

District 3
Certcode 0111-0

**CERTIFICATE OF HIGHWAY MILEAGE
YEAR ENDING FEBRUARY 10, 2024**

Fill out form, make and file a copy with the Town Clerk, and submit the Mileage Certificate on or before February 20, 2024 to: Vermont Agency of Transportation, Division of Policy, Planning and Intermodal Development, Mapping Section via email to: aot.mileagecertificates@vermont.gov or if necessary via mail to: VTrans PPAID - Mapping Section, 219 North Main Street, Barre VT 05641.

We, the members of the legislative body of MIDDLEBURY 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.

Town Highways	Previous Mileage	Added Mileage	Subtracted Mileage	Total	Scenic Highways
Class 1	3.907				
Class 2	15.720				
Class 3	46.53		-03	46.50	
State Highway	16.784				
Total	82.941		-03	82.911	
* Class 1 Lane	0.510				
* Class 4	2.89				
* Legal Trail	0.65				

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

DS
Po

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).

3. RECLASSIFIED/REMEASURED: Please attach SIGNED copy of proceedings (minutes of meeting).

-0.03 mi CL3 TH-118 (Forest Ridge Dr) remeasured after clarification of where highway ends

4. SCENIC HIGHWAYS: Please attach a copy of order designating/discontinuing Scenic Highways.

IF THERE ARE NO CHANGES IN MILEAGE: Place an X in the box and sign below.

PART III - SIGNATURES - PLEASE SIGN.

Signatures of Selectmen/ Aldermen/ Trustees: [Handwritten signatures]
Signature of T/C/V Clerk: [Handwritten signature] Date Filed: 01/24/24

Please sign ORIGINAL and return it for Transportation signature.

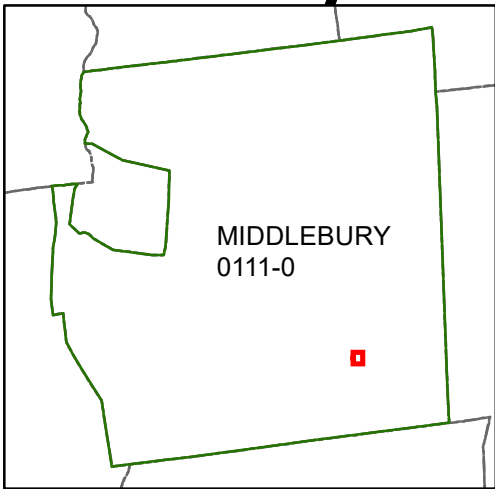
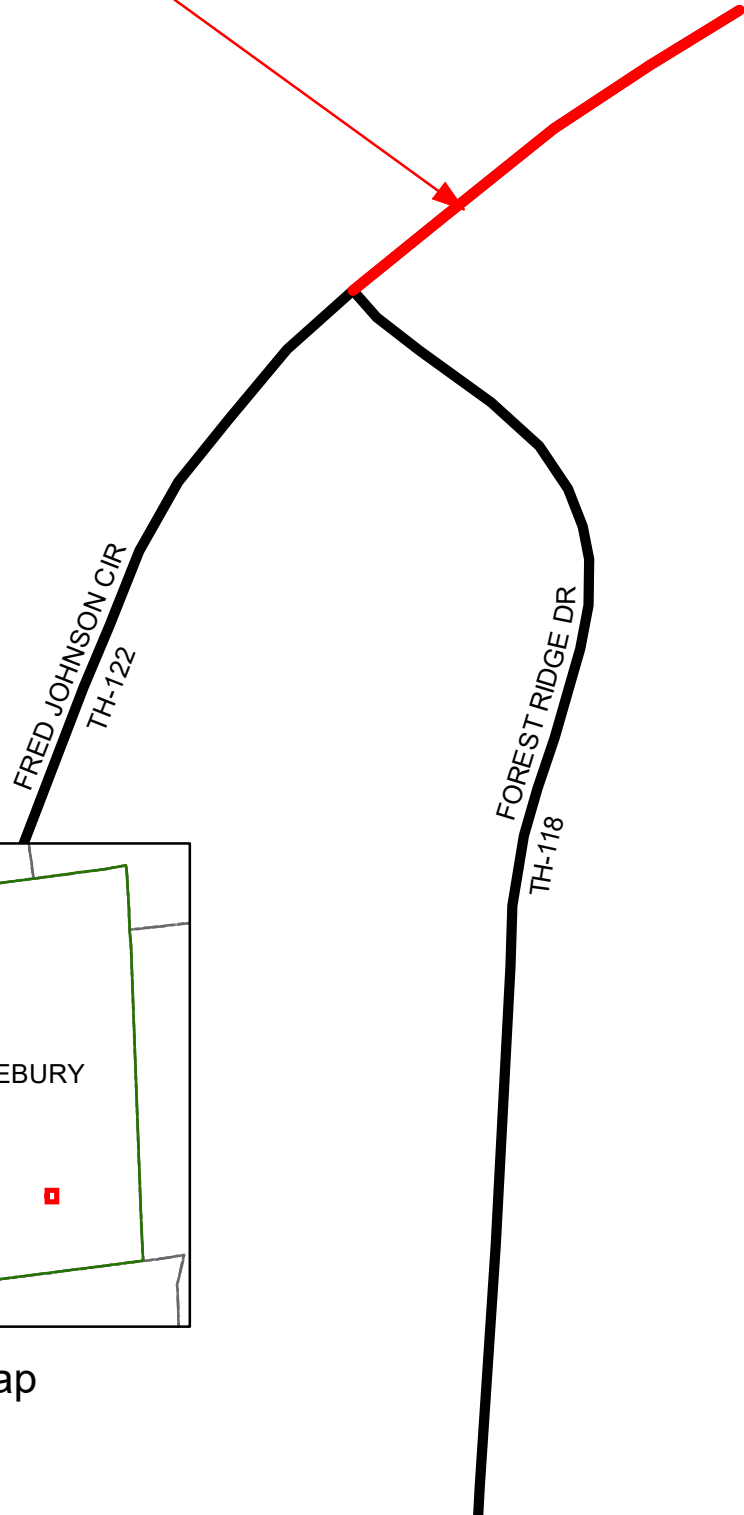
AGENCY OF TRANSPORTATION APPROVAL: Signed copy will be returned to T/C/V Clerk.

APPROVED:

Johnathan Croft
8B1F350F309C4C9
Representative, Agency of Transportation

DATE: 2/5/2024

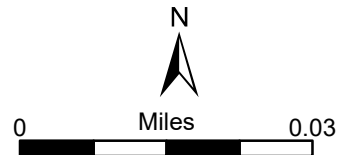
-0.03 mi CL3 TH-118 (Forest Ridge Dr)
remeasured after clarification of where
highway ends
(from 0.61 to 0.58 mi)



Index Map

Mileage Certificate Changes 2024
MIDDLEBURY TH-118

(CTUA:0111-0)
(CERTCODE:0111-0)



From: [Emmalee Cherington](#)
To: [DeAndrea, Pam](#)
Cc: [Kathleen Ramsay; AOT - Mileage Certificates](#)
Subject: RE: TH-118 (Forest Ridge Dr)
Date: Monday, October 2, 2023 9:15:17 AM
Attachments: [image006.png](#)
[image007.png](#)
[image008.png](#)
[image011.png](#)
[image014.png](#)
[image015.png](#)
[image016.png](#)
[image017.png](#)

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Pam-

Thanks for sorting that one out! The Town agrees with your finding.
I may need help remembering by next spring though!

Best-
Emmalee

Emmalee Cherington
DPW- Director of Planning
1020 Route 7 South
Middlebury, VT 05753
echerington@townofmiddlebury.org
802.388.4045 ext. 290



From: DeAndrea, Pam <Pam.DeAndrea@vermont.gov>
Sent: Friday, September 29, 2023 1:31 PM
To: Emmalee Cherington <echerington@townofmiddlebury.org>
Cc: Kathleen Ramsay <KRamsay@townofmiddlebury.org>; AOT - Mileage Certificates <AOT.MileageCertificates@vermont.gov>
Subject: RE: TH-118 (Forest Ridge Dr)

Hi Emmalee,

To follow up, I just did the re-measurement for TH-118 and based on my findings, there should be an adjustment of minus 0.03 miles for the total mileage with a new Class 3 mileage of 0.57 miles (from 0.60 miles). Let me know if the Town agrees with that change and we can include that on the next mileage certificate.

Thank you,

Pam

Pamela DeAndrea (she/her) | AOT GIS Professional III
Policy, Planning & Research Bureau – Mapping Section
Policy, Planning & Intermodal Development Division
Vermont Agency of Transportation
219 N. Main Street | Barre, VT 05641
802-793-7555 phone | pam.deandrea@vermont.gov
<http://vtrans.vermont.gov>



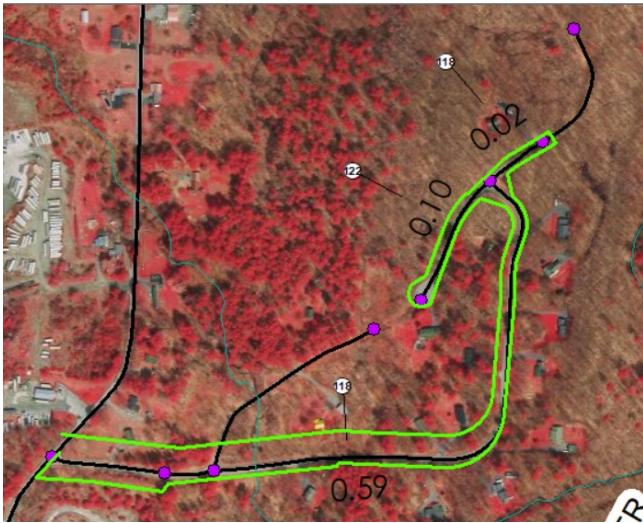
Help raise money for Vermonters impacted by flood damage and show your Vermont pride with *Vermont Strong* and *Tough Too* license plates and socks. [Click here to purchase your Vermont Strong gear](#) or visit DMV.Vermont.gov/VermontStrong23.

Impacted Vermonters can find resources and referrals by visiting Vermont.Gov/Flood.

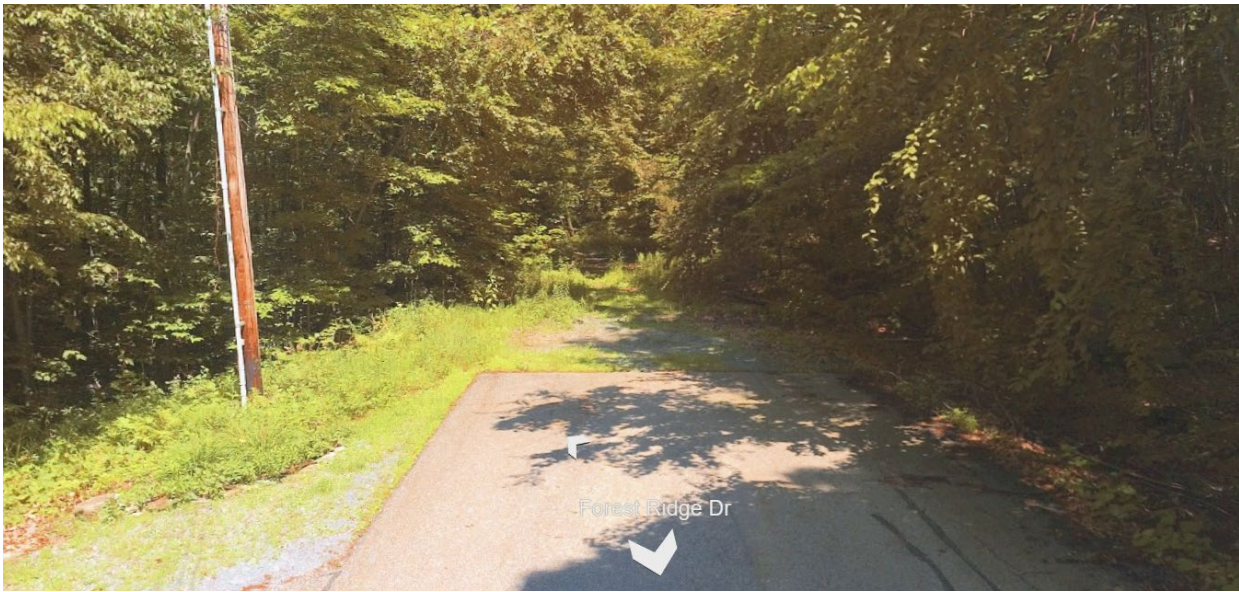
From: DeAndrea, Pam
Sent: Friday, September 29, 2023 12:22 PM
To: Emmalee Cherington <echerington@townofmiddlebury.org>
Cc: Kathleen Ramsay <KRamsay@townofmiddlebury.org>; AOT - Mileage Certificates <AOT.MileageCertificates@vermont.gov>
Subject: RE: TH-118 (Forest Ridge Dr)

Hi Emmalee,

I am writing to you to follow up on our question about TH-118 (Forest Ridge Dr). I figured out what must have happened. I was able to find the original survey data with the deed that was submitted when the road was added back in 1989 (see attached document of portion of 1989 Mileage Certificate). I ran a traverse for this survey data and came up with what are the green lines in the following image:

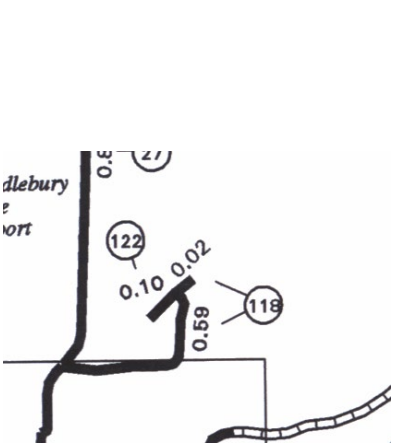


The edge of the ROW corresponds to the end of the pavement in Bing streetside view in the image below.

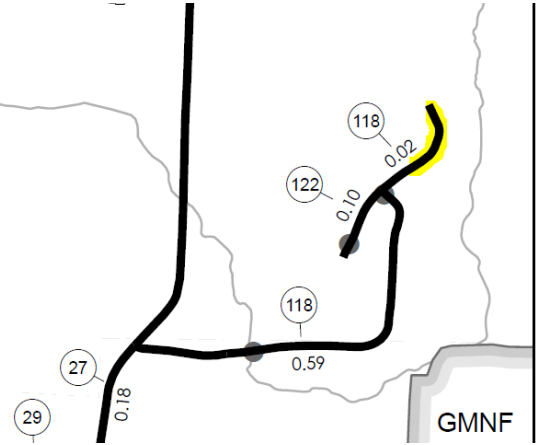


We have come to the conclusion that we have the road mapped incorrectly and that there is no portion of the road that is not up to class 3 standards (or NUTs). The map for some reason changed around 2010 with the addition of that segment past the paved portion but the total mileage (0.61 miles) did not change (see the difference of 2003 and 2010 Town Highway Maps below). In looking at the accurate total road mileage, I don't think it will change much but while we are updating the data, we will remeasure it to make sure the mileage is correctly reflected. If there is any change in the total mileage for the road, we can preload that on the 2024 Mileage Certificate for next year's update cycle. In any case, we will provide you with an updated map next year.

2003 Town Highway Map



2010 Town Highway Map



Best,

Pam

Pamela DeAndrea (she/her) | AOT GIS Professional III
Policy, Planning & Research Bureau – Mapping Section
Policy, Planning & Intermodal Development Division
Vermont Agency of Transportation
219 N. Main Street | Barre, VT 05641
802-793-7555 phone | pam.deandrea@vermont.gov
<http://vttrans.vermont.gov>



Help raise money for Vermonters impacted by flood damage and show your Vermont pride with *Vermont Strong* and *Tough Too* license plates and socks. [Click here to purchase your Vermont Strong gear](#) or visit DMV.Vermont.gov/VermontStrong23.

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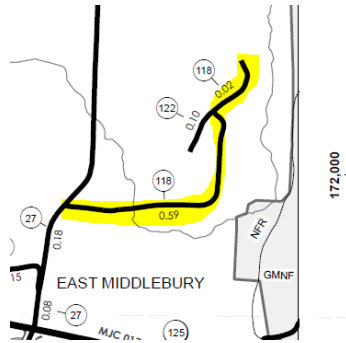
From: DeAndrea, Pam
Sent: Monday, April 10, 2023 11:25 AM
To: Emmalee Cherington <echerington@townofmiddlebury.org>
Cc: Kathleen Ramsay <KRamsay@townofmiddlebury.org>; AOT - Mileage Certificates <AOT.MileageCertificates@vermont.gov>
Subject: RE: TH-118 (Forest Ridge Dr)

Hi Emmalee,

I apologize if I was not clear in my last email. The total measured length of TH-118 that I get from the intersection with TH-27 to the end of pavement is 0.57 miles. The attached inventory indicates that the road is approximately 0.60 miles and describes that the length from the intersection with TH-122 to the end as 0.04 miles. The line that we have mapped past this intersection is much longer than that, which I have measured as 0.14 miles, so about 0.10 miles past the end of the pavement.

The Town is getting credit for 0.61 miles for TH-118 (see image below $0.59 + 0.02 = 0.61$ miles), so this is not far off from what is on the inventory. The segment in the image below = 0.02 miles includes both a paved and unpaved section and the pavement ends where I showed you in the previous email. As I mentioned above, when I measure the road to the end of the pavement, I get 0.57 miles. My question is really around where the road ends and if the entire length is considered the all part of TH-118 (~0.66 miles), then the unpaved part would be considered not up to Class 3 Standards. I can look back in history and see what we may have for the original laying out of the road. If you have that on your end and can send to us, that would be great. It could be that the piece that we have mapped that is not paved is public road and may just be a mapping error. If this is the case, we would just need to do a remeasure of the road section that is paved.

Feel free to give me a call also to discuss over the phone if you still have questions.



Thank you!

Pam

Pamela DeAndrea (she/her) | AOT GIS Professional III
Policy, Planning & Research Bureau – Mapping Section
Policy, Planning & Intermodal Development Division
Vermont Agency of Transportation
219 North Main Street | Barre, VT 05641
802-793-7555 phone | pam.deandrea@vermont.gov
<http://vttrans.vermont.gov>



From: Emmalee Cherington <echerington@townofmiddlebury.org>
Sent: Friday, April 7, 2023 2:36 PM
To: DeAndrea, Pam <Pam.DeAndrea@vermont.gov>

Cc: Kathleen Ramsay <KRamsay@townofmiddlebury.org>; AOT - Mileage Certificates <AOT.MileageCertificates@vermont.gov>

Subject: RE: TH-118 (Forest Ridge Dr)

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Pam-

The road matches what you have highlighted below. Essentially, there is a dead-end with enough room for the plow truck to get turned around at the 0.05-mile mark. I'm confused by the latter part of your message regarding the Class 3 standard vs. NUTs. We are not receiving the full mileage credit for what is paved and maintained, so I will make note to increase that next year. But I don't want to declassify the road that we are maintaining as a Class 3 (to the 0.05-mile mark).

I'm more than happy to discuss over the phone if needed.

Thanks-
Emmalee

Emmalee Cherington
DPW- Director of Planning
1020 Route 7 South
Middlebury, VT 05753
echerington@townofmiddlebury.org
802.388.4045 ext. 290



From: DeAndrea, Pam <Pam.DeAndrea@vermont.gov>

Sent: Friday, March 24, 2023 2:38 PM

To: Emmalee Cherington <echerington@townofmiddlebury.org>

Cc: Kathleen Ramsay <KRamsay@townofmiddlebury.org>; AOT - Mileage Certificates <AOT.MileageCertificates@vermont.gov>

Subject: TH-118 (Forest Ridge Dr)

Good afternoon Emmalee,

We have been working with the Regional Planning Commissions to help us update the surface types of our road data and TH-118 (Forest Ridge Rd) came to us as not being fully maintained to Class 3 standards. It looks like it becomes a trail right after the driveway of the last house on the road (see image below from Bing Street maps). You can see in the second image how we are currently mapping it. We have 0.02 miles that are being counted towards your Class mileage, but the line is much longer than that and the length to the end of the pavement is actually 0.05 miles. We will look through the history on our end and we can work with you next year to update this. If the legal Class 3 designation for this road is actually as long as we have it mapped, then the section beyond where the pavement ends would be deemed Not Up to Standards (NUTs). Let us know if you know anything about this and if the Town has any future plans to reclassify this road to a trail or to discontinue.





Thank you,

Pam

Pamela DeAndrea (she/her) | AOT GIS Professional III
Policy, Planning & Research Bureau – Mapping Section
Policy, Planning & Intermodal Development Division
Vermont Agency of Transportation
219 North Main Street | Barre, VT 05641
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<http://vtrans.vermont.gov>



Middlebury

Hwy. Dist. 5 County ADD

RECORD OF
MILEAGE CHANGES
PLANNING DIVISION

Date	Road Class		Change		Net Change		Remarks
	System	No.	From	To	+	-	
Feb 1989	CL 3	T 116	0.00	0.14	0.14		OAK Dr. New
	CL 3	T 117	0.00	0.18	0.18		Birch Dr. New
	CL 3	T 118	0.00	0.66	0.66		Forest Ridge Rd New
	CL 3	T 119	0.00	0.36	0.36		East Rd. New
	CL 3	T 120	0.00	0.17	0.17		Harrow Way
	CL 3	T 121	0.00	0.04	0.04		Fairview Cir.
	CL 3	T 122	0.00	0.05	0.05		Forest Ridge Rd. New Same AS T 118
	CL 3	T 111	0.75	0.85	0.10		ADDED 0.10 Burnham Dr.
	Town Total	CL 3	42.240	43.940			CHANGES DUE TO MARCH 1st REPORT 19-89 JHK
	Town Total	All Sp	78.252	79.952			
March 1990	CL 3	T 119	0.36	0.18		0.18	-0.18 Due to Rem.
	Town Total	CL 3	43.940	43.760			CHANGES DUE TO MARCH 1st REPORT 19-90 JHK
	Town Total	All Sp	79.952	79.772			
April 1991	CL 3	T 97	0.27	0.62	0.35		ADDED 0.35
	CL 3	T 123	0.00	0.10	0.10		+0.10 CL3 NEW Otterside Court
	CL 3	T 124	0.00	0.12	0.12		+0.12 CL3 NEW PINWOODS RD.
	CL 4	T 29	0.12	0.00		0.12	-0.12 CL4 Disc.
	Town Total	CL 3	43.760	44.330			CHANGES DUE TO MARCH 1st REPORT 19-91 JHK
	Town Total	CL 4	3.900	3.780			
	Town Total	All Sp	79.772	80.342			

CERTIFICATE OF HIGHWAY MILEAGE FOR YEAR ENDING FEB. 10, 1989

Fill out the certificate, file a copy with the Town Clerk, and mail original to

Vt. Agency of Transportation, Planning Division before February 10, 1989.

▶ IF NO CHANGES IN MILEAGE, OMIT PART I, CHECK BOX IN PART II, AND SIGN PART III. ◀

PART I

DISTRICT 5

We, the Selectmen/Trustees/Aldermen of Middlebury, 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:

	TOWN HIGHWAYS				STATE HIGHWAYS	TOTAL EXCLUDING CLASS 4
	CLASS 1	CLASS 2	CLASS 3	CLASS 4		
PREVIOUS MILEAGE AS SHOWN FEBRUARY 10, 1988	3.458	15.720	42.240	3.900	16.834	78.252
MILEAGE ADDED SINCE FEBRUARY 10, 1988 EXPLAIN UNDER (1) BELOW	--	--	1.700	--	--	1.700
SUB TOTAL	3.458	15.720	43.940	3.900	16.834	79.952
MILEAGE SUBTRACTED SINCE FEBRUARY 10, 1988 EXPLAIN UNDER (2) AND (3)	--	--	--	--	--	--
TOTAL HIGHWAY MILEAGE FEB. 10, 1989	3.458	15.720	43.940	3.900	16.834	79.952
SCENIC HIGHWAY MILEAGE (19 VSA 2502)					1.386	

DURING THE PAST YEAR THE FOLLOWING CHANGES HAVE OCCURRED.

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

(1) Oak Drive and Birch Drive (0.324 mile) (2) Forest Ridge Road (0.711 mile) (3) East Road (0.356 mile) (4) Harrow Way (0.166 mile) (5) Fairview Circle (0.044 mile) and (6) remainder of Burnham Drive (0.095 mile) ALL CLASS 3 - see following page for actual mileage

(2) DISCONTINUED: We hereby certify that the following highways have been discontinued according to statute and are substantiated by the attached copy of the proceedings.

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

(4) SCENIC HIGHWAYS: 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 MILEAGES.

PART III

SELECTMEN/ALDERMEN/TRUSTEES
SIGNATURES

Betty J. Wheeler
Betty J. Wheeler, Town Manager
and Duty Authorized Agent of the
Board of Selectmen

Town/City/Village/CLERK SIGNATURE: Lucy O. Gowan attests that this record of highway mileage was filed and recorded on Feb. 10, 1989.

Approved: Walter D. [Signature]
Representative, Agency of Transportation

2-14-89
Date

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

Title 19, V. S. A. Section 305
- Added 1985

SEC. 305. MEASUREMENT OF HIGHWAYS

(a) A representative of the agency in the presence of the selectmen or their designee shall measure and inspect the class 1, 2 and 3 town highways in each town at least once every ten years. 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 selectmen shall, after review by a representative of the agency, file with the town clerk a sworn statement of the description and measurements of all class 1, 2 and 3 town highways, then in existence, including any special designation such as a throughway or scenic highway. When class 1, 2 or 3 town highways 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) 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.

(d) The selectmen 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 board by filing a notice of appeal with the executive secretary of the board.

Title 19, V. S. A. Section 2502
Added 1985

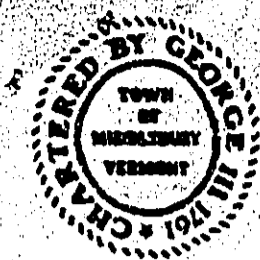
Sec. 2502. TOWN SCENIC ROADS; DESIGNATION AND DISCONTINUANCE

(a) On recommendation of the planning commission of a municipality, or on the initiative of the legislative body of a municipality, a legislative body may, after one public hearing warned for the purpose, designate or discontinue any town highway or portion of a town highway, as a town scenic highway. Such action by the legislative body may be petitioned by the registered voters of the municipality pursuant to the provisions of section 1973 of Title 24.

(b) A town scenic road may be reconstructed or improved in a manner consistent with the standards established by the transportation board, pursuant to section 425 of Title 10. A class 1, 2 or 3 scenic highway shall still be eligible to receive aid pursuant to the provisions of this title.

(c) The legislative body of a municipality may appeal for a variance from standards promulgated by the transportation board. In these appeals the board's decision shall be final.

RETURN TO: VERMONT AGENCY OF TRANSPORTATION
DEPARTMENT OF PLANNING AND PRECONSTRUCTION
PLANNING DIVISION
133 STATE STREET
MONTPELIER, VERMONT 05602



TOWN OF MIDDLEBURY

MUNICIPAL BUILDING, MIDDLEBURY, VERMONT 05753

J.E.R. Landry, Project Planning Engineer
Agency of Transportation
133 State Street
Montpelier, VT 05602

10 February 1989

RE: Mileage Certificate

Dear Joe:

Pursuant to 10 V.S.A. § 19, enclosed is the Town of Middlebury's Certificate of Highway Mileage for the year ending February 10, 1989. This year, there are the following additions: (Class 3)

- | | ACTUAL
MILEAGE |
|--|-------------------|
| 1. Oak Drive and Birch Drive in the Burnham Development
1,711.52 ft. or 0.324 mile. | 0.320 |
| 2. Forest Ridge Road in the A. Johnson Development
3,751.65 ft. or 0.711 mile. | 0.710 |
| 3. East Road in the Middlebury East Development
1,877.07 ft. or 0.356 mile. | 0.360 |
| 4. Harrow Way in the Buttolph Acres Development
875.56 ft. or 0.166 mile. | 0.170 |
| 5. Fairview Circle in the F and D Development
229.84 ft. or 0.04 mile. | 0.040 |
| 6. Remainder of Burnham Drive in the Burnham Development
500 ft. or 0.095 mile. | 0.100 |

The last two (#5 and #6) above were actually accepted by the Town in prior years, but were discovered not to be on the State's new maps. In reviewing the prior mileage change certificates, they were not reported in those prior years. There are some other minor corrections of road names which have been noted on the enclosed maps.

We trust the enclosed certificates are completed in proper order, or if not, that you will call me at 388-4041.

Sincerely,

Fred S. Dunnington
Town Planner

cc: Betty Wheeler, Town Manager

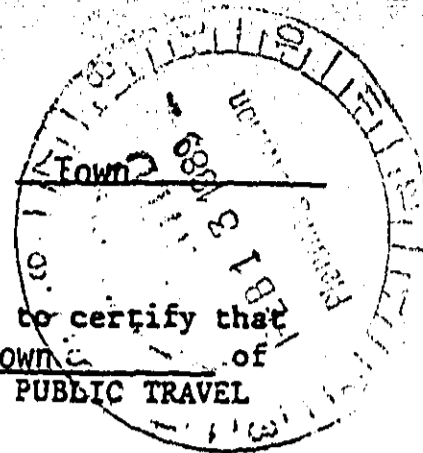
FSD/cn

Enclosures

MUNICIPAL BUILDING 388-4041
PUBLIC WORKS 388-4045
POLICE DEPARTMENT 388-4041

**CERTIFICATE OF COMPLETION AND OPENING
OF A HIGHWAY FOR PUBLIC TRAVEL**

I, Richard A. Goodro, Town Clerk of the
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 December 14, 1988.

DESCRIPTION OF RIGHT-OF-WAY: Beginning

Oak Drive and Birch Drive
(See attached deed)

and as shown on a Highway Map of the Town of Middlebury #655,
dated February, 1979, and filed in Book 127 on page 574 of the Records
of the Town of Middlebury by the Town Clerk of
said Town incorporated herein by reference and attested to on
said map by said Town Clerk.

Dated at Middlebury, County of Adadison and State of
Vermont, this 10th day of February, A.D., 1989.

Betty J. Wheeler
Betty J. Wheeler
Town Manager
BOARD
OF

And Duly Authorized Agent of the SELECTMEN
Board of Selectmen ALDERMEN
TRUSTEES

and the MAYOR of the City of _____

Middlebury, VERMONT

February 10, 1989.

attached
THE ABOVE IS A TRUE COPY OF THE DESCRIPTION OF CLASS 3 HIGHWAY COMPLETED AND OPENED
FOR PUBLIC TRAVEL, RECORDED IN BOOK 127 ON PAGE 574 OF THE Land RECORDS
OF THE Town OF Middlebury ON THE 21st DAY OF December,
1988, AT 10:00 O' CLOCK, A.M.

ATTEST: Richard A. Goodro
Town CLERK OF Middlebury, VERMONT

Middlebury

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That I, GEORGE BURNHAM, JR., of Middlebury in the County of Addison, and State of Vermont, Grantor, in the consideration of TEN AND MORE DOLLARS (\$10.00) paid to my full satisfaction by the TOWN OF MIDDLEBURY, a municipal corporation with its principal place of business in Middlebury, in the County of Addison, and State of Vermont, Grantee, by these presents, do freely GIVE, GRANT, CONVEY AND CONFIRM unto the said Grantee, TOWN OF MIDDLEBURY and its successors and assigns forever, a certain piece of land in Middlebury, in the County of Addison, and State of Vermont, described as follows, viz:

Being two certain roadways designated as Oak Drive and Birch Drive as shown on a map entitled "Site Plan - The Woodlands, Middlebury, Vermont, George Burnham, Developer" by Wayne P. Lawrence, P.E., approved by the Middlebury Planning Commission on May 20, 1981 and on file with the Middlebury Town Clerk as Map #655, and being more particularly described as follows:

Being two roadways, fifty (50) feet in width, with a fifty (50) foot radius cul-de-sac at the westerly terminus of Oak Drive, the center line of which said roadways are described as follows:

Parcel I: The center line of Oak Drive begins at a point in the westerly boundary of Burnham Drive, so-called, said point being further described as being S 59° 06' 13" W, 25 feet, more or less, from an iron pin marking the southeast corner of Lot #16 as shown on said map;

Thence on a curve to the left with a radius of 130.68 feet, a distance of 100.70 feet, to a point;

Thence N 75° 02' 57" W, 574.00 feet to a point, which marks the center point of a cul-de-sac with a radius of fifty (50) feet, located at the westerly terminus of said Oak Drive.

Parcel II: The center line of Birch Drive begins at a point in the westerly boundary of Burnham Drive, so-called, said point being further described as being S 04° 01' 13" W, 25 feet, more or less, from an iron pin marking the southeast corner of Lot #8 as shown on said map;

Thence N 85° 58' 47" W, 89.52 feet to a point;

Thence on a curve to the left with a radius of 400.00 feet, a distance of 588.76 feet to a point;

Thence S 09° 08' 43" W, 360 feet, more or less, to a point in the northly boundary of Oak Drive, said point being further described

Middlebury
1

as equidistant from two iron pins marking the southeast corner of Lot #28 and southwest corner of Lot #23, respectively, as shown on said map.

Together with any improvements on said Parcels I and II.

It is intended by this deed to convey all of the Grantor's right, title and interest in and to such roadways as shown on the aforementioned map, as were not previously conveyed to the Grantee by prior deeds from Grantor to Grantee dated April 12, 1985 and recorded at Book 116, Page 162, of the Middlebury Land Records, and dated June 23, 1982 and recorded at Book 98, Page 548 of the Middlebury Land Records, respectively.

This conveyance is subject to power line easements of record.

By acceptance of this deed, the Town accepts Oak Drive and Birch Drive as Town Roads.

TO HAVE AND TO HOLD said granted premises, with all the privileges and appurtenances thereof, to the said Grantee, TOWN OF MIDDLEBURY and its successors and assigns, to their own use and behoof forever;

AND I, GEORGE BURNHAM, JR., the said Grantor, for myself and my heirs, executors and administrators, do covenant with the said Grantee, TOWN OF MIDDLEBURY and its successors and assigns, that until the ensealing of these presents I am the sole owner of the premises, and have good right and title to convey the same in manner aforesaid, that they are FREE FROM EVERY ENCUMBRANCE; except as aforesaid.

I hereby engage 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

19th day of December A.D. 1988.

In Presence Of:

Robert H. Moys
Witness

George Burnham, Jr.
GEORGE BURNHAM, JR.

Esther R. Myrick
Witness

Middlebury

STATE OF VERMONT

COUNTY OF ADDISON

At Middlebury this 14th day of December A.D. 1988,
personally appeared GEORGE BURNHAM, JR., and he acknowledged this
instrument, by him sealed and subscribed, to be his free act and
deed.

Before me, Barbara R. Myrick
Notary Public

My Commission Expires:
2/10/91

CERTIFICATE OF COMPLETION AND OPENING
OF A HIGHWAY FOR PUBLIC TRAVEL

2

L. Richard A. Goodro, 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 December 21, 1988.

DESCRIPTION OF RIGHT-OF-WAY: Beginning
Forest Ridge Road
(See attached deed)

and as shown on a Highway Map of the Town of Middlebury #867,
dated September 28, 1988, and filed in Book 127 on page 592 of the Records
of the Town of Middlebury by the Town Clerk of
said Middlebury incorporated herein by reference and attested to on
said map by said Town Clerk.

Dated at Middlebury, County of Addison and State of
Vermont, this 10th day of February, A.D., 1989.

Betty Wheeler
Betty Wheeler
Town Manager
BOARD
OF
And Duly Authorized Agent of the
Board of Selectmen
SELECTMEN
ALDERMEN
TRUSTEES

and the MAYOR of the City of _____

Middlebury, VERMONT
February 10, 1989.

THE ^{attached} ~~ANNEX~~ IS A TRUE COPY OF THE DESCRIPTION OF CLASS 3 HIGHWAY COMPLETED AND OPENED
FOR PUBLIC TRAVEL, RECORDED IN BOOK 127 ON PAGE 592 OF THE Land RECORDS
OF THE Town OF Middlebury ON THE 22nd DAY OF December,
1988, AT 9:45 O' CLOCK, A.M.

ATTEST: Richard J. [Signature]
Town CLERK OF Middlebury, VERMONT

Rev. 11/73

(4) S 74° 17' E, 251.5 feet along the southerly line
of Lot No. 5;

(5) Northeasterly in a left curve along the line of
Lot No. 5, 252.85 feet, with the following elements:
R=166.12, I=87° 12' 30", C=N 62° 06' 45" E, 229.14
feet;

(6) N 18° 30' 30" E, 389.35 feet along the easterly
line of Lots No. 5, 6, and 7;

**CERTIFICATE OF COMPLETION AND OPENING
OF A HIGHWAY FOR PUBLIC TRAVEL**

2

I, Richard A. Goodro, 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
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said map by said Town Clerk.

Dated at Middlebury, County of Addison and State of
Vermont, this 10th day of February, A.D., 1989.

Betty Wheeler
Betty Wheeler
Town Manager BOARD

OF
And Duly Authorized Agent of the SELECTMEN
Board of Selectmen ALDERMEN
TRUSTEES

and the MAYOR of the City of _____

Middlebury, VERMONT
February 10, 1989.

THE ~~ABOVE~~ ^{attached} IS A TRUE COPY OF THE DESCRIPTION OF CLASS 3 HIGHWAY COMPLETED AND OPENED
FOR PUBLIC TRAVEL, RECORDED IN BOOK 127 ON PAGE 592 OF THE Land RECORDS
OF THE Town OF Middlebury ON THE 22nd DAY OF December,
1988, AT 9:45 O' CLOCK, A.M.

ATTEST: Richard A. Goodro
Town CLERK OF Middlebury, VERMONT

Rev. 11/73

(4) S 74° 17' E, 251.5 feet along the southerly line
of Lot No. 5;

(5) Northeasterly in a left curve along the line of
Lot No. 5, 252.85 feet, with the following elements:
R=166.12, I=87° 12' 30", C=N 62° 06' 45" E, 229.14

Middlebury
2WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that IT, THE A. JOHNSON COMPANY, a Vermont partnership, with its principal office in Bristol, County of Addison and State of Vermont, Grantor, in the consideration of TEN OR MORE DOLLARS paid to its full satisfaction by TOWN OF MIDDLEBURY, a municipal corporation organized and existing under the laws of the State of Vermont, in the County of Addison, Grantee, by these presents do freely GIVE, GRANT, SELL, CONVEY AND CONFIRM unto the said Grantee, TOWN OF MIDDLEBURY, its successors and assigns forever, a certain piece of land in Middlebury, County of Addison and State of Vermont, described as follows, viz:

The parcel herein conveyed includes a road or roadway together with additional lands as required by the Grantee for maintenance purposes and as shown and described on "A Subdivision Plan for Forest Ridge Estates (Phase I) Middlebury, Vermont", prepared by Kenneth G. Weston, L.S., dated September 28, 1988 and now on file in the Town Clerk's office, said lands and premises hereby conveyed being more particularly described as follows:

Beginning at a point presently marked by a metal pipe located in or near the southeasterly edge of Town Road No. 27 and in the southwesterly corner of lands now or formerly of one Brown;

thence S 69° 22' 45" E, 451.95 feet along the southerly line of lands of said Brown to a metal rod in a concrete monument;

Thence proceeding on the following thirty-six (36) courses and distances along other portions of the Forest Ridge Estates (Phase I), each turning point being presently marked by a metal rod in a concrete monument unless otherwise noted:

(1) S 82° 24' 30" E, 602.65 feet along the southerly line of a portion of Lot No. 1, to a point;

(2) S 74° 17' E, 8.5 feet along the southerly line of Lot No. 2 to a metal pipe;

(3) S 74° 17' E, 150.5 feet along the southerly line of Lot No. 2A to a metal pipe;

(4) S 74° 17' E, 251.5 feet along the southerly line of Lot No. 5;

(5) Northeasterly in a left curve along the line of Lot No. 5, 252.85 feet, with the following elements:
R=166.12, I=87° 12' 30", C=N 62° 06' 45" E, 229.14

Middlebury
2WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that IT, THE A. JOHNSON COMPANY, a Vermont partnership, with its principal office in Bristol, County of Addison and State of Vermont, Grantor, in the consideration of TEN OR MORE DOLLARS paid to its full satisfaction by TOWN OF MIDDLEBURY, a municipal corporation organized and existing under the laws of the State of Vermont, in the County of Addison, Grantee, by these presents do freely GIVE, GRANT, SELL, CONVEY AND CONFIRM unto the said Grantee, TOWN OF MIDDLEBURY, its successors and assigns forever, a certain piece of land in Middlebury, County of Addison and State of Vermont, described as follows, viz:

The parcel herein conveyed includes a road or roadway together with additional lands as required by the Grantee for maintenance purposes and as shown and described on "A Subdivision Plan for Forest Ridge Estates (Phase I) Middlebury, Vermont", prepared by Kenneth G. Weston, L.S., dated September 28, 1988 and now on file in the Town Clerk's office, said lands and premises hereby conveyed being more particularly described as follows:

Beginning at a point presently marked by a metal pipe located in or near the southeasterly edge of Town Road No. 27 and in the southwesterly corner of lands now or formerly of one Brown;

thence S 69° 22' 45" E, 451.95 feet along the southerly line of lands of said Brown to a metal rod in a concrete monument;

Thence proceeding on the following thirty-six (36) courses and distances along other portions of the Forest Ridge Estates (Phase I), each turning point being presently marked by a metal rod in a concrete monument unless otherwise noted:

(1) S 82° 24' 30" E, 602.65 feet along the southerly line of a portion of Lot No. 1, to a point;

(2) S 74° 17' E, 8.5 feet along the southerly line of Lot No. 2 to a metal pipe;

(3) S 74° 17' E, 150.5 feet along the southerly line of Lot No. 2A to a metal pipe;

(4) S 74° 17' E, 251.5 feet along the southerly line of Lot No. 5;

(5) Northeasterly in a left curve along the line of Lot No. 5, 252.85 feet, with the following elements: R=166.12, I=87° 12' 30", C=N 62° 06' 45" E, 229.14 feet;

(6) N 18° 30' 30" E, 389.35 feet along the easterly line of Lots No. 5, 6, and 7;

Middlebury

(7) Northerly in a left curve along the easterly line of Lot No. 7, 115.0 feet, with the following elements: R=975.0 feet, I=06° 45' 30", C= N 15° 07' 45" E, 114.93 feet;

(8) Northerly in a right curve along the easterly line of Lot No. 7, 77.77 feet, with the following elements: R=230.48 feet, I=19° 20' 00", C=N 21° 25' E, 77.4 feet;

(9) N 31° 05' E, 115.0 feet along the easterly line of Lot No. 7;

(10) Northerly in a left curve along the easterly line of Lot No. 7, 104.97 feet, with the following elements: R=83.0 feet, I=72° 27' 50", C=N 05° 09' W, 98.12 feet;

(11) N 58° 45' 30" W, 92.7 feet;

(12) S 61° 00' W, 23.65 feet to a point;

(13) Southwesterly in a left curve along the northwesterly line of Lot No. 7, 128.53 feet, with the following elements: R=282.09 feet, I=26° 06' 25", C=S 47° 56' 45" W, 127.43 feet;

(14) S 34° 53' 30" W, 198.65 feet along the northwesterly line of Lot No. 7;

(15) S 31° 31' W, 94.35 feet along a westerly line of Lot No. 18;

(16) Westerly, northerly and northeasterly in a right curve along the easterly line of Lot No. 18, 160.24 feet with the following elements: R=50.0 feet, I=183° 37' 25", C=N 25° 31' 35" W, 99.95 feet;

(17) N 69° 52' 30" E, 54.7 feet along the southeasterly line of Lot No. 17;

(18) N 34° 53' 30" E, 198.65 feet along the southeasterly line of Lot Nos. 17 and 16;

(19) Northeasterly in a right curve along the southeasterly line of Lot No. 16, 151.32 feet with the following elements: R=332.09 feet, I= 26° 06' 25", C=N 47° 56' 45" E, 150.01 feet;

(20) N 61° 00' E, 158.65 feet along the southeasterly line of Lot Nos. 16 and 15;

(21) Northeasterly in a right curve along the southeasterly line of Lot No. 15, 74.88 feet, with the following elements: R=365.14 feet, I=11° 45' 00", C=N 66° 52' 30" E, 74.75 feet;

(22) N 72° 45' E, 152.4 feet along the southeasterly line of Lot No. 15 to the easterly most corner of said Lot No. 15;

(23) S 17° 15' E, 50.0 feet in the westerly line of lands of The A. Johnson Company, to a northerly corner of Lot No. 14;

(24) S 72° 45' W, 152.4 feet in the northerly line of Lot No. 14;

(25) Southwesterly in a left curve along the northerly line of Lot No. 14, 64.63 feet, with the following elements: R=315.14 feet, I=11° 45' 00", C=S 66° 52' 30" W, 64.515 feet;

Middlebury

(26) S 00° 55' 30" W, 80.5 feet along the westerly line of Lot No. 14;

(27) Southerly in a right curve along the westerly line of Lot No. 13, 168.2 feet, with the following elements: R=133.0 feet, I=72° 27' 50", C=S 05° 09' E, 157.23 feet;

(28) S 31° 05' W, 115.0 feet along the westerly line of Lot Nos. 13 and 12;

(29) Southerly in a left curve along the westerly line of Lot No. 12, 60.9 feet, with the following elements: R=180.48 feet, I=12° 20' 00", C=S 21° 25' W, 60.61 feet;

(30) Southerly in a right curve along the westerly line of Lot Nos. 12 and 11, 120.9 feet, with the following elements: R=1025.0 feet, I=06° 45' 30", C=S 15° 07' 45" W, 120.83 feet;

(31) S 18° 30' 30" W, 389.35 feet along the westerly line of Lot Nos. 11, 10 and 9;

(32) Southwesterly in a right curve along the northwesterly line of Lot No. 9 and the northerly line of Lot Nos. 8 and 4, 328.95 feet with the following elements: R=216.12 feet, I=87° 12' 30", C=S 62° 06' 45" W, 298.1 feet;

(33) N 74° 17' W, 405.3 feet along the northerly line of Lot No. 4;

(34) S 19° 30' W, 10.0 feet along the westerly line of Lot No. 4;

(35) N 82° 24' 30" W, 645.15 feet along the northerly line of a portion of Lot No. 1;

(36) S 45° 20' 15" W, 35.03 feet along the westerly line of a portion of Lot No. 1 to a metal rod in the northeasterly corner of lands now or formerly of one Carrara;

Thence proceeding on the following two (2) courses and distances along the northerly line of lands of said Carrara:

(1) N 68° 18' 30" W, 273.95 feet to a metal rod;

(2) N 71° 57' 45" W, 210.35 feet to a point presently marked by a metal rod and being located in or near the southeasterly edge of the aforesaid Town Road No. 27 in the northwesterly corner of lands now or formerly of said Carrara;

Thence proceeding northwesterly along the easterly edge of said Town Road No. 27, a tie line of N 57° 24' E, 131.1 feet, to the point of beginning.

The herein conveyed lands contain 4.88 acres, be the same, more or less;

All bearings contained in the above description are turned from and are relative to a single observation of Magnetic North made in 1977.

Further conveying, but by quitclaim only, all right, title and interest of the herein Grantor in and to the lands, lying between the westerly end of the above parcel and the center line of said Town Road No. 27.

Middlebury

2

Also conveyed are such additional lands as are necessary for proper ditching, sloping and drainage of the road located on or with the herein conveyed parcel, as such additional lands were reserved by the Grantor herein in the conveying of parcels in said Subdivision (except deeds to Lots No. 2 and 2A).

SUBJECT TO utility easements and rights of way for power, telephone and other utility lines and further RESERVING and EXCEPTING for the benefit of the Grantor herein, its successors and assigns, such reasonable rights of way as may be necessary for the purpose of laying, repairing, constructing and maintaining power, telephone, and other utility lines.

TO HAVE AND TO HOLD said granted premises, with all the privileges and appurtenances thereof, to the said Grantee, TOWN OF MIDDLEBURY, its successors and assigns, to its own use and behoof forever;

And it the said Grantor, THE A. JOHNSON COMPANY, for itself and its successors and assigns, do covenant with the said Grantee, TOWN OF MIDDLEBURY, its successors and assigns, that until the ensealing of these presents it is the sole owner of the premises and have good right and title to convey the same in manner aforesaid, that they are FREE FROM EVERY ENCUMBRANCE; except as aforesaid.

AND it does hereby engage to WARRANT AND DEFEND the same against all lawful claims whatever.

IN WITNESS WHEREOF, it hereunto set its hand and seal this 6th day of October, A.D. 1988.

[Signature]
Witness

THE A. JOHNSON COMPANY

[Signature]
Witness

BY: [Signature]
Duly Authorized Agent