

CERTIFICATE OF HIGHWAY MILEAGE

YEAR ENDING FEBRUARY 10, 2000

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2000 to: VT Agency of Transportation, Technical Services Division, Drawer 33, Montpelier, VT 05633.



We, the Selectman or Trustee or Alderman of MIDDLEBURY in ADDISON County

on an oath state that the mileage of highways, according to Title 19, V.S.A, Sec #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 1 Lane, Class 2, Class 3, State Highway, Class 4, and Total. Includes handwritten corrections in blue ink.

* Class 1 Lane Mileage and Class 4 is NOT included in total.

PART II - INFORMATION AND DESCRIPTION OF CHANGES SHOWN ABOVE.

- 1. NEW HIGHWAYS: Please attach Selectman's "Certificate of Completion and Opening". Extension of Boardman Street (Class 3 Town Hwy #113) 0.060 miles.
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.

Selectman/ Alderman/ Trustees Signatures:

Betty J. Wheeler, Town Manager and duly authorized agent of the Board of Selectmen.

Clerk Signagture:

Date Filed: 2/8/00

Please sign ORIGINAL and return it for Transportation signature.

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

APPROVED:

Handwritten signature of Agency Representative

DATE:

24 Feb 00

CERTIFICATE OF COMPLETION AND OPENING
OF A HIGHWAY FOR PUBLIC TRAVEL

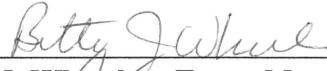
Jon Pominville, Town Clerk of the Town of Middlebury, Vermont.

Pursuant to Title 19, V.S.A., Section 15, as amended 1973, this is to certify that the following described section of Class 3 Highway in the Town of Middlebury was COMPLETED AND OPEN FOR PUBLIC TRAVEL ON March 10, 1999.

DESCRIPTION of RIGHT-OF-WAY:

See attached Warranty Deed from Foster Brothers Farms, Inc. to Town of Middlebury dated 3/10/99. Recorded 3/24/99 at Book 171, Page 43 of the Middlebury Land Records.

Dated at Middlebury, County of Addison and State of Vermont, this 8th day of February, A.D., 2000.



Betty J. Wheeler, Town Manager
And Duly-Authorized Agent of the
Middlebury Board of Selectmen

MIDDLEBURY, VERMONT
FEBRUARY 8, 2000

THE ABOVE IS A TRUE COPY OF THE DESCRIPTION OF CLASS 3 HIGHWAY COMPLETED AND OPENED FOR PUBLIC TRAVEL, RECORDED IN BOOK 171 ON PAGE 43 OF THE LAND RECORDS OF THE TOWN OF MIDDLEBURY ON THE 24 DAY OF March, 1999 AT 4:50 P.M.

ATTEST:


TOWN CLERK OF MIDDLEBURY, VERMONT

WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS That, the FOSTER BROTHERS FARM, INC., a Vermont Corporation with its principal place of business at Middlebury in the County of Addison and State of Vermont, Grantor, in the consideration of TEN (\$10.00) OR MORE DOLLARS paid to its full satisfaction by the TOWN OF MIDDLEBURY, a Municipal Corporation of the Town of Middlebury in the County of Addison and State of Vermont, Grantee, by these presents, do freely GIVE, GRANT, SELL, CONVEY AND CONFIRM unto the said Grantee, TOWN OF MIDDLEBURY and its successors and assigns a certain piece of land in the Town of Middlebury in the County of Addison and State of Vermont, described as follows, viz:

Being a portion only of the same lands and premises described in the following two deeds:

1. Warranty Deed of Harold G. Adams to George W. Foster, Jean H. Foster, Howard C. Foster, Helen R. Foster, Benjamin T. Foster and Lois R. Foster dated June 15, 1969 and recorded in Book 65, Page 196 of the Middlebury Land Records. Said parcel was subsequently conveyed by Quit Claim Deed of Benjamin T. Foster et al to Foster Brothers Farm, Inc. dated July 16, 1971 and recorded in Book 68, Page 605 of the Middlebury Land Records.

2. Warranty Deed of Howard E. Smith and Mary E. Smith to Foster Brothers Farm, Inc. dated July 11, 1979 and recorded in Book 89, Page 119 of the Middlebury Land Records.

The parcel hereby conveyed is a portion of Boardman Street, so-called, located in Adams Acres and is more particularly described as follows:

Commencing at a point marked by a concrete monument set in the southerly or southwesterly line of said Boardman Street and further marking the southerly corner of a portion of Boardman Street as previously conveyed by the herein Grantor to the herein Grantee by Warranty Deed dated April 3, 1986 and recorded in Book 78, Page 434 of the Middlebury Land Records;

DEPPMAN & FOLEY, P.C.
ATTORNEYS AT LAW
P. O. DRAWER 569
MIDDLEBURY, VERMONT
05753

thence curving to the right on an arc having a radius of 725 feet a distance of 148.40 feet along Lot #10 to a point marked by 5/8" x 40" rebar;

thence South 28° 37' East 69.92 feet along said Lot #10 to a point marked by an iron pipe;

thence curving to the left along an arc having a radius of 525 feet a distance of 93.74 feet along said Lot #10 to a point marked by a concrete monument set in the easterly corner of said Lot #10;

thence North 50° 31' East 60.00 feet across Boardman Street to a point marked by a 5/8" x 40" rebar;

thence curving to the right along an arc having a radius of 465 feet a distance of 82.37 feet to a point marked by a 5/8" x 40" rebar;

thence North 28° 37' West 69.92 feet to a point marked by a 5/8" x 40" rebar;

thence curving to the left along an arc having a radius of 785 feet a distance of 162.99 feet to a point marked by a 5/8" x 40" rebar;

thence South 47° 25' West 60.00 feet across Boardman Street to the point or place of beginning, containing 0.43 acres, be the same more or less.

Included as a part of this conveyance are all road and drainage improvements and water and sewer mains (but not individual building service lines) located within the above roadways, and as shown on the plan titled "Foster Brothers Farm, Inc., Adam's Acres Site Plan, Sheet 1, last revised 5/18/84, by Phelps Engineering, Inc." on file in the office of the Middlebury Town Clerk.

Also included as a part of this conveyance are easements for maintenance, reconstruction and repair of the above described water and sewer mains and drainage adjacent to the above roads and within 35 feet of the edge thereof all as shown on the plan titled "Foster Brothers Farms, Inc., Adam's Acres Site Plan, Sheet 1, last revised 5/18/84, by Phelps Engineering, Inc. and on file in the office of the Middlebury Town Clerk.

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

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TOWN OF MIDDLEBURY, and its successors and assigns, to its own use and behoof forever;

And the said Grantor, FOSTER BROTHERS FARM, INC., for itself and its successors and assigns, does covenant with the said Grantee, TOWN OF MIDDLEBURY, and its successors 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 manner aforesaid, that they are FREE FROM EVERY ENCUMBRANCE; except as aforesaid.

And it hereby engages to WARRANT AND DEFEND the same against all lawful claims whatever, except as aforesaid.

IN WITNESS WHEREOF, I hereunto set my hand and seal this 10th day of March, A.D. 1999.

IN PRESENCE OF: FOSTER BROTHERS FARM, INC.
By: Howard C. Foster L.S.
HOWARD C. FOSTER
First Witness
Second Witness Christopher J. Mordigo

STATE OF VERMONT
COUNTY OF ADDISON, SS.

At Middlebury this 10th day of March, A.D. 1999, HOWARD C. FOSTER personally appeared, and he acknowledged this instrument, by him sealed and subscribed, to be his free act and deed and the free act and deed of FOSTER BROTHERS FARM, INC.

Before me,
[Signature]
Notary Public
My Commission Expires: February 10, 2003

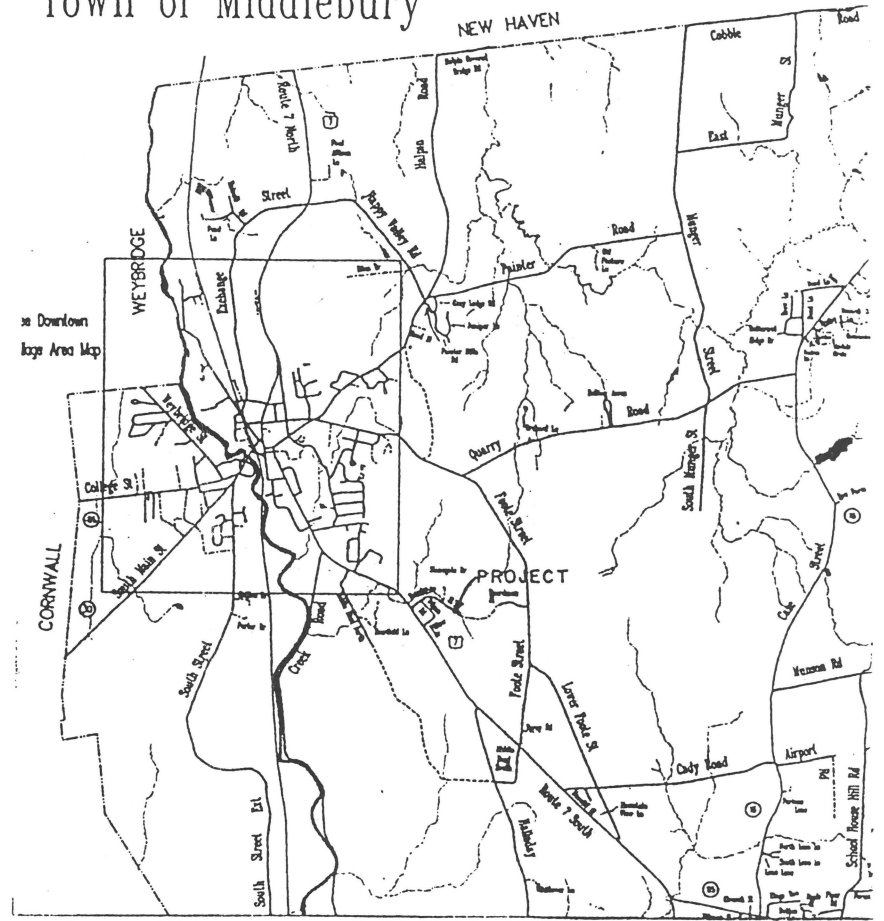
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Vermont Property Transfer Tax
32 V.S.A. Chap. 231
ACKNOWLEDGMENT
Return Rec'd. - Tax Paid - Board of Health Cert. Rec'd. -
Vt. Land Use Development Plans Act Cert. Rec'd.

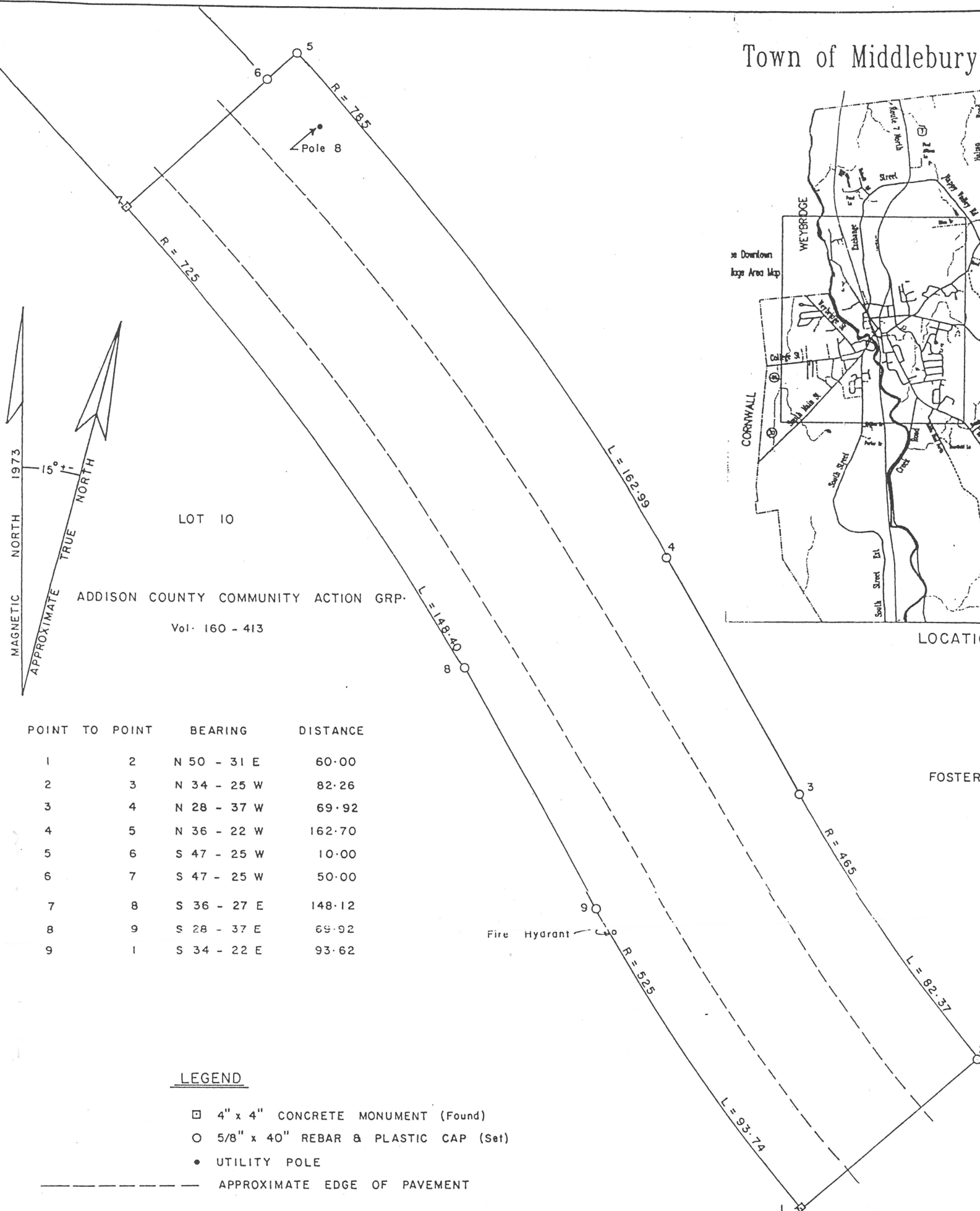
Return No. 99-115
Signed [Signature] Clerk
Date March 24, 1999

Town Clerk's Office Middlebury, Vermont
24th day of March A. D. 1999
4 o'clock 50 Minutes p.
Received and recorded in Vol. 171 Page 44
Attest [Signature] Town Clerk

Town of Middlebury



LOCATION MAP



LOT 10

ADDISON COUNTY COMMUNITY ACTION GRP.
Vol. 160 - 413

FOSTER BROTHERS FARM, INC.
Vol. 68 - 605
Vol. 65 - 196

POINT TO POINT	BEARING	DISTANCE
1 2	N 50 - 31 E	60.00
2 3	N 34 - 25 W	82.26
3 4	N 28 - 37 W	69.92
4 5	N 36 - 22 W	162.70
5 6	S 47 - 25 W	10.00
6 7	S 47 - 25 W	50.00
7 8	S 36 - 27 E	148.12
8 9	S 28 - 37 E	69.92
9 1	S 34 - 22 E	93.62

LEGEND

- 4" x 4" CONCRETE MONUMENT (Found)
- 5/8" x 40" REBAR & PLASTIC CAP (Set)
- UTILITY POLE
- APPROXIMATE EDGE OF PAVEMENT

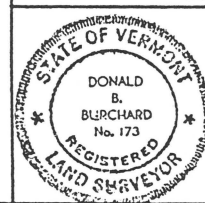
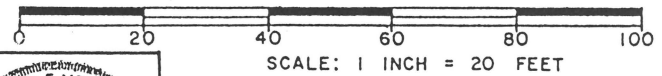
1) BEARINGS AND DISTANCES ARE CALCULATED FROM A CLOSED E-D-M. TRAVERSE. BEARINGS ARE REFERENCED TO MAGNETIC NORTH.

2) THIS MAP IS BASED ON PHYSICAL EVIDENCE FOUND AND IS IN ESSENTIAL AGREEMENT WITH RECORDED DOCUMENTS PERTAINING TO THIS PROPERTY.

3) THE PURPOSE OF THIS SURVEY IS TO DESCRIBE LAND THAT IS TO BE CONVEYED TO THE TOWN OF MIDDLEBURY.

TOTAL ENCLOSED AREA = 0.43⁺ ACRES

A PORTION OF BOARDMAN STREET
to be conveyed to
THE TOWN OF MIDDLEBURY
by
FOSTER BROTHERS FARM, INC.



I CERTIFY THAT THIS MAP ESSENTIALLY CONFORMS TO CURRENT STATE OF VERMONT STATUTORY REQUIREMENTS.

Donald B. Burchard
RLS 173 24 - NOVEMBER - 1998