

**Received**  
**FEB 23 2022**  
 Policy, Planning & Intermodal  
 Development Division

District 1  
 Certcode 1106-0

**CERTIFICATE OF HIGHWAY MILEAGE  
 YEAR ENDING FEBRUARY 10, 2022**

Fill out form, make and file a copy with the Town Clerk, and submit the Mileage Certificate on or before February 20, 2022 to: Vermont Agency of Transportation, Division of Policy, Planning and Intermodal Development, Mapping Section via email to: aot.mileagecertificates@vermont.gov or if necessary via mail to: VTrans PPAID - Mapping Section, 219 North Main Street, Barre VT 05641.

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

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

Town Highways	Previous Mileage	Added Mileage	Subtracted Mileage	Total	Scenic Highways
Class 1	0.000	[ ]	[ ]	[ ]	0.000
Class 2	14.670	[ ]	[ ]	[ ]	0.000
Class 3	39.12	[ ]	[ ]	[ ]	0.000
State Highway	2.497	[ ]	[ ]	[ ]	0.000
<b>Total</b>	<b>56.287</b>	[ ]	[ ]	[ ]	<b>0.000</b>
* Class 1 Lane	0.000	[ ]	[ ]	[ ]	[ ]
* Class 4	1.15	[ ]	<b>-0.59</b>	<b>0.56</b>	0.000
* Legal Trail	0.08	[ ]	[ ]	[ ]	[ ]

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

DS  
 PD

Mileage values added  
 P. DeAndrea,  
 VTrans  
 2/23/2022

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

- NEW HIGHWAYS:** Please attach Selectmen's "Certificate of Completion and Opening".
- DISCONTINUED:** Please attach SIGNED copy of proceedings (minutes of meeting).  
**Tn. Highway #7 - Class 4 discontinued. See attached.**
- RECLASSIFIED/REMEASURED:** Please attach SIGNED copy of proceedings (minutes of meeting).
- SCENIC HIGHWAYS:** Please attach a copy of order designating/discontinuing Scenic Highways.

IF THERE ARE NO CHANGES IN MILEAGE: Place an X in the box and sign below.

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

Signatures of Selectmen/ Aldermen/ Trustees: *Michael Bivens*

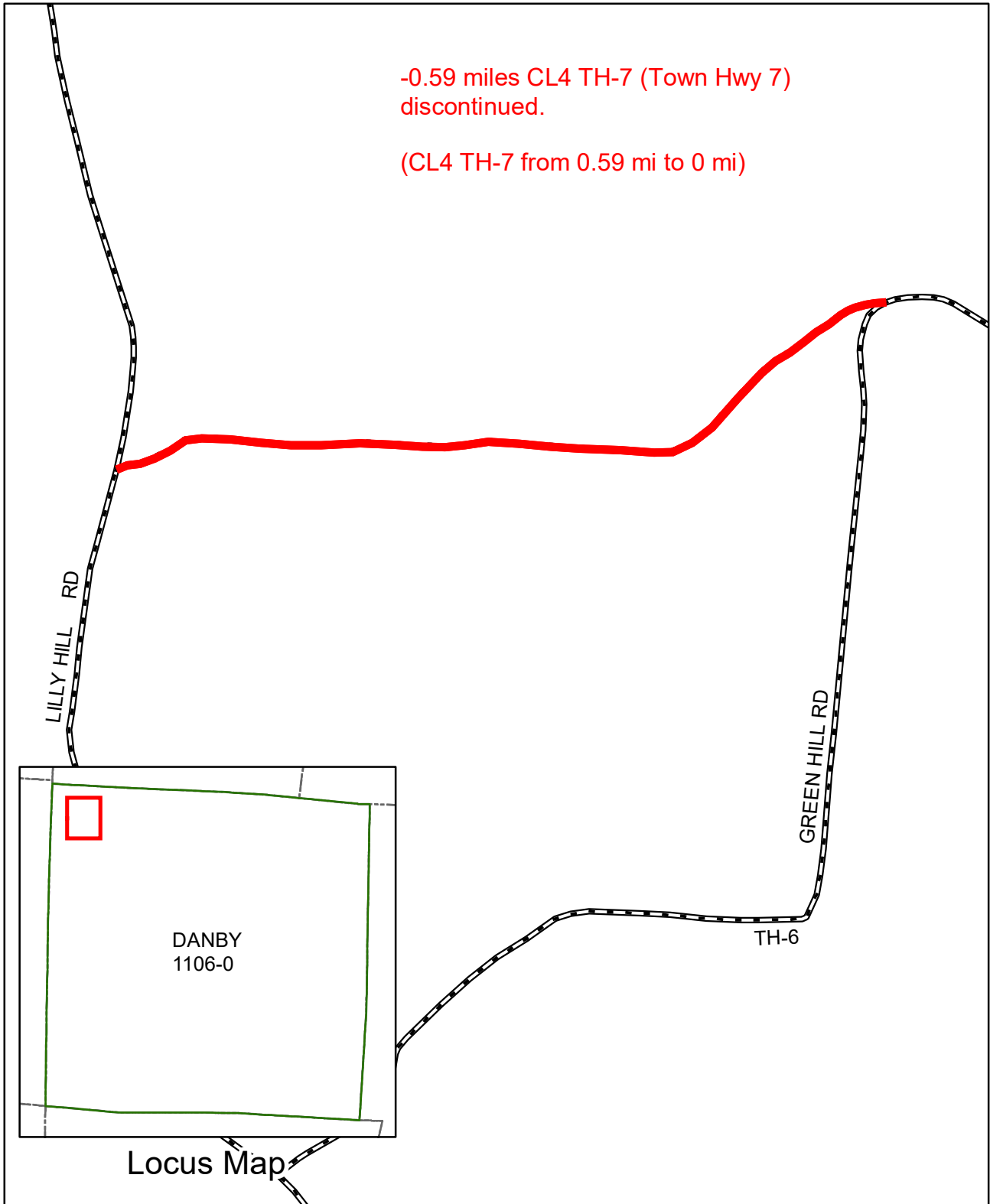
Signature of T/C/V Clerk: *Jessica [unclear]* Date Filed: *02/11/22*

Please sign ORIGINAL and return it for Transportation signature.

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

APPROVED: *Johnathan Croft*  
 Representative, Agency of Transportation

DATE: 3/14/2022



-0.59 miles CL4 TH-7 (Town Hwy 7)  
discontinued.

(CL4 TH-7 from 0.59 mi to 0 mi)

LILLY HILL RD

GREEN HILL RD

TH-6

DANBY  
1106-0

Locus Map

### Mileage Certificate Changes

#### DANBY

(CTUA:1106-0)  
(CERTCODE:-1106-0)

Mapping Section  
Division of Policy and Planning  
Vermont Agency of Transportation -- February 23, 2022



**TOWN OF DANBY, VERMONT  
ORDER OF DISCONTINUANCE  
TOWN HIGHWAY 7**

**WHEREAS**, on June 10, 2021, the Town of Danby Selectboard, on its own motion, initiated proceedings to consider discontinuing the entire length of Town Highway 7 from the intersection of Green Hill Road (T.H. 6) to the intersection of Lilly Hill Road (T.H. 5); and,

**WHEREAS**, notices of the time and date for examining the premises and hearing persons interested were sent in accordance with 19 V.S.A. §§709 and 775, namely by mailing notice via certified mail to each interested person at least thirty days in advance, by giving notice to the Danby Planning Commission and the Vermont Department of Forests, Parks, and Recreation, by posting a copy of the notice in the office of the Danby Town Clerk, and by causing a copy of the notice to be published in The Vermont News Guide, a local newspaper of general circulation in the area, not less than ten days before the time set for the hearing; and,

**WHEREAS**, on July 12, 2021, the Selectboard conducted an examination of the premises and held a public hearing where it took testimony regarding whether the discontinuance would serve the public good, necessity, and convenience of the inhabitants of the Town of Danby;

**NOW, THEREFORE**, based upon the inspection and the evidence presented at the hearing, the Danby Selectboard makes the following findings of fact:

1. Town Highway 7 is an unnamed Class 4 town highway running westerly from the intersection of Green Hill Road (T.H. 6) approximately 0.59 miles to the intersection of Lilly Hill Road (T.H. 5), as depicted on the plan titled "Vermont General Highway Map Town of Danby," prepared by the Vermont Agency of Transportation and dated June 9, 2015.

2. On January 5, 1984, the Danby Selectboard undertook to reclassify Town Highway 7 to a legal trail. A copy of the Selectboard's "Certificate of Accomplishment of Alteration of Town Highway #7" is on file at the Town office. This reclassification effort was of questionable legal effect. Town Highway 7 has remained on Danby's town highway inventory and maps as a Class 4 town highway since 1984, notwithstanding the reclassification attempt.

3. Town Highway 7 is minimally traveled and receives little or no public use. As a Class 4 town highway, Town Highway 7 receives no maintenance and is not plowed by the Town in the winter. There are no bridges on Town Highway 7 and no other infrastructure, such as retaining walls or box culverts in which the Town has made any significant investment of public funds. No public resources or assets (e.g., state-owned land or town forest) are served by Town Highway 7.

4. None of the abutting property owners, the Danby Planning Commission, or the Vermont Department of Forest, Parks, and Recreation have provided any objection to the proposed discontinuance of Town Highway 7.

5. Discontinuing Town Highway 7 will relieve the Town of any future obligation to

maintain or upgrade the road, thereby reducing the burden on Danby taxpayers.


6. No party will be entitled to damages due to the discontinuance of Town Highway 7. Damages are not available in the case of a discontinuance because the abutting property owners are not relinquishing or being deprived of property rights.


**WHEREFORE**, based on these findings, and pursuant to 19 V.S.A. §710, the Selectboard concludes that discontinuance of Town Highway 7 will serve the public good, necessity, and convenience of the inhabitants of the Town of Danby, and orders that Town Highway 7 is hereby discontinued in its entire length from the intersection of Green Hill Road (T.H. 6) to Lilly Hill Road (T.H. 5).


This Order and its incorporated findings, together with a copy of the minutes of the Selectboard's July 12, 2021, shall be filed with the Danby Town Clerk for recording. A copy of this Order shall also be mailed, via first-class mail, to each person who received written notice of the Selectboard's July 12, 2021 examination and hearing.

**DATED** at Danby, Vermont this 15th day of July, 2021.

TOWN OF DANBY  
SELECTBOARD

  
Bradley J. Bender, Chair

  
Steve Haines

  
Thomas Fuller

  
Mike Powers

\_\_\_\_\_  
Douglas I. White