

**CERTIFICATE OF HIGHWAY MILEAGE
YEAR ENDING FEBRUARY 10, 2013**

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2013 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 TOWNSHEND 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			0.00	0.000
Class 2	10.620			10.620	0.000
Class 3	45.03		.37 0.15	44.66 44.88	0.000
State Highway	7.357			7.357	0.000
Total	63.007			62.637 ←	0.000 62.857
* Class 1 Lane	0.000				0.000
* Class 4	6.21		.28	5.93	
* Legal Trail	0.00	.816 0.91		0.91 .816	
* Unidentified Corridor	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. Adjustments by S. Moulton 4/11/2013

- NEW HIGHWAYS:** Please attach Selectmen's "Certificate of Completion and Opening".
Old Acton Road - Est. TR Vol 13, P 143; TR Vol 14, P 198; TLR Vol 41, P 413
Survey map #178, 7/12/1991 LT-1 0.91 mi
- DISCONTINUED:** Please attach SIGNED copy of proceedings (minutes of meeting).
Favreau's Corner - Disc TR 14, Page 367 - TH-50 CL3 0.08 CL4 0.28
Bush Way - Disc TR Vol 7, Page 446 TH-51 CL3 0.07
- 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: Ken Moulton, Healy & Harriet, and another signature]

T/C/V Clerk Signature:

Anita Bean

Date Filed:

2/19/13

Please sign ORIGINAL and return it for Transportation signature.

AGENCY OF TRANSPORTATION APPROVAL:

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

APPROVED:

[Signature]
Representative, Agency of Transportation
Johnathan Croft

DATE:

6/6/2013

Received

FEB 21 2013

Policy, Planning & Intermodal
Development Division

Vermont Statutes Annotated

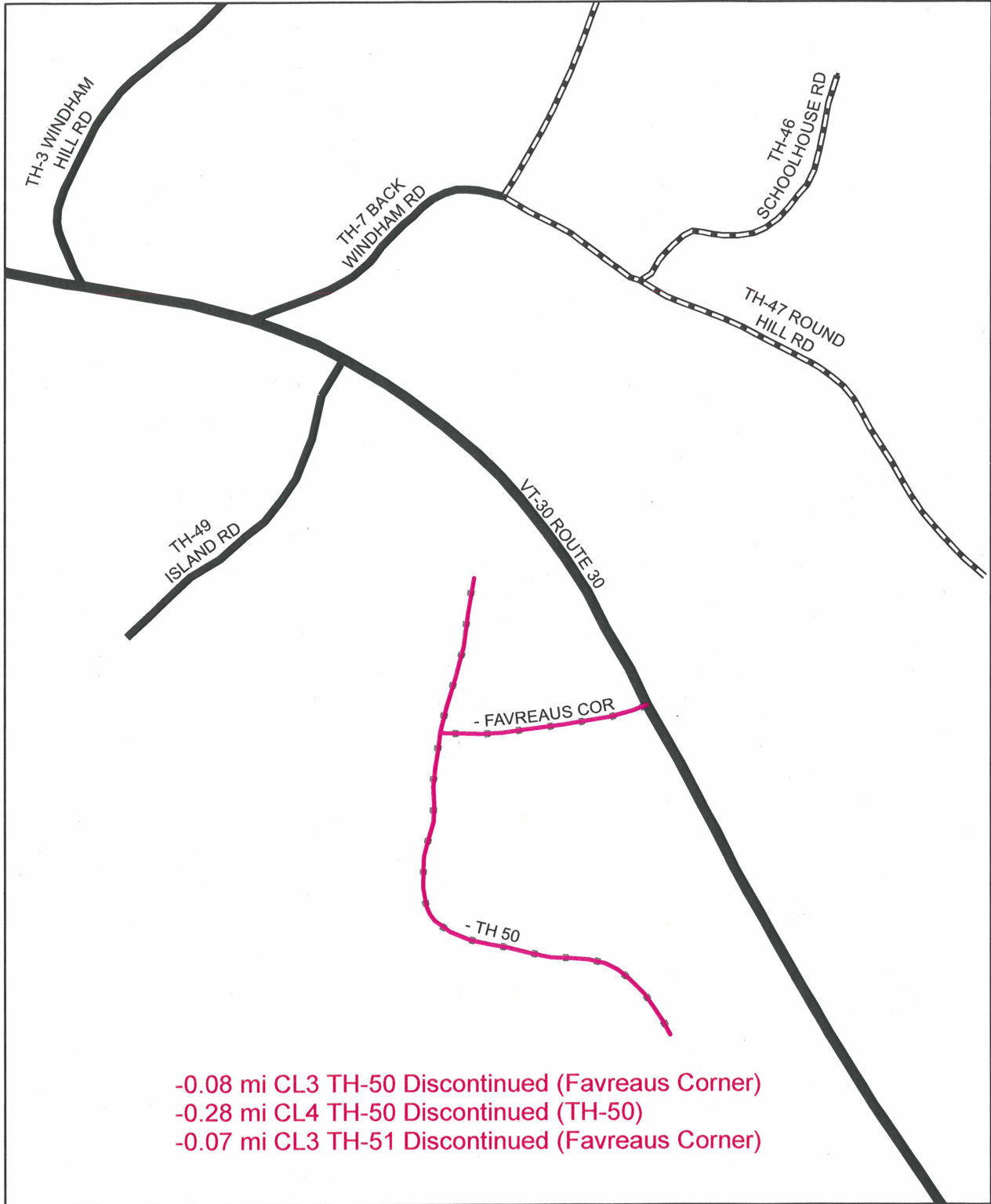
19 V.S.A. § 305. Measurement and inspection

§ 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>

12/27/2012

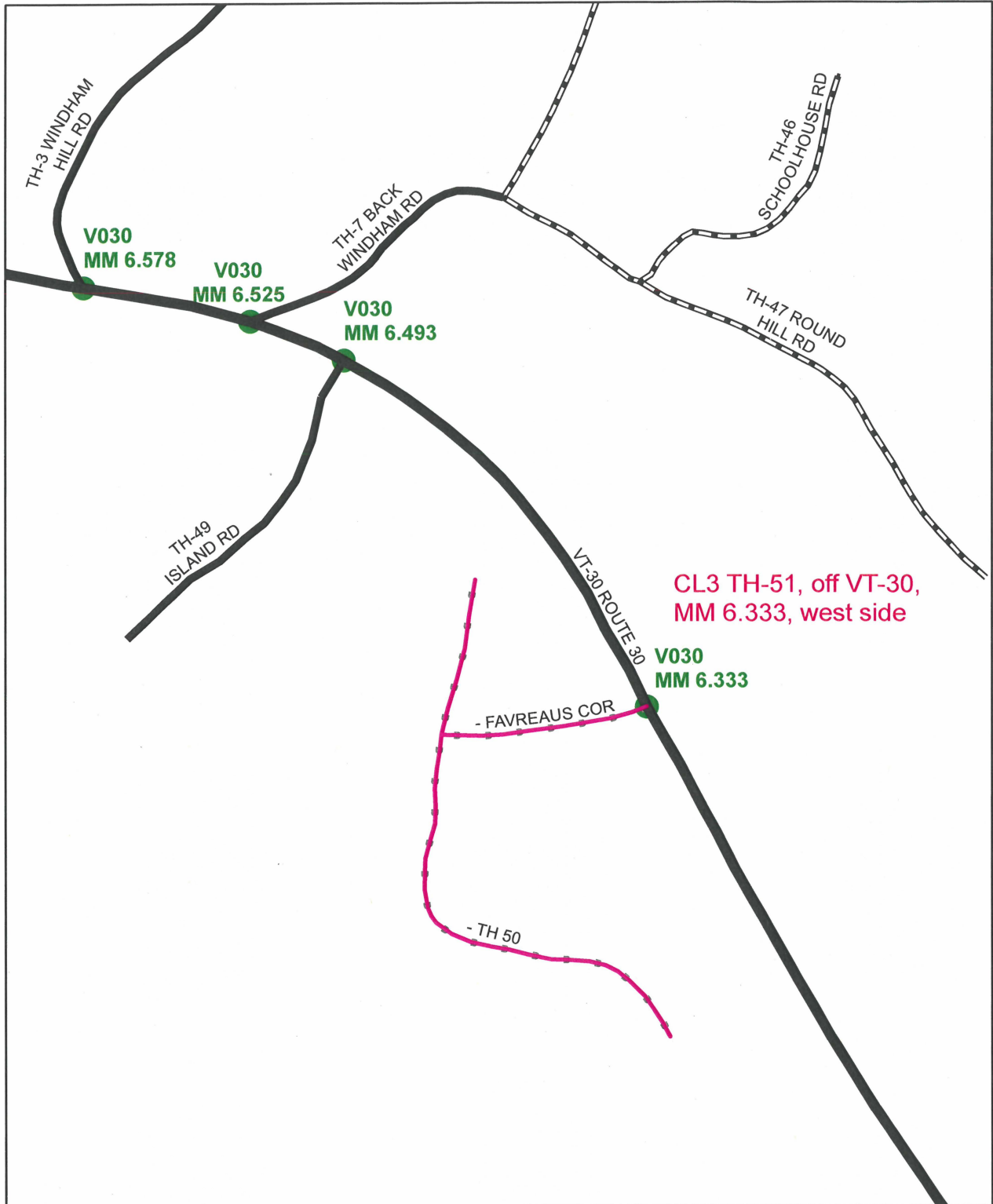


-0.08 mi CL3 TH-50 Discontinued (Favreaus Corner)
 -0.28 mi CL4 TH-50 Discontinued (TH-50)
 -0.07 mi CL3 TH-51 Discontinued (Favreaus Corner)

**Mileage Certificate Change 2013
 TOWNSHEND**

Mapping Unit
 Division of Policy and Planning
 Vermont Agency of Transportation -- March 2013

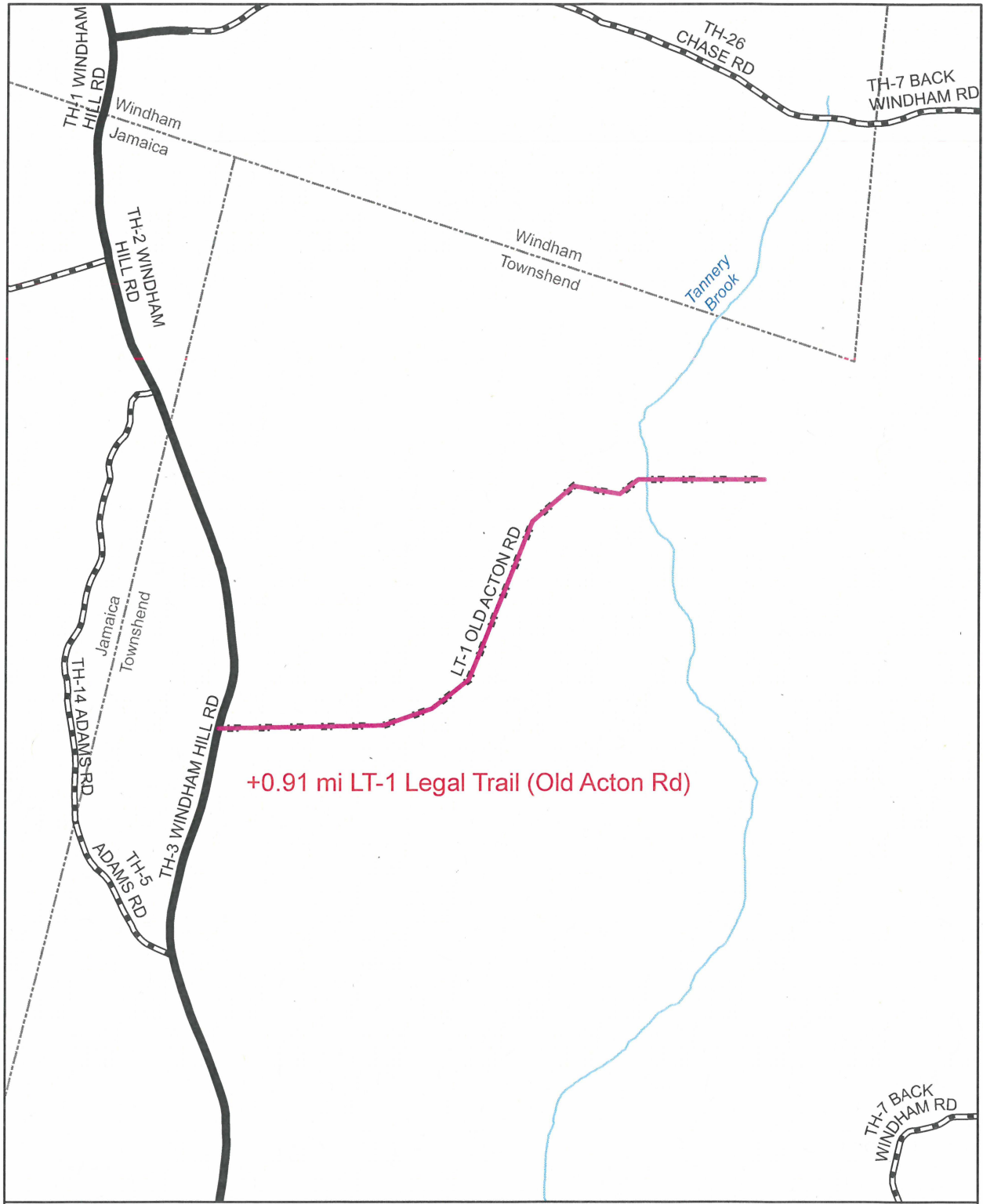




**Mileage Certificate Change 2013
TOWNSHEND**

Mapping Unit
 Division of Policy and Planning
 Vermont Agency of Transportation -- March 2013

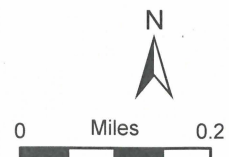


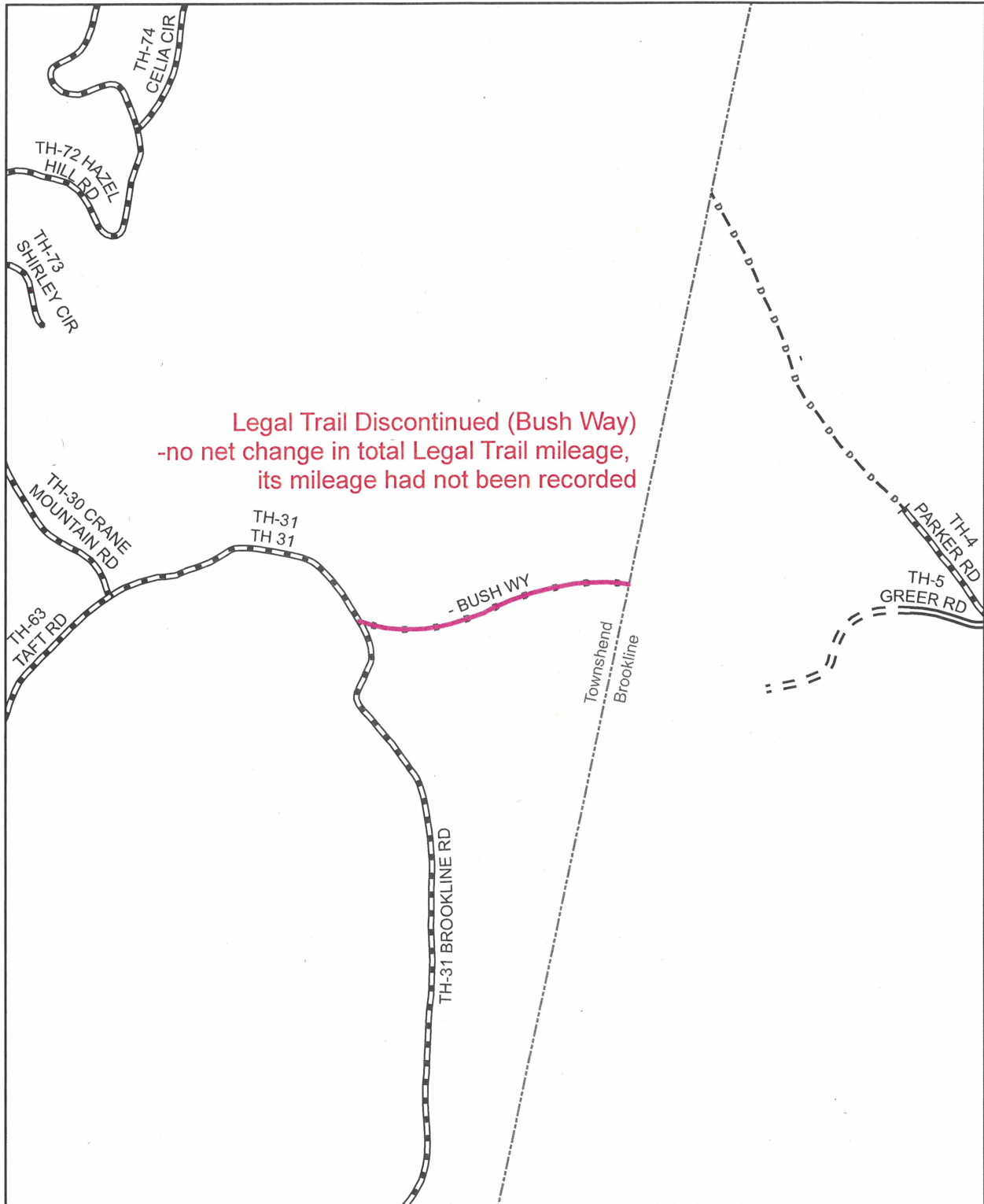


+0.91 mi LT-1 Legal Trail (Old Acton Rd)

**Mileage Certificate Change 2013
TOWNSHEND**

Mapping Unit
 Division of Policy and Planning
 Vermont Agency of Transportation -- April 2013





**Mileage Certificate Change 2013
 TOWNSHEND**

Mapping Unit
 Division of Policy and Planning
 Vermont Agency of Transportation -- April 2013



Moulton, Sara

From: Kim Ellison [tntreas@svcable.net]
Sent: Wednesday, April 10, 2013 1:47 PM
To: Moulton, Sara
Subject: Mileage Certificate

Sara,

Thank you for your letter of April 3rd; Kurt calculated Old Acton Road using a wheel so your number is probably more accurate. Please use 0.91.

You are correct about Bush Way - that is what is being discontinued.

Please do not hesitate to contact me if you have any further comments or questions.

Kim

--

Kim Ellison
Finance Office
Town of Townshend
802.365.7300 x103



State of Vermont
Division of Policy, Planning and Intermodal Development - Mapping Unit
1 National Life Drive
Montpelier, VT 05633-5001
<http://www.aot.state.vt.us>

Telephone: 802-828-2109
Fax: 802-828-2334
Email: sara.moulton@state.vt.us

Agency of Transportation

April 3, 2013

Chair, Selectboard
Townshend, c/o Town Clerk
PO Box 223
Townshend, VT 05353

Dear Town Clerk or Selectboard Chair:

Thank you for sending the documents on March 13. I have a couple of follow up questions about Old Acton Rd and Bush Way.

OLD ACTON RD

On the Mileage Certificate 0.816 miles of Legal Trail is to be added. I am assuming that this is to be associated with Old Acton Rd. I plotted up the location of Old Acton Rd based on the survey titled "Plan of Old Acton Rd from Windham Hill Road to Tannery Brook". Please see the enclosed file titled Townshend_OldActon. Based on the survey, the mileage total I am coming up with is 0.91 miles. Please review this and let me know if I have interpreted Townshend's intention with the road and if I should use 0.91 miles or 0.82 (rounded up from 0.816).

BUSH WAY

The Mileage Certificate notes a discontinuance of Bush Way. The only road segment called "Bush Way" that I can find in our data is a Trail (about 0.37 mi) in the southeast corner of Townshend (see enclosed file titled Townshend_BushWy). Is this the right-of-way to be discontinued?

Thank you for the assistance you have provided already and for any help you can give with this.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Sara Moulton".

Sara Moulton
Mapping & GIS Specialist

Moulton, Sara

From: Moulton, Sara
Sent: Wednesday, March 20, 2013 10:36 AM
To: 'tnclk@svcable.net'
Subject: Townshend 2013 Mileage Certificate Follow Up
Attachments: Townshend_BushWy.pdf; Townshend_OldActon.pdf

Thank you for sending the documents on March 13. I have a couple of follow up questions about Old Acton Rd and Bush Way.

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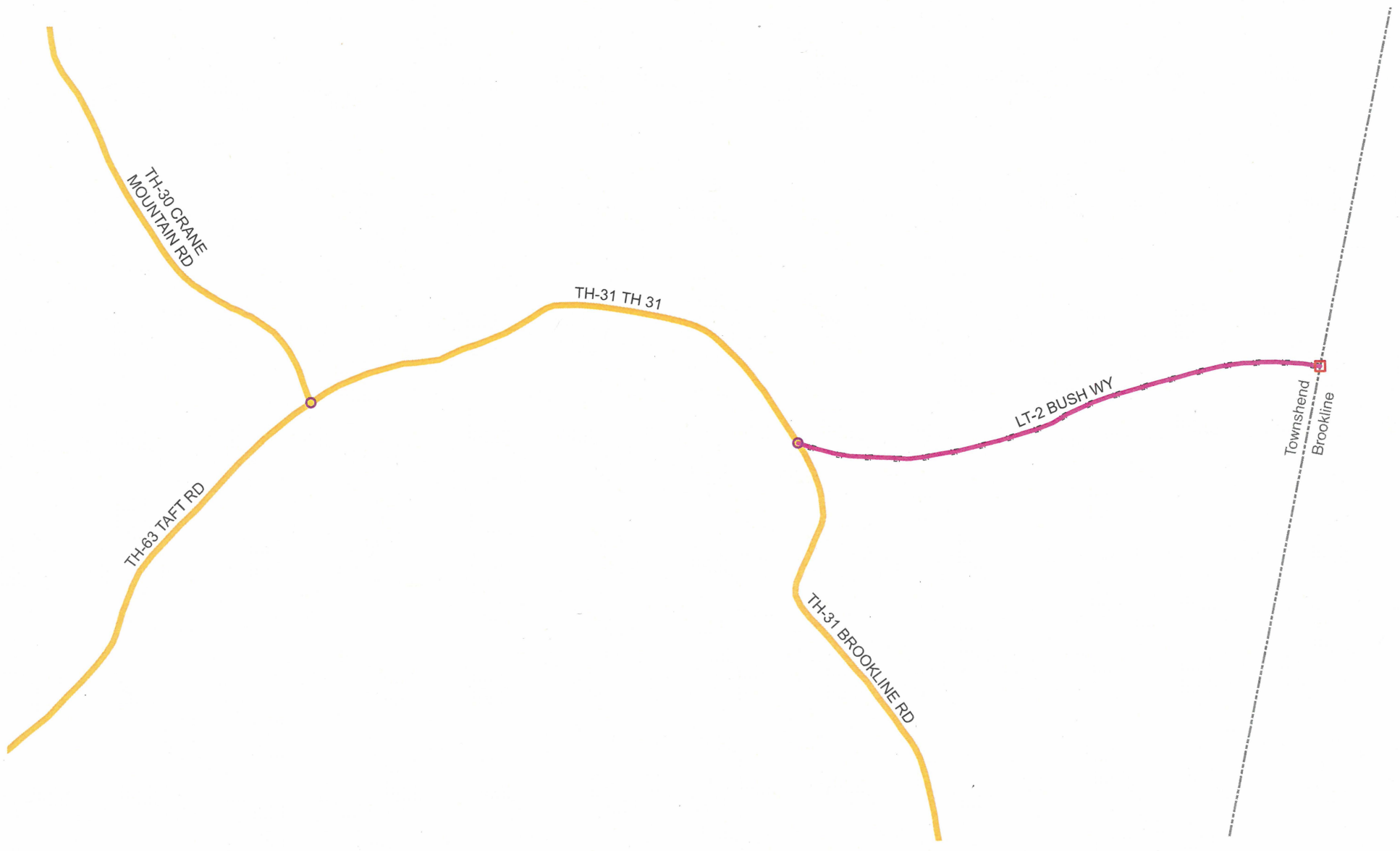
Thank you for the assistance you have provided already and for any help you can give with this.

Sara Moulton, GISP
Mapping & GIS Specialist, Mapping Unit
Division of Policy and Planning
Vermont Agency of Transportation (VTrans)
Tel: 802-828-2109



Townshend-Old Acton

March 2013



Townshend - Bush Wy March 2013



TOWN OF TOWNSHEND
P.O. BOX 223
TOWNSHEND, VT 05353
www.townshendvt.net

Telephone: 802-365-7300
Facsimile: 802-365-7309



Sara Moulton
Mapping & GIS Specialist
State of Vermont-AOT
Division of Policy, Planning &
Intermodal Development
1 National Life Drive
Montpelier, VT 05633-5001

Re: 2013 Certificate of Highway Mileage

Dear Sara:

Thank you for your letter of February 28, 2013 following up on our 2013 Certificate for Highway Mileage. Per your request, enclosed are copies of the following:

1. Dauchy-Creamer survey dated 11/20/2002, Drawing No. 71-184-A, Plat #79B;
2. James Ferguson survey dated 7/12/1991, Plat #178;
3. Favreau Corner – the discontinuance applies to both TH-50 and TH-51;
4. Town Records Vol 7, Pages 446-448.

Please do not hesitate to contact us if you need anything further to process these changes.

Yours truly,

Anita Bean
Town Clerk

State of Vermont
Division of Policy, Planning and Intermodal Development - Mapping Unit
 1 National Life Drive
 Montpelier, VT 05633-5001
<http://www.aot.state.vt.us>

Agency of Transportation

Telephone: 802-828-2109
 Fax: 802-828-2334
 Email: sara.moulton@state.vt.us

February 28, 2013

Chair, Selectboard
 Townshend, c/o Town Clerk
 PO Box 223
 Townshend, VT 05353

Dear Town Clerk or Selectboard Chair:

We have received Townshend's 2013 Certificate of Highway Mileage and need clarification of several items in order to fully process it (copy enclosed).

OLD ACTON ROAD

The documentation references a survey identified as:

"a survey drawn by Dauchy-Creamer Associates, LLC entitled: Proposed Subdivision for Rocks and Rills, Inc. and Harold R. Spencer dated 11/20/2002 Drawing No. 71-184-A"

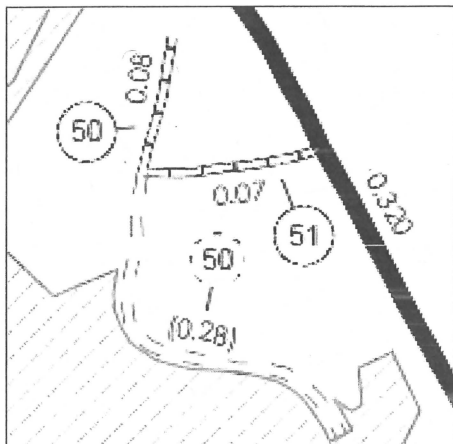
It would be helpful if a copy of the survey could be sent to me. Either a digital or hard copy version would be fine.

NEW HIGHWAYS

Under the New Highways section of Part II, is the note: "Survey map #178, 7/12/1991". A copy of this was not included with the Certificate. We need a copy of this in order to start to process this change.

FAVREAU CORNER

As part of the description of the affected highways in the Discontinuance Order (TR 14, Page 367) all the highways are referred to as Town Highway #51. Based on the remainder of the descriptions I think the actual town highways affected are Town Highways 50 and 51. Please confirm whether the discontinuance applies to only TH-51 or both TH-50 and TH-51.



	Class 3	Class 4
TH-51	0.07	
TH-50	0.08	
TH-50		0.28
TOTAL	0.15	0.28

Excerpt from 2007 Town Highway Map

DISCONTINUED

Under the Discontinued section of Part II, is the note: "Bush Way - Disc TR Vol 7, Page 446". A copy of this was not included with the Certificate. We need a copy of this in order to start to process this change.

Thank you for any assistance you can give us with this. Please let me know if you have any questions.

Sincerely,

Sara Moulton

Sara Moulton
Mapping & GIS Specialist

Preliminary Oath:

I, R. W. Blood, do solemnly swear that I will appraise all the personal and real property subject to taxation in the town of Townshend Vt, so far as required by, at its true value in money, and will set the same in the grand list of such town at one per cent of its true value in money, and will faithfully discharge all the duties imposed upon me by law.

So help me God.

Dated at Townshend this 30th day of March
A.D. 1932

R. W. Blood.

State of Vermont } At Townshend, ^{in said County} this 30th day
Windsor County ss } of March A.D. 1932 personally
appeared R. W. Blood and took and subscribed
the foregoing oath.

Before me C. W. Leuter

Notary Public.

Recd for record March 30 - 1932 at 4 P.M.

C. W. Leuter

Town Clerk

Petition to discontinue certain highways in the
town of Townshend.

To the Board of Selectmen of Townshend Vt.

We, the undersigned, free holders in the town of Townshend Vt.
respectfully petition your honorable board to discontinue
the following highways, in the town of Townshend, viz. The
highway known as the brook road leading from the highway
from Simpsonville, so called, to the residence of H. P.
Johnson, from the point of intersection of said roads up
the brook to the Manning four corners, so called,
Also the road leading to Graft Hill, so called, from the
point of intersection of said road with the road leading
to the ^{farm} now owned by J. C. Daigreant and known as the
Plumb farm, to the point of intersection with the leading
from the easterly end of Harmonyville bridge, so called,
past the hill farm of Geo. & Martha Bonello, known as
the Crown farm, to the town of Brookline.

Also a short piece of road near the Bratten place, as called, and lately owned by J. C. Daigneault, and being the first part of the second piece of road laid out by the selectmen of Townsend on the 13th day of September, 1852 and of record in vol. 5 pag. 170 of Townsend Town Records. Said piece being as follows: "Then commencing 2 rods north of OSH towards farm on the meadow, thence south 37 degrees west 20 rods to a stake on the parish bank of the creek." All of which highways are no longer necessary for the public convenience.

We also respectfully request you lay out an open road from the easterly line of the farm owned by Aida^m Meacham to Negro Brook, so called, according to the survey from said east line of the farm now owned by said ~~Aida~~ Meacham establishing the same a just road by the selection of Townsend on September 15, 1865 and recorded in volume 5 Pages 400-401 of the town records of said town. And we request that you lay out a road in the most convenient and practical place from the road leading from the first road above described to the farm house of Aida M. Meacham to the Bratten farm, so called, lately owned by J. C. Daigneault.

To R. Davis, George Sanderson, L. W. Barber, H. J. Jernison, W. E. Bruce, C. H. Grant, J. S. Blood,
Dated at Townsend Vt. June 25 1932.

Whereupon we the selectmen of Townsend Vt. did designate the 11th day of July 1932 at 9 o'clock P.M. at the Town Clerk's Office in said township as the time and place when and where we would meet to hear all persons interested in the subject matter of said petition and to set a time to examine the premises and decide what action would be taken regarding said petition; at which time and place we met after having given notice to all persons interested by posting notices of said time and place of hearing in two public places in said township, and having given notice to all abutting land owners either verbally or by written notice, we did decide as follows, to wit: In regard to the Taft Hill road, as called, no one appearing or making objections to the discontinuing that portion of the Taft Hill road as called described in said petition -

we did consider that such portion of said road described in said petition was no longer of public benefit, and there being no inhabitants on said portion of said highway, we did discontinue such part of said highway as is specified in said petition, a distance of approximately 1 1/2 miles.

In regard to the Brook road, so called, and being the first road designated in said petition, we did, after hearing ^{objections by} F. W. Osgood of Saxtons River and Frank Poirer of Townsend, two abutting land owners, designate the 12th day of July 1932, at 9 o'clock A.M. as the time we would meet to examine the premises to examine the premises and decide whether or not we would discontinue said road, and on said 12th day of July 1932 at 9 A.M. we met as agreed and decided that as no person lived upon said highway and that the same was not necessary for the convenience of the public we discontinued that part of said highway designated in said petition, a distance of approximately 1 3/4 miles.

In regard to the third request in said petition relating to discontinuing the short piece of road mentioned in said petition and to making the part road an open road and laying a road from the Bratton farm, so called, to the road leading from said part road to the dwelling house of Ada W. Mercham, after hearing those interests and examining the premises on said 11th day of July 1932, we decided to further consider the matter and confer with the County Commissioner, Mr. Stevens, before rendering a decision. And after conferring with said Stevens we decided to make said part road an open road from Negro Brook to the easterly line of said Mercham farm as prayed for in said petition; as regards the discontinuing the short piece of road designated in said petition and the laying out a road from the Bratton farm so called to the road leading to the Mercham farm we decided to post from the matter in definitively.

Filed for record July 16 - 1932 at 9-30 o'clock P.M.
C. W. Lewis

Town clerk

For final disposition of the last request above, see Vol. 4 Page 51

W. L. Tenney }
F. W. Watson } Selection of
W. W. Bankless } Townsend St.

NOTES

- Method of Survey - Theodolite and Electronic Distance Meter
- The bearings shown hereon are approximate True North as called in the old Acton Road Survey and determined by the original call for course A-B as E 1° N.
- The survey data shown hereon is based upon an actual ground survey extending from Windham Hill Road (State Aid Rd. No. 3) at the R. Veitch lot to Town Road No. 7 of property belonging to Rocks & Hills Assoc. Inc. (formerly Elise Kinkaid).
- There is a major difference, approximately 225', between the end to end straight line distances as calculated from the old road survey and as actually measured in this survey. This surveyor could find no single error in the old survey description as recorded that would account for the discrepancy. It is apparent that multiple errors exist in the old survey and/or it's recorded description. Any attempt to assign original errors would be mere speculation.
- The southerly edge of the 2 1/2 rod wide road as shown hereon is plotted directly from the original survey description, with no attempt to make speculative adjustments in an effort to accommodate the currently traveled woods roads found and shown hereon.
- The exact limits of Windham Hill Road were not determined. This survey found the easterly limit to be as shown hereon. See Note 8.
- The utilities exist as shown. Easements not researched.
- Granite monument set in southerly line of Old Acton Road at the easterly limit of the right of way of Windham Hill Rd. This point lies 13.3' easterly from Point "A". Point "A" is located at the easterly edge of the original 2 1/2 rod wide right of way of Windham Hill Rd. The present limit for said road lies 33' from the highway centerline.

"OLD ACTON ROAD"

Vol. 1, Pg. 13 OF ACTON TOWN RECORDS DTP. 1801
 TABLE OF OLD CALLS AS STATED IN CURRENT PRACTICE
 "Surveyed and laid out a highway leading from W.B. Jenison's to I. Fisher's..." New Veitch to Rocks & Hills Assoc. Inc.

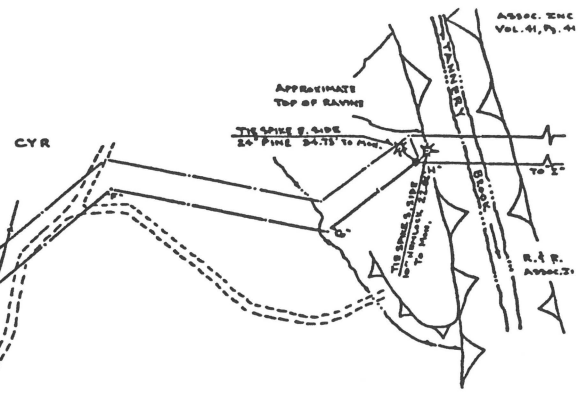
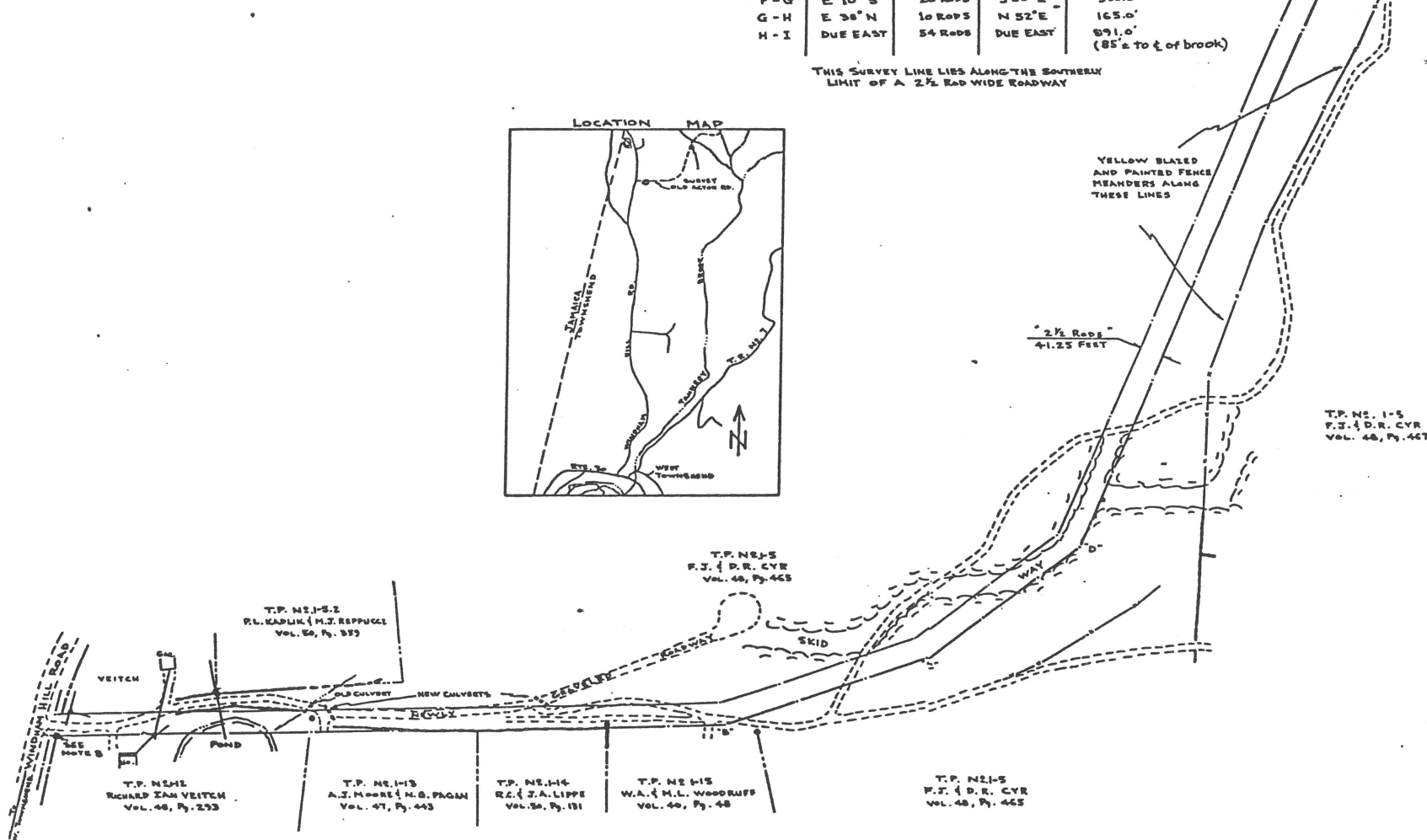
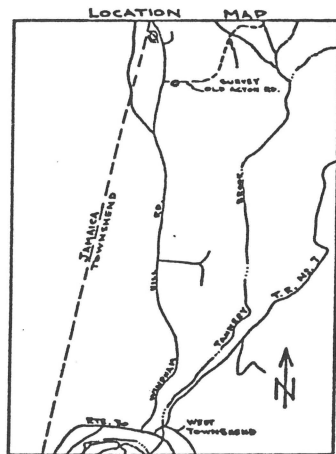
POINT OF BEGINNING "... at the road west of said Jenison's house..."

THIS POINT OF BEGINNING is considered to lie at the 1801 easterly Right of Way limit of Windham Hill Road (S.A. Mt. 3) at the southerly limit of "old Acton Road".

COURSE	BEARING	CALLS PER OLD SURVEY W.L.A.B	BEARING	CALLS PER CURRENT PRACTICE	DISTANCE
A - B	E 1° N	70 Rods	N 89° E		1,155.0'
B - C	E 19° N	22 Rods	N 71° E		363.0'
C - D	E 38° N	20 Rods	N 52° E		330.0'
D - E	N 22° E	73 Rods	N 22° E		1,204.5'
E - F	E 41° N	23 Rods	N 49° E		379.5'
F - G	E 10° S	20 Rods	S 80° E		330.0'
G - H	E 38° N	10 Rods	N 52° E		165.0'
H - I	DUE EAST	54 Rods	DUE EAST		891.0'

(85' ± to E of brook)

THIS SURVEY LINE LIES ALONG THE SOUTHERLY LIMIT OF A 2 1/2 ROD WIDE ROADWAY



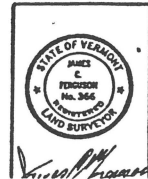
- LEGEND**
- IRON PIPE OR IRON FENCE POST FOUND
 - PROPERTY LINE
 - STONE WALL
 - WIRE FENCE
 - BROOK OR EDGE OF POND
 - - - - - LIMIT OF OLD ACTON ROAD (PER DESCRIPTION)
 - - - - - TRAVELLED WAY
 - - - - - STEEPLY SLOPED RAVINE BANK
 - T.P. NO. TAX PARCEL NUMBER
 - UTILITY POLE AND LINES
 - GRANITE MONUMENT SET
 - EDGE OF CLEARING



THIS PLAN REDUCED PHOTOGRAPHICALLY USE GRAPHIC SCALE

I certify that the information shown hereon is based upon an actual ground survey and is correct to the best of my knowledge. The basis for the boundaries shown and limitations are as stated in the notes

© 1991



**PLAN OF
 OLD ACTON ROAD**
 FROM WINDHAM HILL ROAD
 TO TANNERY BROOK
 SEE NOTES NO. 4 AND 5
 TOWNSHEND - VERMONT
 SCALE 1" = 100'
 Surveyed by [Signature] Survey date: 8/91

RECEIVED FOR RECORD Aug. 19, 1991 at 9:30 A.M.

67

P-178

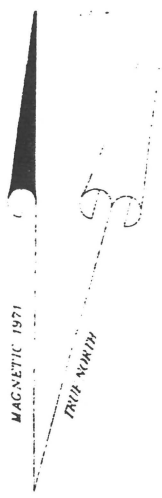
79B



LOCUS
NOT TO SCALE

DONALD R.
ANTAYA
VOL. 39, PAGE 2
12/5-1967

LINE	LENGTH	BEARING
L1	26.21	S12°33'25"E
L2	10.93	S27°11'50"E
L3	12.30	S01°40'47"E
L4	26.36	S67°19'50"E



ROCKS + RILLS ASSOCIATION, INC.
VOL. 41, PAGE 413
4/22/1974

ROCKS + RILLS ASSOCIATION, INC.
10.37 ACRES
VOL. 41, PAGE 413
4/22/1974
(LOT 6)

NO.	DATE	DESCRIPTION	BY
4.	5/06/04	GENERAL REVISIONS	LB
3.	10/17/03	GENERAL REVISIONS	LB
2.	5/26/03	ADDED ROAD JUNCTION	LB
1.	11/13/01	REVISED WEST LINE	LB

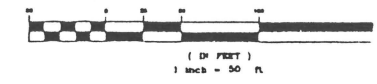
Received for record
Sept. 24, 2004 #798
Sharon L. Randall
Rock + Rills, Inc.

THE PURPOSE OF THIS SURVEY IS TO DEPICT LOTS 5 AND 6 SHOWN ON A SURVEY BY DAUCHY ASSOCIATES, INC. DWG NO. 71-184, TO REFLECT THE RECONFIGURATION OF THE ROAD LOT NO. 5 (FORMERLY OUTWATER) HAS BEEN CONVEYED BACK TO ROCKS & RILLS ASSOCIATION IN DEED REFERENCED HEREON.

CERTIFICATION:

- THIS SURVEY IS BY THEODOULTE AND E.D.M. ALL BEARINGS ARE BASED ON MAGNETIC NORTH, 1971, AND ARE INTENDED TO DEFINE ANGULAR RELATIONSHIPS BETWEEN COURSES SHOWN.
- THIS SURVEY IS BASED ON FIELD MEASUREMENTS, PHYSICAL MONUMENTATION FOUND, AND DEEDS CITED ABOVE.
- THIS SURVEY IS CONSISTENT WITH DEEDS AND SURVEYS REFERENCED HEREON UNLESS OTHERWISE NOTED.
- THIS SURVEY IS NOT INTENDED TO SHOW ALL EASEMENTS AND/OR RIGHTS OF WAY, ACTUAL OR IMPLIED.
- ALL IRON PIPE AND REROOD DESCRIPTIONS REFER TO THE OUTSIDE DIAMETER UNLESS OTHERWISE NOTED.
- THIS PLAT REFLECTS CONDITIONS AT THE TIME OF THE SURVEY.
- THIS PLAT DOES NOT PURPORT TO SHOW ALL INTERIOR IMPROVEMENTS OR FEATURES.
- THIS CERTIFICATION IS INTENDED EXPRESSLY FOR THE PERSON/PARTY WHOSE NAME APPEARS IN THE TITLE BLOCK, AND DOES NOT TRANSFER TO ANY OTHER PARTY OR SUBSEQUENT LANDOWNER.
- IN ACCORDANCE WITH 26 V.S.A. 2596, I CERTIFY THAT THIS SURVEY IS CONSISTENT WITH THE INFORMATION NOTED TO THE BEST OF MY KNOWLEDGE AND BELIEF.
- THIS PLAT MEETS THE REQUIREMENT OF 27 V.S.A. 1403.

GRAPHIC SCALE



LEGEND

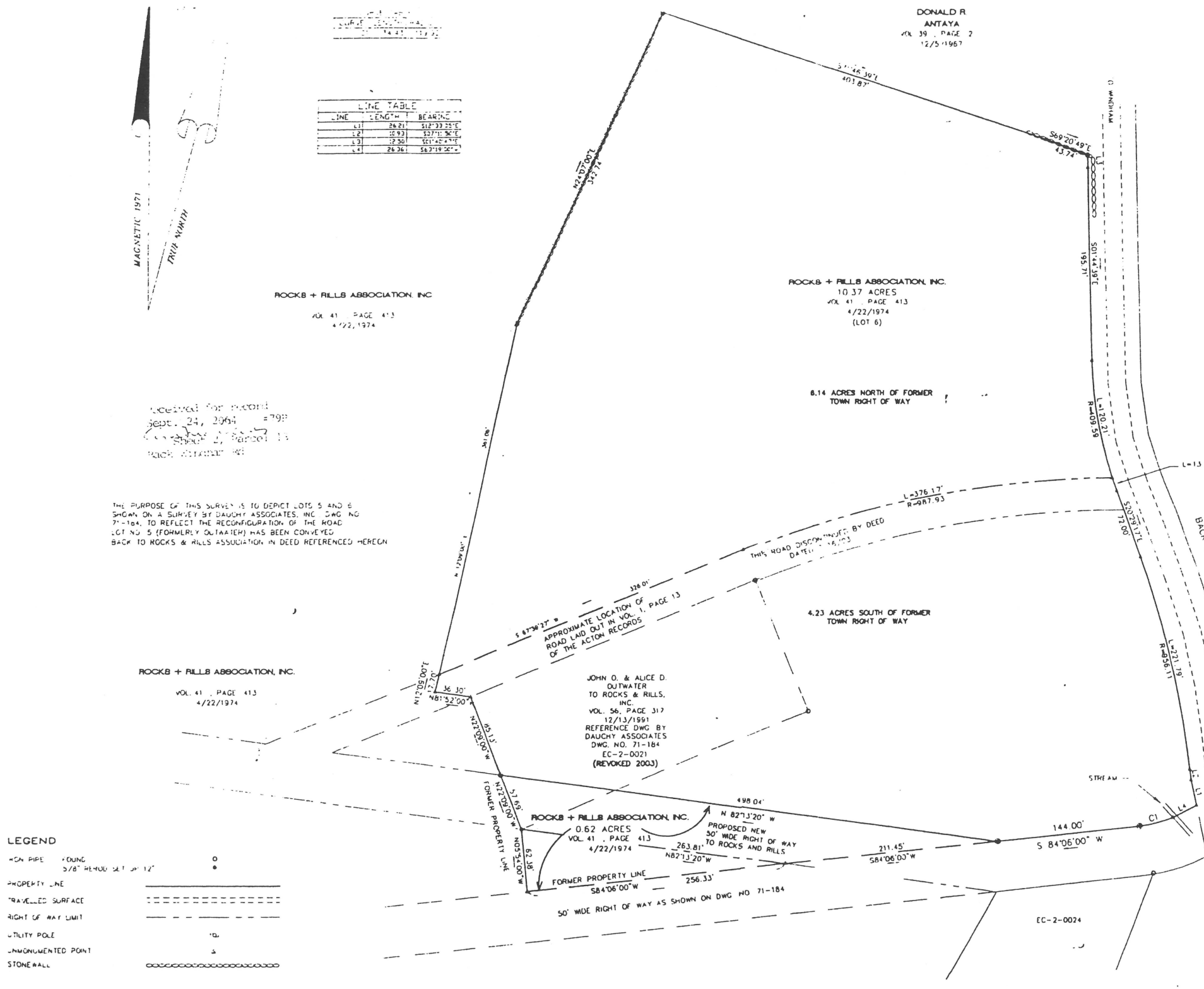
- IRON PIPE FOUND 3/8" REMOVED SET 1/2" ○
- PROPERTY LINE ————
- TRAVELED SURFACE - - - - -
- RIGHT OF WAY LIMIT - - - - -
- UTILITY POLE ○
- UNMONUMENTED POINT △
- STONE WALL ○○○○○○○○○○○○○○○○○○○



PROPOSED SUBDIVISION FOR
ROCKS AND RILLS, INC. and
HAROLD R. SPENCER

TOWNSHEND WINDHAM COUNTY
DAUCHY-CREAMER ASSOCIATES, LLC
Land Surveyors
P.O. Box 487
Jamaica, Vermont 05343-0487
802.874.4861

DATE: 11/20/2000 SCALE: 1"=50'
DRAWN BY: L.D.B. CHECKED BY: W.R.C.
SURVEYED BY: TAFI, DAUCHY
DRAWING NO.: 71-184-A *William R. Creamer* SURV



ON HEARING HELD MAY 17, 1991

On May 17, 1991 at 7:00 PM a hearing was held at the Townshend Elementary School for the purpose of hearing all parties interested in the Petition:

"Pursuant to Title 19, Section 708, we the undersigned petition the Selectmen of the Town of Townshend to discontinue the following described public highway, as it has not been highway for many years.

That part of the highway that was laid out October 6, 1800 by the Selectmen of the Town of Acton that runs from a point near the northeast corner of land owned by Walter M. Woodruff (Vol. Page 48) through land owned by Fernand and Debra A. Cyr to the property line of the Rocks and Rills Association."

OLD ACTON
RD

to the Townshend Board of Selectmen to discontinue that portion of the Old Acton Road as described in the Acton Town Records, 1801-1835, Page 13.

Notice of this hearing was duly served by mail in timely fashion upon all persons owning or interested in lands through which the subject road passes and to all persons owning or interested in lands abutting the subject road. A copy of the notice was published in the Brattleboro Reformer not less than 10 days prior to the hearing, and a copy of the notice was placed in at least 5 conspicuous places within the town, including the office of the Town Clerk. At the aforesaid hearing, all interested parties and their attorneys were given ample opportunity to be heard. Prior and subsequent to the aforesaid hearing, the Board of Selectmen individually and collectively inspected the road subject to their petition.

At the hearing, numerous objections were raised to the discontinuance of the subject road by abutting property owners (other than the petitioners), residents of Townshend and residents of surrounding towns. It was represented to the Selectmen by Counsel for several abutting property owners (other than the petitioners) that discontinuing the road would deny them and the taxpayers of Townshend access to a valuable recreational asset that would be lost forever.

In light of the objections raised, based upon the evidence presented to them during their inspection and at the hearing, and as a result of their deliberation and investigation, the Selectmen made the following findings:

1. The petitioners have not proven that the greater public good would be served by discontinuing the road.
2. It was represented to the Selectmen by Counsel that the road should be surveyed regardless of the Selectmen's decision.
3. Board of Selectmen accepted the survey prepared by James C. Ferguson, registered land surveyor, performed June, 1991 as to the location of the road described in Acton Town Records, 1801-1835, Page 13; running between Windham Hill Road (Town Highway #3) and the Tannery Brook.
4. The recreational value of the road, while limited in scope and value, regardless takes precedence over the financial gains of the petitioner(s).
5. The historical significance of the last known east-west connection between Windham Hill Road and Acton Hill is significant enough for the Town to maintain a right-of-way.

Based upon the foregoing, it is the opinion of the Board of Selectmen of the Town of Townshend that the public good, necessity and convenience of the inhabitants of the Town requires denying the petition to discontinue the road in question.

Dated at Townshend, Vermont this 8 day of July, 1991.

Selectmen of the Town of Townshend, Vermont

Richard Jackson
Peter C. Kellogg
James W. McLaughlin
William Eckhardt

Received for record ^{July} ~~June~~ 14, A.D., 1991 at 9:15 A.M.

Attest Cynthia Davis
 Cynthia Davis, Town Clerk

ON HEARING HELD MAY 17, 1991

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"Pursuant to Title 19, Section 708, we the undersigned petition the Selectmen of the Town of Townshend to discontinue the following described public highway, as it has not been used as a highway for many years.

That part of the highway that was laid out October 6, 1802 by the Selectmen of the Town of Acton that runs from a point near the northeast corner of land owned by Walter M. Woodruff (Vol. 40, Page 48) through land owned by Fernand and Debra A. Cyr to the property line of the Rocks and Rills Association."

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2. It was represented to the Selectmen by Counsel that the road should be surveyed regardless of the Selectmen's decision.
3. Board of Selectmen accepted the survey prepared by James C. Ferguson, registered land surveyor, performed June, 1991 as to the location of the road described in Acton Town Records, 1801-1835, Page 13; running between Windham Hill Road (Town Highway #3) and the Tannery Brook.
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Based upon the foregoing, it is the opinion of the Board of Selectmen of the Town of Townshend that the public good, necessity and convenience of the inhabitants of the Town requires denying the petition to discontinue the road in question.

Dated at Townshend, Vermont this 8 day of July, 1991.

Selectmen of the Town of Townshend, Vermont

Richard Jackson
Peter C. Kelch
James Montross
William Eckhardt

Received for record ^{July}~~June~~ 14, A.D., 1991 at 9:15 A.M.

Attest Cynthia Davis
 Cynthia Davis, Town Clerk

LEGAL NOTICE
TOWN OF TOWNSHEND, VERMONT
Select Board

Notice of Hearing on Discontinuance and Relocation of Road

Pursuant to the authority granted to us by the provisions of 19 V.S.A. Chapter 7 and such other general or special enactments as may be material hereto, we, the Select Board of the Town of Townshend, hereby give notice to the Town to Townshend, the Townshend Planning Commission, the Townshend Town Clerk, Commissioner of Forest, Parks and Recreation, and to the persons owning or interested in lands through which the following describe highway is presently or in future will be laid out, and to any other interested persons, that we will meet at 7:00 PM on the 16th day of July, 2003 for a site visit, at the intersection of Back Windham Road (Townshend Town Highway No. 7) and the Old Acton Road, so-called, a town road laid out in Volume 1, Page 13 of the Acton Land Records which lies southerly of the former Elise Kinkead homestead.

Notice is further herby give that a site visit will be held at the site of a proposed new access road to connect said Back Windham road with said Old Acton Road, which roadway lies approximately 330 +/- feet southerly of the existing road. A public hearing addressing the discontinuance and relocation of said road will convene at the Townshend Town Office immediately following the site visit.

Further detailed information regarding the above discontinuance and relocating of the Old Acton Road can be found on a survey drawn by Dauchy-Creamer Associates, LLC entitled: Proposed Subdivision for Rocks and Rills, Inc. and Harold R. Spencer dated 11/20/2002 Drawing No. 71-184-A, which survey is made a part hereof.

TO BE DISCONTINUED

Old Acton Road, beginning at the point of its intersection with Back Windham Road, thence running in a general easterly and southeasterly direction approximately 850 feet to the point at which it intersects with the proposed relocated hereinafter described.

TO BE LAID OUT

Being a right of way fifty feet in width, the northerly line of which may be described as follows: Commencing at a point approximately 673.13 feet southerly, along the westerly side of the Back Windham Rd (Town Highway #7) from the northeasterly corner of Lot #6, which point marks the southeasterly corner of said Lot #6, a 10.37 acre parcel of land to be conveyed to Harold Spencer from Rocks and Rills Associates, Inc., thence running along a curve to the right having a radius of 119.92 and a length of 34.34 feet, across a stream, to a point; thence running S 84 06'00" W a distance of 144.00 feet to a point; thence continued running along the northerly boundary of the relocated Old Acton Rd, N 82 13'20" W a distance of 498.04 feet to the southwesterly corner of said Lot #6; thence continuing in the same course on other lands of Rocks & Rills Associates, Inc. N 82 13'20" W to the point approximately 320+/- feet, at which said new road intersection with the existing Old Acton Road.

Dated at Townshend, Vermont this 16th day of June, 2003.

TOWNSHEND SELECT BOARD

Helen Grady
Scott Chase
John Board
Berenice H. Brooks

TOWN CLERK'S OFFICE
TOWNSHEND, VT
RECEIVED FOR RECORD
FEB 18 2007
at 10 Hr 10 (Min) AM/PM
Vol. _____ Pg. _____
Attest *Ante Bean*
Town Clerk

Cc: Harold Spencer; Rocks & Rills; Planning Comm
Forest, Parks & Recrea.; Helen Grady

Quit Claim Deed

Elise H. Kinkead
To: Rocks and Rills Association, Inc.

KNOW ALL MEN BY THESE PRESENTS THAT I, ELISE H. KINKEAD of Poughkeepsie, County of Dutchess, State of New York, Grantor, in consideration of One Dollar and other good and valuable consideration paid to my satisfaction by ROCKS AND RILLS ASSOCIATION, INC., a Vermont corporation Grantee, by these presents does hereby GIVE, GRANT, SELL, CONVEY AND CONFIRM unto the said Grantee, ROCKS AND RILLS ASSOCIATION, INC. and its successors and assigns forever, a certain piece of land in Townshend, County of Windham and State of Vermont described as follows:

Being a portion of the land and premises conveyed to the within grantor, Elise H. Kinkead (and her co-grantee in joint tenancy with right of survivorship who died in 1958), by deed dated the 14th day of June, 1952 and recorded in Book 34, Pages 454-455 of the Townshend Land Records.

Grantor reserves unto herself, her heirs and assigns forever, the following described parcel:

Beginning at an intersection of a stonewall and the westerly right of way limit of the town road leading from South Windham to West Townshend, said point being 8 feet more or less westerly from a corner in said stonewall; thence southerly along the westerly right of way limit of said town road a distance of 672 feet more or less to a point, said point being the intersection of the westerly right of way limit of said town road and the northerly right of way limit of a proposed 50 foot right of way leading westerly through other lands of Elise H. Kinkead;

Thence south 63° 29' west along the northerly right of way limit of said proposed right of way a distance of 21 feet more or less to a point, said point being a curvature;

Thence along a curve having a radius of 94.92 feet, said curve being a northerly right of way limit of a proposed right of way, a distance of 34.43 feet to a point;

84.06' ?

Thence south 84.06' west along the northerly right of way limit of said proposed right of way, a distance of 611.78 feet to an iron pipe; thence the following courses and distances along other lands of Elise H. Kinkead;

North 5° 54' west a distance of 62.38 feet to an iron pipe, said pipe being the southwest corner of lot #5;

North 67° 51' east along the southerly line of lot #5 a distance of 305.00 feet to an iron pin;

Thence north 22° 09' west along the easterly line of Lot #5 a distance of 142.82 feet to an iron pipe, said pipe being in the southerly right of way limit of another 50 foot right of way through lands of Elise H. Kinkead;

Thence south 67° 51' west along the southerly right of way limit of the last mentioned right of way;

A distance of 305.00 feet to an iron pipe;

North 81° 52' west a distance of 36.30 feet to a stonewall corner;

North 12° 09' east a distance of 378.76 feet to a stonewall corner;

North 24° 07' east along a stonewall a distance of 342.74 feet to a stonewall intersection;

13550-Reference 4-22-74 to Hoff, Currier, & Deane, Boston, MA

Vermont Property Transfer Tax
32 V.S.A. Chap. 231
ACKNOWLEDGMENT
Return Rec'd.--Tax Paid--Board of Health Cert. Rec'd.--
Vt. Land Use & Development Plans Act Cert. Rec'd.
Return No. A 22037
Signed J. A. Sleeper, Clerk
Date 4-22-74

Quit Claim Deed

Elise H. Kinkead
To: Rocks and Rills Association, Inc.

KNOW ALL MEN BY THESE PRESENTS THAT I, ELISE H. KINKEAD of Poughkeepsie, County of Dutchess, State of New York, Grantor, in consideration of One Dollar and other good and valuable consideration paid to my satisfaction by ROCKS AND RILLS ASSOCIATION, INC., a Vermont corporation Grantee, by these presents does hereby GIVE, GRANT, SELL, CONVEY AND CONFIRM unto the said Grantee, ROCKS AND RILLS ASSOCIATION, INC. and its successors and assigns forever, a certain piece of land in Townshend, County of Windham and State of Vermont described as follows:

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Thence south $63^{\circ} 19'$ west along the northerly right of way limit of said proposed right of way a distance of 21 feet more or less to a point of curvature;

Thence along a curve to the right having a radius of 94.92 feet, said curve being in the northerly right of way limit of said proposed right of way, a distance of 34.43 feet to a point of tangency.

Thence south $84.06'$ west along the northerly right of way limit of said proposed right of way, a distance of 611.78 feet to an iron pipe; thence the following courses and distances along other lands of Elise H. Kinkead;

North $5^{\circ} 54'$ west a distance of 62.38 feet to an iron pipe, said pipe being the southwesterly corner of lot #5;

North $67^{\circ} 51'$ east along the southerly line of lot #5 a distance of 305.00 feet to an iron pin;

Thence north $22^{\circ} 09'$ west along the easterly line of Lot #5 a distance of 142.82 feet to an iron pipe, said pipe being in the southerly right of way limit of another 50 foot right of way through lands of Elise H. Kinkead;

Thence south $67^{\circ} 51'$ west along the southerly right of way limit of the last mentioned right of way;

A distance of 305.00 feet to an iron pipe;

North $81^{\circ} 52'$ west a distance of 36.30 feet to a stonewall corner;

North $12^{\circ} 09'$ east a distance of 378.76 feet to a stonewall corner;

North $24^{\circ} 07'$ east along a stonewall a distance of 342.74 feet to a stonewall intersection;

Vermont Property Transfer Tax
32 V.S.A. Chap. 231

ACKNOWLEDGMENT
Return Rec'd.--Tax Paid--Board of Health Cert. Rec'd.--
Vt. Land Use & Development Plans Act Cert. Rec'd.

Return No. A 22037

Signed J. A. Sleeper, Clerk

Date 4-22-54

13550. - Release 11-11-10 To Hoff, Curis, Daniel, Simon, Jellins, Benward, W.

Thence south 71° 19' east along a stonewall and lands now or formerly of Leon Gibbs a distance of 450 feet more or less to the point and place of beginning.

Containing 10.01 acres, more or less, including a 50 foot right of way said right of way being reserved to other lands of Elise H. Kinkead.

All bearings are magnetic, 1970.

Also conveying all the land and premises conveyed the within grantor Elise H. Kinkead (and her co-Grantee in joint tenancy with right of survivorship who died in 1958) by Frank H. Fisher and Mildred D. Fisher by deed dated the 3rd day of August, 1954 and recorded in Volume 35, Pages 198, 199 and 200 of the Townshend Land Records.

Also conveying all the land and premises conveyed the within grantor, Elise H. Kinkead by the Estate of Frank H. Fisher by deed dated the 14th day of January, 1961 and recorded in Volume 36, Pages 496-497 of the Townshend Land Records.

Also conveying all of the land and premises conveyed the within grantor, Elise H. Kinkead by Stockton and Margaret Woodruff by deed dated the 20th day of December, 1960 and recorded in Volume 36, Page 483 of the Townshend Land Records.

Also conveying all of the land and premises conveyed the within grantor Elise H. Kinkead (and her Co-Grantee in joint tenancy with right of survivorship who died in 1958) by James E. Burke by deed dated the 18th day of August, 1954 and recorded in Volume 35, Pages 201-202 of the Townshend Land Records.

Excepted from this conveyance are two parcels of land previously conveyed by the grantor, one to Guido C. Fenzi and Jewell T. Fenzi; to Warren E. Fenzi and Eleanor L. Fenzi;

Being all of the land and premises further described on a plan entitled "Property of Elise Kinkead, Townshend, Vermont: dated the 14th day of July, 1969 and prepared by Stuart Dauchy, Surveyor, Jamaica, Vermont and filed for record in Volume 2, Page 5 of the said Townshend Land Records. MAP 1 BK 6

The premises are further subject to an option granted to purchase lots of one acre, more or less, for a purchase price not to exceed ten dollars per acre, said options being granted to the following persons:

- John B. and Judith Kinkead
- William F. and Sue Capers
- Harold and Mary R. Spencer
- J. Swain Houtain
- Stephen and Gretchen Rendes
- John O. and Alice Outwater

This conveyance is further subject to the Articles of Association, by-laws and Rules and Regulations of Rocks and Rills Association, Inc. as from time to time adopted, amended or promulgated, as the case may be.

TO HAVE AND TO HOLD all right and title in and to said quit claimed premises, with the appurtenances thereof, to the said Grantee, ROCKS AND RILLS ASSOCIATION, INC., its successors and assigns forever.

AND FURTHERMORE, I the said grantor, ELISE H. KINKEAD, do for my heirs, executors and administrators, covenant with the said ROCKS AND RILLS ASSOCIATION, INC. that I will have and claim no right, in, or to the said quit-claimed premises.

See MAP BKS
1 - pg 7.
2 - pg 17.

TOWN OF TOWNSHEND ROAD DISCONTINUANCE

By Order of the Board of Selectmen of the Town of Townshend, pursuant to 19 V.S.A., Chapter 7, Section 708, the roadways commonly known as Favreaus' Corner Road in West Townshend, Vermont, and known more specifically as:

Town Highway #51, a Class 3 Road that runs generally from Vermont State Route #30 to the intersection with Town Highway #50 for a length of approximately 0.07 miles between lands now or formerly of Steven Adams, and,

Town Highway #51, a Class 3 Road that runs generally from the current residence of Steven Adams to the intersection with Town Highway #51 for a length of approximately 0.08 miles, and,

Town Highway #51, a Class 4 Road that runs generally from the intersections of Town Highways #50 and #51 between lands now or formerly owned by Steven Adams, The West Townshend Condominium Association, and the United States of America, Army Corps of Engineers, for a distance of approximately 0.28 miles unto its terminus upon property now or formerly owned by the United States of America, Army Corps of Engineers,

Are hereby discontinued.

Signed at Townshend, Vermont
this 13th day of March, 2010.

Townshend Select Board:

[Signature]
[Signature]
[Signature]
[Signature]
[Signature]

Steve Ovenden

Hedy Harris

Bruce Bills

Michael Charles

David Dezendorf

TOWN CLERK'S OFFICE TOWNSHEND, VT	
RECEIVED FOR RECORD MAR 10 2010	
at	<u>11</u> Hr. <u>20</u> Min. <u>AM/PM</u>
Vol. <u>14</u>	Pg. <u>1</u>
Attest	<u>[Signature]</u> Town Clerk