## 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 TUNBRIDGE

in ORANGE

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<br>Highways | Previous<br>Mileage | Added<br>Mileage | Subtracted<br>Mileage | Total   | Scenic<br>Highways |
|------------------|---------------------|------------------|-----------------------|---------|--------------------|
| Class 1          | 0.000               |                  |                       |         | 0.000              |
| Class 1 Lane     | 0.000               |                  |                       |         |                    |
| Class 2          | 4.840               |                  |                       |         | 0.000              |
| Class 3          | 65.92               |                  |                       |         | 0.000              |
| State Highway    | 7.934               | 39.              |                       |         | 0.000              |
| Class 4          | 13.10               | 4                |                       | 13.50   | 0.000              |
| Legal Trail      | 0.00                | 2.15 .           |                       | 2.15    |                    |
| Total            | 78.694              | 1.2              |                       | 179 001 | 0.000              |

\* Mileage for Class 1 Lane, Class 4, and Legal Trail classifications is NOT included in total. 78.694

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

5/11/10

- 1. NEW HIGHWAYS: Please attach Selectmen's "Certificate of Completion and Opening".
- 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:  Please sign ORIGINAL and return it for Transportation signature. |
| Tieuse sign ONIOTIAL unu Teturn u for Trunsportation signature.  |

AGENCY OF TRANSPORTATION APPROVAL:

Signed copy will be returned to T/C/V Clerk.

APPROVED:

Representative, Agency of Transportation

DATE: 3/19/2

#### **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

APPROVED:

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|--|-----------------|----------|----------|-----------|---------------|-----------|
|--|-----------------|----------|----------|-----------|---------------|-----------|

| Town<br>Highways | Previous<br>Mileage | Added<br>Mileage | Subtracted<br>Mileage | Total   | Scenic<br>Highways |
|------------------|---------------------|------------------|-----------------------|---------|--------------------|
| Class 1          | 0.000               | <br>             |                       |         | 0.000              |
| Class 1 Lane     | 0.000               |                  |                       |         |                    |
| Class 2          | 4.840               |                  |                       |         | 0.000              |
| Class 3          | 65.92               |                  |                       |         | 0.000              |
| State Highway    | 7.934               |                  |                       |         | 0.000              |
| Class 4          | 13.10               | # **             |                       | 13.50   | 0.000              |
| Legal Trail      | 0.00                | 2.15 .8          | 1                     | 2.15    |                    |
| Total            | 78.694              | 1.2              |                       | 199.894 | 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.

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Representative, Agency of Transportation

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| IF THERE ARE NO CHANGES IN MILEAGE: Check box and sign below. [ ]  PART III - SIGNATURES - PLEASE SIGN. |
|---|
| Selectmen/ Aldermen/ Trustees Signatures: Share Forming  T/C/V Clerk Signature:   Muly   Many 08,20/L   |
| Please sign ORIGINAL and return it for Transportation signature.  |
| AGENCY OF TRANSPORTATION APPROVAL: Signed copy will be returned to T/C/V Clerk.                         |

DATE:



State of Vermont Division of Planning, Outreach and Community Affairs Mapping Unit

Telephone: 802-828-2600

Fax: 802-828-2334 Email: johnathan.crof

Email: johnathan.croft@state.vt.us

Agency of Transportation

May 26, 2010

Ingrid Van Steamburg, Selectboard Chair Town of Tunbridge, c/o Town Clerk PO Box 6 Tunbridge, VT 05077

Dear Ms. Van Steamburg,

1 National Life Drive

Montpelier, VT 05633-5001

http://www.aot.state.vt.us

The VTrans Mapping Unit has not accepted the addition of 0.4 miles of class 4 town highway and 0.35 miles of legal trail, or the discontinuance of TH-71 as submitted on Tunbridge's 2010 Certificate of Highway Mileage, due to the lack of documentation showing the legal establishment of this highway through the formal laying out process or "dedication and acceptance".

VTrans sent a letter on March 29, 2010 to the Town of Tunbridge requesting documentation regarding the establishment of this highway and trails, and no documents have been received to date. The Vermont Supreme Court decision, *Austin v. Town of Middlesex*, 2009 VT 102 (Oct. 27, 2009) has reaffirmed the need for documentation showing the legal establishment of town highways and trails. A copy of this decision can be found at the following link –

http://info.libraries.vermont.gov/supct/current/eo2008-428.html

The changes that were not accepted and listed on the 2010 Certificate of Highway Mileage may be resubmitted on the 2011 Certificate for review and the potential inclusion on the 2011 Town Highway Map.

The VTrans Mapping Unit has accepted the 2.15 miles of the legal trail additions, which have been added to the mileage and will be added to the General Highway Map for Tunbridge.

Please feel free to contact me with any questions or comments related to this letter, or mapping in general.

Sincerely,

Johnathan Croft

**AOT GIS Database Administrator** 

VTrans Mapping Unit

JFC/jfc

**Enclosures** 

cc: Susan Clark, VTrans Planning Coordinator

APPROVED:

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

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|  | PAI | RTI- | · CHANGES | TOTALS - | Please | fill in | and | calculate | total |
|--|-----|------|-----------|----------|--------|---------|-----|-----------|-------|
|--|-----|------|-----------|----------|--------|---------|-----|-----------|-------|

| Town<br>Highways | Previous<br>Mileage | Added<br>Mileage | Subtracted<br>Mileage | Total   | Scenic<br>Highways |
|------------------|---------------------|------------------|-----------------------|---------|--------------------|
| Class 1          | 0.000               |                  | <br>                  |         | 0.000              |
| Class 1 Lane     | 0.000               | <br>             |                       |         |                    |
| Class 2          | 4.840               |                  |                       |         | 0.000              |
| Class 3          | 65.92               |                  |                       |         | 0.000              |
| State Highway    | 7.934               |                  |                       |         | 0.000              |
| Class 4          | 13.10               | <b>X</b>         | <br>                  | 13.50   | 0.000              |
| Legal Trail      | 0.00                | 12.15 .8         |                       | 2.15    |                    |
| Total            | 78.694              | 1-2              |                       | 199.894 | 0.000              |

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

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Representative, Agency of Transportation

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| IF THERE ARE NO CHANGES IN MILEAGE: Check bo.   | x and sign below. [ ]  |
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| AGENCY OF TRANSPORTATION APPROVAL:  | Signed copy will be returned to T/C/V Clerk.                     |
| ADDDOVED.   | DATE:  |



State of Vermont Division of Planning, Outreach and Community Affairs **Mapping Unit** 

Telephone: 802-828-2600 Fax: 802-828-2334

Montpelier, VT 05633-5001

1 National Life Drive

http://www.aot.state.vt.us

Email: johnathan.croft@state.vt.us

Agency of Transportation

March 29, 2010

Ingrid Van Steamburg, Selectboard Chair Town of Tunbridge, c/o Town Clerk PO Box 6 Tunbridge, VT 05077

Dear Ms. Van Steamburg,

The VTrans Mapping Unit has received and begun the review of Tunbridge's 2010 Certificate of Highway Mileage, and to complete the review and accept the changes, I am requesting additional documentation.

I would like to request copies of the documents that are referenced in the "Town of Tunbridge – Notice of Ancient Roads Decision", that was signed 2/8/2010. These documents include the following:

- 1.A.) Town of Tunbridge; Road Book II; Page 106 (#15) documents related to the discontinuance of TH-71 (0.50 miles)
- 2.B.) Town of Tunbridge; Road Book II; Page 129 documents related to the extension of TH-46
- 2.B.) Town of Tunbridge: Road Book II; Page 505 documents related to the extension of TH-46

The discontinuance of class 4 TH-71is referenced in the supplied documentation, but the 0.50 miles has not been included on the Mileage Certificate as a subtraction for the class 4 town highway mileage. I would like to include this subtraction once the documentation has been received, which will bring the total class 4 mileage to 13.00 miles. The class 4 mileage would be as follows:

13.10 (original class 4 mileage) + 0.40 (TH-46 addition) - 0.50 (TH-71 disc.) = 13.00 miles

Regarding the two legal trails that have been added to the Mileage Certificate. referenced as LT-4 and LT-5, please forward documentation showing the legal establishment of these trails.

Highways and trails may have established in several ways, including the formal layout process as defined in the statutes at the time or through "dedication and acceptance," where the landowner dedicates the land to town and the selectboard accepts the right of way for the highway or trail. We request any documents that provide evidence that the trail was legally established and remains a public right of way. This documentation may include copies of original surveys, deeds, selectboard minutes, road calls, highway maintenance records, or other direct references to the establishment of the highways or trails.

I have included a copy of the Ancient Road Practicum that provides details on the documentation requirements that were defined in Act 178 of 2006 and can be found in 19 V.S.A § 305(e). This information includes a description of the affected highway or trail, copies of any surveys, minutes of the meetings at which the legislative body took action with respect to the changes, and a current town highway map with the deletions and additions sketched on it.

The information that has been provided includes the sketch map and descriptions of the highways and trails, we seek documentation showing the legal establishment of the highways and trails, and in the case of TH-71, the discontinuance of this highway.

The VTrans Mapping Unit will make the necessary changes once the documentation has been supplied. Please feel free to contact me with any questions or comments related to the Mileage Certificate, or mapping in general.

Thank you.

Sincerely,

Johnathan Croft

AOT GIS Database Administrator

VTrans Mapping Unit

JFC/jfc

**Enclosures** 

cc: Susan Clark, VTrans Planning Coordinator

Received
VT Agency of Transportation

FEB 1 0 2010

Planning Outreach and Community Affairs Division

## Town of Tunbridge Notice of Ancient Roads Decision (Act 178 Ancient Roads Bill 2006)

As duly Noticed and Warned, on February 02, 2010 at the Tunbridge Town Office in Tunbridge, Vermont the Select Board of the Town of Tunbridge conducted a Public Hearing to consider Acceptance, Discontinuance and Reclassification of the following segments of Highway as outlined below. Per Act 178 Ancient Roads 2006.

#### 1. Discontinuance / Classification

A. Town Highway #71. .5 miles of Swayze Road commencing from a point on the junction of Town Highway #33 and Town Highway #32 to the end of the untraveled Class 4 section of Town Highway #42 this discontinuance was Recorded in Town of Tunbridge; Road Book II; Page 106 (#15); Dated: December 24, 1931.

This portion of .5 miles will be changed to Discontinued on the Town Highway Map.

#### 2. Addition of Class 4 Roads

B. Town Highway #46. .4miles added to the Town Highway known as Ordway Road. Beginning at the private way of Alec and Nancy Frost at .8 miles from Town Highway #45 and extending .4 miles in a North Westerly direction up the existing road bed shown on Town Maps of 1858, 1877 and Town Road Maps of 1931 and 1942. Recorded in Town of Tunbridge; Road Book II; Page 129; Dated May 14, 1942. For further description and findings of above (2B) described Road see Road Book II; Page 505 of the Tunbridge Land Records.

This portion of .4 miles will be added to the current mileage of .85; Ordway Road will be documented as Class 3 .85 miles and Class 4 .4 miles; Ordway Road 1.25 miles on the Town Highway Map.

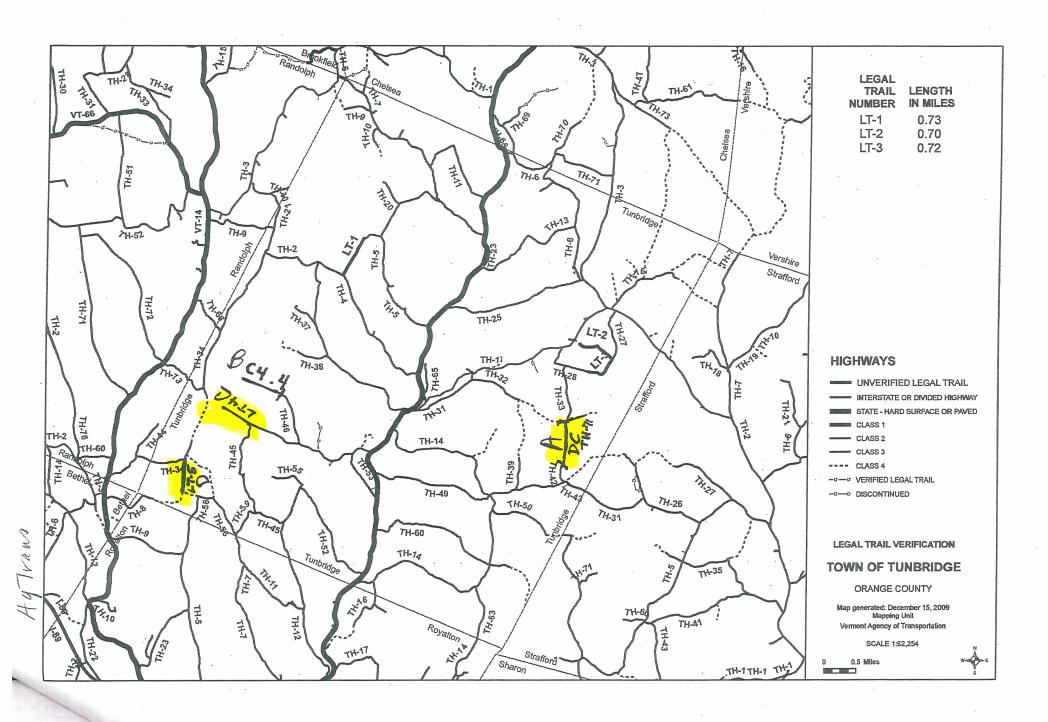
#### 3. Addition of Legal Trails

C. Town Highway #45 .3 miles added to Town Highway #45 known as Falls Hill Road. Beginning at the 90degree Bend; N43degree; 53'19"; W72degree; 32'20" and extending .3 miles as a Legal Trail to the crest of the hill at N43degree; 53'26"; W72degree; 32'39".

This portion of .3 miles will be added to the Town Highway Map as a Legal Trail.

**D.** Town Highway #57 .5 miles added to the portion of Town Highway #57 known as Gage Road. Beginning at the junction of Gage Road and the Ledges Road at N43 degree; 52'23"; W72degree; 33'34" and running due North to the bend on the corner of Gifford Hill Road; Town Highway #34 at N43degree; 52'50"; W72degree; 33"33W. This portion of .5 miles will be added to the Town Highway Map as a Legal Trail.

| Tunbridge Select Board: | ,             |
|-------------------------|---------------|
| Shane K. Ching          | Date: 2/8/10  |
| Shane Young             |               |
| miliste                 | Date: 2 -8-10 |
| Timothy Wolfe           |               |
| mand Vett               | Date: 2/8/10  |
| Ingrid Van Steamburg    |               |



TOWN: TUNBRIDGE
COUNTY: Orange
Sheet \_\_ of \_\_

## ACT 178 LEGAL TRAILS Policy and Planning Division - Mapping Unit

| Legal Trail No. | Original Town<br>Highway No. | Present Mileage | Remarks                        |
|-----------------|------------------------------|-----------------|--------------------------------|
| LT-1            | TH-22                        | 0.73            | 0.73 CL4 to Legal Trail (1988) |
| LT-2            | TH-27                        | 0.70            | 0.70 CL4 to Legal Trail (1988) |
| LT-3            | TH-28                        | 0.72            | 0.72 CL4 to Legal Trail (1988) |
| LT-4            | TH-45                        | 0.3             | 0.3 to LT 2010                 |
| LT-5            | TH-57                        | 0.05            | 0.05 to LT 2010                |
|                 |                              |                 |                                |
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|------------------|---------------------|------------------|-----------------------|-------------|--------------------|
| Class 1          | 0.000               |                  |                       | 1           | 0.000              |
| Class 1 Lane     | 0.000               |                  |                       | İ.          |                    |
| Class 2          | 4.840               |                  |                       |             | 0.000              |
| Class 3          | 65.92               |                  |                       |             | 0.000              |
| State Highway    | 7.934               | ر نیز د          |                       | 13.00       | 0.000              |
| Class 4          | 13.10               | 4                | 0.50                  | 13.50       | 0.000              |
| Legal Trail      | 0.00                | -8               |                       |             |                    |
| Total            | 78.694              | 1.Z              |                       | 79,894      | 0.000              |

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|--|---|
| Selectmen/ Aldern  T/C/V Clerk Signate   | nen/ Trustees Signatures:  Date Filed: Transportation signature.    |
| Market and the second s | ANSPORTATION APPROVAL: Signed copy will be returned to T/C/V Clerk. |
| APPROVED:  | <i>DATE</i> :   |
|  | Representative, Agency of Transportation                            |

# TUNBRIDGE NOTES 26 Mar 2010

Items 1.A. and 2.B: need copies of the original documentation referenced on the attached sheet (highlighted)

Items 3.C. and 3.D.: need copies of the original documentation regarding the original acceptance by the town of these right-of-ways.

Received
VT Agency of Transportation

FEB 1 0 2010

Planning Outreach and Community Affairs Division

## Town of Tunbridge Notice of Ancient Roads Decision (Act 178 Ancient Roads Bill 2006)

As duly Noticed and Warned, on February 02, 2010 at the Tunbridge Town Office in Tunbridge, Vermont the Select Board of the Town of Tunbridge conducted a Public Hearing to consider Acceptance, Discontinuance and Reclassification of the following segments of Highway as outlined below. Per Act 178 Ancient Roads 2006.

### 1. Discontinuance / Classification

A. Town Highway #71. .5 miles of Swayze Road commencing from a point on the junction of Town Highway #33 and Town Highway #32 to the end of the untraveled Class 4 section of Town Highway #42 this discontinuance was Recorded in Town of Tunbridge; Road Book II; Page 106 (#15);

Dated: December 24, 1931.

This portion of .5 miles will be changed to Discontinued on the Town Highway Map.

#### 2. Addition of Class 4 Roads

B. Town Highway #46. .4miles added to the Town Highway known as Ordway Road. Beginning at the private way of Alec and Nancy Frost at .8 miles from Town Highway #45 and extending .4 miles in a North Westerly direction up the existing road bed shown on Town Maps of 1858, 1877 and Town Road Maps of 1931 and 1942. Recorded in Town of Tunbridge; Road Book II; Page 129; Dated May 14, 1942. For further description and findings of above (2B) described Road see Road Book II; Page 505 of the Tunbridge Land Records.

This portion of .4 miles will be added to the current mileage of .85; Ordway Road will be documented as Class 3 .85 miles and Class 4 .4 miles; Ordway Road 1.25 miles on the Town Highway Map.

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| Tunbridge Select Board:             | Date: 2/8/10 |
|-------------------------------------|--------------|
| Shane Young                         | Date: 2-8-10 |
| Timothy Wolfe  Ingrid Van Steamburg | Date: 2/8/10 |

Received
VT Agency of Transportation

FEB 1 0 2010

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| Tunbridge Select Board:            | Date: 2/8/10 |
|------------------------------------|--------------|
| Shane Young                        | Date: 2-8-10 |
| Timothy Wolfe Ingrid Van Steamburg | Date: 2/8/10 |

## Minutes of Ancient Road Hearing Town of Tunbridge

(Act 178 Ancient Roads Bill 2006) February 02, 2010

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A. Town Highway #71. .5 miles of Swayze Road commencing from a point on the junction of Town Highway #33 and Town Highway #32 to the end of the untraveled Class 4 section of Town Highway #42 this discontinuance was Recorded in Town of Tunbridge; Road Book II; Page 106 (#15); Dated: December 24, 1931.

#### 2. Addition of Class 4 Roads

**B.** Town Highway #46. .4 miles added to the Town Highway known as Ordway Road. Beginning at the private way of Alec and Nancy Frost at .8 miles from Town Highway #45 and extending .4 miles in a North Westerly direction up the existing road bed shown on Town Maps of 1858, 1877 and Town Road Maps of 1931 and 1942. Recorded in Town of Tunbridge; Road Book II; Page 129; Dated May 14, 1942. Alec Frost (abutter) has requested that the Select Board consider this .4 be added as a Legal Trail and not a Class 4 Road. Per documentation dated September 17, 1990 and to be recorded in Road Book II; Page \_\_\_\_\_ of the Tunbridge Land Records, this section is currently a Class 4. With respect of Mr. Frost request the Select Board agreed to not change the Class of this portion and to leave as a Class 4 as recorded in above description.

#### 3. Addition of Legal Trails

C. Town Highway #45 .3 miles added to Town Highway #45 known as Falls Hill Road. Beginning at the 90degree Bend; N43degree; 53'19"; W72degree; 32'20" and extending .3 miles as a Legal Trail to the crest of the hill at N43degree; 53'26"; W72degree; 32'39".

**D.** Town Highway #57 .5 miles added to the portion of Town Highway #57 known as Gage Road. Beginning at the junction of Gage Road and the Ledges Road at N43 degree; 52'23"; W72degree; 33'34" and running due North to the bend on the corner of Gifford Hill Road; Town Highway #34 at N43degree; 52'50"; W72degree; 33"33W. This portion to be added to the Town Highway Map as a Legal Trail.

The Select Board voted to approve above Road changes and these changes are to be documented on the Town of Tunbridge Highway Map.

Select Board:

Shane Young

Date: 2/8/10

Timothy Wolfe

Date: 2/8/10

Date: 2/8/10

Date: 2/8/10

#### WARNING

Town of Tunbridge
Select Board and Ancient Roads Committee
Will hold a Public Hearing on February 02,2010
At 6:30pm at the Town Office Building
Located at 271 VT RT 110, Tunbridge VT 05077
To conduct the following business

As duly Noticed and Warned, on February 02, 2010 at the Tunbridge Town Office in Tunbridge, Vermont the Select Board of the Town of Tunbridge conducted a Public Hearing to consider Acceptance, Discontinuance and Reclassification of the following segments of Highway as outlined below. Per Act 178 Ancient Roads Bill 2006.

#### 1. Discontinuance / Classification

A. Town Highway #71..5 miles of Swayze Road commencing from a point on the junction of Town Highway #33 and Town Highway #32 to the end of the untraveled Class 4 section of Town Highway #42 this discontinuance was Recorded in Town of Tunbridge; Road Book II; Page 106 (#15); Dated: December 24, 1931.

#### 2. Addition of Class 4 Roads

**B.** Town Highway #46. .4 miles added to the Town Highway known as Ordway Road. Beginning at the private way of Alec and Nancy Frost at .8 miles from Town Highway #45 and extending .4 miles in a North Westerly direction up the existing road bed shown on Town Maps of 1858, 1877 and Town Road Maps of 1931 and 1942. Recorded in Town of Tunbridge; Road Book II; Page 129; Dated May 14, 1942.

#### 3. Addition of Legal Trails

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**D.** Town Highway #57 .5 miles added to the portion of Town Highway #57 known as Gage Road. Beginning at the junction of Gage Road and the Ledges Road at N43 degree; 52'23"; W72degree; 33'34" and running due North to the bend on the corner of Gifford Hill Road; Town Highway #34 at N43degree; 52'50"; W72degree; 33"33W.

Town of Tunbridge Select Board and Ancient Roads Committee.

## 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 TUNBRIDGE in ORANGE 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 total | PART I - | <b>CHANGES</b> | TOTALS - | Please fill | in and | calculate total |
|--|----------|----------------|----------|-------------|--------|-----------------|
|--|----------|----------------|----------|-------------|--------|-----------------|

| Town<br>Highways | Previous<br>Mileage | Added<br>Mileage | Subtracted<br>Mileage | Total  | Scenic<br>Highways |
|------------------|---------------------|------------------|-----------------------|--------|--------------------|
| Class 1          | 0.000               |                  |                       |        | 0.000              |
| Class 1 Lane     | 0.000               |                  |                       | 1      |                    |
| Class 2          | 4.840               |                  |                       | 1      | 0.000              |
| Class 3          | 65.92               |                  |                       |        | 0.000              |
| State Highway    | 7.934               | ا درو د          |                       |        | 0.000              |
| Class 4          | 13.10               | .4               |                       | 13.50  | 0.000              |
| Legal Trail      | 0.00                | -8               |                       |        | 1 .                |
| Total            | 78.694              | 1.Z              |                       | 79,894 | 0.000              |

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

- 1. NEW HIGHWAYS: Please attach Selectmen's "Certificate of Completion and Opening".
- 2. DISCONTINUED: Please attach SIGNED copy of proceedings (minutes of meeting).

Representative, Agency of Transportation

3. RECLASSIFIED/REMEASURED: Please attach SIGNED copy of proceedings (minutes of meeting).

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

4. SCENIC HIGHWAYS: Please attach a copy of order designating/discontinuing Scenic Highways.

| IF THERE ARE NO CHANGA                              | ES IN MILEAGE: Check l                   | box and sign below | v. [ ]           |  |         |
|---|--|--------------------|------------------|--|---------|
| PART III - SIGNATURES                               | - PLEASE SIGN.                           | ·                  | THO              | AND THE PROPERTY OF THE PROPER |         |
| Selectmen/Aldermen/Trus                             | tees Signatures:                         | mue K.             | Jung             |  |         |
| T/C/V Clerk Signature:  Please sign ORIGINAL and re | My W W W W W W W W W W W W W W W W W W W | ignature.          | Date Filed:      | Femnay   | 08,2010 |
| AGENCY OF TRANSPORT                                 | TATION APPROVAL:                         | Signed copy will   | l be returned to | T/C/V Clerk.   |         |
| APPROVED:   |  |                    | DATE:            |  |         |

## Marc Eagle

Attorney and Counsellor At Law RR #1, Box 61A Tunbridge, Vermont 05077 (802) 889-5505

September 17, 1990

Mr. Floyd McPhetres Randolph Center, VT 05061

Dear Floyd:

This letter will serve as a formal confirmation, and notice of the continuation of Class IV Town Highway #46 beyond the former Clarence Ordway residence, northwesterly, approximately one-quarter of a mile.

The August 28th Selectmen's meeting was attended by Mr. and Mrs. Frost, and Mr. and Mrs. Heminway. Apparently it has been their understanding that TH #46 did continue to your property beyond the Ordway place. I also informed them of what information you and I had discovered in the Tunbridge Highway Reports; i.e., no formal discontinuance of this particular section of road.

You should also be advised that as a Class IV road, annual maintenance will be minimal, and "may be maintained to the extent required by the necessity of the town, the public good and the convenience of the inhabitants of the town,..." See Title 19, Vermont Statutes Annotated, Section 310. This portion of TH #46 will not receive the same attention as Class III roads.

Finally, with respect to reopening the portion of TH #46 above Ordway's, you should, of course, exercise care and periodically check with Road Commissioner Tim Mullen as you proceed in reopening. Particular attention should be paid to the wet areas, and culvert placement. In addition, all trees and stone walls adjoining the roadbed should remain intact. Only those trees located in the roadbed may be removed. Improvements may be made only within the existing roadbed, and the width of the road should remain the same as its current width.

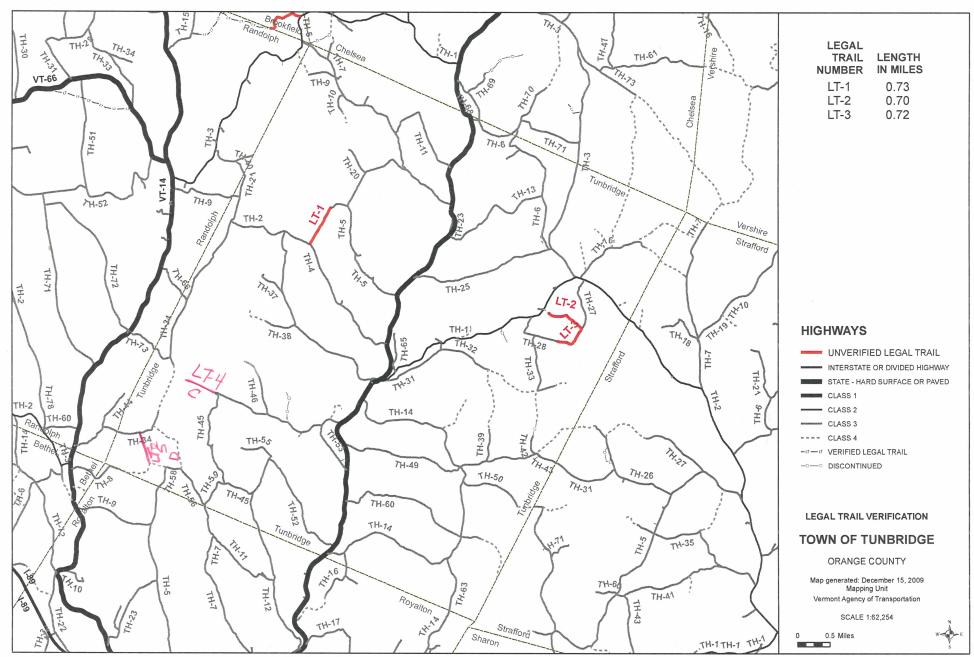
If you have any questions, or concerns please don't hesitate to contact Tim Mullen, the Selectmen, or myself.

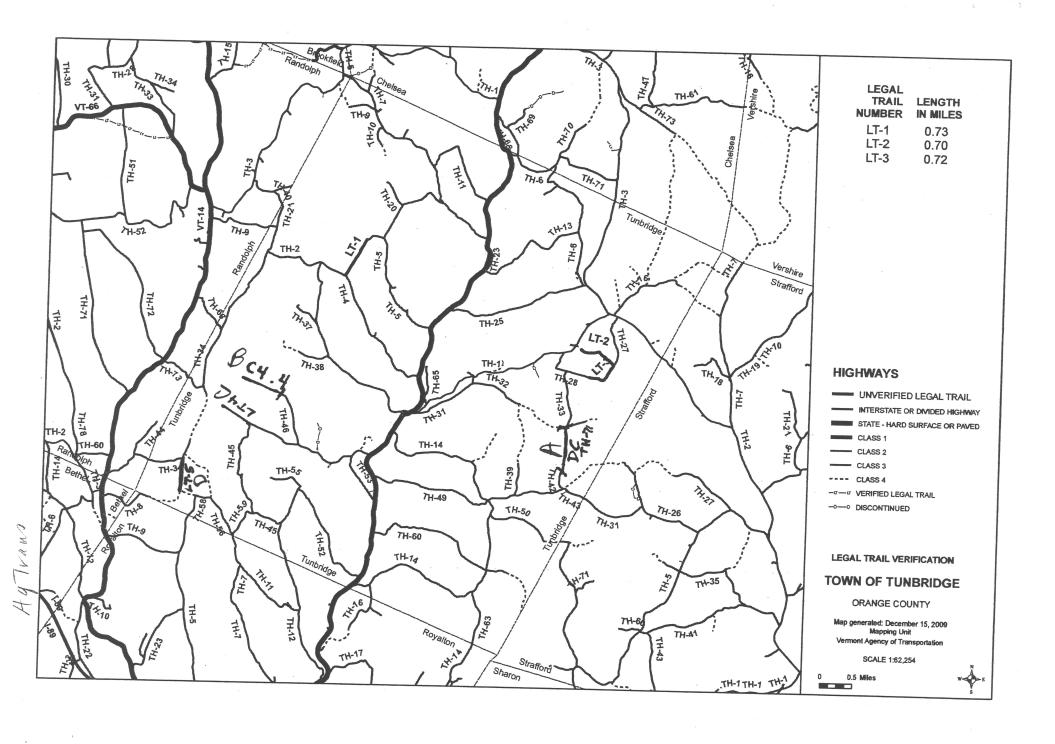
Thank you.

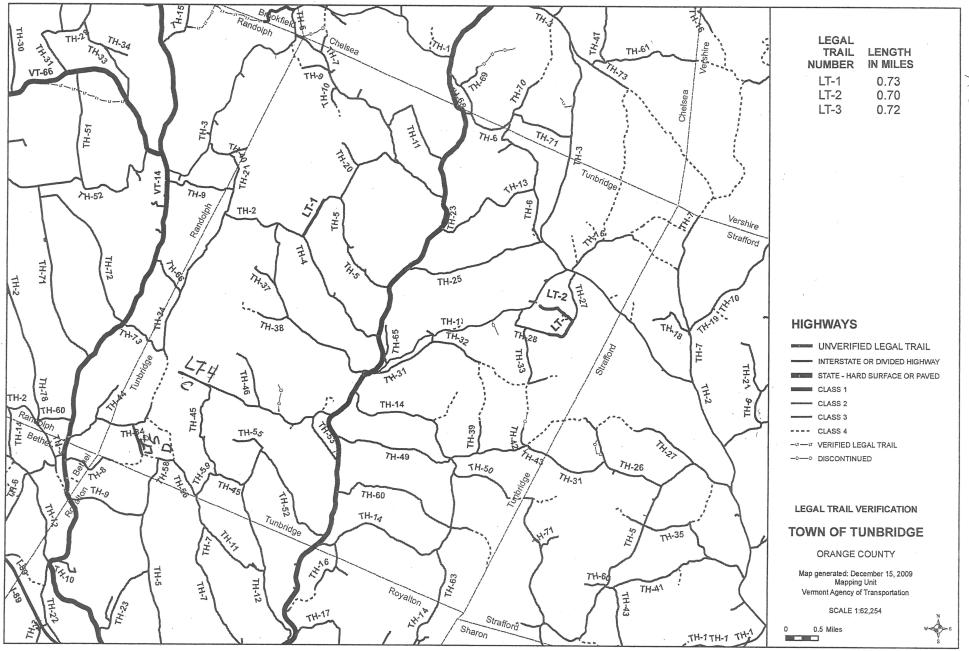
Sinderely,

Marc Eagle

cc: Tunbridge Board of Selectmen







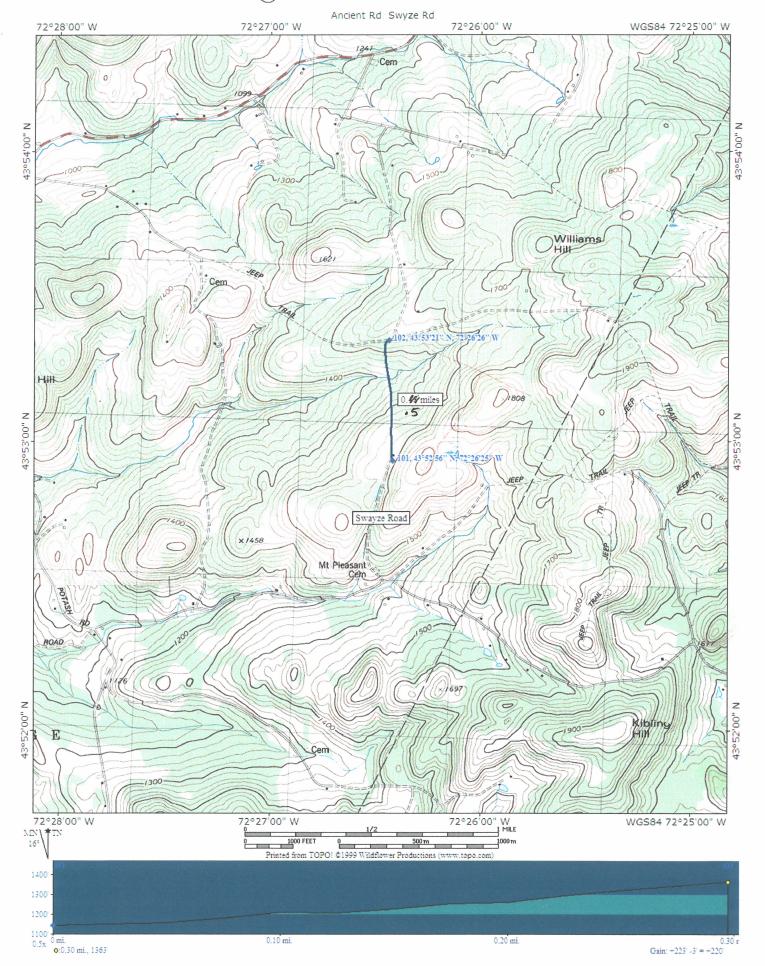
TOWN: TUNBRIDGE
COUNTY: Orange
Sheet of \_\_\_

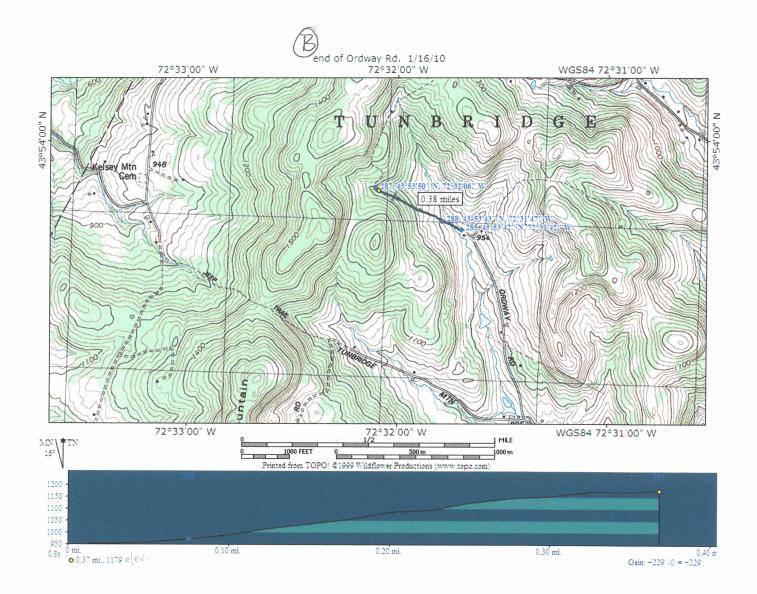
## **ACT 178 LEGAL TRAILS**

Policy and Planning Division - Mapping Unit

| Legal Trail No. | Original Town | Present Miles   |                                   |
|-----------------|---------------|-----------------|-----------------------------------|
| Legal Itali No. | Highway No.   | Present Mileage | Remarks                           |
| LT-1            | TH-22         | 0.73            | 0.73 CL4 to Legal Trail (1988)    |
| LT-2            | TH-27         | 0.70            | 0.70 CL4 to Legal Trail (1988)    |
| LT-3            | TH-28         | 0.72            | 0.72 CL4 to Legal Trail (1988)    |
| LT-4            | TH-45         | 0.3             | 0.3 to LT 2010                    |
| LT-5            | TH-57         |                 | 0.3 to LT 2010<br>0.05 to LT 2010 |
|                 |               |                 |                                   |
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|                 |               |                 |                                   |







0.10 mi.

0.20 mi.

Gain: +223' - 3' = +220'

1300'

0.5x 0 mi.

o:0.30 mi., 1363'