

**CERTIFICATE OF HIGHWAY MILEAGE
YEAR ENDING FEBRUARY 10, 2009**

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2009 to:
Vermont Agency of Transportation, Policy and Planning Division, One National Life Drive, Montpelier, VT 05633.

We, the members of the legislative body of **CAVENDISH** 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			0.00	0.000
Class 1 Lane	0.000			0.00	
Class 2	11.850			11.850	0.000
Class 3	42.95	0.13 X	0.18 X	42.90 D	0.000
State Highway	11.822			11.822	7.652
Class 4	3.93			3.93	0.000
Legal Trail	0.00			0.00	
Total	66.622			66.572	7.652

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

PART II - INFORMATION AND DESCRIPTION OF CHANGES SHOWN ABOVE. *Rounding by 5.1704/100
3/13/09*

- NEW HIGHWAYS:** Please attach Selectmen's "Certificate of Completion and Opening".
New section of Hoey Road, Town Highway #24 (Replaces Section discontinued below)
Copy of deed attached
- DISCONTINUED:** Please attach SIGNED copy of proceedings (minutes of meeting).
Discontinued section of Hoey Road, Town Highway #24 (Replaced as per above)
Copy of deed attached
- RECLASSIFIED/REMEASURED:** Please attach SIGNED copy of proceedings (minutes of meeting).
No change
- SCENIC HIGHWAYS:** Please attach a copy of order designating/discontinuing Scenic Highways.
No change

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

PART III - SIGNATURES - PLEASE SIGN.

Selectmen/ Aldermen/ Trustees Signatures: *Daniel W. Churchill*, *George Linko*, *Edward R. Darrow*

T/C/V Clerk Signature: *Jane A. Pley* Date Filed: *2/11/09*

Please sign ORIGINAL and return it for Transportation signature.

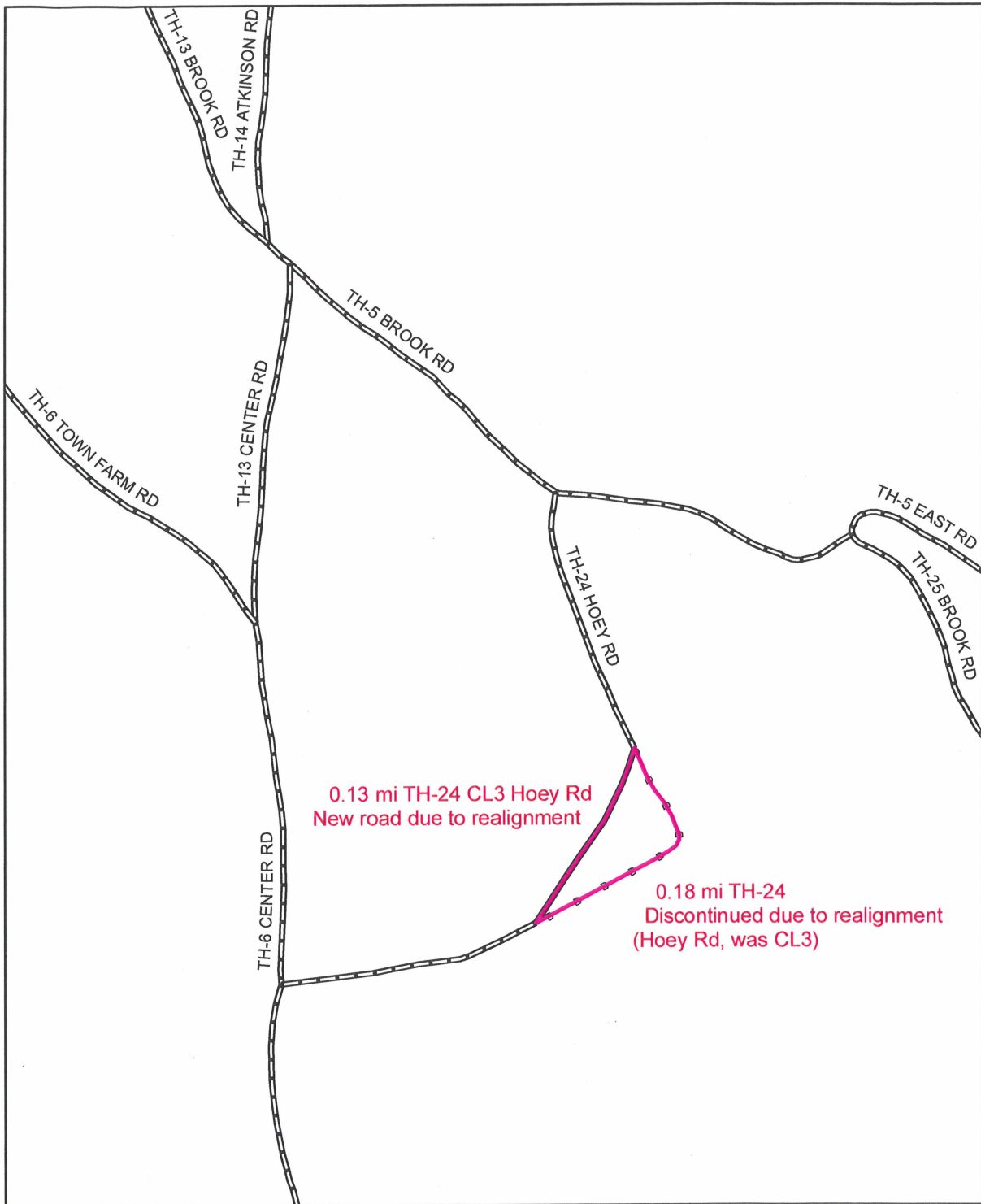
AGENCY OF TRANSPORTATION APPROVAL: Signed copy will be returned to T/C/V Clerk.

APPROVED: *[Signature]* DATE: *4/21/2009*
Representative, Agency of Transportation

FEB 13 2009

Policy & Planning Division

[Faint handwritten text]



**Mileage Certificate Change 2009
CAVENDISH**

Mapping Unit
Policy & Planning Division
Vermont Agency of Transportation -- March 2009



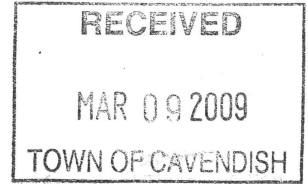


State of Vermont
Policy & Planning Division-Mapping Unit
1 National Life Drive
Montpelier, VT 05633-5001
<http://www.aot.state.vt.us>

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

Agency of Transportation

March 4, 2009



Chair, Selectboard
Cavendish, c/o Town Clerk
PO Box 126
Cavendish, VT 05142

MAR 13 2009

Policy & Planning Division

To Town Clerk and Selectboard:

We have received the copies of the deeds referenced in your 2009 Certificate of Highway Mileage. The selectmen's report references "a survey prepared by Steven Mongeon showing the former and new location of the subject portion of Hoey Road."

It would be helpful in our effort to map the change to have a copy of the survey. In the Quit Claim Deed it is identified as:

"Survey of a Portion of Land for James Kingery by S.R. Mongeon, L.L.S., Ludlow, VT dated September 15, 2009 to be recorded in the town of Cavendish Map Records."

Please mail a copy of the survey to me at:
Attn: Sara Moulton
Vermont Agency of Transportation (VTrans)
Policy & Planning Division - Mapping Unit
1 National Life Dr
Montpelier, VT 05633-5001

If you have any questions, contact me at (802) 828-2109 or sara.moulton@state.vt.us.

Thank you.

Sincerely,

Sara Moulton
Mapping & GIS Specialist





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1 National Life Drive
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Thank you.

Sincerely,

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

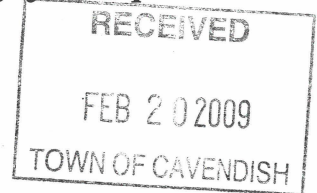
Sara Moulton
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Agency of Transportation



February 19, 2009

Chair, Selectboard
Cavendish, c/o Town Clerk
PO Box 126
Cavendish, VT 05142

To Town Clerk and Selectboard:

We have received your 2009 Certificate of Highway Mileage that had changes noted on it regarding TH-24 (Hoey Rd). There was a note stating "Copy of deed attached". Unfortunately, no deed was attached. We will be unable to process the changes requested without appropriate supporting documentation.

The documentation can be mailed to me at:
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If you have any questions, contact Sara Moulton at (802) 828-2109 or through email at sara.moulton@state.vt.us.

Thank you.

Sincerely,

2/24/09 - SORRY. DEEDS ENCLOSED. Sara Moulton

Sara Moulton
Mapping & GIS Specialist

FEB 26 2009

Policy & Planning Division



**SELECTMEN'S REPORT AND FINDINGS OF FACT
ON THE MATTER OF REALIGNMENT OF A PORTION OF
HOEY ROAD, TOWN HIGHWAY #24**

Consistent with 19 V.S.A §708 et seq, the Selectmen of the Town of Cavendish initiated, on its own motion, proceedings to alter the course of a portion of Cavendish Town Highway Number 24 known as the Hoey Road. The Selectmen's motion was dated October 7, 2008 and set forth the date of Monday, November 10, 2008 as the date for inspection and public hearing upon this matter. The Selectmen also caused announcement of the inspection and hearing to be advertised in the Vermont Journal, the newspaper of record. The same notice was posted in the Town Clerk's office with said posting and newspaper publishing in accordance with 19 V.S.A. §709.

At the hearing on November 10, 2008 the Select Board discussed the matter, listened to testimony from the Town Manager and made the opportunity to take comments from the public. At the hearing, draft documents were presented to the board for the supporting deeds for transfer of property to and from the Town of Cavendish and the affected property owners, i.e. James M. Kingery and Fiona D. Kingery as well as a survey prepared by Steven Mongeon, a Vermont licensed land surveyor, showing the former and new location of the subject portion of Hoey Road.

Accordingly, having made these findings and, following a site visit and duly posted hearing, the Selectmen of the Town of Cavendish conclude that the public good, necessity, and convenience require the acceptance of the newly constructed 709.4 feet of road to replace the 967.4 feet of old roadway which is hereby discontinued except for those portions which overlap the new road right of way. Said Town Highway #24 shall remain classified as Class III town highway.

Dated this 10th of NOVEMBER, 2008.

James Ballentine
Chairman

George Linko Don P. Davis

Edward R. Hancock

Received for Record November 10, A.D., 2008 at 5:50 p.m.

Attest: Jane S. Pixley, Town Clerk
Jane S. Pixley

Received for record November 10 A.D. 2008 at 5 o'clock 50 minutes P. M.

A True Record Attest: Jane S. Pixley Jane S. Pixley, Town Clerk

QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS that we,

JAMES M. KINGERY and FIONA D. KINGERY

of Old Greenwich in the County of Fairfield and State of Connecticut
GRANTORS,

in the consideration of One Dollar and Other Good and Valuable Consideration paid our satisfaction
by

TOWN OF CAVENDISH

of Cavendish in the County of Windsor and State of Vermont
GRANTEE,

have REMISED, RELEASED, AND FOREVER QUITCLAIMED unto the said Grantee

TOWN OF CAVENDISH

and its successors and assigns, all right and title which we,

JAMES M. KINGERY and FIONA D. KINGERY

or our heirs have in and to a certain piece of land located in Cavendish, in the County of Windsor
and State of Vermont, described as follows, viz:

The purpose and intent of the herein conveyance is to provide for the relocation of Hoey
Road, so-called, a public road in the Town of Cavendish and to convey the same to the Town of
Cavendish for all normal and customary purposes associated with a public road.

Such relocated Hoey Road is depicted upon a mylar entitled Survey of a Portion of Land for
James Kingery by S.R. Mongeon, L.L.S., Ludlow, VT dated September 15, 2008 to be recorded in
the Town of Cavendish Map Records.

A portion of that land and premises as was conveyed to the herein Grantors by Warranty
Deed of Alison H. Johansson and Kathleen A. H. Thompson dated May 28, 2002 and recorded in
Book 54, Pages 230-232 of the Town of Cavendish Land Records and is described as follows:

The centerline of such relocated Hoey Road is described as beginning at a point depicted as
D1 which is S 86°26'13" E from the corner of a stone wall with a tie of 120.74 feet, more or less.
Thereafter, the center of Hoey Road shall follow a centerline described by Tag C1 with a radius of

275.0 feet, more or less, and a distance of 153.12 feet, more or less; thence to a Tag C2 N47°59'16" E 435.71 feet, more or less; thence to Tag C3 with a radius of 275.0 feet, more or less, and a length of 273.68 feet.

The new segment length of Hoey Road is 709.4 feet, more or less; which concludes at mark D2. The distance from D1 to D2 down the centerline of Hoey Road is N42°05'45" E 816.04 feet, more or less. The herein conveyed premises as set forth therein is 50 feet wide, 25 feet to each side of the previously described centerline, which right-of-way limits are marked by rebars set by the survey aforementioned.

The Grantors give, grant, and convey the herein public highway easement for all customary and normal public highway purposes and the Town of Cavendish, by its acceptance hereto, assumes all right, title, and interest, maintenance obligations, upkeep, and liability through the acceptance of this deed. Simultaneous with the execution of this deed, is a conveyance from the Town of Cavendish to James M. Kingery and Fiona D. Kingery releasing any and all right, title, and interest to the former location of Hoey Road.

TO HAVE AND TO HOLD our right and title in and to the said quitclaimed premises, with the appurtenances thereof, to the said Grantee,

TOWN OF CAVENDISH

and its successors and assigns forever;

AND FURTHERMORE we, the said Grantors,

JAMES M. KINGERY and FIONA D. KINGERY

do for ourselves and our heirs, executors, administrators, and assigns, covenant with the said Grantee,

TOWN OF CAVENDISH

and its successors and assigns, that from and after the ensealing of these presents we, the said Grantors,

JAMES M. KINGERY and FIONA D. KINGERY

will have and claim no right in or to the said quitclaimed premises.

IN WITNESS WHEREOF, We hereunto set our hand and seal this 11 day of November, 2008.

IN PRESENCE OF:

Pamela Powers
Witness

James M. Kingery
JAMES M. KINGERY
Fiona D. Kingery
FIONA D. KINGERY

STATE OF NY)
COUNTY OF Westchester)
TOWN/CITY OF NYC)ss.;

On this 11 day of NOV, 2008, **JAMES M. KINGERY and FIONA D. KINGERY** personally appeared, and they acknowledged this instrument by them sealed and subscribed, to be their free act and deed.

Before me: Margaret A. Hansen
Notary Public

My commission expires:

MARGARET A. HANSEN
Notary Public, State of New York
No. 01HA5018310
Qualified in Westchester County
Commission Expires September 27, 2009

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that,

TOWN OF CAVENDISH

of Cavendish in the County of Windsor and State of Vermont
GRANTOR,

in consideration of One Dollar and Other Good and Valuable Consideration paid to its full satisfaction by

JAMES M. KINGERY and FIONA D. KINGERY

of Old Greenwich in the County of Fairfield and State of Connecticut
GRANTEES,

by these presents do freely give, grant, sell, convey, and confirm unto the said Grantees,

JAMES M. KINGERY and FIONA D. KINGERY

husband and wife as tenants by the entirety

and their heirs, executors, administrators, and assigns a certain piece of land in Cavendish in the County of Windsor and State of Vermont, described as follows, viz:

The Town of Cavendish hereby conveys any and all right, title, and interest to that land and premises described as the former location of Hoey Road, the same as is more accurately depicted upon a mylar entitled survey Survey of a Portion of Land for James Kingery by S.R. Mongeon, L.L.S., Ludlow, VT dated September 15, 2008 to which mylar further reference may be had.

The discontinued segment of Hoey Road, Town Highway 24, so-called, is depicted on said map from survey points D1 to D2 in the following courses and distances upon said former centerline: Tag A N80°11'24" E 203.47 feet, more or less; Tag B N74°54'12" E 374.04 feet, more or less; Tag C with a radius of 90 feet and a length of 146.74 feet; Tag D N18°30'58" W 142.65 feet, more or less; Tag E N07° 58'15" W 100.50 feet, more or less. The total discontinued length is 967.4 feet, more or less.

The above-described former public highway shall be discontinued as a public highway and conveyed herein to the Grantees as private property with no retention or reservation of public access or use. The Grantees, by their acceptance of this deed, assume all right, title, and interest to such land and premises.

Simultaneous with the execution of this deed, James and Fiona Kingery have executed a deed to the Town of Cavendish relocating Hoey Road, Town Highway 24, to a new location which deeds

will be recorded simultaneously.

TO HAVE AND TO HOLD the said granted premises with all the privileges and appurtenances thereof, to the said Grantees,

JAMES M. KINGERY and FIONA D. KINGERY
husband and wife as tenants by the entirety

and their heirs, executors, administrators, and assigns, to their own use and behoof forever; and, the said Grantor,

TOWN OF CAVENDISH

for its successors and assigns, does covenant with the said Grantees,

JAMES M. KINGERY and FIONA D. KINGERY
husband and wife as tenants by the entirety

and their heirs, executors, administrators, and assigns, that until the ensealing of these presents, it is the sole owner of the premises, and has good right and title to convey the same in the manner aforesaid, and that the premises are FREE FROM EVERY ENCUMBRANCE; except as aforesaid, and it hereby engages to WARRANT and DEFEND the same against all lawful claims whatsoever, except as aforesaid.

IN WITNESS WHEREOF, I hereunto set my hand and seal this 29th day of DECEMBER, 2008.

IN PRESENCE OF:

TOWN OF CAVENDISH by:

Jane Riley
Witness

Richard Svec
RICHARD SVEC, Town Manager

STATE OF VERMONT)
COUNTY OF WINDSOR)
TOWN OF CAVENDISH)ss.;

On this 29 day of December, 2008, personally appeared **RICHARD SVEC, Town Manager of the TOWN OF CAVENDISH**, and he acknowledged this instrument by him sealed and subscribed, to be his free act and deed and the free act and deed of the **TOWN OF CAVENDISH**.

Before me: Jane Riley
Notary Public

My commission expires: 2/10/11

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<http://www.aot.state.vt.us>

Agency of Transportation

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

February 19, 2009

Chair, Selectboard
Cavendish, c/o Town Clerk
PO Box 126
Cavendish, VT 05142

To Town Clerk and Selectboard:

We have received your 2009 Certificate of Highway Mileage that had changes noted on it regarding TH-24 (Hoey Rd). There was a note stating "Copy of deed attached". Unfortunately, no deed was attached. We will be unable to process the changes requested without appropriate supporting documentation.

The documentation can be mailed to me at:
Attn: Sara Moulton
Vermont Agency of Transportation (VTrans)
Policy & Planning Division - Mapping Unit
1 National Life Dr
Montpelier, VT 05633-5001

If you have any questions, contact Sara Moulton at (802) 828-2109 or through email at sara.moulton@state.vt.us.

Thank you.

Sincerely,



Sara Moulton
Mapping & GIS Specialist

Moulton, Sara

From: Moulton, Sara
Sent: Tuesday, February 17, 2009 1:31 PM
To: 'j.pixley@comcast.net'
Subject: Cavendish Certificate of Highway Mileage

On Friday, we received the Cavendish Certificate of Highway Mileage that had changes regarding TH-24 (Hoey Rd). There was a note stating "Copy of deed attached". Unfortunately, no deed was attached. We will be unable to process the changes requested without appropriate supporting documentation.

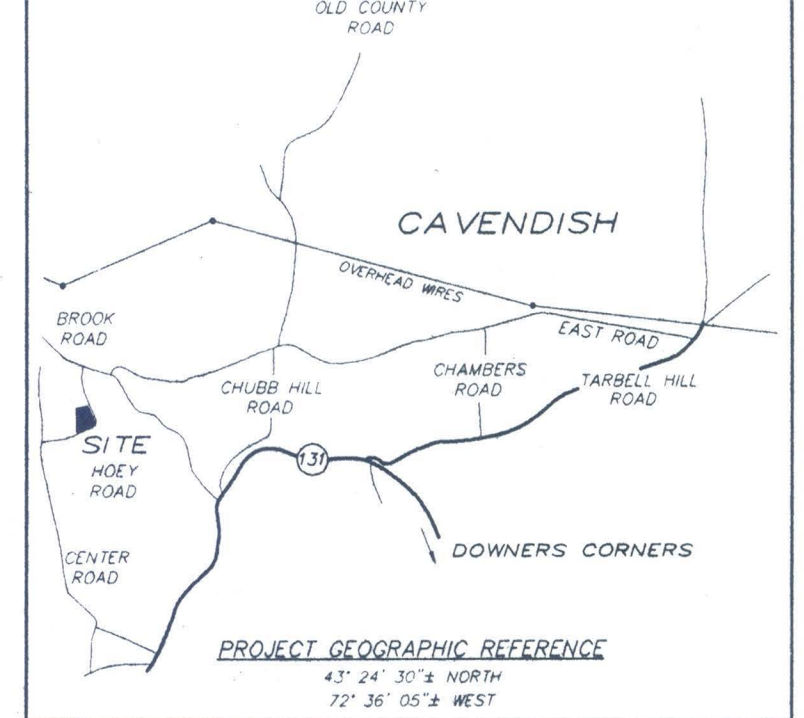
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Attn: Sara Moulton
Vermont Agency of Transportation (VTrans)
Policy & Planning Division - Mapping Unit
1 National Life Dr
Montpelier, VT 05633-5001

Tel: 802-828-2109

Please let me know if you have any questions.
Thanks.

THIS PARCEL OF LAND HAS BEEN SURVEYED.
THE SURVEY IS ENTITLED "PROPERTY SURVEY
HOLLIS C. QUINN ESTATE, CAVENDISH, VERMONT."
COMPLETED BY GARY RAPANOZZI, 9/7/2005.



PROJECT GEOGRAPHIC REFERENCE
43° 24' 30" ± NORTH
72° 36' 05" ± WEST

LOCUS MAP
NTS

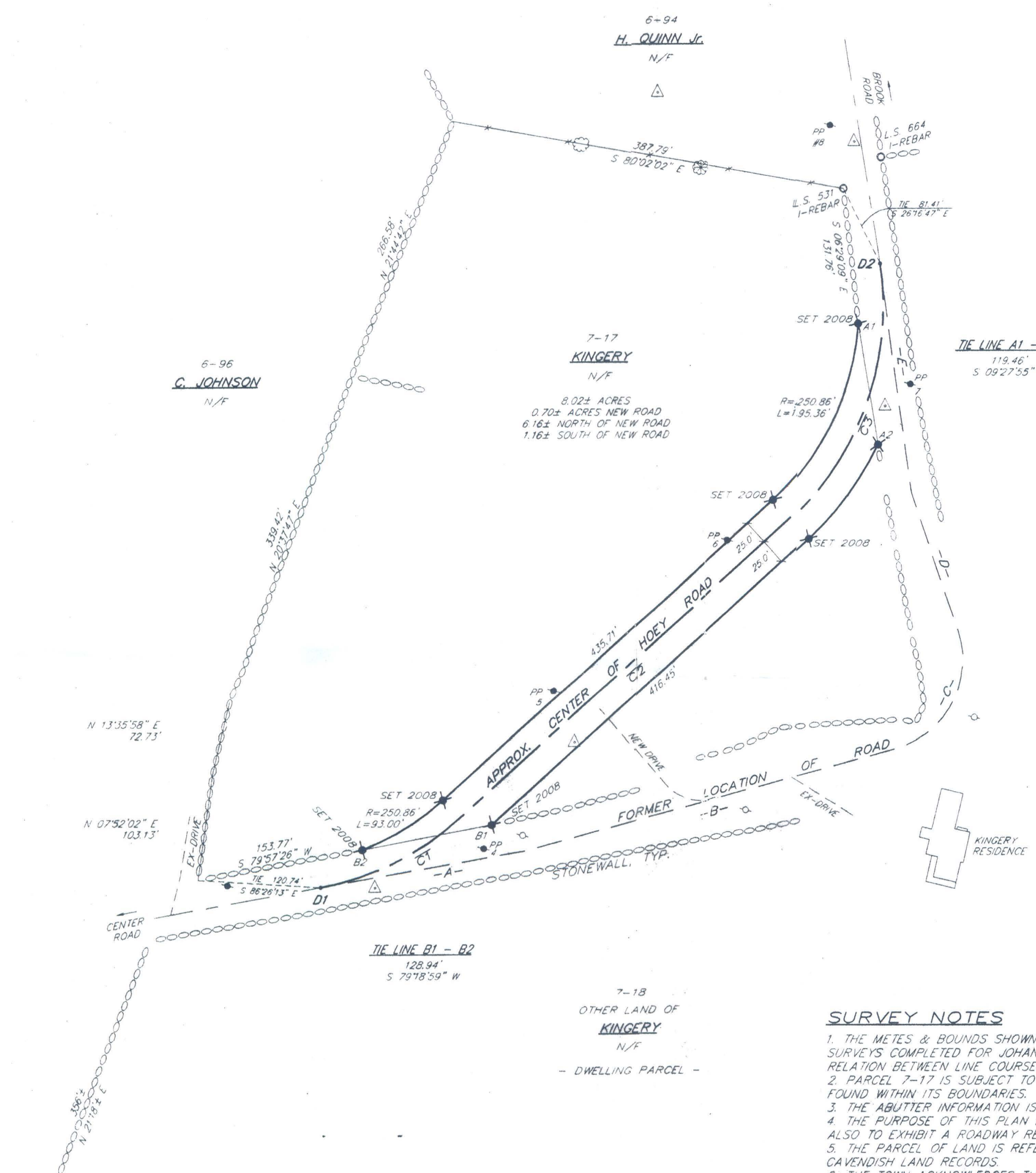
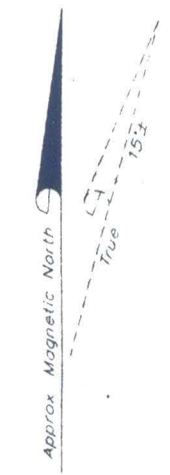
DISCONTINUED SEGMENT OF T.H. #24
D1 - D2

TAG	BEARING/RADIUS	DISTANCE
-A-	N 80°11'24" E	203.47'
-B-	N 74°54'12" E	374.04'
-C-	R=90.0'	L=146.74'
-D-	N 18°30'58" W	142.65'
-E-	N 07°58'15" W	100.50'
TOTAL DISCONTINUED LENGTH		967.4' ±

NEW CENTERLINE LOCATION OF T.H. #24
D1 - D2

TAG	BEARING/RADIUS	DISTANCE
CT	R=275.0'	L=153.12'
C2	N 47°59'16" E	435.71'
C3	R=275.0'	L=273.68'
NEW SEGMENT LENGTH		709.4' ±

D1 - D2
N 42°25'45" E
816.04'



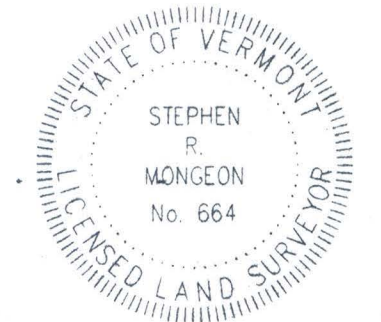
SURVEY NOTES

1. THE METES & BOUNDS SHOWN ON THIS PLAN ARE ORIENTED TO EARLIER SURVEYS COMPLETED FOR JOHANSSON. THE BEARINGS DEFINE THE ANGULAR RELATION BETWEEN LINE COURSES.
2. PARCEL 7-17 IS SUBJECT TO EXISTING, RECORDED & EVIDENCED EASEMENTS FOUND WITHIN ITS BOUNDARIES.
3. THE ABUTTER INFORMATION IS TAKEN FROM THE CURRENT GRAND LIST.
4. THE PURPOSE OF THIS PLAN IS TO DEFINE THE LOT LIMITS OF PARCEL 7-17, ALSO TO EXHIBIT A ROADWAY RELOCATION OF T.H. #24.
5. THE PARCEL OF LAND IS REFERENCED TO BOOK 54, PAGE 230-32 OF THE CAVENDISH LAND RECORDS.
6. THE TOWN ACKNOWLEDGES THE MAINTENANCE OF A 3 ROD RIGHT OF WAY WIDTH OF 49.5 FEET, CENTERED ON THE TRAVELWAY FOR THE DISCONTINUED SEGMENT OF T.H. #24. NO LAND RECORDS HAVE BEEN FOUND TO CONFIRM OR REFUTE THAT MEASURE. IT IS UNDERSTOOD THAT THE TOWN OF CAVENDISH WILL CONVEY ITS RIGHTS, TITLE & INTEREST IN THE DISCONTINUED SEGMENT OF THE ROAD TO KINGERY IN EXCHANGE FOR THE ROAD RELOCATION.
7. THE NEW SEGMENT OF T.H. #24 IS COMPUTED AS A 50 FOOT WIDE RIGHT OF WAY SEGMENT. IT EXTENDS FROM THE WESTERLY POINT SHOWN AS D1 IN THE CENTER OF T.H. #24 NORTHEASTERLY TO D2, ALSO IN THE CENTER OF T.H. #24.

LEGEND

- SIDE LIMIT OF 50' RIGHT OF WAY
- - - APPROXIMATE CENTER OF NEW ROAD
- - - APPROXIMATE CENTER OF DISCONTINUED ROAD
- x x x WIRE FENCE
- FOUND IRON PIPE/CORNER MARKER
- ★ SET 2008 REBAR SET BY THIS SURVEY
- PP UTILITY POLE, OLD - NEW
- NOW OR FORMERLY
- 57 BOOK / PAGE REFERENCE
- 991
- △ SURVEY WORKING POINT - STATION

BAR SCALE



I CERTIFY THAT THIS SURVEY AND MAPPED PLAN IS AN ACCURATE REPRESENTATION OF THE FIELD SURVEYED CONDITIONS, PHYSICAL EVIDENCE FOUND AND ALSO INFORMATION FROM THE TOWN RECORDS.

STEPHEN MONGEON, VT. LAND SURVEYOR NO. 664

DRAFT COPY

SCALE 1" = 100' SEPTEMBER 15, 2008

SURVEY
OF A
PORTION OF LAND
FOR
JAMES KINGERY

OWNER
JAMES KINGERY
17 Old Shore Road
Old Greenwich, CT 06870

T.H. #24
WINDSOR COUNTY
P.O. BOX 83

S.R. MONGEON, L.L.S.
LUDLOW, VT. (802) 228-3757

CAVENDISH
VERMONT

THIS PLAN MEETS THE REQUIREMENTS OF 27 V.S.A. § 1403. ORIGINAL INKED PLAN PRODUCED BY S.R. MONGEON LICENSED LAND SURVEYOR, L.L.C. - P.O. BOX 83 LUDLOW, VERMONT, 05149