

CERTIFICATE OF HIGHWAY MILEAGE year ending FEB. 10, 1998

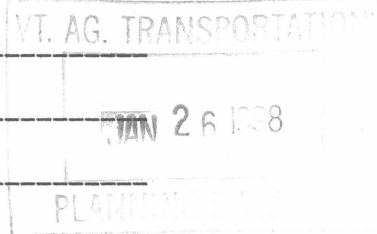
Fill out form, make & file COPY with the Town Clerk, & mail ORIGINAL before Feb. 20, 1998 TO:
 Vt. Agency of Transportation, Planning Dept., 133 State Street, Montpelier, Vt. 05633.

We, the Selectmen or Trustees or Aldermen of NEWFANE, WINDHAM COUNTY
 on an oath state that the mileage of highways, according to Title 19, V.S.A., Sec#305, added
 1985, is as follows:

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

DISTRICT 2

TOWN HIGHWAYS	PREVIOUS MILEAGE	ADDED MILEAGE	SUBTRACTED MILEAGE	TOTAL	* SCENIC HIGHWAYS
CLASS 1	.000				*
* CL1 LANE	.000				*
CLASS 2	16.900			16.90	*
CLASS 3	47.150		0.10	47.05	*
STATE HWY	5.662			5.662	*
TOTAL	69.712			69.612	*
CLASS 4	.660			0.660	*



* Class 1 Lane Mileage is NOT added into the total.

PART II - INFORMATION & 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).
 T - 81 Discontinued 5-1-97

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

- (4) SCENIC HIGHWAYS: Please attach copy of order designating/discontinuing Scenic Highways.

PART II - CHECK BOX IF NO CHANGES IN MILEAGES AND SIGN BELOW []

PART III - SIGNATURES - PLEASE SIGN.

SELECTMEN/ALDERMEN/TRUSTEES
 SIGNATURES:

Michael J. [Signature]
Richard B. Dowley
Lynn [Signature]
[Signature]

CLERK SIGNATURE: Sandra A. Dowley DATE FILED 1/23/98
 Please sign ORIGINAL & return for Transportation signature.

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

APPROVED: Donald C. Harvey DATE: 1/27/98
 Representative, Agency of Transportation

STATE OF VERMONT
WINDHAM COUNTY, SS.

ARTHUR TASKER)
) WINDHAM SUPERIOR COURT
) DOCKET NO. S589-12-94Wmc
 v.)
)
)
 TOWN OF NEWFANE)

**STIPULATION FOR DISCONTINUANCE OF NEWFANE
TOWN HIGHWAY #81 - TASKER'S ROAD, SO-CALLED**

WHEREAS, the Town of Newfane by its Selectmen on their own motion petitioned to Discontinue Town Highway #81 known as and called Tasker's Road; and

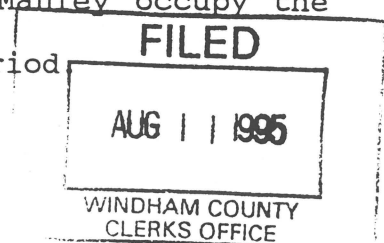
WHEREAS, after due notice, review of the road and public hearing, the Selectmen did, in fact, discontinue said Town Highway #81 on December 1, 1994 and recorded their Report of Discontinuance on December 2, 1994 in Town Record Book 7; and

WHEREAS, Arthur Tasker appealed said road discontinuance pursuant to the provisions of 19 V.S.A. Section 740; and

WHEREAS, in order to prevent protracted future hearings on a possible appeal to the Vermont Supreme Court, the parties wish to settle their differences.

THEREFORE, the Town of Newfane and the Estate of Arthur Tasker **STIPULATE and AGREE**:

1. That the Town of Newfane shall maintain and plow Town Highway #81 for the winters of 1995-1996 and 1996-1997, but only so long as Howard and Mildred Manley occupy the premises of Arthur Tasker during said period



2. That Newfane Town Highway #81 shall be **DISCONTINUED** on May 1, 1997 or sooner if said Manleys do not occupy the so-called Tasker residence situate on said highway.

DATED at Brattleboro, Vermont this 11th day of August, 1995.

ESTATE OF ARTHUR TASKER

By: *Ernest Pisher Jr.*

TOWN OF NEWFANE

By: *Sam C. Breen*
Chairman, Board of Selectmen

FILED
AUG 1 1995
WINDHAM COUNTY
CLERKS OFFICE

ORDER

Based on the foregoing Stipulation, it is hereby **ORDERED:**

1. That the Town of Newfane shall maintain and plow Town Highway #81 for the winters of 1995-1996 and 1996-1997, but only so long as Howard and Mildred Manley occupy the premises of Arthur Tasker during said period.

2. That Newfane Town Highway #81 shall be **DISCONTINUED** on May 1, 1997 or sooner if said Manleys do not occupy the so-called Tasker residence situate on said highway.

DATED at Newfane, Vermont this 11th day of August, 1995.

Robert C. Breen
Judge, Windham Superior Court

AUG 15 1995
WINDHAM COUNTY
CLERKS OFFICE

STATE OF VERMONT.

PROBATE COURT

District of Marlboro, ss.

In re: The Estate of Arthur A. Tasker

Late of Newfane

CERTIFICATE OF APPOINTMENT

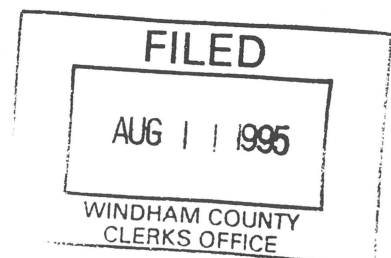
I, Dorothy A. O'Masta, Register of the Probate Court for the District of Marlboro, having by law the custody of the seal, records and files of the Court, certify that the Probate Court held in Brattleboro on August 9, 1995, did appoint Kenneth V. Fisher, Jr., Esquire, of Marlboro, Vermont, as the Executor of the Last Will and Testament of Arthur A. Tasker, late of Newfane, in said District, deceased; and

That Kenneth V. Fisher, Jr., Esquire, accepted the trust, and gave bond for faithful performance thereof, as required by the laws of Vermont; and

That the appointment has never been revoked, but remains in full force, as by the records of the Court appears.

IN TESTIMONY WHEREOF, I hereunto affix the seal of said Court and subscribe my name, at Brattleboro, in said District, on August 9, 1995.

Signed Dorothy A. O'Masta, Register



REPORT OF THE NEWFANE SELECTMEN

STATE OF VERMONT
WINDHAM COUNTY, SS.
TOWN OF NEWFANE

WHEREAS, at the meeting of the Newfane Board of Selectmen on May 4, 1994, the Selectmen voted to discontinue Town Highways: Nichols Road (TH#8, 0.23), Slater Road (TH#54, 0.28), Lynch Road (TH#34, 0.07), Shep Stone Road (TH#38, 0.25), Taskers Drive (TH#81, 0.10), Pikes Road (TH#60, 0.02), Mayer Road (TH#40, 0.20), Sandes Road (TH#46, 0.13), and to discontinue bridge (BR#46) located on Lynch Road (TH#34);

WHEREUPON, the said Selectmen did order and appoint that on September 24, 1994 beginning at 9:00 A.M. they would examine the premises and meet for the purpose of hearing all persons interested in the discontinuances; and did give notice thereof to persons of record owning or with interest in the lands abutting upon or lands through which said highways pass, all by written notices, sent certified mail at least 30 days prior to the hearing, as listed on the attached Certificate of Mailing.

The hearing was recessed to October 12, 1994 at 7:00 P.M. for the purpose of considering arguments by interested persons. All persons who attended the initial hearings and all persons who submitted written responses to the initial Notices were given notice thereof, as listed on the attached supplemental Certificate of Mailing.

The hearing was further recessed to November 3, 1994 at 9:00 P.M. for the purpose of considering arguments by interested persons in TH#8 and TH#54. All persons who attended the initial hearings and all persons who submitted written responses to the initial Notices for these two highways were given notice thereof, as listed on the attached supplemental Certificate of Mailing.

The Selectmen did also cause written Notice of said site inspections and hearings to be posted in the Newfane Town Clerk's Office and published in the Brattleboro Reformer on Tuesday, September 13, 1994, more than 10 days prior to the hearing.

Written Notice of the recessed hearing of October 12, 1994 was published in the Brattleboro Reformer on October 5, 1994 and the written Notice of the recessed hearing of November 3, 1994 was published in the Brattleboro Reformer on October 31, 1994.

On September 24, 1994, the Selectmen met at Town Highways #8, #54, #34, #38, #81, #60, #40, #46 and Town Bridge #46 beginning at 9:00 a.m. for examination and hearing. All persons present were given the opportunity to speak upon whether or not the public good and necessity and convenience of the inhabitants of the community supported the proposed discontinuances. The hearings were recessed.

The recessed hearings were reconvened on October 12, 1994 beginning at 7:00 p.m. and on November 3, 1994 beginning at 9:00 p.m. at the Newfane Town Office. Interested parties were given the opportunity to present arguments concerning whether or not the public good and the necessity and convenience of the inhabitants of the community requires the discontinuance of the town highways and bridge described above.

The Selectmen also took under consideration letters received from various parties, which are attached to and made a part of the Selectmen's minutes. A number of persons spoke on these matters, as set forth in the minutes of the meetings.

After hearing all persons wishing to speak to these matters and deliberation, the Selectmen voted its determination as to the discontinuance of the highways and bridge under consideration as follows:

1. **Nichols Road - TH#8:** Beginning at the intersection with South Wardsboro Road (TH#1) and proceeding in a northwesterly direction for a distance of 0.23 miles: **Vote: 0 yes, 3 no, 1 abstention.** The motion to discontinue was defeated.

2. **Slater Road - TH#54:** Beginning at the intersection with Penner Road (TH#31) and proceeding in a northwesterly direction for 0.28 miles: **Vote: 4 yes, 0 no. Discontinued.**

3. **Lynch Road - TH#34:** Beginning at the intersection with Dover Road (TH#2) and proceeding across Bridge #46, including Bridge #46, in a southerly direction for a distance of 0.07 miles: **Vote: 0 yes, 5 no.** The motion to discontinue was defeated.

4. **Bridge #46 - Lynch Road Bridge:** The structure is located on Lynch Road (TH#34), listed in item #3 above and is a single span steel bridge over the Rock River: **Vote: 1 yes, 4 no.** The motion to discontinue was defeated.

5. **Shep Stone Road - TH#38:** Beginning at the intersection of Dover Road (TH#2) and proceeding in a southerly direction for a distance of 0.25 miles: **Vote: 4 yes, 1 no. Discontinued.**

6. **Taskers Road - TH#81:** Beginning at the intersection of Deer Hill Road (TH#37) and proceeding in a northeasterly direction for a distance of 0.10 miles: **Vote: 3 yes, 2 no. Discontinued.**

7. **Pikes Road - TH#60:** Beginning at the intersection of Old County Road (TH#59) and proceeding in a southerly direction for a distance of 0.02 miles: **Vote: 1 yes, 4 no.** The motion to discontinue was defeated.

8. **Mayer Road - TH#40:** Beginning at the intersection of Dover Road (TH#2) and proceeding in a southerly direction for a distance of 0.20 miles: **Vote: 0 yes, 5 no.** The motion to discontinue was defeated.

9. **Sandes Road - TH#46:** Beginning at the intersection of Grimes Hill Road (TH#5) and proceeding in an easterly direction for a distance of 0.13 miles: **Vote: 5 yes, 0 no. Discontinued.**

The Selectmen did state that they would consider claims for damages. They requested that all persons who wished to state their claim should do so.

Arthur A. Tasker, by his attorney Kenneth Fisher, Jr., Esq., requested \$5,000.00 in damages for the discontinuance of Taskers Drive (TH#81). No such motion was made. No damages were awarded.

Mary Sandes stated that her business would lose revenue because of the road discontinuance (TH#46). No motion for damages was made. No damages were awarded.

As to all of the highways which have been discontinued, the Selectmen did thereupon ORDER that the said highways be discontinued and the highway rights of way be set to the respective adjoining property owners.

Slater Road (TH#54), beginning at the intersection with Penner Road (TH#31) and proceeding in a northwesterly direction for 0.28 miles was discontinued. The lots to which the right-of-way originally belonged could not be determined. The Selectmen therefore divided the right-of-way equally between the two adjoining property owners of record; Edward L. Monroe, Sr. (Tax Map #E037) and Louise S. Huntington (Tax Map #E039).

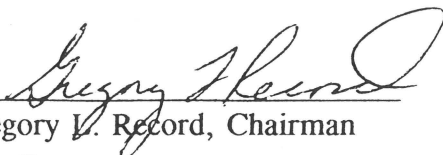
Shep Stone Road (TH#38), beginning at the intersection with Dover Road (TH#2) and proceeding in a southerly direction for a distance of 0.25 miles was discontinued. The highway right-of-way shall be set to the adjoining property owner of record, Shepard Stone Residuary Trust (Tax Map #E072).

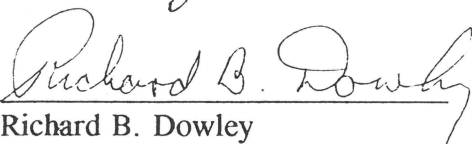
Taskers Road (TH#81), beginning at the intersection with Deer Hill Road (TH#37) and proceeding in a northeasterly direction for a distance of ^{0.10}~~0.02~~ miles was discontinued. The highway right-of-way shall be set to the adjoining property owner of record, Arthur A. Tasker (Tax Map #E083).

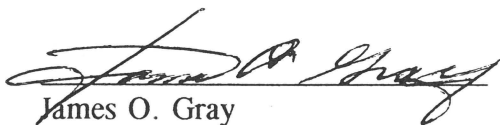
Sandes Road (TH#46), beginning at the intersection with Grimes Hill Road (TH#5) and proceeding in an easterly direction for a distance of 0.13 miles was discontinued. The highway right-of-way shall be set to the adjoining property owners of record, Roger and Mary Sandes (Tax Map #D110).

Dated at Newfane, Vermont this 1st day of December, 1994.

SELECTMEN
TOWN OF NEWFANE, VERMONT


Gregory V. Record, Chairman

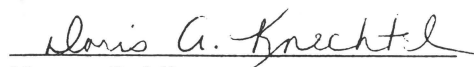

Richard B. Dowley


James O. Gray


Larry C. Robinson

STATE OF VERMONT
WINDHAM COUNTY, SS.

Subscribed and sworn to before me this 1st day of December, 1994.


Notary Public
Commission Expires February 10, 1995