## CERTIFICATE OF HIGHWAY MILEAGE YEAR ENDING FEBRUARY 10, 2012

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2012 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 HALIFAX

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 fi	ill in and	calculate totals.
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Town Highways	Previous Mileage	Added Mileage	Subtracted Mileage	<b>Total</b>	Scenic Highways
Class 1	0.000				0.000
Class 2	16.800				0.000
Class 3	47.48				0.000
State Highway	5.846				0.000
Total	70.126				0.000
* Class 1 Lane	0.000				0.000
* Class 4	4.60	2.492.24		7.09 6.8	4
* Legal Trail	0.00	9. 678.77		9.67	→ 8. 7 7
* 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. Adjust ments by

- 1. NEW HIGHWAYS: Please attach Selectmen's "Certificate of Completion and Opening".
- 2. DISCONTINUED: Please attach SIGNED copy of proceedings (minutes of meeting).
- RECLASSIFIED/REMEASURED: Please attach SIGNED copy of proceedings (minutes of meeting).
   Total 11.91 mi Legal Trail
   LT-1 0.15 mi, LT-2 0.90 mi, LT-3 1.00 mi, LT-4 0.85 mi, LT-5 1.10 mi, LT-6 0.75 mi, LT-7 0.89 mi, LT-8 1.25 mi, LT-9 0.70 mi, LT-10 1.54 mi, LT-11 1.00 mi, LT-12 1.40 mi, LT-13 0.38 mi
- 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: /bkn Ja Flamme	
Edle L. Edward	
Lauris I Summer Est 7 201	
T/C/V Clerk Signature: A allicia La Date Filed: Leb, 7, 201	S
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  DATE: 6/25/20/3	

Johnathan Crost

Received

MAR 1 2012

Policy, Planning & Intermodal Development Division

#### **Vermont Statutes Annotated**

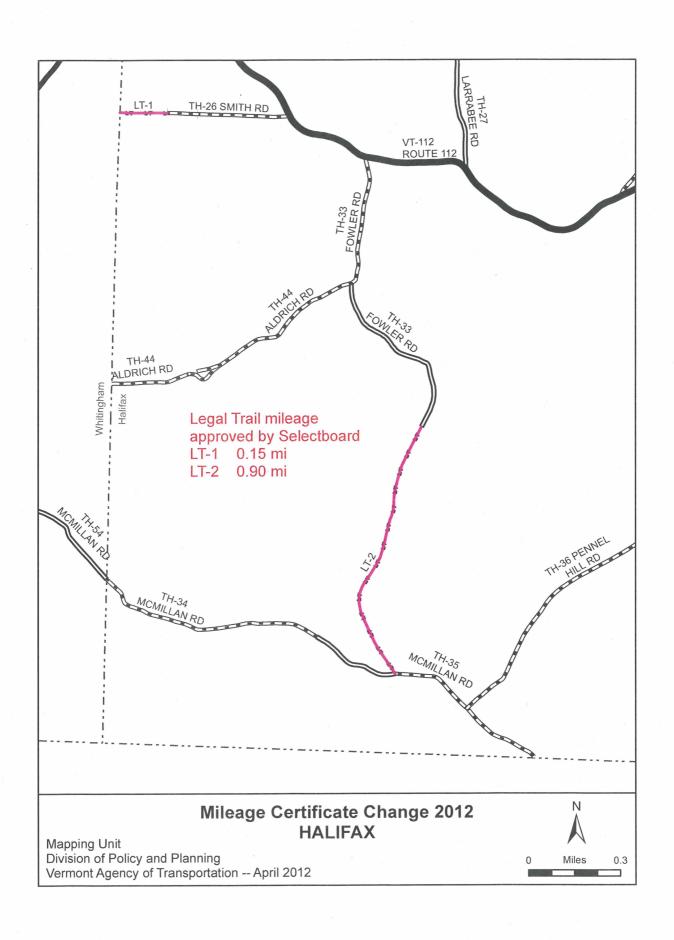
# 19 V.S.A. § 305. Measurement and inspection

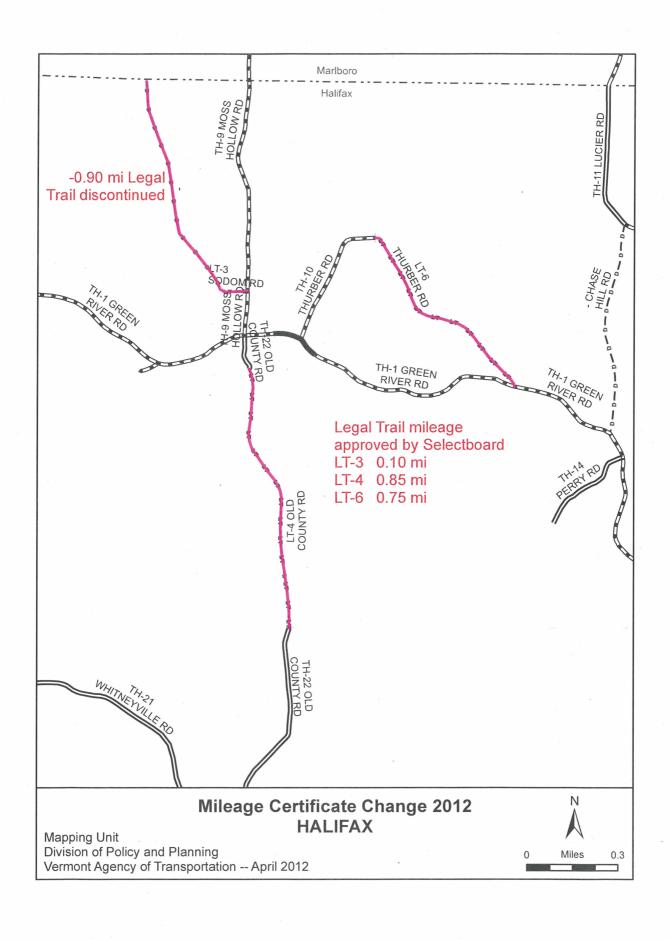
### § 305. Measurement and inspection

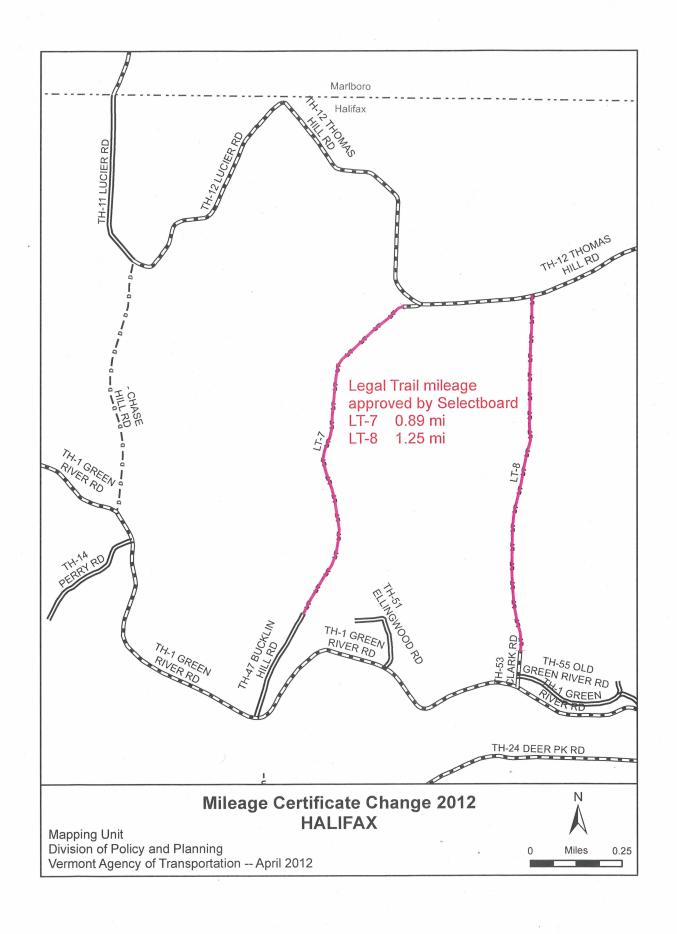
- (a) After reasonable notice to the selectboard, a representative of the agency may measure and inspect the class 1, 2, and 3 town highways in each town to verify the accuracy of the records on file with the agency. Upon request, the selectboard or their designee shall be permitted to accompany the 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.

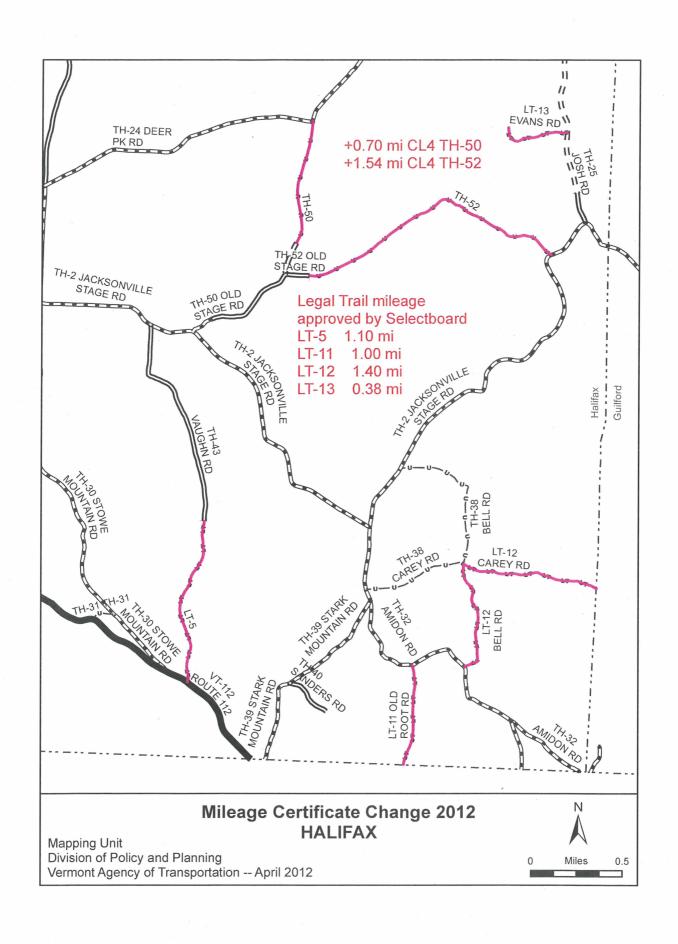
Excerpt of 19 V.S.A. § 305 - Measurement and inspection from Vermont Statutes Online located at – http://www.leg.state.vt.us/statutes/fullsection.cfm?Title=19&Chapter=003&Section=00305

12/20/2010









## Moulton, Sara

From:

Moulton, Sara

Sent:

Tuesday, March 20, 2012 2:58 PM

To: Subject: 'townclerk@halifaxvermont.com' Halifax Mileage Certificate Follow Up

Attn: Lewis Sumner, Selectman

Thank you for sending the appropriate documentation (court decisions trump Selectboard minutes). I need to double-check the mileages with you since I am coming up with different totals.

This is the summary of what I am coming up with

	Previous Mileage	Added Mileage	Subtracted Mileage	Total
Class 4	4.60	2.24		6.84
Legal				
Trail	0.00	8.77	w =	8.77

The above summary is based on the following breakdown

	Legal	TH	LT	CL4 TH	Discontinued
	Trail	Number	Mileage	Mileage	Mileage
	LT-1	TH-26	0.15		
,	LT-2	TH-33	0.90		
	LT-3	TH-57	0.10		0.90
	LT-4	TH-22	0.85		
	LT-5	TH-43	1.10		
	LT-6	TH-10	0.75		
	LT-7	TH-47	0.89	9	
	LT-8	TH-53	1.25		
	LT-9	TH-50		0.70	
	LT-10	TH-52		1.54	
	LT-11	TH-56	1.00		
	LT-12	TH-59	1.40		
	LT-13	TH-49	0.38		
TOTALS			8.77	2.24	0.90

The map has notes about portions of TH-21 and TH-38 being Class 4, but these are already mapped as Class 4 town highways, so I didn't consider them to be changes as part of this year's Mileage Certificate.

Please let me know if I have misinterpreted the documentation or if I have missed something.

Sara Moulton, GISP
Mapping & GIS Specialist, Mapping Unit
Division of Policy and Planning
Vermont Agency of Transportation (VTrans)

Tel: 802-828-2109

# Town of Halifax P.O. Box 127 246 Branch Road West Halifax, Vermont 05358

State of Vermont Attn: Sara Moulton 1 National Life Drive Montpelier, VT 05633-5001

Dear Ms. Moulton:

We received your letter regarding the documentation of certain roads in Halifax.

Through our investigation, enclosed are documents that have been recorded in our Town's Land Records regarding the roads in question. Referring to your letter dated March 7, 2012 LT-9 and LT-10 has a court order to be left as roads. Enclosed is a document copied from book 34 page 409-410 of the Halifax Land Records which shows item # 3 and #4 to remain as a public highway. Also referring to your letter, regarding the discontinuance of an undetermined mileage of LT-3, enclosed is a copy from book 22 page 305 of the Halifax Land Records which shows the Discontinuing of a Highway. This discontinuance starts 500' from the intersection of town highway 37 shown on the enclosed map highlighted and referenced by the number 1.

We are not able to honor your request for Selectboard minutes, abutters letters, site visit minutes and newspaper articles. These road actions occurred in 1933 and 1973 respectively and this type of documentation was not kept at that time. We have provided you with what we believe is the best documentation regarding the above mentioned roads.

If you have any questions, please do not hesitate to contact us at 802/368-7390 or townclerk@halifaxvermont.com.

Sincerely,

Lewis Sumner, Selectmen

Lewis L Summer

Enclosures



# Received

MAR 1 9 2012

Policy, Planning & Intermodal Development Division

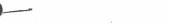
WESLEY A. STONE, DENNISON LUMBER CO., MERLIN BISHOP and GEORGE ROWEN.

Plaintiffs

JUDGMENT ORDER

TOWN OF HALIFAX,

Defendant.



JUN 1 0 1987

STATE OF VERMONT Windham County, ss.

WESLEY A. STONE, DENNISON LUMBER CO., MERLIN BISHOP and GEORGE ROWEN.

Plaintiffs

SUPERIOR COURT, WINDHAM COUNTY Docket No. C27-72WmM.

ν.

TOWN OF HALIFAX,

Defendant

JUDGMENT ORDER

The report of the Commissioners appointed in the within cause having been filed on August 8, 1973 and none of the parties hereto having requested a hearing thereon or objected thereto. it is hereby ORDERED, ADJUDGED and DECREED:

A. That the report of the Selectmen of the Town of Halifax dated July 24, 1972 and recorded on August 1, 1972 in Land Records of the Town of Halifax at Book 28, Page 495-502 is amended as follows;

Item #4 - Road #52 to remain a public highway.

Item #3 - Road #50 to remain a public highway.

Item #7 - Unnumbered roads southerly of Town Road #32 be altered to trails.

Item #8 - Road #25 - Beginning at the entrance to the cemetery on road #25 and extending southerly to the northerly side of the bridge over Deer Park Brook so called be altered to a trail.

Item #9 - Altered to a trail.

Item #2 - Portion of the "Vaughn Road" so called -Irom Mr. Bishop's house and extending in a southerly direction to the junction of State a true copy of the original on CLERKS OFFICE attraction. The Windham Superior FILED ATTORNEY AT LACOUNT, Newfane VI.

BEATTLEBORD. VI. BULLOT STREET THIS BRATTLEBORD. VI. A PLANTAGE OF THE STREET COLUMN TO THE STREE Beginning at a distance of 300' feet southerly

CEEPE - Deputy Clerk

(SEAL AFFIXED) (VERMONT SUPERIOR COURT) (WINDHAM COUNTY)

10

Item #15 - Unnumbered Road Beginning at a point which is 0.14 mi. south westerly of the junction of town road #44 and #33 (This point meaning to be the property line of Bul Kuhn thence extending westerly to the Whitingham Town line be altered to a trail.

Item #16 - Road be altered to a trail.

Item #17 - That town road #35 remain a public highway.
That beginning at a point 300' feet westerly of the junction of town highways #35 and #33 (which point is on highway 34) and extending westerly to a point adjacent to the driveway of the Ireland Place so called be altered to a trail.

Item #18 - Off town Highway #4 near "Cutts" and extending thru the Garland property to the Whitingham town line remain a public highway.

That the remainder of said report of the Selectmen of the Town of Halifax is affirmed.

Done at Newfane the  $25^{2}$  day of June, 1974.

Underwood Superior Judge

Philip T. Lane Assistant Judge

Approved as to

Robert Grussing III

Attorney for the Plaintiffs

Attorney for the Defendants

ROBERT GRUSSING III ATTORNEY AT LAW 4 ELLIOT STREET BRATTLEBORO. VT.

(SEAL AFFIXED) (VERMONT SUPERIOR COURT) (WINDHAM COUNTY)

HALIFAX, VERMONT, TOWN CLERK'S OFFICE, June 11, 1987 at 10:00 A.M. Received for Record a Judgment Order of which the foregoing is a true copy.

Laura Summer Town Clerk

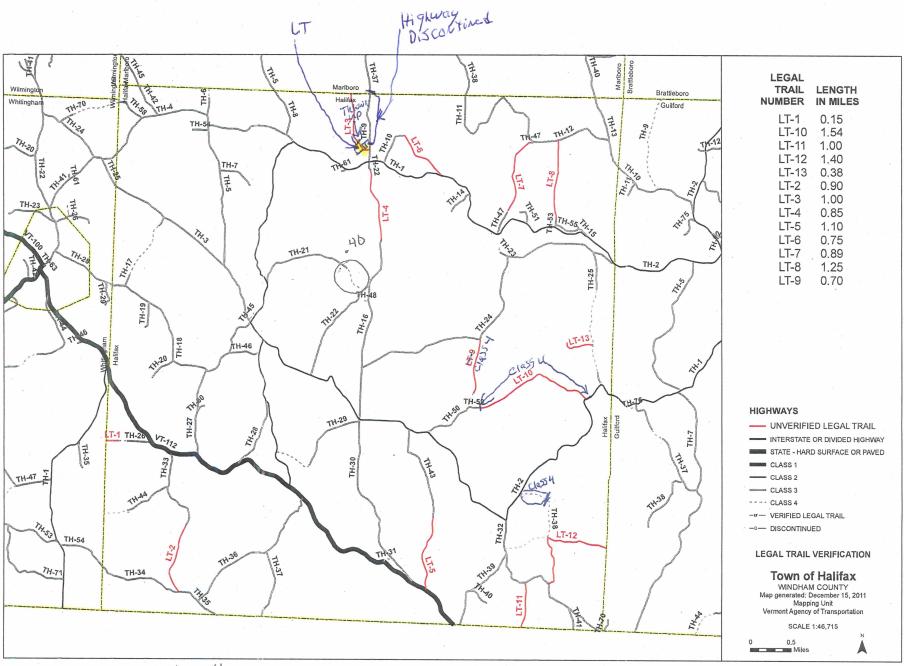
Pg BOOK 22 In Witness Whereof, we have hereunto set our hands and seals This 8th day of July, in the year of our Lord one thousand nine hundred and thirty-three. and my conside Ligned, Sealed and Delivered, n, rein presence of ce, in Merritt L. Fisher (seal) Beatrice J. Brown twhere Mrs. Mildred f. hisher (seal) J. T. Sohwenk sold, se, cor State of Germont, & Ersonally appeared this 8th day of July, 9. D. 193. id ansi Hindham County, SS. ) Merrit L. Fisher and Milaret J. Frisher, the signer " Halifa and sealers of the above wither instrument, and schnowledged the same to be their free act and deed. orners, Before me, A. F. Schwenk, Justice of the Peace. sido. e wal One Dollar of Revenue Stamps affixed to above mentioned deed. te; road Received for record the 1st day of September, A. D. 1933 at 10 o'clock and 5 min. A. M.

A true record,

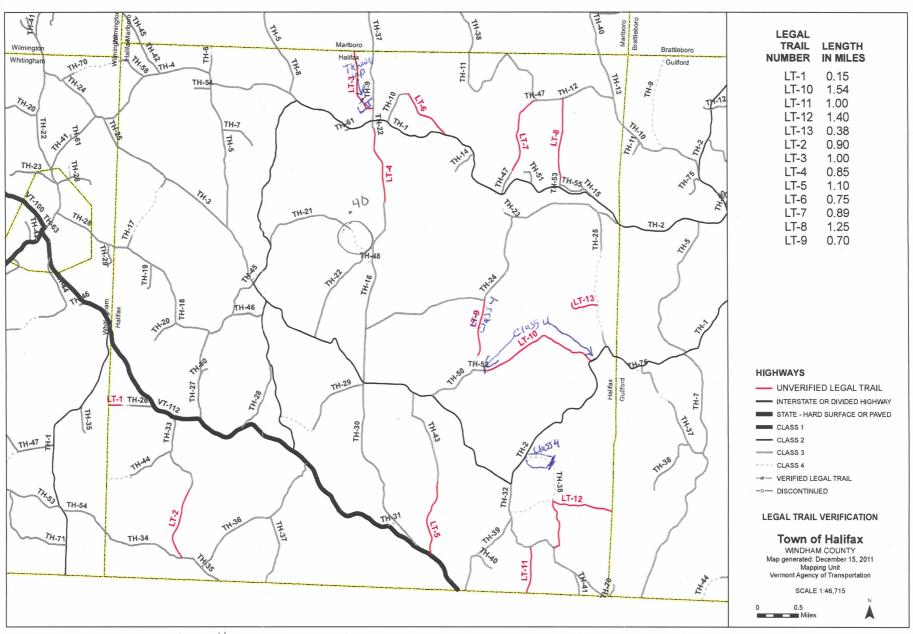
Attest,

7. E. Goodnough

Town Clerk. Clar do 200 use blie he hipe f Discontinuing Highway the He the undersigned selectmen of Halifax, Vt. having duly utt mode of posted notices in complyence of the law, have this day what and voted and agreed to discontinue the road from the house · on lot of Harris place in Harrisville to the Town line of Marlboro, 33, O.M. amidon ) Selectmen mise said Floyd M. Stone & Hallfax use Received for record the 30th day of June a.D. 1933 at いつわ six o'clock and 30 minutes P.M. A true record, hat the H. E. Goodnough That Town Clerk. 3, ntee id est



TH21 - .40 Class 4





**State of Vermont** 

**Agency of Transportation** 

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

March 7, 2012

Chair, Selectboard Halifax, c/o Town Clerk PO Box 127 West Halifax, VT 05358

Dear Town Clerk and Selectboard Chair:

We have received Halifax's 2012 Certificate of Highway Mileage on which adjustments to the preloaded Legal Trail mileage were made by the town. Based on the associated Legal Trails Verification map, it looks like the town has made several changes to the Legal Trails since VTrans last recorded information about them. The changes appear to be:

0.70 mi LT-9 reclassified to Class 4
1.54 mi LT-10 reclassified to Class 4
an unspecified mileage of LT-3 has been discontinued.

In order to process these changes, we need documentation that demonstrates that the town followed the reclassification and discontinuance process as defined in V.S.A. Title 19, § 709. Notice and hearing. Specifically, we need the following items:

- -- copies of the Selectboard's minutes of the meetings at which the Selectboard took action on these reclassifications.
- -- a copy of the notice that was sent to the abutting landowners via certified mail.
- -- a copy of the notice that was sent to the local newspaper including the name of the newspaper, and
- -- a copy of the minutes of the site visit.

The Vermont Statutes Annotated can be referred to online at this address: http://www.leg.state.vt.us/statutes/sections.cfm?Title=19&Chapter=007

Another resource that might be helpful is "The 'Orange Book' a Handbook for Local Officials" available online at http://www.aot.state.vt.us/ops/documents/AOT-OPS\_OrangeBook.pdf.

If we receive these items by March 20, we can process the changes on the Certificate and incorporate the changes on the 2012 Town Highway Map. Please let me know if you have any questions.

Sincerely,

Sara Moulton

Mapping & GIS Specialist

Sara Moulton

TOWN OF HALIFAX
Patricia Dow, Clerk
P.O. Box 127
West Halifax, VT 05358
Phone & Fax: 802/368-7390

#### FAX COVER SHEET

DATE:

February 28, 2012

TO:

Sara Moulton

FAX:

802/282-2334

PHONE:

RE:

Certificate of Highway Mileage

PAGES:

2 PAGES INCLUDING THE COVER SHEET

Sara, I am so sorry I neglected to mail you the Certificate of Highway Mileage in a timely manner. With Town Meeting and all the Select Board and FEMA meetings that have occurred this month, I have been a little overwhelmed, to say the least. I am putting it in the mail today and I am faxing you this copy for your information. I do understand it was supposed to be in by February 20, 2012 and I apologize for my error.

Thanks

Patty

#### District 1, 2

## CERTIFICATE OF HIGHWAY MILEAGE YEAR ENDING FEBRUARY 10, 2012

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2012 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 HALIFAX

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	<i>TOTALS - Please</i>	fill in and calculate totals.
------------------	------------------------	-------------------------------

Town Highways	Previous Mileage	Added Mileage	Subtracted Mileage	Total Total	Scenic Highways
Class 1	0.000			1	0.000
Class 2	16.800		!	1	0.000
Class 3	47.48			1	0.000
State Highway	5.846			1.	0.000
Total	70.126			1	0.000
* Class 1 Lane	0.000		1	1	0.000
* Class 4	4.60	2.49	1	7.09	
* Legal Trail	0.00	19.67		9.67	1
* Unidentified Corridor	0.00		1		1

<sup>\*</sup> 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).
- RECLASSIFIED/REMEASURED: Please attach SIGNED copy of proceedings (minutes of meeting).
   Total 11.91 mi Legal Trail
   LT-1 0.15 mi, LT-2 0.90 mi, LT-3 1.00 mi, LT-4 0.85 mi, LT-5 1.10 mi, LT-6 0.75 ml, LT-7 0.89 ml, LT-8 1.25 mi, LT-9 0.70 mi, LT-10 1.54 mi, LT-11 1.00 mi, LT-12 1.40 mi, LT-13 0.38 mi
- 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:	Solo to Flamme Edge L'Edgurd
T/C/V Clerk Signature: Latricia	Date Filed: Feb. 7, 2012
Please sign ORIGINAL and return it for Transpo	rtation signature.
AGENCY OF TRANSPORTATION APPRO	VAL: Signed copy will be returned to T/C/V Clerk.
APPROVED:	
Representative, Agency of	f Transportation

## State of Vermont

Agency of Transportation

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

Halifax Chair, Selectboard Halifax, c/o Town Clerk PO Box 127 West Halifax, VT 05358

January 2012

The Agency of Transportation – Mapping Unit has on file information regarding legal trails within municipalities. A legal trail is a trail that is defined within Vermont Statutes in 19 V.S.A. § 301(8) and 19 V.S.A. § 302(5).

In 2006, Act 178 added the requirement that all legal trails are to be mapped by July 1, 2015. As a means of working toward this requirement, the Mapping Unit has reviewed its municipal files and noted all the legal trails currently on record at VTrans. Starting in the 1940's many trails have been shown on the General Highway Maps as dashed lines, with the letters "LT" added to the dashed lines in more recent decades.

In some cases, the mileage of the trails has been included on the Certificate of Highway Mileage and also on the Trail Mileage Summary on the General Highway Map. In other cases, a trail may be on the map but the mileage is not accounted for. The mileage for these legal trails needs to be added for compliance with Act 178 of 2006 and the requirements defined in 19 V.S.A. § 305(b) and 19 V.S.A. § 305(c).

To assist in the process of accounting for known legal trails, the Mapping Unit is providing a listing of the trails on record and including the total mileage on the Certificate of Highway Mileage. The majority of trails were created by the reclassification of a town highway into a trail, thus the legal trail inherited an official measurement. The former town highway number has been included in the FORMER TOWN HIGHWAY NUMBER column, and the former town highway mileage in the AOTMILES column for each trail. VTrans has assigned a trail number, such as LT-1, to make the trails distinct. If the AOTMILES column is zero, the municipality will need to provide a mileage. The column ARCMILES provides guidance on the mileage of a trail, derived from the geometry of the trail, as digitized in the Geographic Information System (GIS).

The legal trail mileage on file is as follows: (over, see next page)

# State of Vermont

Agency of Transportation

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

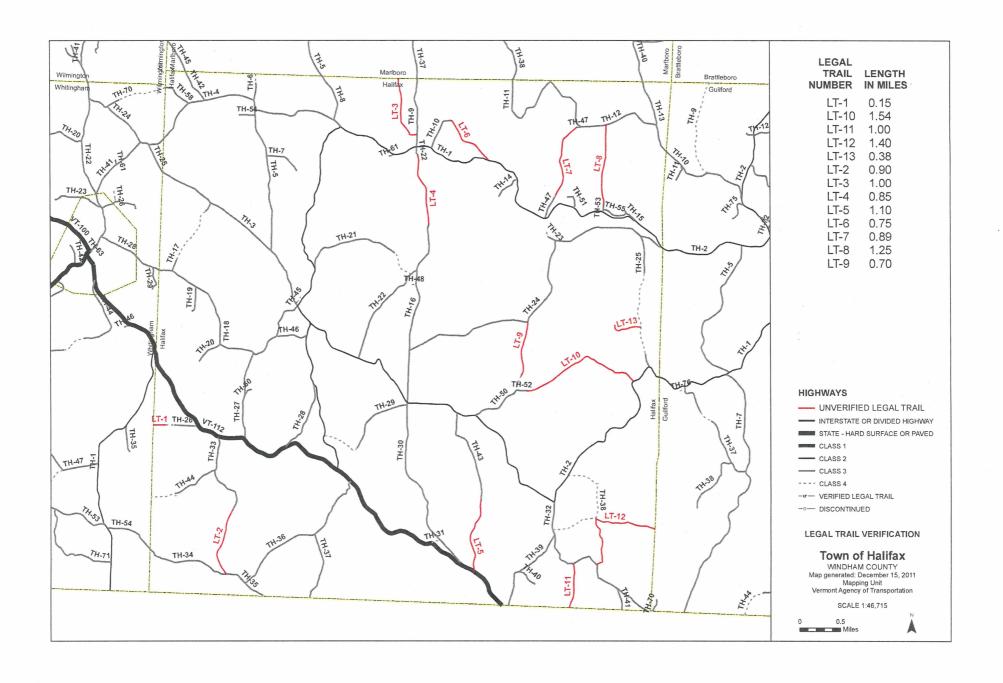
HIGHWAY / LEG TRAIL IDENTIFI		S ARCMILES	FORMER TOWN HIGHWAY NUMBER
LT-1	0.15	0.16	TH-26
LT-10	1.54	1.54	TH-52
LT-11	1.00	0.55	TH-56
LT-12	1.40	1.39	TH-59
LT-13	0.38	0.38	TH-49
LT-2	0.90	0.88	TH-33
LT-3	1.00	0.82	TH-57
LT-4	0.85	0.88	TH-22
LT-5	1.10	0.93	TH-43
LT-6	0.75	0.70	TH-10
LT-7	0.89	0.95	TH-47
LT-8	1.25	0.98	TH-53
LT-9	0.70	0.68	TH-50
1	otal 11.91	10.83	

To account for the known legal trails currently on file in the VTrans Mapping Unit records, the total mileage of the trails listed has been pre-loaded as added mileage on the Certificate of Highway Mileage. The legislative body of the municipality may make any adjustments and provide the necessary documentation for the changes.

If you have any questions, please call me at 802-828-2109 or send email to sara.moulton@state.vt.us.

Thank you.

Sara Moulton Mapping and GIS Specialist



Syncid mileage /21. grand 20ct 2009

TOWN:	HAI	IFAX	
She	eet	of	

## **ACT 178 LEGAL TRAILS**

Policy and Planning Division - Mapping Unit

Legal Trail No.	Original Town Highway No.	Present Mileage	Remarks	
LT-1	TH-26	0.15	0.25 CL4 to Legal Trail (1987) 0.10 Legal Trail to CL4 (2005)	
LT-2	TH-33	0.90	0.90 CL4 to Legal Trail (1987)	
LT-3	TH-57	1.00	1.00 CL4 to Legal Trail (1987)	
LT-4	TH-22	0.85	0.85 CL4 to Legal Trail (1987)	
LT-5	TH-43	1.10	1.10 CL4 to Legal Trail (1987)	
LT-6	TH-10	0.75	0.75 CL4 to Legal Trail (1987)	
LT-7	TH-47	0.89	0.96 CL4 to Legal Trail (1987) 0.05 LT to CL3 (2003) 0.02 LT to CL4 (2005)	
LT-8	TH-53	1.25	1.25 CL4 to Legal Trail (1987)	Court
LT-9	TH-50	0.70	0.89 CL4 to Legal Trail (1987) 0.19 LT to CL4 (error correction 1988)	750
LT-10	TH-52	1.54	1.54 CL4 to Legal Trail (1987)	52
LT-11	TH-56	1.00	1.00 CL4 to Legal Trail (1987)	7
LT-12	TH-59	1.40	1.40 CL4 to Legal Trail (1987)	
LT-13	TH-49	0.38	0.38 CL4 to Legal Trail (1987)	-
			-	,