roadways** at the Essex Town Center consisting of a parcel of land for roadway purposes and all improvements therein or thereon depicted as "Phase IV Area of New Roads to be Conveyed to the Town of Essex, 23,499 sq. ft. or 0.54 acres" on a plat entitled: "Right-of-Way Plat, Lands and Easements to be Conveyed to the Town of Essex, Commonwealth and Carmichael Street," Sheet PL, prepared by O'Leary-Burke Civil Associates, PLC, dated February 24, 2011 and recorded in Map Slide 456 of the Town of Essex Land Records (the "Plat"). Said Phase IV Roadways are more particularly described with reference to the Plat as follows:

Commencing at a point at the northeast corner of the intersection of Carmichael Street and Commonwealth Avenue as shown on the Plat; thence proceeding in an easterly direction along the northerly boundary of Carmichael Street  $N74^{\circ}14'08''E$  a distance of 68.92 feet to a point; thence continuing along the northerly boundary of Carmichael Street along a curve to the right having a radius of 483.34 feet a distance of 109.22 feet to a point; thence continuing along the northerly boundary of Carmichael Street  $N87^{\circ}10'56''E$  a distance of 71.50 feet to a point; thence deflecting to the right and proceeding  $S78^{\circ}47'01''E$  a distance of 52.40 to a concrete monument at the intersection of the boundaries of the lands now or formerly of Town Meadow, LLC and Carmichael Street; thence turning to the right along said boundary and proceeding  $S02^{\circ}25'25''E$  a distance of 70.97 feet to a concrete monument; thence turning to the right and proceeding along the southerly boundary of Carmichael Street  $S85^{\circ}18'26''W$  a distance of 51.04 feet to a point; thence continuing along the southerly boundary of Carmichael Street  $S78^{\circ}10'56''W$  a distance of 70.83 feet to a point; thence continuing along the southerly boundary of Carmichael Street along a curve to the left having a radius of 398.00 feet a distance of 89.93 feet to a point; thence continuing along the southerly boundary of Carmichael Street  $S74^{\circ}14'08''W$  a distance of 46.96 feet to a point forming the southeasterly boundary of the Phase III Roadways; thence turning to the right a proceeding  $N30^{\circ}11'38''W$  a distance of 88.12 feet to the point or place of beginning. All courses and distances are more or less.

Also included herein is an easement for the operation, use, maintenance, inspection, testing, repair and replacement of all stormwater catch basins, swales, ditches, drainage lines, pipes extending from said roadways to the private stormwater drainage system serving Grantor's subdivision. Also included is an easement for the operation, use, maintenance, inspection, testing, repair and replacement of a water line depicted as the "Proposed 20' Water Line Easement to Town of Essex" on the Plat, and for the operation, use, maintenance, inspection, testing, repair and replacement of a hydrant depicted as "Proposed Hydrant Easement to Town of Essex" on the Plat.

The Premises are conveyed to Grantee for use for municipal roadway purposes. This Deed shall act as a bill of sale and does hereby convey all improvements located on, over and under the Premises, including but not limited to all roadway improvements, water mains and/or lines, sewer lines and force mains, stormwater pipes, catch basins, and appurtenances depicted on the Plat.

By acceptance and recording of this Warranty Deed, Grantee acknowledges that it has received the necessary "as-built" certifications and test results, and has performed the investigations it deems necessary to accept the above-mentioned improvements in their "as is - where is" condition.

The Premises are a portion of the land and premises conveyed to Homestead Design, Inc., by the following Deeds:

1. Warranty Deed of William Busier and Marjorie J. Busier, dated October 2, 1992 and recorded in Volume 289 at Page 605 of the Town of Essex Land Records.
2. Quit Claim Deed of Winston W. Hart, dated March 23, 1989 and recorded in Volume 240 at Page 276 of the Town of Essex Land Records, ALSO being all and the same lands and premises conveyed to Homestead Design, Inc. by Warranty Deed of Winston W. Hart dated February 11, 1985 and recorded in Volume 187 at Page 592 of the Town of Essex Land Records.
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5. Warranty Deed of John Lang and Nancy Lang dated December 28, 2001 and recorded in Volume 523 at Page 223 of the Town of Essex Land Records.

The Premises are conveyed subject to all easements and rights of way depicted on the Plat and as of record, not meaning to reinstate any claims barred by operation of the Vermont Marketable Record Title Act, 27 V.S.A. §601-611, both inclusive.

Reference is hereby made to the above-mentioned plans and deeds and the records thereof, and the references therein made all in further aid of this description.