

**CERTIFICATE OF HIGHWAY MILEAGE  
YEAR ENDING FEBRUARY 10, 2015**

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2015 to:  
Vermont Agency of Transportation, Division of Policy, Planning and Intermodal Development,  
One National Life Drive, Montpelier, VT 05633.

We, the members of the legislative body of **GRAFTON** in **WINDHAM** 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	0.000
Class 2	18.300			18.300	0.000
Class 3	30.67	.41		31.080	0.000
State Highway	0.000			0.000	0.000
<b>Total</b>	<b>48.970</b>			<b>49.380</b>	<b>0.000</b>
* Class 1 Lane	0.000			0.000	
* Class 4	8.36	1.120		9.480	0.000
* Legal Trail	0.81	4.750		5.560	
* Unidentified Corridor	0.00			0.00	

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

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

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

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

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

Selectmen/ Aldermen/ Trustees Signatures:

*[Handwritten signatures]*

T/C/V Clerk Signature: *[Handwritten Signature]*

Date Filed: 2/17/15

Please sign ORIGINAL and return it for Transportation signature.

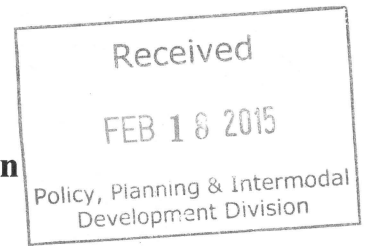
**AGENCY OF TRANSPORTATION APPROVAL:** Signed copy will be returned to T/C/V Clerk.

APPROVED: \_\_\_\_\_  
Representative, Agency of Transportation

DATE: \_\_\_\_\_

## 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>

January 2015



State of Vermont  
Division of Policy, Planning & Intermodal Development  
Mapping Section  
1 National Life Drive  
Montpelier, VT 05633-5001  
<http://vtrans.vermont.gov>

*Agency of Transportation*

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

July 1, 2015

Lawrence (Skip) Lisle, Selectboard Chair  
Town of Grafton, c/o Town Clerk  
PO Box 180  
Grafton, VT 05146

Dear Mr. Lisle,

The VTrans Mapping Section has not accepted Grafton's 2015 Certificate of Highway Mileage due to the lack of documentation and clarity showing the legal establishment of these highways through the formal laying out process or "dedication and acceptance".

VTrans sent a letter on March 4, 2015 to the Town of Grafton requesting documentation regarding the establishment of these highways 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. 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 listed on the 2015 Certificate of Highway Mileage may be re-submitted on the 2016 Certificate with documentation as evidence of legal establishment for review and the potential inclusion on the 2016 Town Highway Map.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Johnathan Croft".

Johnathan Croft  
AOT GIS Database Administrator  
VTrans Mapping Section

JFC/jfc

Enclosures

cc: Michele Boomhower, Director of the VTrans Policy, Planning & Intermodal Development Division  
John Dunleavy, Assistant Attorney General  
Tammy Ellis, District Transportation Administrator  
Jackie Cassino, VTrans Transportation Planning Coordinator

## Town Highway/Legal Trails Addition/Reclassification/Discontinuance Checklist

Submission of this checklist is not required, but is supplied to help municipalities organize the documentation required to process additions / reclassifications / discontinuances of highways and trails. The documentation is subject to verification by VTrans.

Check the box  if the information is included as part of the documentation submitted.

- A description of the affected highway or trail  
(clearly define the origin and terminus)  
Vt. Stat. Ann. tit. 19, § 305(e)
- Minutes of meetings at which the legislative body took action with respect to the changes  
(include copies of the meeting minutes)  
Vt. Stat. Ann. tit. 19, § 305(e)
- Evidence of written notice to adjoining landowners  
(include a copy of the newspaper notice and a copy of the letter sent to adjoining landowners)  
Vt. Stat. Ann. tit. 19, § 709
- A current town highway map with the requested deletions and additions sketched on it  
Vt. Stat. Ann. tit. 19, § 305(e)
- A copy of any surveys of the affected highway or trail\*  
Vt. Stat. Ann. tit. 19, § 305(e)    Vt. Stat. Ann. tit. 19, § 704  
\*Note: A survey shall not be required for class 4 town highways that are legally established prior to February 10, 2006 // and a survey is not needed for Discontinuances.

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For Class 3 or Class 4 town highway additions:

- A Certificate of Completion and Opening  
(While not required by statute, a Certificate of Completion and Opening is a helpful document for the record)

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For Unidentified Corridors:

- If the highway or trail to be added is “not clearly observable by physical evidence of its use as a highway or trail,” then supply additional documentation pursuant to statute Vt. Stat. Ann. Tit. 19 § 305(d). On July 1, 2015 any remaining “Unidentified Corridors” will be discontinued by statute. Vt. Stat. Ann. tit. 19, § 302(a)(6)(G)

All records filed with the agency are subject to verification in accordance with 19 V.S.A. § 305 (a) and 19 V.S.A. § 305 (e).



State of Vermont  
Division of Policy, Planning, and Intermodal Development  
Mapping Section  
1 National Life Drive  
Montpelier, VT 05633-5001  
<http://vtrans.vermont.gov>

*Agency of Transportation*

Telephone: 802-828-2109  
Fax: 802-828-2334  
Email: [sara.moulton@state.vt.us](mailto:sara.moulton@state.vt.us)

March 4, 2015

Rachel Williams, Town Administrator  
Town of Grafton, c/o Town Clerk  
PO Box 180  
Grafton, VT 05146

Dear Ms. Williams,

The VTrans Mapping Section has received and reviewed Grafton's 2015 Certificate of Highway Mileage, and requesting additional documentation. The cover letter submitted with the Certificate states that there is a mileage discrepancy for two Class 3 portions, and there are mileage change notes for the Class 4 and Legal Trail sections of the Mileage Certificate, but no documentation was included with the Certificate to support these changes. A current town highway with the requested changes mapped on it was included, but it does not provide enough information to clarify what changes you are requesting and does not include the documentation needed to support the changes.

Highways and trails may have been established in several ways, including the formal laying out 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 highway 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.

If no documentation can be found regarding the legal establishment of this highway, it may be prudent to follow the laying out process as defined in 19 V.S.A. Chapter 7 or work with the adjoining landowners to dedicate the right of way to the town and the Selectboard would accept the highway. This essentially would re-establish the highway if no evidence can be located on the original laying out.

The VTrans Mapping Section 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,

*Sara Moulton*

Sara Moulton  
GIS Mapping Specialist  
VTrans Mapping Section

Enclosures

cc: Lawrence (Skip) Lisle, Selectboard Chair  
Jackie Cassino, VTrans Transportation Planning Coordinator

**CERTIFICATE OF HIGHWAY MILEAGE  
YEAR ENDING FEBRUARY 10, 2015**

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on an oath state that the mileage of highways, according to Vermont Statutes Annotated, Title 19, Section 305,  
added 1985, is as follows:

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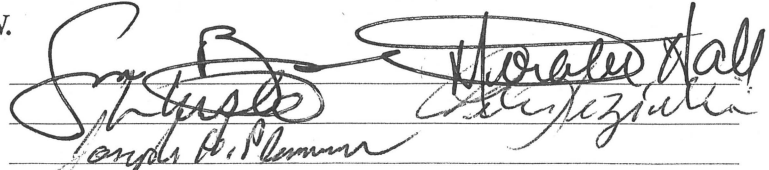
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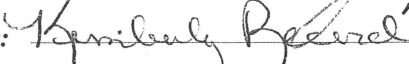
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IF THERE ARE NO CHANGES IN MILEAGE: Check box and sign below. [ ]

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

Selectmen/ Aldermen/ Trustees Signatures: 

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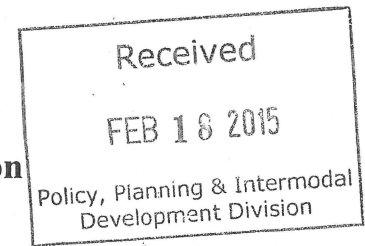
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APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_  
Representative, Agency of Transportation

Vermont Statutes Annotated

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



§ 305. Measurement and inspection

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January 2015



## Town Highway/Legal Trails Addition/Reclassification/Discontinuance Checklist

Submission of this checklist is not required, but is supplied to help municipalities organize the documentation required to process additions / reclassifications / discontinuances of highways and trails. The documentation is subject to verification by VTrans.

Check the box  if the information is included as part of the documentation submitted.

Also need these

- A description of the affected highway or trail  
(clearly define the origin and terminus)  
Vt. Stat. Ann. tit. 19, § 305(e)
- Minutes of meetings at which the legislative body took action with respect to the changes  
(include copies of the meeting minutes)  
Vt. Stat. Ann. tit. 19, § 305(e)
- Evidence of written notice to adjoining landowners  
(include a copy of the newspaper notice and a copy of the letter sent to adjoining landowners)  
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- A current town highway map with the requested deletions and additions sketched on it  
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All records filed with the agency are subject to verification in accordance with 19 V.S.A. § 305 (a) and 19 V.S.A. § 305 (e).

Office of  
**BOARD OF SELECTMEN**



**TOWN OF GRAFTON**

P.O. Box 180  
Grafton, Vermont 05146

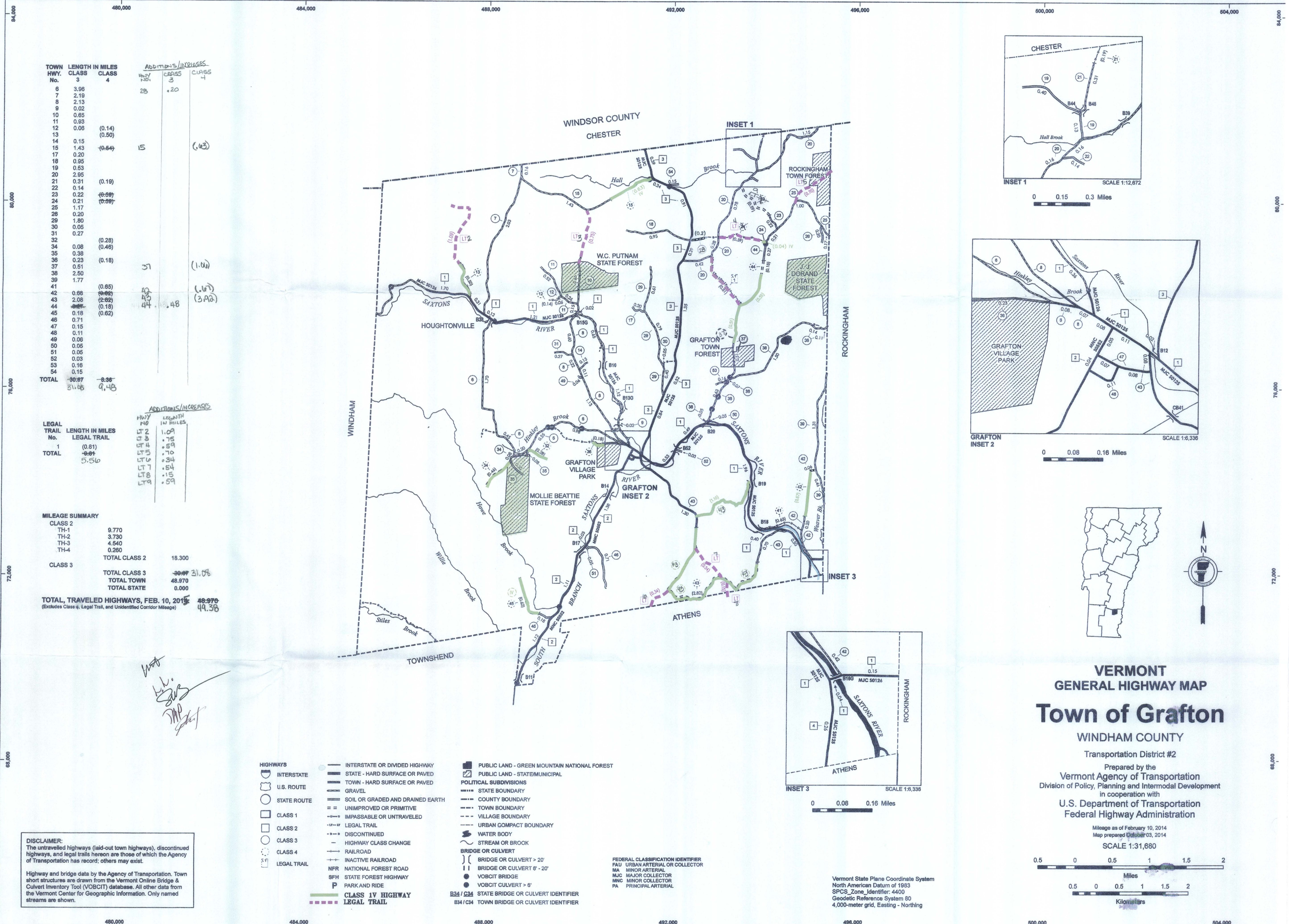
To Whom It May Concern,

During the Ancient Roads unidentified corridors process, we discovered a mileage discrepancy on the mileage certificate on two Class 3 portions. We are requesting that these errors be corrected. I have submitted a map with the correct mileage and any updates due to the ancient roads process. Please contact me with any inquiries.

Sincerely,

A handwritten signature in cursive script that reads "williams".

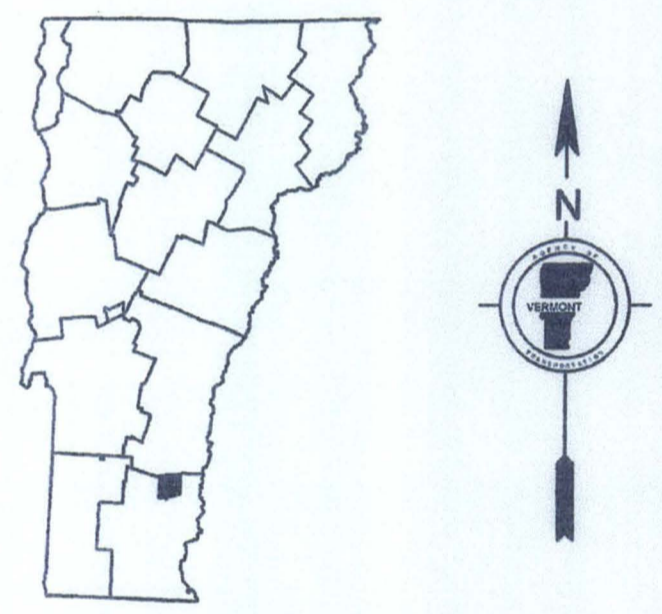
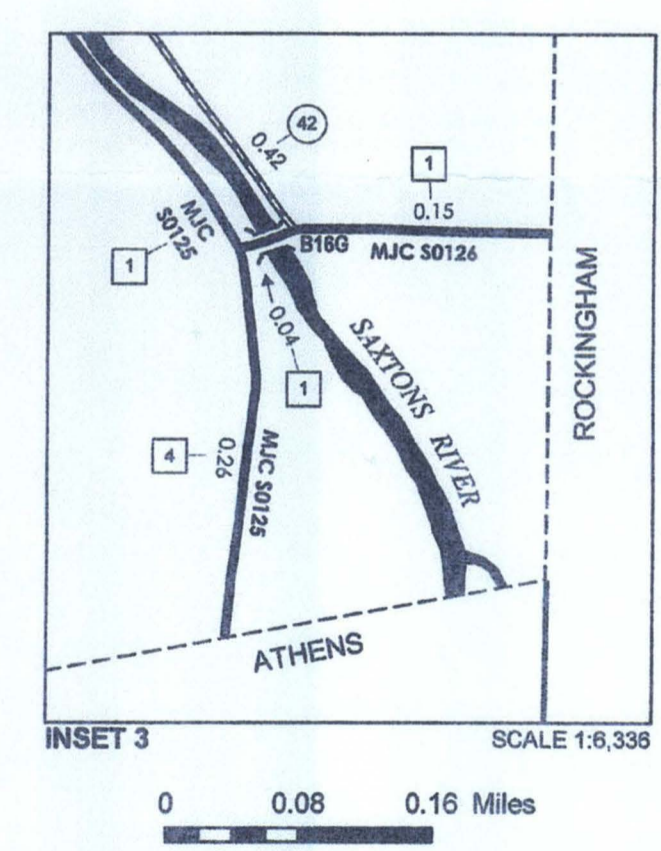
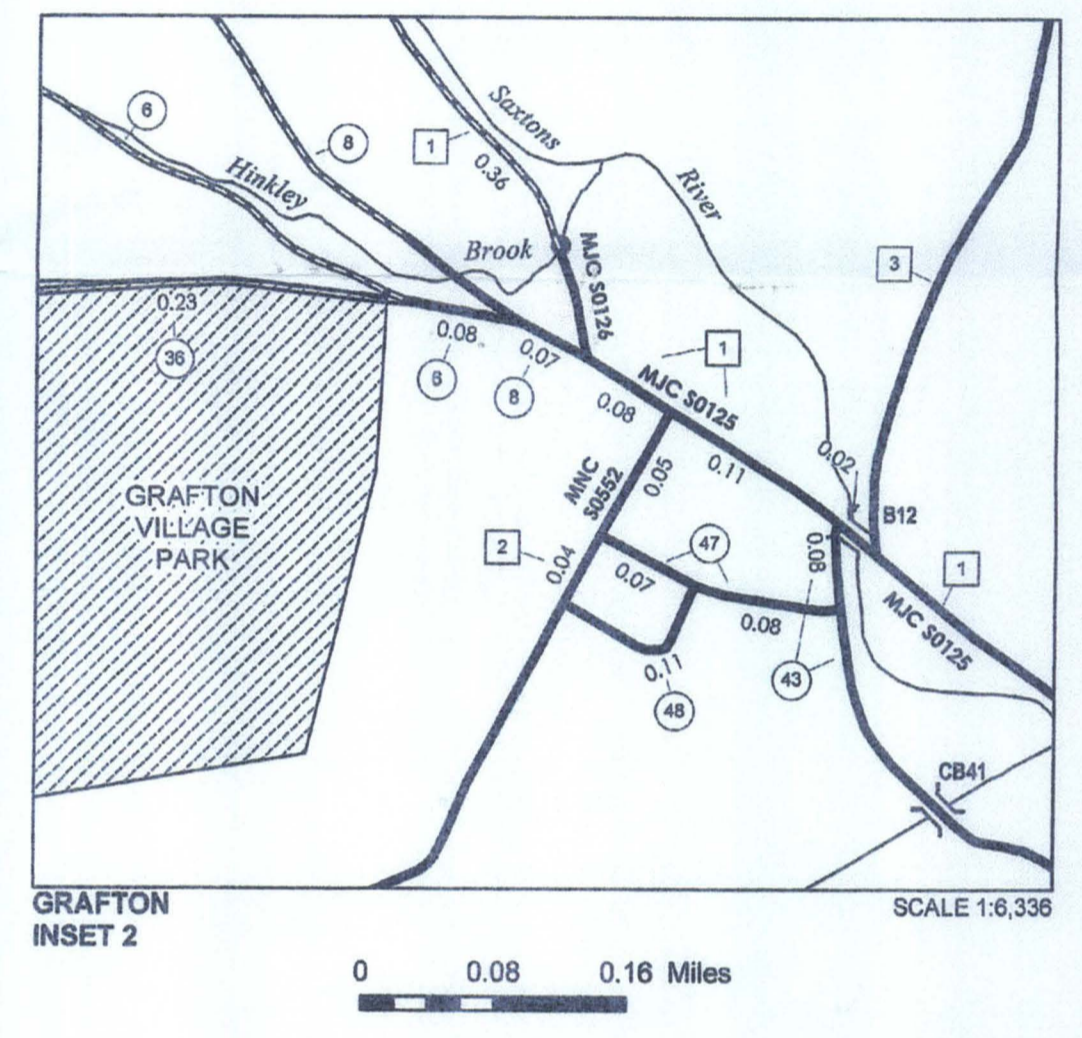
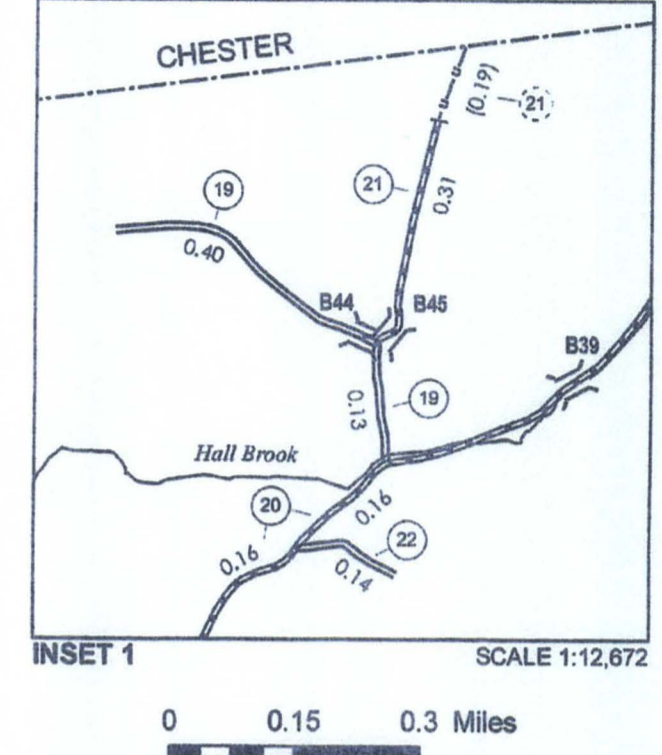
Rachel Williams  
Town Administrator



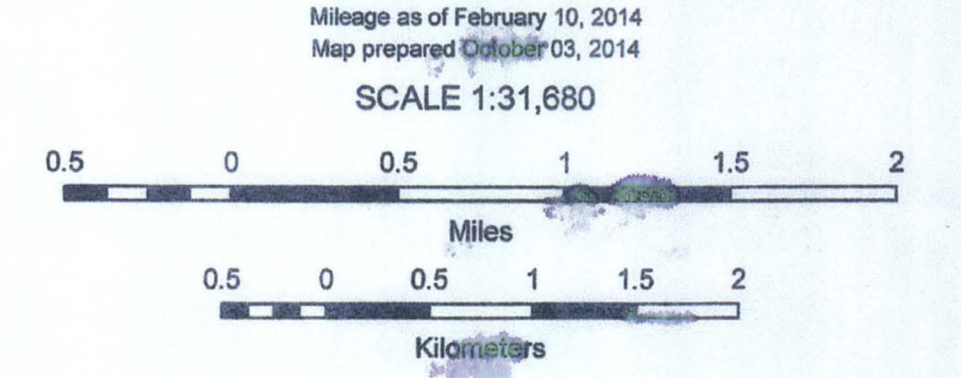
TOWN HWY. No.	LENGTH IN MILES		ADDITIONS/INCREASES	
	CLASS 3	CLASS 4	CLASS 3	CLASS 4
8	3.98		25	+20
7	2.19			
8	2.13			
9	0.02			
10	0.65			
11	0.93			
12	0.08	(0.14)		
13		(0.50)		
14	0.15		15	(0.2)
15	1.43	(0.64)		
17	0.20			
18	0.85			
19	0.53			
20	2.95			
21	0.31	(0.19)		
22	0.14			
23	0.22	(0.58)		
24	0.21	(0.59)		
25	1.17			
26	0.20			
29	1.80			
30	0.05			
31	0.27			
32		(0.28)		
34	0.08	(0.46)		
35	0.38			
36	0.23	(0.18)		
37	0.51		3	(1.0)
38	2.50			
39	1.77			
41		(0.65)		
42	0.68	(0.82)		
43	2.08	(2.82)		
44		(0.18)		
45	0.18	(0.62)		
46	0.71			
47	0.15			
48	0.11			
49	0.08			
50	0.05			
51	0.05			
52	0.03			
53	0.16			
54	0.15			
<b>TOTAL</b>	<b>30.87</b>	<b>8.36</b>		
	<b>31.08</b>	<b>9.48</b>		

LEGAL TRAIL No.	LENGTH IN MILES		ADDITIONS/INCREASES	
	LEGAL TRAIL	LEGAL TRAIL	LEGAL TRAIL	LEGAL TRAIL
1	(0.81)		1.09	
2	(0.81)		0.75	
3			0.59	
4			0.70	
5			0.34	
6			0.54	
7			0.15	
8			0.59	
9				
<b>TOTAL</b>	<b>5.51</b>			

MILEAGE SUMMARY		
CLASS 2		
TH-1	9.770	
TH-2	3.730	
TH-3	4.540	
TH-4	0.260	
<b>TOTAL CLASS 2</b>	<b>18.300</b>	
CLASS 3		
<b>TOTAL CLASS 3</b>	<b>30.87</b>	<b>31.08</b>
<b>TOTAL TOWN</b>	<b>48.970</b>	
<b>TOTAL STATE</b>	<b>0.000</b>	
<b>TOTAL, TRAVELED HIGHWAYS, FEB. 10, 2015</b>	<b>48.970</b>	<b>49.38</b>
<small>(Excludes Class 4, Legal Trail, and Undeveloped Corridor Mileage)</small>		



**VERMONT**  
**GENERAL HIGHWAY MAP**  
**Town of Grafton**  
 WINDHAM COUNTY  
 Transportation District #2  
 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



Vermont State Plane Coordinate System  
 North American Datum of 1983  
 SPCS\_Zone\_Identifier: 4400  
 Geodetic Reference System 80  
 4,000-meter grid, Easting - Northing

**DISCLAIMER:**  
 The untraveled highways (laid-out town highways), discontinued highways, and legal trails hereon are those of which the Agency of Transportation has record; others may exist.  
 Highway and bridge data by the Agency of Transportation. Town short structures are drawn from the Vermont Online Bridge & Culvert Inventory Tool (VOBCIT) database. All other data from the Vermont Center for Geographic Information. Only named streams are shown.

- HIGHWAYS**
  - INTERSTATE OR DIVIDED HIGHWAY
  - STATE - HARD SURFACE OR PAVED
  - TOWN - HARD SURFACE OR PAVED
  - GRAVEL
  - SOIL OR GRADED AND DRAINED EARTH
  - UNIMPROVED OR PRIMITIVE
  - IMPASSABLE OR UNTRAVELED
  - LEGAL TRAIL
  - DISCONTINUED
  - HIGHWAY CLASS CHANGE
  - RAILROAD
  - INACTIVE RAILROAD
  - NFR NATIONAL FOREST ROAD
  - SFH STATE FOREST HIGHWAY
  - PARK AND RIDE
  - CLASS 1V HIGHWAY
  - LEGAL TRAIL
- PUBLIC LAND - GREEN MOUNTAIN NATIONAL FOREST**
- PUBLIC LAND - STATE-MUNICIPAL**
- POLITICAL SUBDIVISIONS**
  - 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 8' - 20'
    - VOBCIT BRIDGE
    - VOBCIT CULVERT > 6'
  - STATE BRIDGE OR CULVERT IDENTIFIER
  - TOWN BRIDGE OR CULVERT IDENTIFIER
- FEDERAL CLASSIFICATION IDENTIFIER**
  - FAU URBAN ARTERIAL OR COLLECTOR
  - MA MAJOR ARTERIAL
  - MJC MAJOR COLLECTOR
  - MNC MINOR COLLECTOR
  - PA PRINCIPAL ARTERIAL