

CERTIFICATE OF HIGHWAY MILEAGE FOR YEAR ENDING FEB. 10, 1985

Fill out 4 copies, file one with Town Clerk, and mail 3 to Agency of Trans. before February 10, 1985
 ▶ IF NO CHANGES IN MILEAGE, OMIT PART I, CHECK BOX IN PART II, AND SIGN PART III. ◀

PART I

We, the Selectmen, Trustees or Aldermen of HARTLAND on oath state that we have carefully measured all the highways in this town and find that the mileage of highways, according to Title 19, V.S.A., Sec. 15, amended 1973, Act No. 63, in this town for the year ending Feb. 10, 1985 is as follows:

	TOWN HIGHWAYS				STATE HIGHWAYS	TOTAL EXCLUDING CLASS 4
	CLASS 1	CLASS 2	CLASS 3	CLASS 4		
PREVIOUS MILEAGE AS SHOWN FEBRUARY 10, 1984	0.000	13.720	61.910	8.100	24.682	100.312
MILEAGE ADDED SINCE FEBRUARY 10, 1984 ACCORDING TO STATUTE. EXPLAIN UNDER (1) BELOW.						
SUB TOTAL						
MILEAGE SUBTRACTED SINCE FEBRUARY 10, 1984 ACCORDING TO STATUTE. EXPLAIN UNDER (2) AND (3).			0.180 0.140	0.310 0.500		0.320
TOTAL HIGHWAY MILEAGE FEB. 10, 1985	0.000	13.720	61.590	7.290	24.682	99.992
SCENIC HIGHWAY MILEAGE (19 VSA 1019)						

DURING THE PAST YEAR THE FOLLOWING CHANGES HAVE OCCURED:

(1) We hereby certify that the following new highways, as substantiated by the attached "Selectmen's Certificate of Completion" have been added:

(2) We hereby certify that the following highways have been discontinued according to statute and are substantiated by the attached copy of the proceedings.
 ** T-57: 0.140 mile subtracted from Cl. 3 - discontinued; T-57: 0.500 mile subtracted from Cl. 4 - discontinued

(3) We hereby certify that the following highways have been reclassified/remeasured and are substantiated by the attached copy of the proceedings.

** (2) T-75: 0.180 mile subtracted from Cl. 3 - discontinued; T-14: 0.100, T-17: 0.100, T-43: 0.110 (total 0.310 Mile) subtracted from Cl. 4 - discontinued.
 Attached copies of proceedings are attached.

(4) We hereby certify that the following highways have been designated or discontinued as "Town Scenic Highways", and are substantiated by the attached copy of the proceedings.

PART II CHECK BOX IF NO CHANGES IN MILEAGE.

WE HEREBY CERTIFY THAT THE TOWN/VILLAGE/CITY OF Windsor
 HAD NO CHANGES IN HIGHWAY MILEAGE FOR THE YEAR ENDING FEBRUARY 10, 1985.

PART III

SELECTMEN
Signatures

Larry J. Page
Patricia J. Warren
Tracy W. Davis

I, Tracy W. Davis Town Clerk of Hartland
 hereby certify this record of highway mileage is filed and recorded at this office on 2/8, 1985.

T.A. 301-IM 7-82

Attest: Tracy W. Davis
 Town Clerk

Rev. 7-82

Approved: J.R. Landry 2-11-85
 Representative, Agency of Transportation Date

Note: Applicable section of Vermont Statutes is printed on reverse side.

2/12/85
aw

1985
T43

Town of Hartland

Hartland, Vermont 05048

STATE OF VERMONT, WINDSOR COUNTY, SS

In Re: Discontinuance of 0.11 miles Class 4 Town Highway #43

The above entitled case came on for hearing before the Selectmen of the Town of Hartland on the 27th day of September, AD 1984, pursuant to the following notice.

Notice is hereby given that the Board of Selectmen for the Town of Hartland, Vermont, will hold a public hearing on Thursday, September 27, 1984, in Damon Hall, Hartland, Vermont, starting at 8:00 P.M. to examine the premises and to hear all persons interested in the proposed discountinuanche of the following described highway:

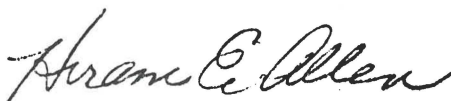
Being 0.11 miles of Town Highway #43 as shown on town map, Vermont Highways, District No. 4, issued February 10, 1984 for the Town of Hartland, starting at a point where Town Highway No 43, Class 3, intersects with Town Highway No. 46 proceeding in an easterly direction to the right of way of Interstate 91.

The notices weresent by registered mail September 10, 1984, to the following named persons, Josephine R. Moore, Kathleen R. Rogers, Shirleen Rumrill, Christopher Rumrill, Hartland School District, John G. and Pauline M. Perron and return receipt was received from the same.

John G. and Pauline M. Perron were present but did not object to the closing of the Class 4 section of Town Highway 43 starting at a point where Town Highway No 43, Class 3, intersects with Town Highway No 46, proceeding in an easterly direction to the rights ofway of Interstate 91 being wholly within the Town of Hartland; that it has not been made to appear that said highway was originally laid out under the direction of the County Court or the Supreme Court; that there is no objection to closing this road, Class 4 section of Town Highway No 43, that said highway is not convenient and necessary to the inhabitants of Hartland.

Wherefore: It is ordered, that this Class 4 section of Town Highway No 43 be discontinued. This order is effective at the time of its recording in the office of the Town Clerk of said Town of Hartland.

Dated this 8th day of February, 1985.



Hiram E. Allen, Town Manager
Authorized Agent for the
Town of Hartland Board of Selectmen

Town of Hartland

Hartland, Vermont 05048

STATE OF VERMONT, WINDSOR COUNTY, SS

In Re: Discontinuance of 0.10 miles Class 4 Town Highway #17

The above entitled case came on for hearing before the Selectmen of the Town of Hartland on the 27th day of September, AD 1984, pursuant to the following notice.

Notice is hereby given that the Board of Selectmen for the Town of Hartland, Vermont will hold a public hearing on Thursday, September 27, 1984, in Damon Hall, Hartland, Vermont, starting at 7:20 P.M. to examine the premises and to hear all persons interested in the proposed discontinuance of the following described highway:

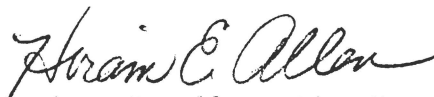
Being 0.10 miles of Town Highway #17 as shown on the town map, Vermont Highways, District No. 4, issued February 10, 1984 for the Town of Hartland, leading off the so called Barron Hill Road highway No. 8, .061 miles from the intersection of Vermont Route No. 12.

The notice was sent by registered mail September 10, 1984, to the following named person, Anne B. Adams, and return receipt was received from the same.

None of the above attended the hearing and it is hereby found that 0.10 miles of Town Highway No. 7 leading off the so called Barron Hill Road, Highway No. 8, .061 miles from the intersection of Vermont Route No. 12. This road being wholly within the Town of Hartland; that it has not been made to appear that said highway was originally laid out under the direction of the County Court or the Supreme Court; that there is no objection to closing this road, Town Highway No. 17, that said highway is not convenient and necessary to the inhabitants of Hartland.

Wherefore: It is ordered that this Town Highway No. 17 be discontinued. This order is effective at the time of its recording in the office of the Town Clerk of said Town of Hartland.

Dated this 8th day of February, 1985.



Hiram E. Allen, Town Manager
Authorized Agent for the
Town of Hartland Board of Selectmen

Town of Hartland

Hartland, Vermont 05048

STATE OF VERMONT, WINDSOR COUNTY, SS.

In Re: Discontinuance of 0.18 miles Class 3 Town Highway #75

The above entitled case came on for hearing before the Selectmen of the Town of Hartland on the 27th day of September, AD 1984, pursuant to the following notice.

Notice is hereby given that the Board of Selectmen for the Town of Hartland, Vermont, will hold a public hearing on Thursday, September 27, 1984, in Damon Hall, Hartland, Vermont, starting at 9:00 P.M. to examine the premises and to hear all persons interested in the proposed discontinuance of the following described highway:

Being 0.18 miles of Town Highway #75 as shown on town map, Vermont Highways, District No. 4, issued February 10, 1984 for the Town of Hartland, leading off Town Highway No. 52 some 100 feet north of the so-called Jenneville intersection and continuing to the Sargent residence.

The notices were sent by registered mail September 10, 1984, to the following named persons, Richard C. Sargent Jr. and Barbara Sargent and return receipt was received from the same.

None of the above attended the hearing and it is hereby found that 0.18 miles of Town Highway No. 75, leading off Town Highway No. 52 some 100 feet north of the so-called Jenneville intersection and continuing to the Sargent residence being wholly within the Town of Hartland, that it has not been made to appear that said highway was originally laid out under the direction of the County Court or the Supreme Court; that there is no objection to closing this road, Town Highway No. 75, that said highway is not convenient and necessary to the inhabitants of Hartland.

Wherefore: It is ordered that this Town Highway No. 75 be discontinued. This order is effective at the time of its recording in the office of the Town Clerk of said Town of Hartland.

Dated this 8th day of February, 1985.



Hiram E. Allen, Town Manager
Authorized Agent for the
Town of Hartland Board of Selectmen

1984

STEPHEN A. REYNES

ATTORNEY AT LAW

SUNSET FARM OFFICES

POST OFFICE BOX 25

WOODSTOCK, VERMONT 05091

(802) 457-4051



August 17, 1984

Robert C. Schwartz, Esq.
Assistant Attorney General
Vermont Department of Transportation
Montpelier, Vermont 05602

Re: Bronson - Road Discontinuation

Dear Bob:

The above matter came on for hearing on the merits before the Windsor Superior Court on August 15, 1984, following the submission of the Commissioners' Report on July 9, 1984. The Commissioners recommended, and the Court agreed, that the subject two-town roadway should be discontinued.

You indicated that this appeared to be a unique situation, at least in modern Vermont highway law, and thus you would like to have copies of our actions. We previously provided a copy of the original Petition, and now enclose copies of the Commissioners' Report, a Memorandum of Law I submitted to the Court and the Findings of Fact and Conclusions of Law and the Order as issued by the Court.

Noting 19 V.S.A. §15(b), please forward a copy of the enclosed Findings of Fact and Conclusions of Law and the Order to the appropriate person within the Agency of Transportation. I am sending a copy of this letter to Bob Farnsworth, the Chairman of the Board of Selectmen in West Windsor, because that town is discontinuing a portion of a Class 3 highway by this action, with reference to 19 V.S.A. §15(b).

Lastly, thanks again for your courteous assistance in this matter.

8-21-84

cc: Frank Aldrich
Mapping

Best regards.

Sincerely,

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

Stephen A. Reynes

Enclosures

cc: Mr. Robert Farnsworth
Mr. and Mrs. Charles Bronson
SAR/ldm



STATE OF VERMONT
WINDSOR COUNTY, SS

CHARLES BRONSON AND
JILL IRELAND BRONSON.
DISCONTINUING A ROAD
LOCATED IN THE TOWNS
OF HARTLAND AND
WEST WINDSOR, VERMONT

)
)
)
)
)

WINDSOR SUPERIOR COURT
CIVIL ACTION
DOCKET NO. S24-83-Wrm

COMMISSIONERS' REPORT

We, Stanley Clay, Roger Flanagan and Arthur James, being the duly appointed Commissioners in the above matter, report as follows:

- (1). We met on this matter on June 29, 1984, pursuant to Notice, the original of which is attached hereto.
- (2). The petitioners were represented at the hearing by their attorney, Stephen Reynes. Mr. Charles Kurtzhalz, who manages the petitioners' property, was also present on their behalf.

Mr. Larry J. Frazer, Chairman of the Board of Selectmen for the town of Hartland, was present on behalf of the town, as was Mr. Hiram Allen, its town manager. No other persons appeared at the hearing.

- (3). Mr. Reynes reported that the Notice had been provided to the Chairmen of the Boards of Selectmen in Hartland and West Windsor and that two copies of same had been posted in two public places in each town. He also reported that notice had been duly provided to all persons owning or interested in land abutting the subject roadway, being Mr. and Mrs. Earl H. Pierce and the Tancredi Estate by notice to its Vermont attorney and the son of the deceased, who is also an attorney.

Mr. Reynes also stated that he gave notice to the Commissioner of the Department of Forests, Parks and Recreation, of the Agency of Environmental Conservation pursuant to statute, and he read a reply letter from the Commissioner as requested by him. A copy of said reply letter and its enclosure is attached hereto.

- (4). On behalf of the petitioners, Mr. Reynes requested that the subject roadway be discontinued as described in the Notice.
- (5). Mr. Frazer, on behalf of the town of Hartland, recommended that the Hartland portion be discontinued as requested, noting that the old roadway was steep and would be very expensive to bring it up to any travelable standard.

FILED

JUL 9 1984

NORMAN
WINDSOR COUNTY CLERK

- (6). Mr. Reynes reported that he and Mr. Kurtzhalz had met with the Boards of Selectmen in both West Windsor and Hartland and they favored the proposed discontinuation. For West Windsor, it would mean that they would have no further responsibility for snow plowing or otherwise maintaining the subject portion of roadway which leads only to the Bronsons' residence.
- (7). No other residences are served by the subject roadway.
- (8). Pursuant to the Notice, we examined the subject roadway.

We conclude that the public good requires the discontinuation of the subject roadway as same as described in the Notice.

Dated this *5th* day of July, 1984.

Stanley Clay

Stanley Clay, Chairman

Roger Flanagan

Roger Flanagan

Arthur James

Arthur James

C
O
P
Y

FILED

JUL 9 1984

JANE W. NORMAN
WINDSOR COUNTY CLERK

File

STATE OF VERMONT
WINDSOR COUNTY, SS

CHARLES BRONSON AND) WINDSOR SUPERIOR COURT
JILL IRELAND BRONSON.)
DISCONTINUING A ROAD) CIVIL ACTION
LOCATED IN THE TOWNS)
OF HARTLAND AND) DOCKET NO. S24-83-Wrm
WEST WINDSOR, VERMONT)

MEMORANDUM OF LAW

Charles Bronson and Jill Ireland Bronson, by and through their attorney, Stephen A. Reynes, submit this Memorandum in support of the Petition filed in this Honorable Court on November 22, 1983.

This proceeding was commenced by a Petition filed pursuant to 19 V.S.A. §681 for the discontinuation of a roadway located in the towns of Hartland and West Windsor.

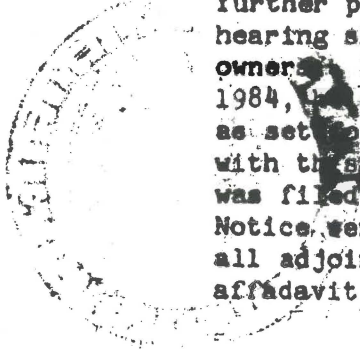
Acceptances of service of the Petition, signed by the Chairmen of the Boards of Selectmen in Hartland and West Windsor, were filed with the Court.

In its entirety, 19 V.S.A. §681 provides as follows:

When the public good requires a highway to be laid out, altered or discontinued, extending into or through two or more towns in the same county, seven or more freeholders of such towns, or in the vicinity, may apply to the county court. Such court, by commissioners appointed for that purpose, may make inquiry and render judgment, as when the highway is located in only one town. The same proceedings shall be had, except that the notices shall be given to the selectmen of each town.

The procedure for the discontinuation of a highway located in only one town is governed by 19 V.S.A. §531, which requires the posting of Notice in two or more public places in the town for hearing parties and examining the subject premises; it further provides that at least 12 days' written notice of such hearing shall be provided by registered mail to adjoining land owners. The commissioners, pursuant to Notice dated June 12, 1984, had a hearing and examined the premises on June 29, 1984, as set forth in their Report dated July 5, 1984, and filed with this Court on July 9, 1984. The original of the Notice was filed with the Commissioners' Report. Two copies of the Notice were posted in each town and a copy was timely provided to all adjoining land owners by registered mail, as per the affidavit submitted herewith.

C
O
P
Y



After hearing and examination, the Commissioners concluded that the public good required the proposed Discontinuation. 19 V.S.A. §681; 19 V.S.A. §292. Respectfully assuming that this Honorable Court accepts the Report of its Commissioners, the Order of Discontinuance "shall be in writing setting forth definitely such highway." 19 V.S.A. §343. Petitioners will file a certified copy of the Court's Order of Discontinuance, together with a certified copy of the Court's Findings of Fact and Conclusions of Law, in the offices of the Town Clerks in Hartland and West Windsor pursuant to 19 V.S.A. §297 (a survey is required when a highway is laid out or altered, but not when it is discontinued, see 19 V.S.A. §343). A copy of the Findings of Fact, Conclusions of Law and the Order of Discontinuance shall also be filed with the Vermont Agency of Transportation. 19 V.S.A. §15(b).

Dated at Woodstock, Vermont, this 15th day of August, 1984.

Respectfully submitted,
THE LAW OFFICE OF STEPHEN A. REYNES
by:

15/

Stephen A. Reynes

STATE OF VERMONT
WINDSOR COUNTY, SS

CHARLES BRONSON AND)	
JILL IRELAND BRONSON.)	WINDSOR SUPERIOR COURT
-DISCONTINUING A ROAD)	
LOCATED IN THE TOWNS)	CIVIL ACTION
OF HARTLAND AND)	
WEST WINDSOR, VERMONT)	DOCKET NO. S24-83-Wrm

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The above-cited Petition for the discontinuance of a road located in the towns of Hartland and West Windsor, Vermont, came on for hearing on the merits on August 15, 1984, pursuant to Notice. Based upon the Pleadings, including the Commissioner's Report filed July 9, 1984, and testimony adduced at the hearing, the Court finds as follows:

1. The subject portion of Town Highway No. 20 in the town of West Windsor, as defined in the Petition and Notice, is a Class Three highway which leads to the residence owned by Charles Bronson and Jill Ireland Bronson.
2. Said residence is located on the boundary line of the towns of Hartland and West Windsor.
3. The subject roadway continues past said residence and is designated as Town Highway No. 57 in the town of Hartland.
4. Town Highway No. 57 is a Class Four highway which runs from the above boundary line between the towns of West Windsor and Hartland to its intersection with State Aid Road No. 1 in the town of Hartland.
5. Town Highway No. 57 in the town of Hartland is steep, ledgey, narrow, often muddy and has not been used for passenger car travel in many years.
6. It would be very expensive for the town to bring up Town Highway No. 57 to any travelable standard.
7. The town of West Windsor has in the past maintained the subject stretch of Town Highway No. 20 to the Bronsons' residence, including snow-plowing.
8. In recognition of the fact that the subject Petition had been filed, last winter, with the consent of the Bronsons, the town of West Windsor did not plow the subject roadway in order to have a winter's experience to see that there was sufficient public roadway area for the snowplow truck to turn around and pile snow without going on the portion of roadway which is proposed for discontinuance. The town of West Windsor

CONFIRMED COPY

FILED

AUG 15 1984

JAMES W. NORMAN
WINDSOR COUNTY CLERK

had no problem in accomplishing the above.

9. The discontinuance of the subject section of Town Highway No. 20 would save the taxpayers of West Windsor the expense of maintaining said roadway.

10. The only residence located along the subject roadway is that of the Bronsons, who have joined in the Petition.

11. Proper notice was provided to the towns and to adjoining land owners and the Commissioners held a properly warned hearing and examination of the premises on June 29, 1984.

12. The Commissioners found, and we find, that the public good requires the discontinuance of the subject roadway as same is described in the Petition and Notice.

WHEREFORE, we conclude as a matter of law that the subject Petition filed pursuant to 19 V.S.A. §681 for the discontinuance of the road located in the towns of Hartland and West Windsor has satisfied the statutory requirements for same and the Petition is granted as set forth in the Order of this Court filed herewith.

Dated at Woodstock, County of Windsor, State of Vermont, this 15th day of August, 1984.

Oliver W. Chase
Presiding Judge

Harold E. Eaton
James C. Herland

FILED

AUG 15 1984

JANE W. NORMAN
WINDSOR COUNTY CLERK

STATE OF VERMONT
WINDSOR COUNTY, SS

CHARLES BRONSON AND)
JILL IRELAND BRONSON.) WINDSOR SUPERIOR COURT
DISCONTINUING A ROAD)
LOCATED IN THE TOWNS) CIVIL ACTION
OF HARTLAND AND)
WEST WINDSOR, VERMONT) DOCKET NO. S24-83-Wrm

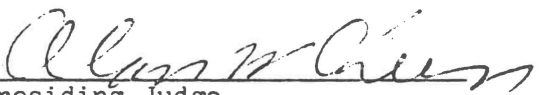
ORDER

The above-cited petition for the discontinuance of a road located in the towns of Hartland and West Windsor, Vermont, came on for Hearing on the Merits on August 15, 1984, pursuant to Notice. Based upon the Pleadings, including the Commissioners' Report filed July 9, 1984, and testimony, IT IS HEREBY ORDERED THAT:

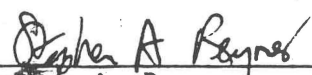
The following described roadway is hereby discontinued:

Commencing at a certain line on Town Highway No. 20 in the Town of West Windsor which is formed by an extension of the easterly edge of Highway No. 21 in the Town of West Windsor where it crosses the aforesaid Town Highway No. 20, thence proceeding in an easterly direction along said Town Highway No. 20 to and past the house owned by Mr. and Mrs. Charles Bronson to the West Windsor-Hartland town line; thence proceeding along Town Highway No. 57 in the Town of Hartland until its intersection with State Aid Road No. 1 in the Town of Hartland.

Dated at Woodstock, County of Windsor, State of Vermont this 15th day of August, 1984.


Presiding Judge

Approved as to form:


Stephen A. Reynes
Attorney for Charles Bronson
and Jill Ireland Bronson

FILED

AUG 15 1984

JANE W. NORMAN
WINDSOR COUNTY CLERK

1984



State of Vermont

AGENCY OF ENVIRONMENTAL CONSERVATION

Montpelier, Vermont 05602

Department of Fish and Game
Department of Forests, Parks, and Recreation
Department of Water Resources & Environmental Engineering
Natural Resources Conservation Council

DEPARTMENT OF FORESTS, PARKS AND RECREATION

June 14, 1984

Mr. Stephen A. Reynes
Attorney at Law
P.O. Box 25
Woodstock, Vermont 05091

Dear Mr. Reynes:

I am in receipt of your letter regarding discontinuation of Hartland Town Highway No. 57 and a portion of West Windsor Town Highway No. 20 in the towns of Hartland and West Windsor.

Historically, it has been the intent of the Forests, Parks and Recreation Board to encourage towns to continue ownership of highway rights-of-way as "trails" where they are of sufficient length or location to be of value to snowmobilers, cross-country skiers, hikers, horseback riders, and other recreational users. In 1982, this policy was formally adopted by the Board, copy attached.

The State Board of Forests, Parks and Recreation will not be present at the June 29 hearing, but does request that this letter be entered into the proceedings of the hearing.

Sincerely,


LEO C. LAFERRIERE
Commissioner

LCL:klw

cc: Paul Guare, Executive Secretary, Transportation Board
George Plumb, Director of Recreation, Dept of FP&R
Ed Chabot, Supervisor, Town Highway Mapping Unit, Highway Dept ✓