

CERTIFICATE OF HIGHWAY MILEAGE
YEAR ENDING FEBRUARY 10, 2013

Sent to State 2.19.13

Received
FEB 21 2013
Policy, Planning & Intermodal
Development Division

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 BARNARD in WINDSOR 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	15.640				0.000
Class 3	42.59				0.000
State Highway	9.615				0.000
Total	67.845				0.000
* Class 1 Lane	0.000				0.000
* Class 4	44.73		0.45	44.28	
* Legal Trail	2.45				
* 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.

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).
 0.45 mi CL4 TH-13 removed due to Stipulation of Settlement Hellinger v. Town of Barnard, Docket No. 119-3-10 Wrcv, Vermont Superior Court, Windsor Unit. 2011.
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:

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:

Representative, Agency of Transportation

Johnathan Croft

DATE:

2/25/2013

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.

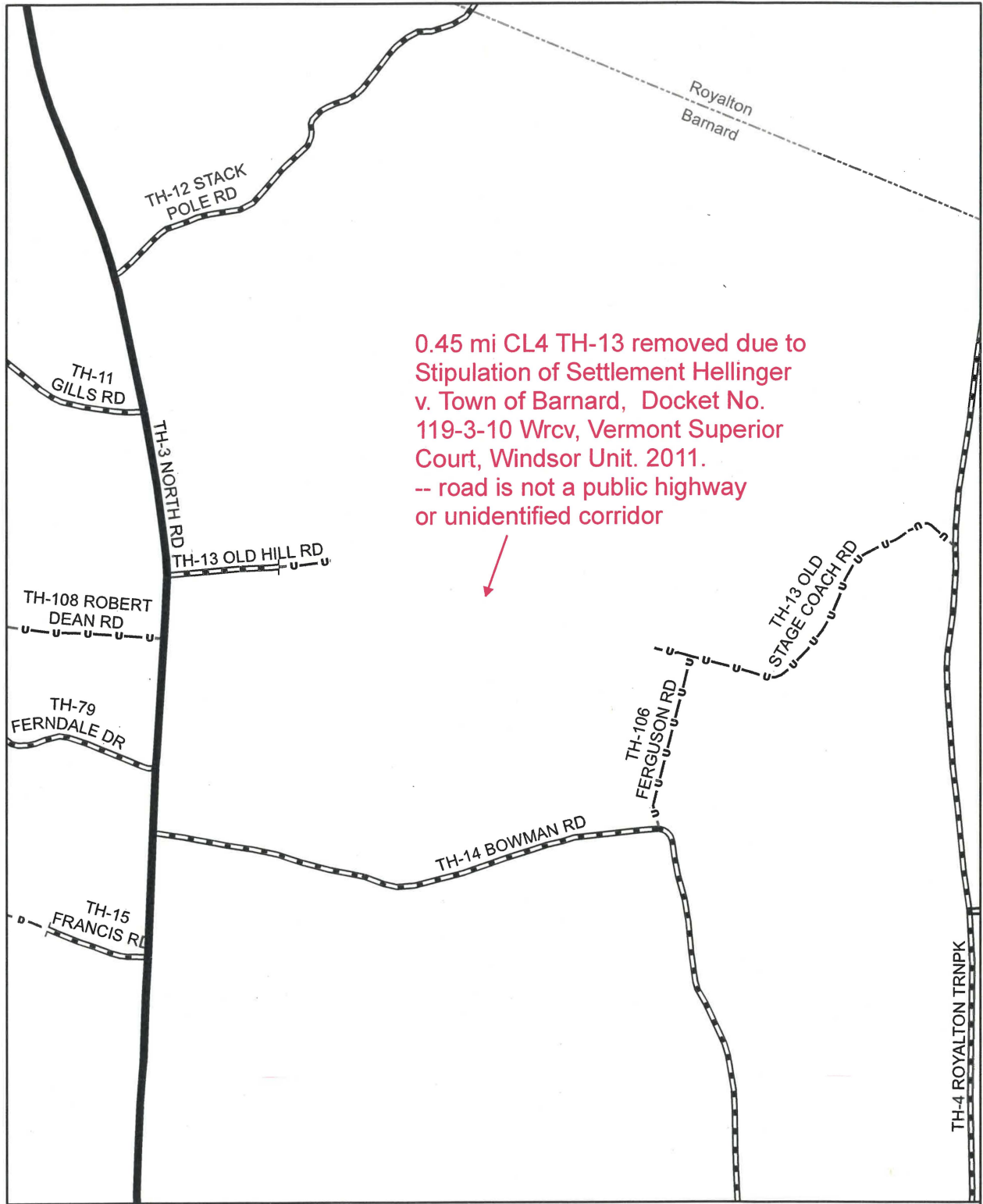
(e) The agency shall not accept any change in mileage until the records required to be filed in the town clerk's office by this section are received by the agency. A request by a municipality to the agency for a change in mileage shall include a description of the affected highway or trail, a copy of 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>

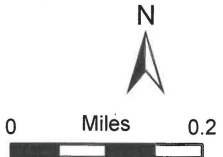
12/27/2012



0.45 mi CL4 TH-13 removed due to Stipulation of Settlement Hellinger v. Town of Barnard, Docket No. 119-3-10 Wrcv, Vermont Superior Court, Windsor Unit. 2011.
 -- road is not a public highway or unidentified corridor

**Mileage Certificate Change 2013
 BARNARD**

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

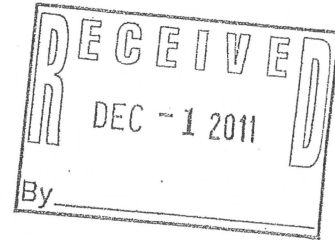


STATE OF VERMONT

SUPERIOR COURT
WINDSOR UNIT

CIVIL DIVISION
Docket No. 119-3-10 Wrcv

The Hellinger Family)
Limited Partnership,)
Michael D. Baldwin, and)
Lisabeth H. Baldwin,)
Plaintiffs)
)
v.)
)
Town of Barnard, Vermont,)
Defendant)



STIPULATION OF SETTLEMENT

The parties have reached agreement on the dispute between them and agree to the following stipulation of settlement:

1. The parties agree that the road which the Town has labeled as BRC-228—to the extent that it crosses lands of Plaintiffs, beginning at the Hellinger driveway and continuing eastward across Plaintiffs' land--is not a public highway or unidentified corridor.
2. The Town does not now and will not in the future claim that BRC-228—to the extent that it crosses lands of Plaintiffs-- is a public highway.
3. The Town will take steps to remove any reference or drawing of BRC-228 — to the extent that it crosses lands of Plaintiffs--from the official town highway map, working with the Vermont Agency of Transportation as necessary.
4. This stipulation of settlement shall not affect the present maintenance or classification of Old Hill Road (T.H. 13) to the Hellinger driveway.
5. The parties shall bear their own costs and attorney's fees.

6. The parties agree that the Court may dismiss this matter with prejudice.

Dated this 17 th day of November, 2011, at Montpelier, Vermont.

PLAINTIFFS

By: Paul Gillies
Paul Gillies, Their Attorney

Dated this ___ th day of November, 2011, at Woodstock, Vermont.

TOWN OF BARNARD

By: Thomas Hayes
Thomas Hayes, Its Attorney

So ordered, Theresa S. DiMauro
Hon. Theresa S. DiMauro 11/30/11
Presiding Judge

FILED
NOV 30 2011
VERMONT SUPERIOR COURT
WINDSOR UNIT

Barnard TH-13 Changes
0.45 miles to Drop.
Arcs in the RDSMALL - PENDING
JL - 12/12/12

Interpreted 0.45 miles section
 not town highway to be dropped

0.15 Class 3



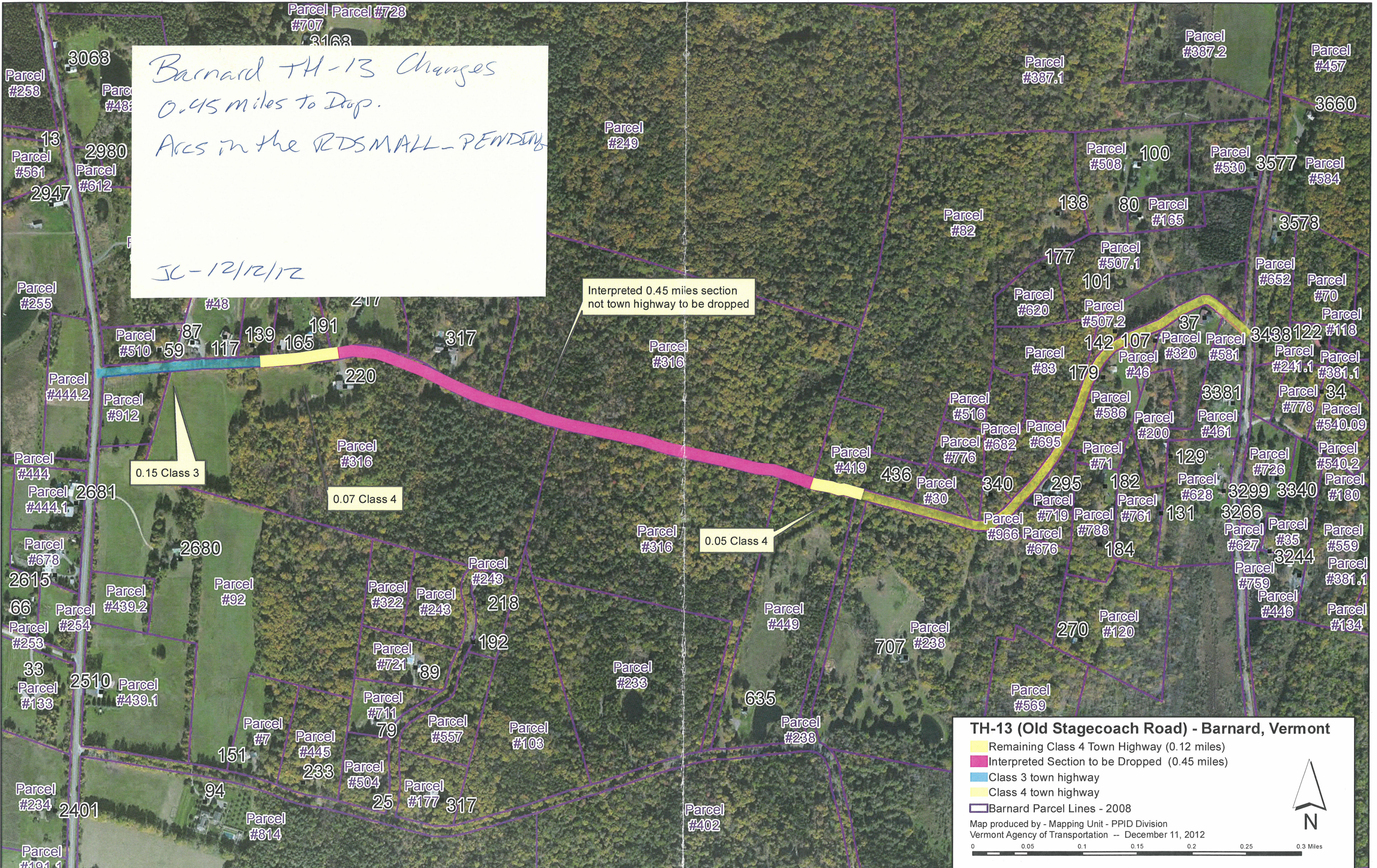
0.07 Class 4

0.05 Class 4

TH-13 (Old Stagecoach Road) - Barnard, Vermont

- Remaining Class 4 Town Highway (0.12 miles)
- Interpreted Section to be Dropped (0.45 miles)
- Class 3 town highway
- Class 4 town highway
- Barnard Parcel Lines - 2008

Map produced by - Mapping Unit - PPID Division
 Vermont Agency of Transportation -- December 11, 2012

Croft, Johnathan

From: Darylthedog [darylthedog@aol.com]
Sent: Wednesday, December 12, 2012 12:59 PM
To: Croft, Johnathan; mike@lewisandbaldwin.com
Cc: Dunleavy, John; Rice, Bill; listers@barnardvt.us; lisa@cbredpath.com; Moulton, Sara
Subject: Re: Clarification requested on former section of TH-13 (Old Stagecoach Road), formerly BRC 228

Follow Up Flag: Follow up
Flag Status: Flagged

Johnathan,

0.22 looks good for the distance from North Rd to "origin," Hellinger's driveway.

I'll suggest to the Seletctboard altering the short remaining stub of class 4, 0.07m, to class 3 although I'm not sure the State aid justifies the Hearing process and paperwork. We do, in fact, plow to Hellinger's driveway.

Thanks. Tom

-----Original Message-----

From: Croft, Johnathan <Johnathan.Croft@state.vt.us>
To: 'Mike Baldwin' <mike@lewisandbaldwin.com>
Cc: Darylthedog <darylthedog@aol.com>; Dunleavy, John <John.Dunleavy@state.vt.us>; Rice, Bill <Bill.Rice@state.vt.us>; listers <listers@barnardvt.us>; lisa <lisa@cbredpath.com>; Moulton, Sara <Sara.Moulton@state.vt.us>
Sent: Wed, Dec 12, 2012 9:55 am
Subject: RE: Clarification requested on former section of TH-13 (Old Stagecoach Road), formerly BRC 228

Good morning,

I should be referencing "Old Hill Road" for the western sections and "Old Stagecoach Road" for the eastern sections. The E911 road centerline data shows this break in the road name and I should be using the proper reference, which I didn't necessarily do in the previous email.

Thank you for the question.

Johnathan Croft
VTrans Mapping Unit
(802) 828-2600

From: Mike Baldwin [mailto:mike@lewisandbaldwin.com]
Sent: Tuesday, December 11, 2012 4:51 PM
To: Croft, Johnathan
Cc: Darylthedog; Dunleavy, John; Rice, Bill; listers@barnardvt.us; lisa@cbredpath.com; Moulton, Sara
Subject: Re: Clarification requested on former section of TH-13 (Old Stagecoach Road), formerly BRC 228

Johnathan...when you refer to Stagecoach Road, are you really referring to Old Hill Road? Old Stagecoach Road is on the eastern side of the hill.

Thanks,
Mike

Sent from my iPhone

On Dec 11, 2012, at 4:38 PM, "Croft, Johnathan" <Johnathan.Croft@state.vt.us> wrote:

Good afternoon Mr. Morse,

I have taken another look at the sections of TH-13, based on your email and the email from Mike Baldwin. Please find attached my interpretations of the beginning and ending of the section to be dropped. I have added the parcel numbers, based on the 2008 data that we have in our mapping system. I have started the dropped section at 0.22 miles from the North Road, at what has been described as the Hellinger driveway. The interpreted dropped section continues east along the former alignment to the easternmost parcel boundary of Parcel #316. The 2008 data has Parcel #316 on the north and south side of the road, with the easternmost point on the northern parcel. I have used this as the ending point. The magenta shaded section is the interpreted section to be dropped and it scales to 0.45 miles.

The questions that I have that will help to finalize the location and measure of the section to be dropped are as follows:

Does the Selectboard concur that the origin of the dropped section is at 0.22 miles from the North Road at the drive that accessed 220 Old Stagecoach Road?

Is the eastern terminus of the dropped section located at the intersection of the parcel line between Parcel #316, Parcel #419 and the alignment of TH-13, or is it located at the intersection between Parcel #316, Parcel #449 and the alignment of TH-13?

It also sounds as if the Town may be maintaining the section of TH-13 that is currently classified on the maps as class 4 town highway between the class 3 section of TH-13 and the driveway to 220 Old Stagecoach Road. If this section is being maintained to class 3 standards and may have been reclassified at some point, it would make sense to bring this section up to class 3 and receive state aid for it. If this section is not being maintained by the Town, then it can remain as class 4.

Thank you for your assistance in the clarification of this section and providing details regarding this the origin and terminus of the dropped section on Old Stagecoach Road.

Johnathan Croft
VTrans Mapping Unit
(802) 828-2600

From: Darylthedog [mailto:darylthedog@aol.com]
Sent: Monday, December 10, 2012 9:56 AM
To: Croft, Johnathan
Cc: mike@lewisandbaldwin.com
Subject: Re: Clarification requested on former section of TH-13 (Old Stagecoach Road), formerly BRC 228

Johnathan,

Well, on review, unfortunately I don't agree with my .52 or your .15.

The Hellinger driveway is approximately opposite the westerly boundary of parcel 56. Hellinger's land extends to the east to the easterly boundary of parcel 316.

I scale this distance to about 1850' or 0.35m.

See if you and Michael are happy with this figure. We can go wheel it off if we have to but the terrain is so challenging, it won't be any more accurate than agreeing upon a scale distance.

Thanks. Tom

-----Original Message-----

From: Croft, Johnathan <Johnathan.Croft@state.vt.us>
To: 'Darylthedog' <darylthedog@aol.com>
Cc: Dunleavy, John <John.Dunleavy@state.vt.us>; Rice, Bill <Bill.Rice@state.vt.us>; listers <listers@barnardvt.us>; lisa <lisa@cbredpath.com>; Moulton, Sara <Sara.Moulton@state.vt.us>; mike

<mike@lewisandbaldwin.com>

Sent: Fri, Dec 7, 2012 3:37 pm

Subject: RE: Clarification requested on former section of TH-13 (Old Stagecoach Road), formerly BRC 228

Good afternoon Mr. Morse,

I have received and reviewed the change to TH-13 (Old Stagecoach Road), based on the letter and mark-up map received on October 25, 2012. I have attached a scan of this document. Based on review of the court's stipulation of settlement and the mark-up map, there seems to be some differences that I seek clarification. When I scaled the section on the mark-up map noted in orange highlighter, I came up with 0.15 miles, instead of 0.52 miles to be dropped.

The stipulation notes that section that is not public highway as "beginning at the Hellinger driveway and continuing eastward across Plaintiff's land..." In review of the mark-up map, neither of the highlighted marks seem to fall near a driveway.

I have taken a look at this and have included a map that may be the section to be dropped from the town highway network. Please review and confirm whether this assumption is correct and the mileage agrees with the changes on the ground, or if there is further clarification needed.

Johnathan Croft
VTrans Mapping Unit
(802) 828-2600

From: Darylthedog [mailto:darylthedog@aol.com]

Sent: Tuesday, October 23, 2012 9:13 AM

To: Croft, Johnathan

Cc: Dunleavy, John; Rice, Bill; listeners@barnardvt.us; lisa@cbredpath.com; Moulton, Sara; mike@lewisandbaldwin.com

Subject: Re: Clarification requested on former section of TH-13 (Old Stagecoach Road), formerly BRC 228

Mr. Croft,

I can't imagine what happened to it; looks like the address was correct. Anyway, attached is a copy of the cover letter I sent. I'll cob together another map indicating the parameters of the portion of road affected and send it along.

Thanks. Tom

-----Original Message-----

From: Croft, Johnathan <Johnathan.Croft@state.vt.us>

To: 'Darylthedog' <darylthedog@aol.com>

Cc: Dunleavy, John <John.Dunleavy@state.vt.us>; Rice, Bill <Bill.Rice@state.vt.us>; listeners <listeners@barnardvt.us>; lisa <lisa@cbredpath.com>; Moulton, Sara <Sara.Moulton@state.vt.us>; mike <mike@lewisandbaldwin.com>

Sent: Mon, Oct 22, 2012 8:26 am

Subject: RE: Clarification requested on former section of TH-13 (Old Stagecoach Road), formerly BRC 228

Good morning Mr. Morse,

This package was not received. Can this information be resent to my attention at the following address:

Johnathan Croft
VTrans Mapping Unit
1 National Life Drive
Montpelier, VT 05633-5001

Johnathan Croft
VTrans Mapping Unit
(802) 828-2600

From: Darylthedog [mailto:darylthedog@aol.com]
Sent: Sunday, October 21, 2012 9:39 AM
To: Croft, Johnathan; mike@lewisandbaldwin.com
Cc: Dunleavy, John; Rice, Bill; listers@barnardvt.us; lisa@cbredpath.com; Moulton, Sara
Subject: Re: Clarification requested on former section of TH-13 (Old Stagecoach Road), formerly BRC 228

Mr. Croft,

I sent via USPS about two months ago a packet, including maps, delineating the extent and mileage of town highway affected by the settlement decision. Did you not receive the packet or was the information provided inadequate in some way.

Thanks. Tom Morse

-----Original Message-----

From: Croft, Johnathan <Johnathan.Croft@state.vt.us>
To: 'Michael Baldwin' <mike@lewisandbaldwin.com>
Cc: 'Darylthedog' <darylthedog@aol.com>; Dunleavy, John <John.Dunleavy@state.vt.us>; Rice, Bill <Bill.Rice@state.vt.us>; 'listers@barnardvt.us' <listers@barnardvt.us>; 'Lisa Baldwin' <lisa@cbredpath.com>; Moulton, Sara <Sara.Moulton@state.vt.us>
Sent: Thu, Oct 18, 2012 4:32 pm
Subject: RE: Clarification requested on former section of TH-13 (Old Stagecoach Road), formerly BRC 228

Good afternoon Mr. Baldwin,

I have not received clarification on the extent of TH-13 (Old Stagecoach Road) in Barnard, that has been removed as a public highway based on the attached Settlement Stipulation. This section was also not referenced on the 2012 Mileage Certificate, although we will make the necessary changes provided clarification of the origin and extent of the section of TH-13 (Old Stage Coach Road) to be dropped. The mileage change will be noted on the 2013 Mileage Certificate. I have attached a copy of the 2012 Mileage Certificate as reference.

Johnathan Croft
VTrans Mapping Unit
(802) 828-2600

From: Michael Baldwin [mailto:mike@lewisandbaldwin.com]
Sent: Wednesday, October 17, 2012 5:41 PM
To: Croft, Johnathan
Cc: 'Lisa Baldwin'
Subject: FW: Clarification requested on former section of TH-13 (Old Stagecoach Road), formerly BRC 228

Hi Johnathan...do you now have everything you need from the town of Barnard Select Board in order to ensure that the portion of BRC-228 running through the Plaintiffs Hellinger and Baldwin properties is removed from the Barnard town highway map? I appreciate all of your efforts and I look forward to hearing from you soon.

Thanks,
Mike Baldwin
802-356-7400

From: Darylthedog [mailto:darylthedog@aol.com]
Sent: Wednesday, October 17, 2012 2:31 PM
To: mike@lewisandbaldwin.com
Cc: listers@barnardvt.us

Subject: Re: Clarification requested on former section of TH-13 (Old Stagecoach Road), formerly BRC 228

Hi Mike,

The official map of Barnard's town highways is the AOT map issued annually around Feb. We have already communicated to their map specialist, Jonathan Croft, the removal of the affected portion of town highway.

The Listers are now pretty much in charge of updating the town's parcel map which is done on an as needed basis, usually once a year or so. Richard Lancaster is aware of the change and we usually meet prior to submitting the info for an update to discuss road issues in general. It'll get done. In the meantime, you'll note that the parcel map includes a disclaimer that it doesn't necessarily represent a true legal picture of parcels or roads.

Regards,
Tom

-----Original Message-----

From: Michael Baldwin <mike@lewisandbaldwin.com>

To: 'Tom Morse' <darylthedog@aol.com>

Sent: Wed, Oct 17, 2012 8:57 am

Subject: FW: Clarification requested on former section of TH-13 (Old Stagecoach Road), formerly BRC 228

Tom,

I was in the town hall the other day and happened to notice that BRC-228 running through my property and my in-laws' (the Hellingers) property is still classified as a town road. I am curious about the town's plan to formally remove BRC-228 from the Hellinger's/our properties. Recognizing all of the priorities placed on the Select Board over the past year or so, I didn't want to push, but I am curious about Barnard's plan to abide by the court's order. Could you please shoot me a quick response to let me know Barnard's plan for compliance with the order? Hope all is well and I look forward to hearing from you soon.

Thanks,
Mike Baldwin

317 Old Hill Road
Barnard, VT 05031
802-356-7400

From: Croft, Johnathan [<mailto:Johnathan.Croft@state.vt.us>]

Sent: Friday, August 17, 2012 2:03 PM

To: 'Darylthedog'

Cc: Dunleavy, John; Rice, Bill; 'Michael Baldwin'

Subject: Clarification requested on former section of TH-13 (Old Stagecoach Road), formerly BRC 228

Good afternoon Mr. Morse,

I received a call from Mike Baldwin this afternoon inquiry to the status of Old Stagecoach Road in Barnard. In a letter to the Barnard Selectboard sent on May 4, 2012, I requested information regarding the location and length of the section of highway to be subtracted from the public highway network. Please find the excerpt regarding this request below:

"In another matter, I have received a Stipulation of Settlement from the Windsor County Superior Court (see enclosed) regarding the class 4 section of TH-13 (Old Stagecoach Road), which was previously known as BRC-228. The settlement states the highway is not a public highway across the Plaintiffs' property. It is presumed that this is a section of the class 4 portion of TH-13 that crosses the properties of The Hellinger Family Limited Partnership, Michael D. Baldwin, and Lisabeth H. Baldwin. It is not clear to me where these properties are, based on the information I have accessible at VTrans, or the amount of mileage to be subtracted from the length of the class 4 portion of TH-13 (Old Stagecoach Road).

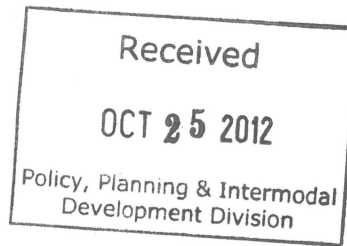
I request clarification of the location and length of the section of TH-13 that has been subtracted from the public highway network due to this settlement. I have enclosed a map of the TH-13 (Old Hill Road and Old Stagecoach), including the class 3 and class 4 portions, to use as reference. Please review the map and provide the location of the section that has been dropped. I have enclosed an additional copy of this map that can be marked up and sent back to VTrans Mapping with this clarification."

To date, I have not received clarification from the Town of Barnard regarding this section. I have attached a copy of a map that shows the alignment of TH-13 (Old Stagecoach Road) with the property lines from the tax map, as well as an orthophoto in the background. Please forward details regarding the location and length of the section of highway that has been dropped.

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

Johnathan Croft
VTrans Mapping Unit
(802) 828-2600

<TH-13_OldStageCoachRoad_InterpretedSection_2012_12_11.pdf>



August 27, 2012

Jonathan Croft
Mapping Unit
One National Life Drive
Montpelier, VT 05633-5001

Re: Barnard, TH 13

Dear Mr. Croft,

In response to your request for information regarding a Stipulation of Settlement affecting a class 4 section of TH 13, formerly known as BRC-228, we determine using your map and scale that the class 4 highway mileage to be subtracted in 0.52 miles.

The parameters of the portion of highway to be removed from the map, beginning at Hellinger's driveway east to the eastern most boundary of Hellinger lands, is indicated on enclosed maps as well as properties owned by Hellinger and Baldwin.

I hope this satisfies your request and I apologize for not providing the information in a more timely manner.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Morse", written over a horizontal line.

Tom Morse, Chair, Barnard Selectboard

cc: Preston Bristow

Moulton, Sara

From: Michael Baldwin [mike@lewisandbaldwin.com]
Sent: Tuesday, October 23, 2012 5:00 PM
To: 'Darylthedog'; Croft, Johnathan
Cc: Dunleavy, John; Rice, Bill; listers@barnardvt.us; lisa@cbredpath.com; Moulton, Sara
Subject: RE: Clarification requested on former section of TH-13 (Old Stagecoach Road), formerly BRC 228
Attachments: Baldwin Hellinger (from T. Morse to J. Croft).dot; Baldwin Hellinger (from T. Morse to J. Croft).pdf

Tom...I converted the file into a "word" and "pdf" format for those without "wordperfect" and reattached to this message. Thanks again for keeping this moving and we'll talk soon.

Mike

From: Darylthedog [mailto:darylthedog@aol.com]
Sent: Tuesday, October 23, 2012 9:13 AM
To: Johnathan.Croft@state.vt.us
Cc: John.Dunleavy@state.vt.us; Bill.Rice@state.vt.us; listers@barnardvt.us; lisa@cbredpath.com; Sara.Moulton@state.vt.us; mike@lewisandbaldwin.com
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Mr. Croft,

I can't imagine what happened to it; looks like the address was correct. Anyway, attached is a copy of the cover letter I sent. I'll cob together another map indicating the parameters of the portion of road affected and send it along.

Thanks. Tom

-----Original Message-----

From: Croft, Johnathan <Johnathan.Croft@state.vt.us>
To: 'Darylthedog' <darylthedog@aol.com>
Cc: Dunleavy, John <John.Dunleavy@state.vt.us>; Rice, Bill <Bill.Rice@state.vt.us>; listers <listers@barnardvt.us>; lisa <lisa@cbredpath.com>; Moulton, Sara <Sara.Moulton@state.vt.us>; mike <mike@lewisandbaldwin.com>
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Subject: RE: Clarification requested on former section of TH-13 (Old Stagecoach Road), formerly BRC 228

Good afternoon Mr. Baldwin,

I have not received clarification on the extent of TH-13 (Old Stagecoach Road) in Barnard, that has been removed as a public highway based on the attached Settlement Stipulation. This section was also not referenced on the 2012 Mileage Certificate, although we will make the necessary changes provided clarification of the origin and extent of the section of TH-13 (Old Stage Coach Road) to be dropped. The mileage change will be noted on the 2013 Mileage Certificate. I have attached a copy of the 2012 Mileage Certificate as reference.

Johnathan Croft
VTrans Mapping Unit
(802) 828-2600

From: Michael Baldwin [<mailto:mike@lewisandbaldwin.com>]

Sent: Wednesday, October 17, 2012 5:41 PM

To: Croft, Johnathan

Cc: 'Lisa Baldwin'

Subject: FW: Clarification requested on former section of TH-13 (Old Stagecoach Road), formerly BRC 228

Hi Johnathan...do you now have everything you need from the town of Barnard Select Board in order to ensure that the portion of BRC-228 running through the Plaintiffs Hellinger and Baldwin properties is removed from the Barnard town highway map? I appreciate all of your efforts and I look forward to hearing from you soon.

Thanks,
Mike Baldwin
802-356-7400

From: Darylthedog [<mailto:darylthedog@aol.com>]

Sent: Wednesday, October 17, 2012 2:31 PM

To: mike@lewisandbaldwin.com

Cc: listers@barnardvt.us

Subject: Re: Clarification requested on former section of TH-13 (Old Stagecoach Road), formerly BRC 228

Hi Mike,

The official map of Barnard's town highways is the AOT map issued annually around Feb. We have already communicated to their map specialist, Jonathan Croft, the removal of the affected portion of town highway.

The Listers are now pretty much in charge of updating the town's parcel map which is done on an as needed basis, usually once a year or so. Richard Lancaster is aware of the change and we usually meet prior to submitting the info for an update to discuss road issues in general. It'll get done. In the meantime, you'll note that the parcel map includes a disclaimer that it doesn't necessarily represent a true legal picture of parcels or roads.

Regards,
Tom

-----Original Message-----

From: Michael Baldwin <mike@lewisandbaldwin.com>

To: 'Tom Morse' <darylthedog@aol.com>

Sent: Wed, Oct 17, 2012 8:57 am

Subject: FW: Clarification requested on former section of TH-13 (Old Stagecoach Road), formerly BRC 228

Tom,

I was in the town hall the other day and happened to notice that BRC-228 running through my property and my in-laws' (the Hellingers) property is still classified as a town road. I am curious about the town's plan to formally remove BRC-228 from the Hellinger's/our properties. Recognizing all of the priorities placed on the Select Board over the past year or so, I didn't want to push, but I am curious about Barnard's plan to abide by the court's order. Could you please shoot me a quick response to let me know Barnard's plan for compliance with the order? Hope all is well and I look forward to hearing from you soon.

Thanks,

Mike Baldwin

317 Old Hill Road
Barnard, VT 05031
802-356-7400

From: Croft, Johnathan [<mailto:Johnathan.Croft@state.vt.us>]

Sent: Friday, August 17, 2012 2:03 PM

To: 'Darylthedog'

Cc: Dunleavy, John; Rice, Bill; 'Michael Baldwin'

Subject: Clarification requested on former section of TH-13 (Old Stagecoach Road), formerly BRC 228

Good afternoon Mr. Morse,

I received a call from Mike Baldwin this afternoon inquiry to the status of Old Stagecoach Road in Barnard. In a letter to the Barnard Selectboard sent on May 4, 2012, I requested information regarding the location and length of the section of highway to be subtracted from the public highway network. Please find the excerpt regarding this request below:

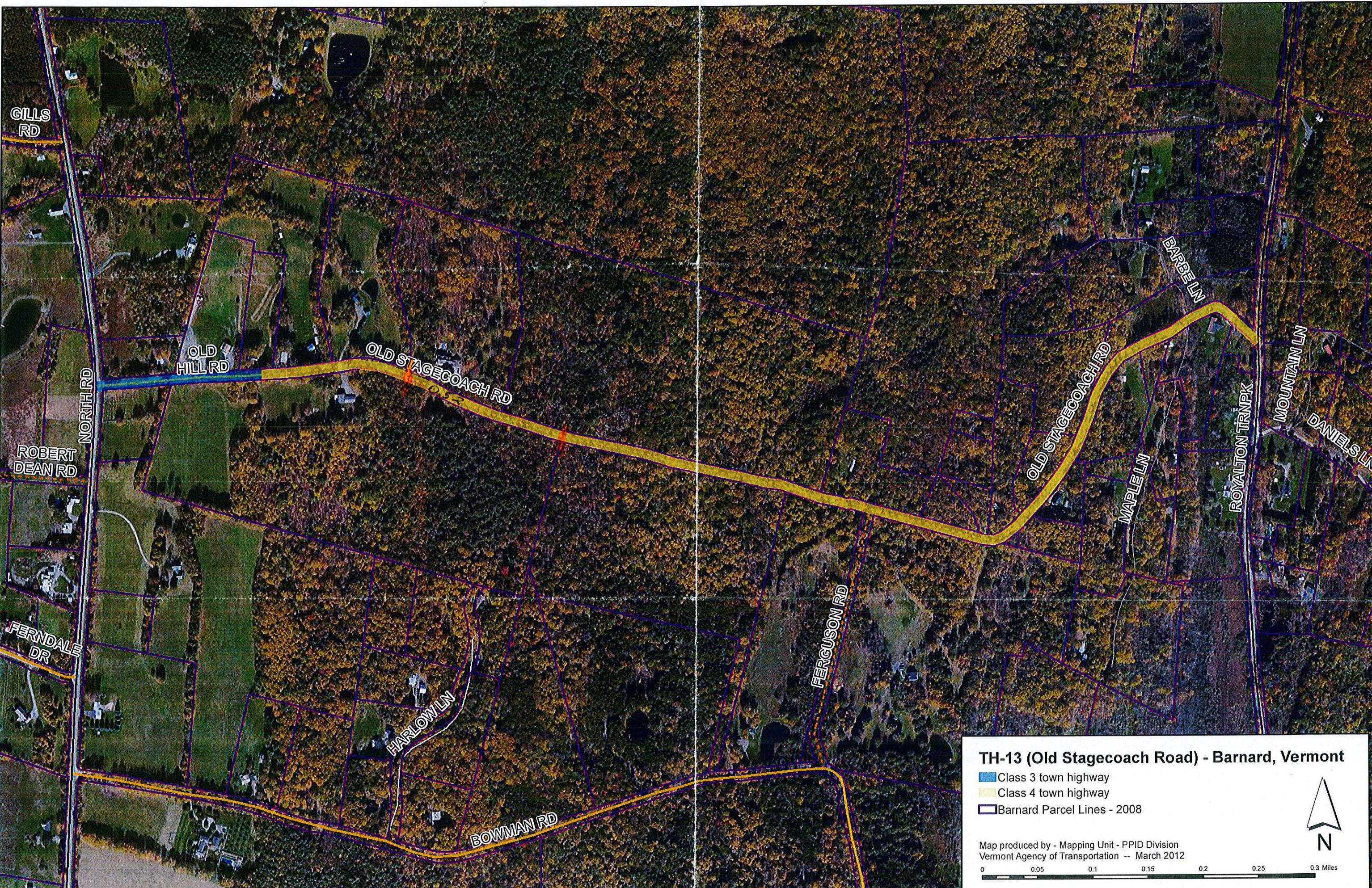
"In another matter, I have received a Stipulation of Settlement from the Windsor County Superior Court (see enclosed) regarding the class 4 section of TH-13 (Old Stagecoach Road), which was previously known as BRC-228. The settlement states the highway is not a public highway across the Plaintiffs' property. It is presumed that this is a section of the class 4 portion of TH-13 that crosses the properties of The Hellinger Family Limited Partnership, Michael D. Baldwin, and Lisabeth H. Baldwin. It is not clear to me where these properties are, based on the information I have accessible at VTrans, or the amount of mileage to be subtracted from the length of the class 4 portion of TH-13 (Old Stagecoach Road).

I request clarification of the location and length of the section of TH-13 that has been subtracted from the public highway network due to this settlement. I have enclosed a map of the TH-13 (Old Hill Road and Old Stagecoach), including the class 3 and class 4 portions, to use as reference. Please review the map and provide the location of the section that has been dropped. I have enclosed an additional copy of this map that can be marked up and sent back to VTrans Mapping with this clarification."

To date, I have not received clarification from the Town of Barnard regarding this section. I have attached a copy of a map that shows the alignment of TH-13 (Old Stagecoach Road) with the property lines from the tax map, as well as an orthophoto in the background. Please forward details regarding the location and length of the section of highway that has been dropped.

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

Johnathan Croft
VTrans Mapping Unit
(802) 828-2600



TH-13 (Old Stagecoach Road) - Barnard, Vermont

- █ Class 3 town highway
- █ Class 4 town highway
- Barnard Parcel Lines - 2008

Map produced by - Mapping Unit - PPID Division
Vermont Agency of Transportation -- March 2012

