

CERTIFICATE OF HIGHWAY MILEAGE
YEAR ENDING FEBRUARY 10, 2011

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2011 to: Vermont Agency of Transportation, Division of Planning, Outreach and Community Affairs, One National Life Drive, Montpelier, VT 05633.

We, the members of the legislative body of LINCOLN in ADDISON 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.

Table with 6 columns: Town Highways, Previous Mileage, Added Mileage, Subtracted Mileage, Total, Scenic Highways. Rows include Class 1, Class 2, Class 3, State Highway, Total, Class 1 Lane, Class 4, Legal Trail, and Unidentified Corridor.

* 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.

Change not accepted
S. Monahan
4/7/2011

- 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).
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:

Handwritten signature: Barbara Ruttle

T/C/V Clerk Signature:

Handwritten signature of T/C/V Clerk

Date Filed:

2/15/11

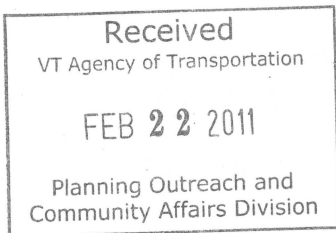
Please sign ORIGINAL and return it for Transportation signature.

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

APPROVED:

Representative, Agency of Transportation

DATE:



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



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

Agency of Transportation

Telephone: 802-828-2600
Fax: 802-828-2334
Email: johnathan.croft@state.vt.us

April 15, 2011

Barbara Rainville, Selectboard Chair
Town of Lincoln, c/o Town Clerk
62 Quaker St
Lincoln, VT 05443

Dear Ms. Rainville,

The VTrans Mapping Unit has not accepted the addition of 0.08 miles of class 4 town highway as submitted on Lincoln's 2011 Certificate of Highway Mileage, due to the lack of documentation showing the process defined in 19 V.S.A. Chapter 7 was followed.

VTrans sent a letter on February 24, 2011 to the Town of Lincoln requesting additional documentation regarding the 0.08 mile extension of TH-41 and no documents have been received to date.

The changes that were listed on the 2011 Certificate of Highway Mileage may be re-submitted on the 2012 Certificate for review and the potential inclusion on the 2012 Town Highway Map.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Johnathan Croft".

Johnathan Croft
AOT GIS Database Administrator
VTrans Mapping Unit

JFC/jfc

Enclosures

cc: Chris Cole, Director of the VTrans Policy, Planning & Intermodal Development Division
John Dunleavy, Assistant Attorney General
Gil Newbury, District Transportation Administrator
Sue Clark, VTrans Planning Coordinator



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

Agency of Transportation

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

February 24, 2011

Chair, Selectboard
Lincoln, c/o Town Clerk
62 Quaker St
Lincoln, VT 05443

Dear Town Clerk and Selectboard:

We have received Lincoln's 2011 Mileage Certificate and need more documentation in order to process what appears to be an addition of a 0.08-mile section of Class 4 to Town Highway TH-41.

We need documentation that demonstrates that the town followed the process as defined in V.S.A. Title 19, § 709. Notice and hearing. Specifically, we need the following:

- 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,
- a copy of the minutes of the site visit, and
- a copy of the minutes of the Selectboard meetings at which the Selectboard took action with respect to the change.

The Vermont Statutes Annotated are available 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.

Please let me know if you have any questions.

Thank you.

Sincerely,

A handwritten signature in blue ink that reads "Sara Moulton".

Sara Moulton
Mapping & GIS Specialist

Town of Lincoln

62 Quaker Street
Lincoln, Vermont 05443-9253

Phone (802) 453-2980
Fax (802) 453-2975
e-mail: clerk@lincolnvermont.org

February 17, 2011

Jonathan Croft
VT Agency of Transportation
Planning, Outreach and Community Affairs Division
Mapping Unit
1 National Life Drive
Montpelier, VT 05633-5001

Dear Mr. Croft,

Enclosed please find the Certificate of Highway Mileage for the Town of Lincoln. One of our Selectboard members, Brian Goodro, called you to talk about how to include a change in Class 4 road mileage when the process for adding that mileage is not yet complete. Per your directive and in good faith, the Selectboard measured the distance in question on the map that is recorded in our land records, and have estimated that distance to be 397.89 feet, or .08 of a mile. It is our understanding that an official measurement will be made in the spring after the snow melts.

Mr. Croft, thank you for your help with this- we really appreciate it. Please contact us with any further questions or issues.

Sincerely,

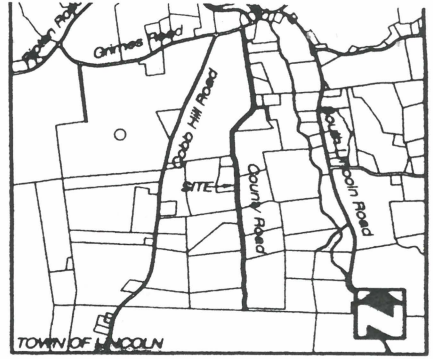


Ann Kensek
Admin. Ass't for the Selectboard

To accompany
Lincoln's Certificate
of Highway mileage
Ann Keusek,
Town of Lincoln

Beginning at Sta: 58+08.00, being the end of Class III status County Road and the beginning of Class IV status of County Road, thence along the following courses and stationing to a point in the northerly line of lands of the United States of America, Green Mountain National Forest:

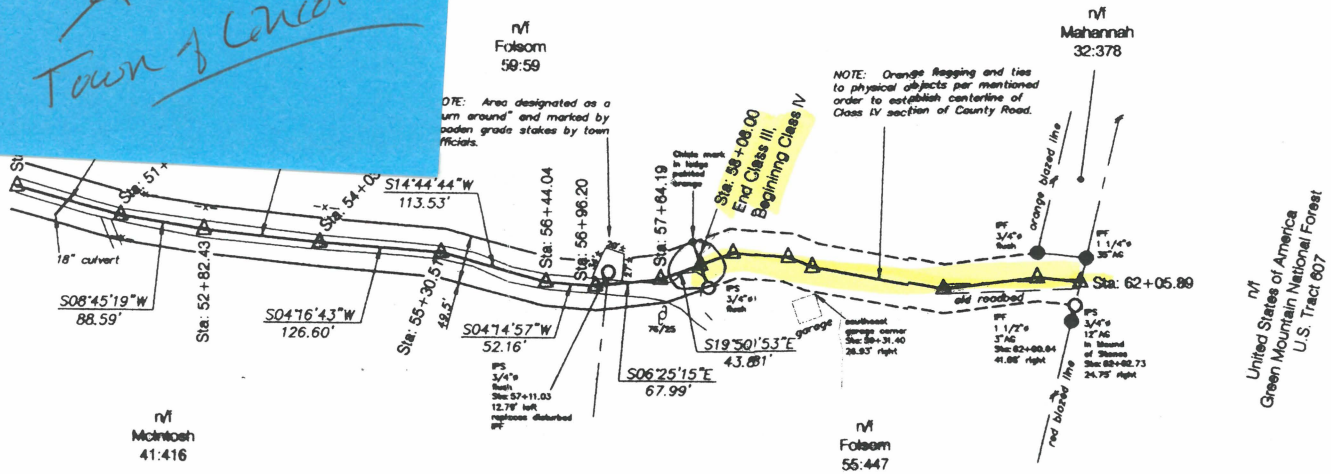
1. From Sta: 58+08.00, $S19^{\circ}30'53"E$, 15.47' to Sta: 58+43.47
2. From Sta: 58+43.47, $S04^{\circ}55'56"W$, 54.15' to Sta: 58+97.62
3. From Sta: 58+97.62, $S22^{\circ}05'21"W$, 26.55' to Sta: 59+24.17
4. From Sta: 59+24.17, $S10^{\circ}36'03"W$, 138.35' to Sta: 60+62.52
5. From Sta: 60+62.52, $S06^{\circ}55'18"W$, 99.03' to Sta: 61+61.55
6. From Sta: 61+61.55, $S08^{\circ}09'43"W$, 44.34' to Sta: 62+05.89, which said station lies in the northerly line of lands of the United States of America, Green Mountain National Forest. Said Sta: 62+05.89 bears $N76^{\circ}33'15"W$, 24.95' from IPF 1 1/4"ø, 35"AG.



Location Plan n.t.s.

Legend

- Project Boundary Line
- - - Adjoiner Boundary Line
- n/v Now or Formerly
- IPF Iron Pipe Found
- PS Iron Pipe Set
- △ Chisle Mark
- Centerline Station
- ⊕ Diameter (inside)
- ± More or Less
- AG Above Ground
- Utility Pole
- Blazed Line
- x - Traces of Wire Fence



NOTE: Area designated as a "turn around" and marked by wooden grade stakes by town officials.

NOTE: Orange flagging and ties to physical objects per mentioned order to establish centerline of Class IV section of County Road.

NOTE: "PK" nails were set in tree roots as accessories to the chisle mark and on the east side of the right-of-way marking the end of class III status and beginning of class IV status as follows:

1. PK nail set in the southwesterly root of a 42" Maple and bears $N14^{\circ}01'07"E$, 55.71' from chisle mark.
2. PK nail set in the Northerly root of a 9" Spruce and bears $S86^{\circ}49'26"E$, 18.11' from chisle mark.
3. PK nail set in the Northerly root of a 14" Yellow Birch and bears $S37^{\circ}39'42"E$, 14.63' from chisle mark.

NOTE: Class IV status from the terminus of Class III status at Sta: 58+08.00 to lands of the United States of America, Green Mountain National Forest per, "Town Road 41, Selectman's Findings, Conclusions and Order dated July 15, 2008", prepared by the Law Offices of Vance & Brennan, P.C., a copy of which is filed with the Town of Lincoln. Said Class IV status is to have a width of three rods (49.5') and is to be centered on the current location as set out by said order and physical evidence located in the field.

NOTE: Wooden grade stakes were set at angle points of Town Highway 41 right-of-way limits over Class IV portion of highway.

TOWN OF LINCOLN
RECEIVED FOR RECORD
OCTOBER 8, 2010
AT 2:00 PM
ATTEST: Sally K. Ober, TOWN CLERK

Survey Notes:

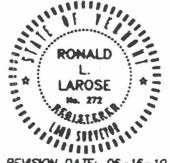
1. This survey has been completed from a previous survey of Town Highway 41 done by this office May 29, 2008.
2. Bearings are based on record bearings from the above referenced survey.
3. The purpose of this survey is to define the southerly portion of Town Highway 41 where said highway transitions from Class III status to Class IV status and terminates at the northerly line of lands of the United States of America, Green Mountain National Forest, and to show a "turn around" area as identified and set forth by Town of Lincoln officials. The public right-of-way of Town Highway 41 is 3 rods (49.5'), over the center of the current traveled way at the request of the Selectman of the Town of Lincoln.
4. This survey depicts centerline course of the southerly portion of Town Highway 41.
5. Reproductions of this sketch are not valid unless signed with a blue inked surveyor's signature.



prepared & proposed by
LaRose Survey, P.C.
Local Surveyors - Boundary Consultants
Water & Septic System Designers
P.O. Box 308 - 25th West Street
Randall, Vermont 05443
802-453-1888
www.larosurvey.com
info@larosurvey.com

TO THE BEST OF MY KNOWLEDGE AND BELIEF THE INFORMATION SHOWN ON THIS PLAT IS A FAITHFUL PORTRAYAL OF CIRCUMSTANCES PERTINENT TO SUBJECT PROPERTY. A COLLABORATION OF FIELD, PAROL AND PERTINENT RECORD EVIDENCE WAS USED IN THE ANALYSIS OF BOUNDARY CONCLUSIONS SHOWN HEREON. THIS PLAT WAS PREPARED IN ACCORDANCE WITH 27 VSA 1403.

Ronald L. LaRose
Ronald L. LaRose, L.S.



REVISION DATE: 06-16-10

plat showing a
survey and right of way width of
the southerly terminus of
TOWN HIGHWAY 41
"COUNTY ROAD"

Lincoln, Addison County, Vermont

February 18, 2010

MAP# 316
PROJECT #0902

Received

VT Agency of Transportation

FEB 23 2011

Planning Outreach and
Community Affairs Division

Town of Lincoln

62 Quaker Street
Lincoln, Vermont 05443-9253

Phone (802) 453-2980
Fax (802) 453-2975
clerk@lincolnvermont.org

FAX COVER SHEET

DATE: 2/21/11
TO: State of Vermont AOT
FROM: Town of Lincoln
RE: copy of Mylar for TH41 to accompany
cert. of Highway Mileage marked 2/18/11

NUMBER OF PAGES, INCLUDING THIS PAGE:

2

NOTES:

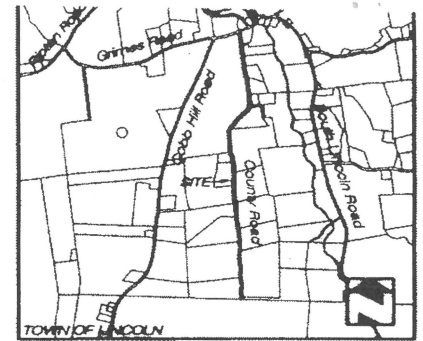
ATTN: Jonathan Croft -

- Paper copy will also be sent -

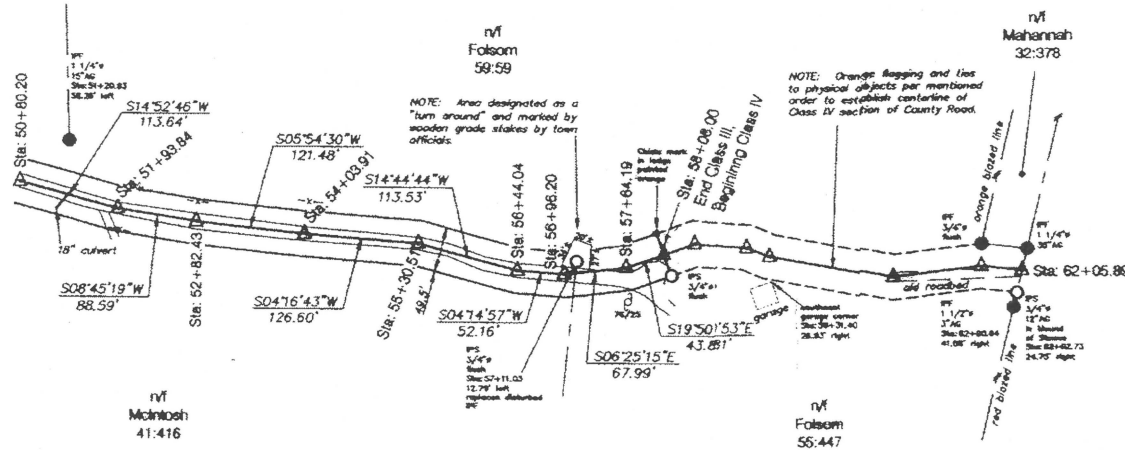


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Location Plan n.t.s.



United States of America
Green Mountain National Forest
U.S. Tract 807

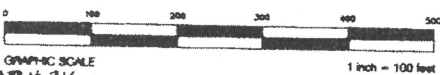
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Ronald L. LaRose
Ronald L. LaRose, L.L.S.



REVISION DATE: 06-16-10

plat showing a survey and right of way width of the southerly terminus of

TOWN HIGHWAY 41 "COUNTY ROAD"

Lincoln, Addison County, Vermont

February 18, 2010

MAP# 316
PROJECT #09023