

3/20/2025

VTrans Mapping Section

District 1

CERTIFICATE OF HIGHWAY MILEAGE

YEAR ENDING FEBRUARY 10, 2024⁵

Certcode 0206-0

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 MANCHESTER in BENNINGTON 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	4.733			4.733	0.000
Class 2	15.650			15.650	0.000
Class 3	23.37	.52		23.89	0.000
State Highway	16.596			16.596	0.000
Total	60.349			60.869	0.000
* Class 1 Lane	0.559				
* Class 4	7.41				0.000
* Legal Trail	0.00				

* Mileage for Class 1 Lane, Class 4, and Legal Trail 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".

- Green Mountain Rd - +0.39 mi CL3 TH-84

- ~~Volley~~ Volley Pass Rd - +0.13 mi CL3 TH-85

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: Place an X in the box and sign below. ☐

PART III - SIGNATURES - PLEASE SIGN.

Signatures of Selectmen/ Aldermen/ Trustees:

Signature of T/C/V Clerk: Quintaf Sheldon

Date Filed: 3/20/2025

Please sign ORIGINAL and return it for Transportation signature.

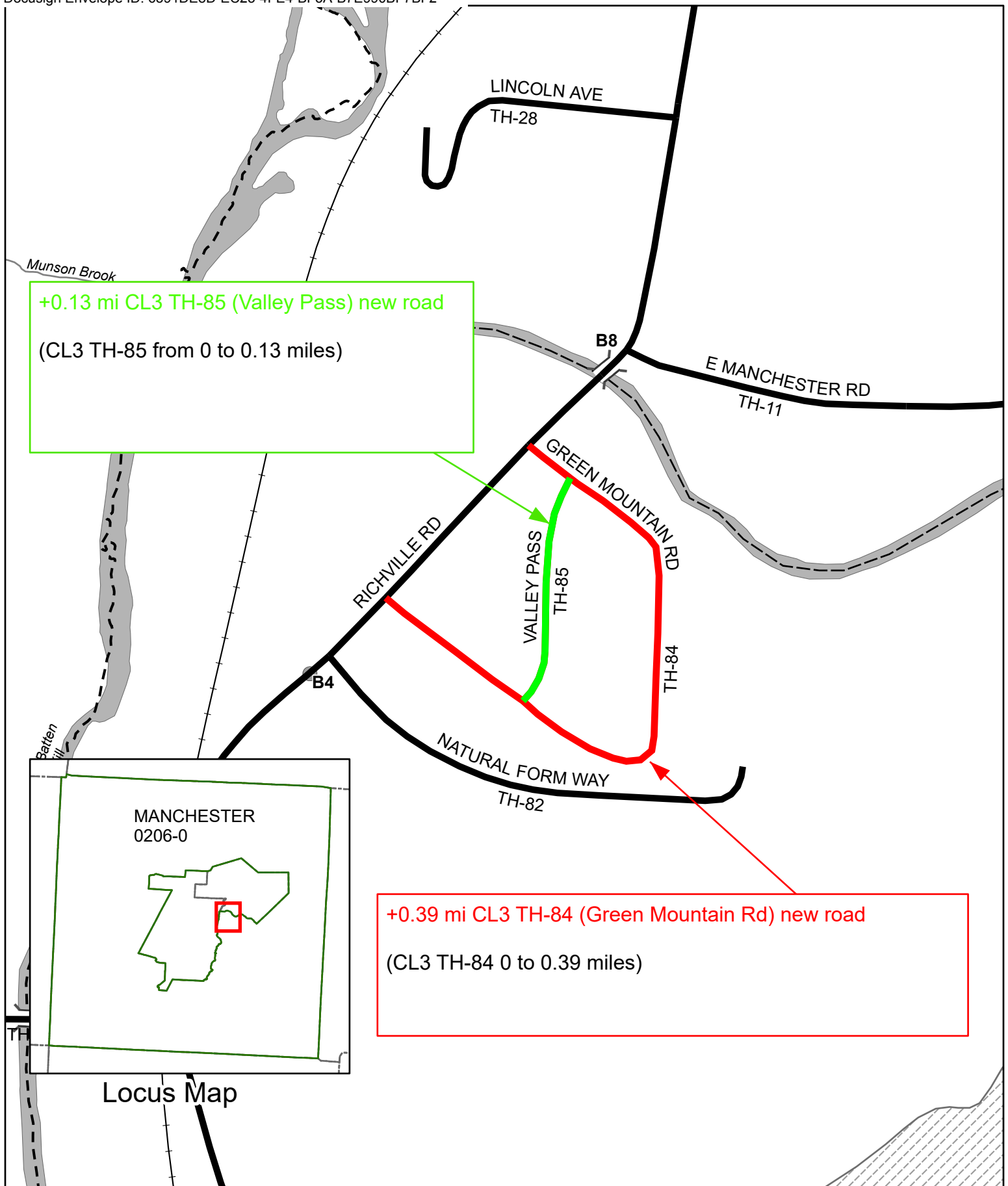
AGENCY OF TRANSPORTATION APPROVAL: Signed copy will be returned to T/C/V Clerk.

APPROVED:

Johnathan Croft
Representative, Agency of Transportation

DATE: 3/21/2025

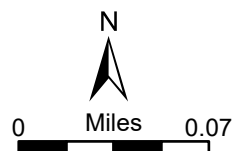
Manchester, VT Town Clerk's Office
3/19 2025 at 9 o'clock 26 minutes A.M.
Book 15 on Page 681 of TOWN records.
Attest: Quintaf Sheldon Town Clerk



Mileage Certificate Changes 2025
MANCHESTER TH-84 AND TH-85

(CTUA:0206-0)
(CERTCODE:0206-0)

Mapping Section
Division of Policy and Planning
Vermont Agency of Transportation -- March 21, 2025



TOWN OF MANCHESTER, VERMONT

REPORT OF FINDINGS, ORDER AND RETURN REGARDING DEDICATION, ACCEPTANCE, CLASSIFICATION AND LAYOUT OF ROADS KNOWN AS GREEN MOUNTAIN ROAD AND VALLEY PASS LYING WITHIN MOUNTAIN VIEW ESTATES A/K/A GREEN MOUNTAIN ESTATES

The undersigned Selectboard of the Town of Manchester, hereby issues its Report of Findings, Order and Return Regarding Dedication, Acceptance, Classification and Layout of Roads known as Green Mountain Road and Valley Pass Lying within Mountain View Estates a/k/a Green Mountain Estates:

In support of its Order and Decision, the Manchester Selectboard finds as follows:

1. In the late 1970's and early 1980's, Richard and Nadine Hayes ("Hayes") developed what is currently a 43-lot residential subdivision now known as Mountain View Estates a/k/a Green Mountain Estates ("MVE"), as the same is substantially depicted on a Subdivision Survey entitled Mountain View Estates, prepared by Dufresne-Henry Engineering Corporation in December, 1974, revised on March 25, 1977 and recorded in Book 5, Pages 41-42 of the Manchester Land Records ("MVE Survey") (Attachment A) and as amended by a Plat prepared by Ellis H. Speath, Jr. entitled Subdivision of Lot #53A of Mountain View Estates dated 6/26/04 (Attachment B).
2. A "Revised Lot Layout for Mountain View Estates, Richville Road, Manchester, Vermont" dated 8/3/89 prepared by Ellis Speath, was recorded in the Manchester Land Records at Survey Book 1, Slide 82A on August 21, 1991 ("Speath 1989 Survey") (Attachment C).
3. Hayes constructed, and maintained fee ownership, of two common private roads centered on 50' wide strips of land through the MVE subdivision known as Green Mountain Road and Valley Pass Road ("Common Roads") as depicted on the MVE Survey and Speath 1989 Survey which provide access to the existing 43 lots within MVE.
4. Hayes also constructed and maintained certain common elements servicing the existing 43 lots of MVE. These include common main sewer lines and water lines and related equipment, which are substantially located within the rights-of-way of the Common Roads and are connected to Manchester's public municipal water and sewer systems ("Common Utilities"). These Common Utilities are, in part, located as depicted on a plat entitled "Plat X1", prepared by Dufresne Associates, PC, Project #716016 and titled "Green Mountain Estates Road, Water, and Sewer Utilities Existing Conditions Manchester, Vermont" dated September, 2006 (Attachment D).
5. Richard Hayes assumed and undertook the maintenance of said Common Roads and Common Utilities at MVE until Richard and Nadine Hayes' untimely deaths in 2004.

Manchester, VT Town Clerk's Office
08/22 at 20.24
12 o'clock 26 minutes P M
 Book 379 Instrument # 43 /pg. 124 of
Land records.
 Attest: Debra J. Sheldon Town Clerk

6. Probate proceedings *In re Nadine M. Hayes*, Case No. 111-3-14 Bnpr and *In re Richard D. Hayes*, Case No. 112-3-14 Bnpr were opened on March 3, 2004 (the “Hayes Estates”) and remain open in Vermont Superior Court, Bennington Probate Division (the “Court”), pending completion of probate and the issuance of a final decree of distribution from the Court and the filing of a final fiduciary closing report pursuant to V.R.P.P. 60.1. The Hayes Estates have been parties to multiple appeals concerning MVE involving the Hayes Estates’ continuing obligations to maintain the Common Roads and Common Utilities.

7. On November 21, 2014, the Vermont Supreme Court issued an Order in *Hayes, et al. v. Town of Manchester, et al.*, Docket No. 2013-27 remanding to the Vermont Superior Court, Bennington Unit, Civil Division claims made by MVE homeowners (hereafter “Homeowners”) concerning the continuing obligations of the Hayes Estates to allow use of, and to maintain, the Common Roads and Common Utilities until such time as the Town of Manchester accepts a dedication of the Common Roads and Common Utilities that met applicable standards as set by the Town of Manchester.

8. On January 26, 2017, the Superior Court, Bennington Unit, Civil Division issued its Findings of Fact, Conclusions of Law and Order on Remand (“the Order”) which ordered as follows:

The court concludes that the Homeowners are entitled to declaratory relief, in the form of a declaratory order establishing that they have an easement for the use of the roads within the subdivision, and for access to and use of the water and sewer system. IT IS SO ORDERED.

The court also concludes that the [Hayes] Estates are obligated, based on implied contract with the Homeowners, to provide for the continued, permanent maintenance and repair of the roads, water system, and sewer system until such time as the Town of Manchester accepts the dedication of the roads and the water and sewer systems. IT IS SO ORDERED.

The court also concludes that a constructive trust is required from the [Hayes] Estates’ assets to ensure that there are sufficient funds to meet these requirements, but is without sufficient current information as to the [Hayes] Estates’ assets and the costs needed to make an appropriate order for a specific amount to be placed in trust. Accordingly, the case is remanded to the Probate Division to determine the amount and terms of the necessary constructive trust. IT IS SO ORDERED.

Pending the Probate Divisions further order after remand, the [Hayes] Estates are ordered to continue to provide the reasonable and necessary maintenance and to pay the costs of such maintenance of both roads and water and sewer systems. IT IS SO ORDERED.

9. The Town of Manchester and Deborah Hayes-McGraw and Hunter H. Hayes, as Co-Fiduciaries/Administrators c.t.a. of the Estate of Richard D. Hayes and Nadine M. Hayes ("Hayes Estates") signed an Agreement to Dedicate and Accept Common Roads and Common Water Service and Sewer Collection Systems and Related Easements at Mountain View Estates a/k/a Green Mountain Estates Subdivision dated as of October 4, 2023 ("The Agreement") whereby the Hayes Estates will dedicate, and the Town of Manchester will accept, ownership and control of the Common Roads and Common Utilities at MVE subject to conditions, including the transfer of the Common Roads and Common Utilities and other Hayes Estates assets to be used for the purpose making improvements to the Common Roads and Common Utilities for the benefit of all inhabitants of the Town of Manchester, including the residents of MVE.

10. On or about July 30, 2024, Surveyor Deborah Daniels Mithoefer prepared a Preliminary Plan Showing Existing and Proposed Road Monumentation – Mountain View Estates, Green Mountain Road & Valley Pass Road situated off Richville Road (TH#6), Manchester, Vermont ("Daniels Mithoefer Plan") (Attachment E).

11. A Final Plan showing Existing and Set Road Monumentation – Mountain View Estates, Green Mountain Road & Valley Pass Road situated off Richville Road (TH#6), Manchester, Vermont dated August 16, 2024 will be recorded simultaneously with this Report of Findings (Attachment F).

12. The Final Daniels Mithoefer Plan confirms that the MVE Survey (Attachment A) and the Speath 1989 Survey (Attachment C):

The above two, previously recorded, survey plats describe Green Mountain Road and Valley Pass Road. Said survey plats describe Green Mountain Road and Valley Pass Road by course, distance and width. Those plats also describe the location of proposed permanent monuments to be set. In 2006, several existing, permanent iron pipes were recovered at or very near the record locations of the proposed permanent monuments described on the record survey plats by surveyors acting for Dufresne & Associates, P.C. In 2024, several existing, permanent iron pipes were recovered at or very near the record locations of the proposed permanent monuments described on the record survey plats by surveyors acting for Daniels Survey, P.C.

In 2024, Daniels Survey, P.C. recovered and witnessed the existing, permanent monuments located at the terminus points of Green Mountain Road and Valley Pass Road. In 2024 Daniels Survey, P.C. also set permanent monuments at the record location of any of the terminus points lacking permanent monuments.

13. The Common Roads at MVE are gravel surface roads in need of maintenance, repair and surface and drainage improvements for the public good, necessity and convenience of the traveling public which will be undertaken using assets of the Hayes Estates for the benefit of the inhabitants of the Town of Manchester, including the residents and owners of the 43 lots within MVE which are directly served by the Common Roads.

14. The public good, necessity and convenience of the inhabitants of the Town of Manchester will also be served by acquiring fee ownership of the Common Roads and Common Utilities serving MVE by protecting existing public water supply and public utility systems thereby providing for the health, safety, and welfare of the users of the public water supply and utility systems as well as MVE's 43 lot owners by facilitating the improvement and maintenance of the Common Roads and Common Utilities and securing monetary resources from the Hayes Estates to improve the Common Roads and Common Utilities.

15. Based on the number of properties and residents served by the Common Roads, the expected traffic utilizing the Common Roads, and the finding that the Common Roads do not serve as trunk lines between municipalities or to places which have more than normal residential traffic, it is appropriate that the Common Roads be designated as class 3 town highways pursuant to 19 V.S.A. § 302(a)(3).

16. By Motion dated July 9, 2024, the Manchester Selectboard initiated this highway proceeding pursuant to 19 V.S.A. § 708(a) *et. seq.* to consider accepting a dedication and laying out of the entirety of the existing private roads known as Green Mountain Road and Valley Pass Lying within Mountain View Estates a/k/a Green Mountain Estates.

17. On the 1st of July, 2024, at least 30 days prior to examination and hearing, the Town of Manchester's Notice of Inspections and Public Hearings Regarding the Dedication, Acceptance, Classification and Layout of Roads known as Green Mountain Road and Valley Pass Lying within Mountain View Estates a/k/a Green Mountain Estates, a copy of which is attached hereto as Attachment F, was sent by certified mail, return receipt requested, to the Manchester Planning Commission, and those persons listed on Attachment F attached hereto as the persons owning or interested in lands through which Green Mountain Road and Valley Pass passes.

18. As of July 1, 2024, not less than 10 days prior to examination and hearing, the aforesaid Notice, Attachment F, was posted in the Manchester Town Clerk's Office, as well as on the Town of Manchester website. On or about July 10, 2024, the Notice was published in the *Bennington Banner* as Manchester's publication of record.

19. On the 6th of August, 2024, the Manchester Selectboard conducted an examination of Green Mountain Road and Valley Pass and held a hearing pursuant to such Notice. Present at the examination and hearing were Manchester Selectboard Members, Ivan Beattie (Chair), Gregory Cutler, Jan Nolan, Heidi Chamberlain and Jonathan West. The following persons were also present:

Town Staff: Scott Murphy (Town Manager), Bonnie Jamieson (HR/Admin), Anita Sheldon (Town Clerk)

Attendees: GNAT, Deb Hayes McGraw, Ken McGraw, Dom Penge, Josh Corey, Patty Cody, Doug Kilburn, Cynthia Kilburn, Joe Charbonneau, Hunter Hayes, Sandy Hayes, Ed Gotgart, Mary Gotgart, Mike Nawrath, Scott and Joy Casey, Bill Ekelund

Zoom Attendees: Cherise Forbes, Jenni Breen, Tabettha Parker, Carol, Jim, Eric Severance, Greta Whitten, Victoria Silsby, Jim Carroll, Joyce, Phil Snow


20. At the hearing held on August 6, 2024, the Selectboard accepted and considered those Exhibits which are referenced on the Exhibit List attached hereto as Attachment G. The Selectboard also heard testimony from those present at the hearing supporting Manchester's dedication, acceptance and laying out of the Common Roads as public town highways.

21. Based on the examination of Green Mountain Road and Valley Pass, information submitted for review during the hearing, and the testimony of those who spoke at the hearing, the Manchester Selectboard hereby finds that the public good, necessity and convenience of the inhabitants of the Town of Manchester requires that the entirety of Green Mountain Road and Valley Pass be accepted as dedicated by the Estates of Richard D. Hayes and Nadine M. Hayes pursuant to the Agreement and further find that the roads shall become part of, and laid out as part of Manchester's public highway system to be classified as class 3 town highways, **SUBJECT AND CONDITIONED UPON** the completion of all obligations and requirements set forth in the Agreement to the satisfaction of the Manchester Town Manager and Manchester's counsel.

ORDER. It is hereby Ordered and Adjudged that the public good, necessity and convenience requires the acceptance and dedication and laying out of the entirety of existing private roads known as Green Mountain Road and Valley Pass lying within Mountain View Estates a/k/a Green Mountain Estates and as depicted on the MVE Survey (Attachment A) and Speath 1989 Survey (Attachment B), **SUBJECT TO AND CONDITIONED UPON**, the completion of all obligations and requirements of the Agreement to the satisfaction of the Manchester Town Manager and counsel for the Town of Manchester. This Report of Findings, Order and Return shall be recorded in the Manchester Land Records along with all attachments and Final Plat as hereinabove referenced.

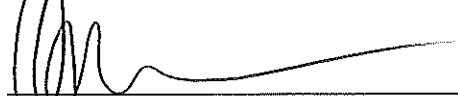
DATED at Manchester, Vermont this 20th day of August, 2024.


TOWN OF MANCHESTER, VERMONT
SELECTBOARD:

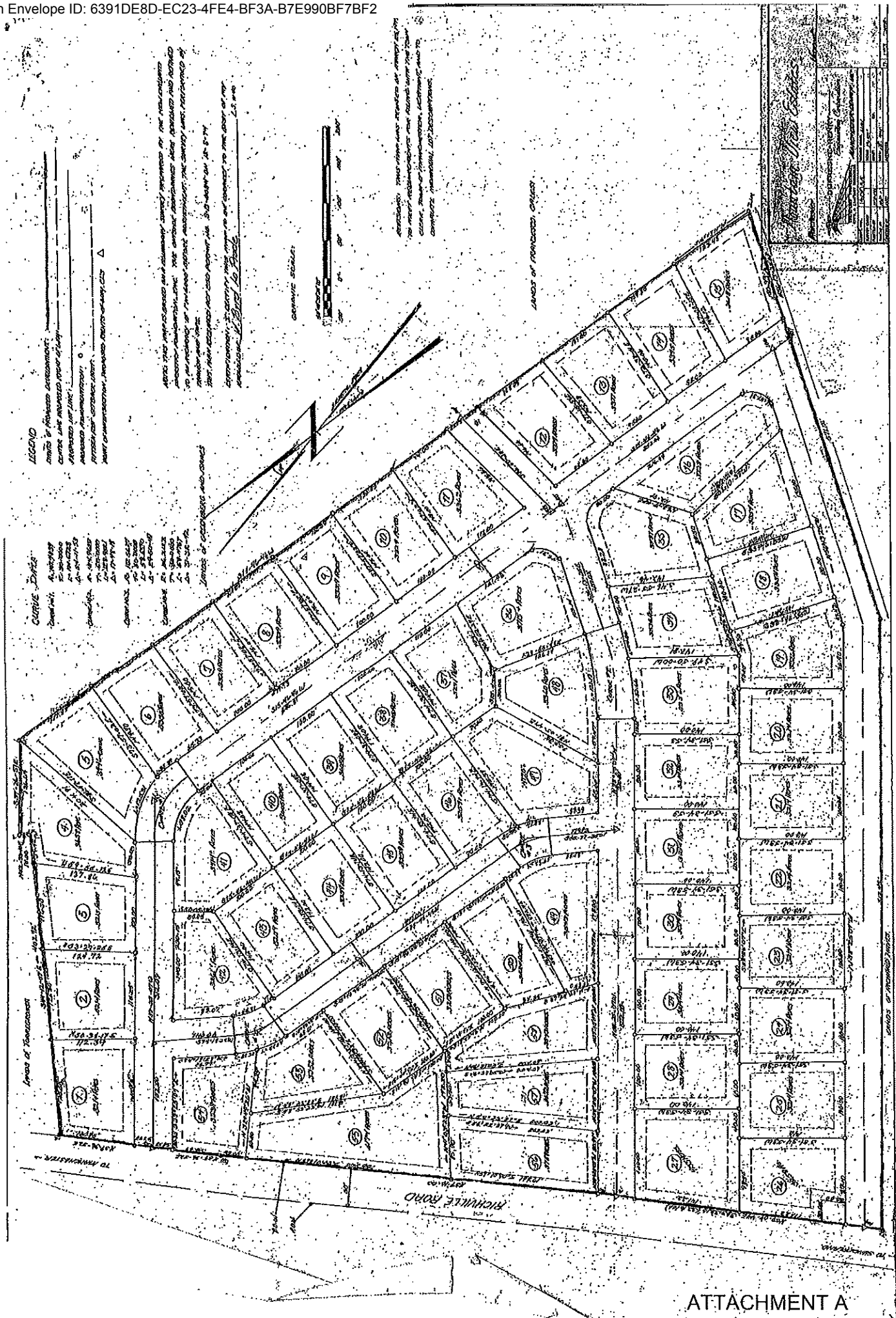

Ivan Beattie, Chair


Gregory Cutler


Jan Nolan


Heidi Chamberlain


Jonathan West

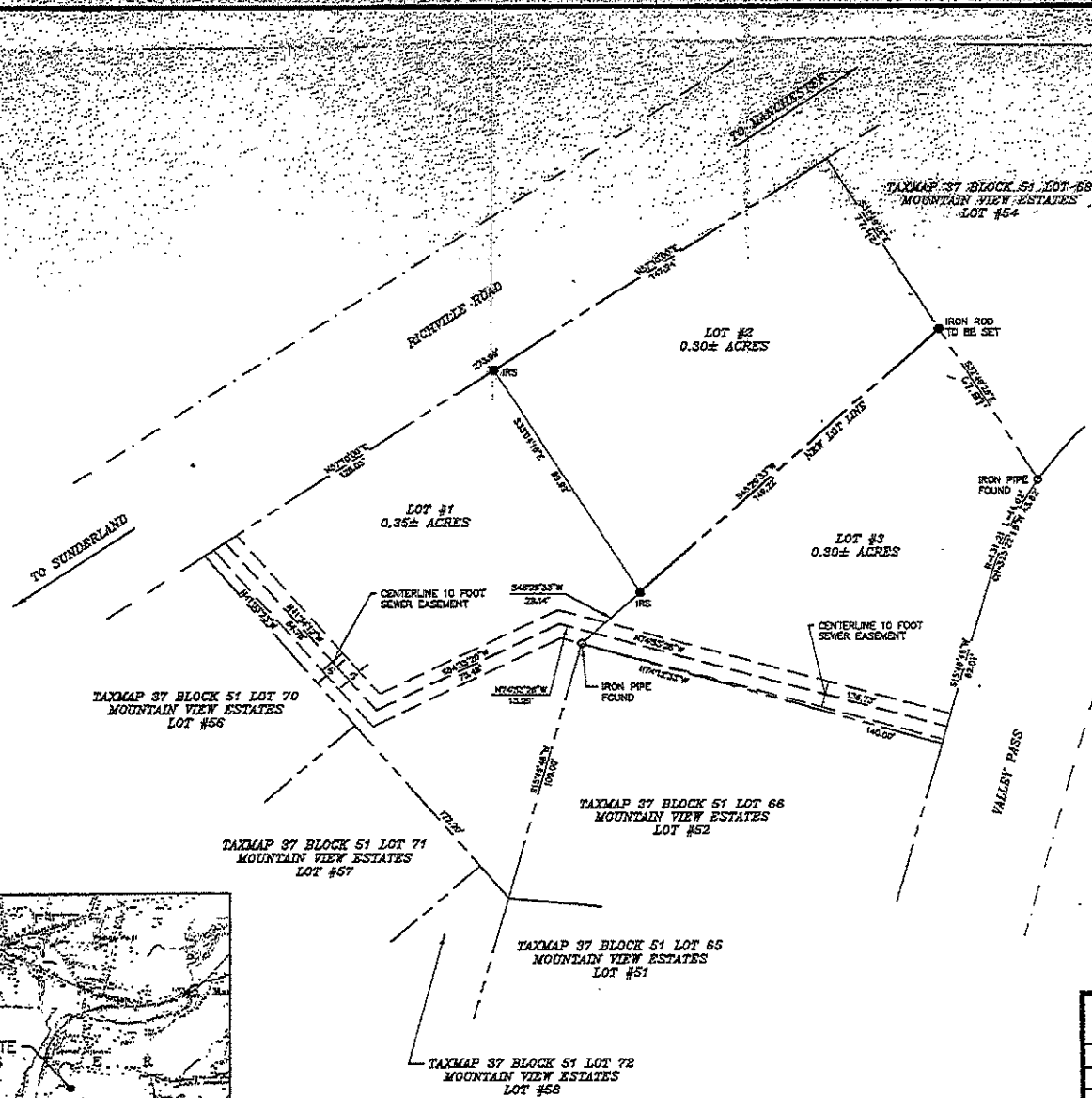


ATTACHMENT A



Rephotographs of New England, Williston, VT hereby certified that this map was reproduced by the filed plat photostatic process.

ATTACHMENT B



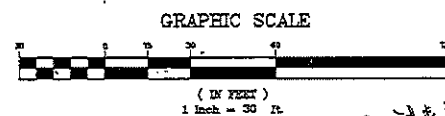
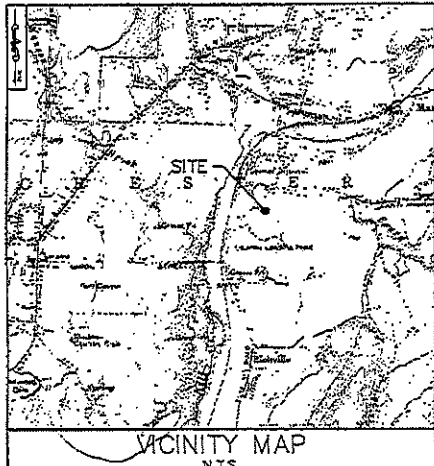
SHEET INDEX			
SHEET NUMBER	SHEET TITLE	REVISION DATE	REVISION DESCRIPTION
1	SUBDIVISION OF LOT 53A	5/26/04	INITIAL

GENERAL NOTES

- THIS MAP HAS BEEN PREPARED FROM A FIELD SURVEY PERFORMED BY SPEATH ENGINEERING, ON APRIL 20, 2004.
- REFERENCES:
 - DEED: H & H HOMES, INC. (2/24/02) AS FILED IN TOWN OF MANCHESTER, CLERKS OFFICE.
 - MAP ENTITLED: "DETAILED LOT LAYOUT FOR MOUNTAIN VIEW ESTATES, MANCHESTER, VERMONT, BY ELLIS H. SPEATH, JR. (VT #601); REVISED 11-88 AS FILED IN THE MANCHESTER TOWN CLERKS OFFICE AUGUST 21, 1991.
 - MAP ENTITLED: "BOUNDARY LINE ADJUSTMENT FOR MOUNTAIN VIEW ESTATES, MANCHESTER, VERMONT, PREPARED BY ELLIS H. SPEATH, JR. (VT #601) FOR H & H HOMES INC. AS APPROVED 6/23/04 BY TOWN OF MANCHESTER ZONING ADMINISTRATOR.
- OWNER OF RECORD ADDRESS:
H & H HOMES, INC.
P.O. BOX 2715
MANCHESTER CENTER, VT 05255
- NORTH ORIENTATION IS BASED ON ABOVE REFERENCED MAP.
- EXTERIOR BOUNDARIES OF THESE PROPERTIES WERE TAKEN FROM THE ABOVE REFERENCED MAP.

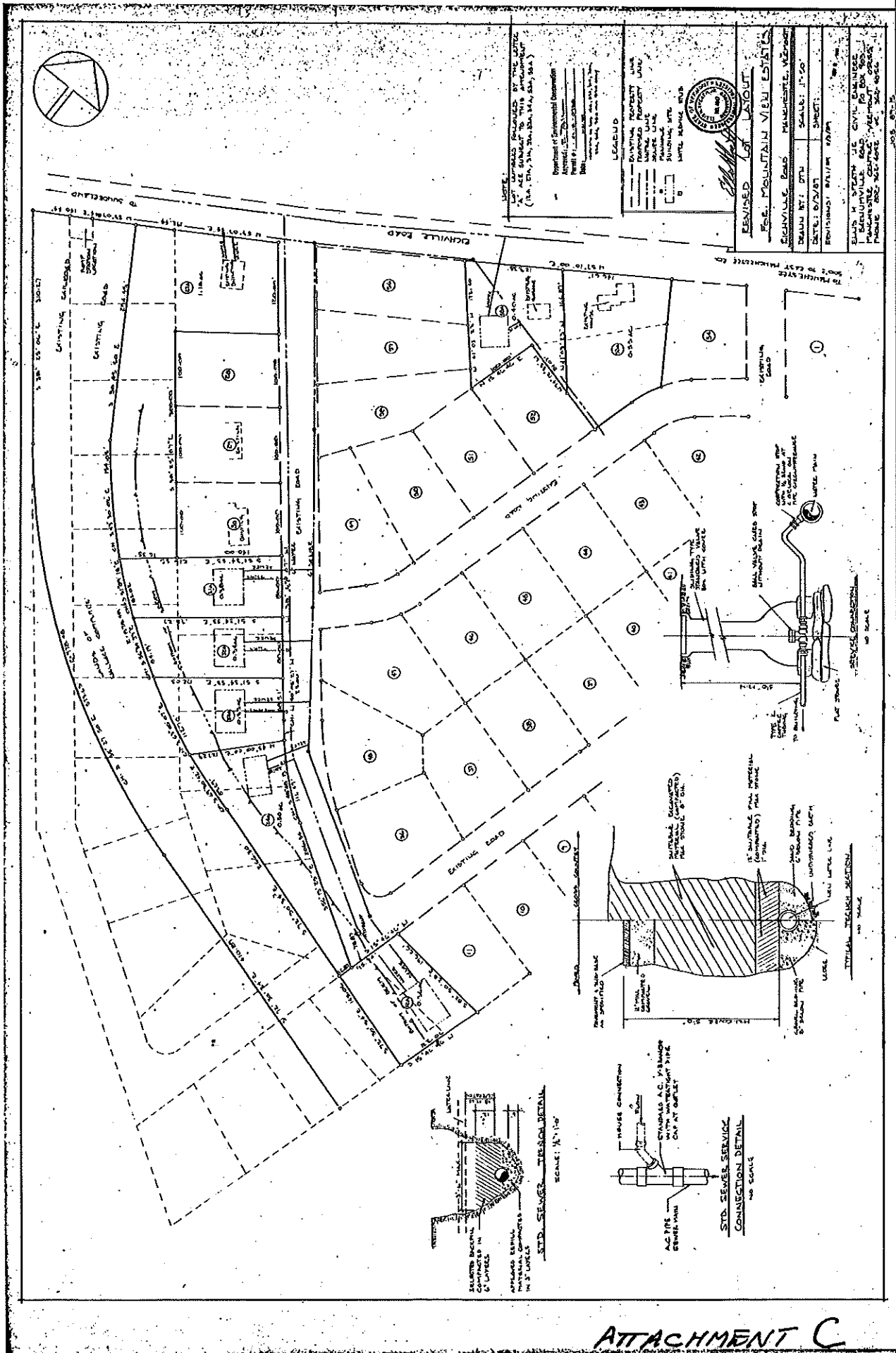
LEGEND

- PROPERTY LINE
- ADJOINERS PROPERTY LINE
- PROPOSED PROPERTY LINE
- RIGHT-OF-WAY LINE
- IRON PIN / PIPE FOUND
- IRON PIN TO BE SET



SUBDIVISION OF LOT #53A OF MOUNTAIN VIEW ESTATES	
PROPERTY OWNER: H & H HOMES, INC.	
PROPERTY LOCATION: RICHVILLE ROAD & VALLEY PASS ROAD	
DATE OF SURVEY: 4/20/04	
DATE OF MAP: 5/26/04	
LAND SURVEYOR: ELLIS H. SPEATH, JR.	
REFERENCES: AS NOTED	
SCALE: 1"=30'	PROJECT #: 04-18
I HEREBY CERTIFY THAT THIS PLAT CONFORMS TO THE ABOVE REFERENCED DEEDS, PLATS AND FIELD EVIDENCE AS SHOWN UNLESS OTHERWISE NOTED, AND TO THE REQUIREMENTS OF 27 V.S.A. SECTION 1400.	
ENGINEER: <i>[Signature]</i>	DATE: 2/1/05
SPEATH ENGINEERING 274 HARMONY LANE MANCHESTER CENTER, VERMONT 05255 (802) 352-4052	
VT. LIC. #601 C-1	

*Rec'd & Filed
02/11/2005 12:50 P.M.
Ellis H. Speath, Jr.
Chloride
Town Clerk*



ATTACHMENT C



RECORD PLATS:

"MOUNTAIN VIEW ESTATES, MANCHESTER, VT., DUFRESNE HENRY, DATE: 12-74, SCALE: 1"=50', RECORDED MANCHESTER LAND RECORDS"
 "REVISED LOT LAYOUT FOR MOUNTAIN VIEW ESTATES, MANCHESTER, VERMONT, 8/3/88, REVISED 11/3/88, LAND SURVEYOR: ELLIS
 SPEATH, LAND OWNER: RICHARD & NADINE HAYES, RECORDED MANCHESTER LAND RECORDS SURVEY PLAT 82-A ON AUGUST 21, 1991"

- ① 4" CONCRETE & METAL POST REC. 10" BELOW GRADE AND 1 1/4" IRON PIPE REC. 12" BELOW GRADE
 30" ALUMINUM ROD WITH 3 1/4" STAMPED CAP TO BE SET FLUSH WITH GROUND AS WITNESS TO ABOVE ORIGINAL MONUMENTATION
- ② 1 1/4" IRON PIPE REC. 2" BELOW GRADE
 30" ALUMINUM ROD WITH 3 1/4" STAMPED CAP TO BE SET FLUSH WITH GROUND AS WITNESS TO ABOVE ORIGINAL MONUMENTATION
 VERMONT STATE PLANE COORDINATE VALUE: N243377.69 E1493710.65 US SURVEY FEET
- ③ 1 1/2" IRON PIPE REC. 9" BELOW GRADE
 30" ALUMINUM ROD WITH 3 1/4" STAMPED CAP TO BE SET FLUSH WITH GROUND AS WITNESS TO ABOVE ORIGINAL MONUMENTATION
 VERMONT STATE PLANE COORDINATE VALUE: N243456.53 E1493614.40 US SURVEY FEET
- ④ 1 1/2" IRON PIPE REC. 10" BELOW GRADE, TIPPED, RED PAINT
 30" ALUMINUM ROD WITH 3 1/4" STAMPED CAP TO BE SET FLUSH WITH GROUND AS WITNESS TO ABOVE ORIGINAL MONUMENTATION
- ⑤ 1 1/2" IRON PIPE REC., BROKEN OFF 4" BELOW GRADE
 30" ALUMINUM ROD WITH 3 1/4" STAMPED CAP TO BE SET FLUSH WITH GROUND AS WITNESS TO ABOVE ORIGINAL MONUMENTATION
- ⑥ NO MONUMENT RECOVERED AT OR NEAR CALCULATED RECORD POSITION
 30" ALUMINUM ROD WITH 3 1/4" STAMPED CAP TO BE SET FLUSH WITH GROUND AS WITNESS TO CALCULATED RECORD POSITION
- ⑦ NO MONUMENT RECOVERED AT OR NEAR CALCULATED RECORD POSITION
 30" ALUMINUM ROD WITH 3 1/4" STAMPED CAP TO BE SET FLUSH WITH GROUND AS WITNESS TO CALCULATED RECORD POSITION
- ⑧ NO MONUMENT RECOVERED AT OR NEAR CALCULATED RECORD POSITION
 30" ALUMINUM ROD WITH 3 1/4" STAMPED CAP TO BE SET FLUSH WITH GROUND AS WITNESS TO CALCULATED RECORD POSITION

ALL RECOVERED MONUMENTATION AND CALCULATED RECORD POSITIONS OF ROAD INTERSECTIONS HAVE BEEN WITNESSED WITH GRADE STAKES, PAINTED RED AND APPROPRIATELY DESCRIBE THE APPROXIMATE ROAD INTERSECTIONS AS OF THE DATE OF THIS MAP.

THIS MAP MAY NOT BE USED TO DETERMINE THE LOCATION OF ANY INTERIOR BOUNDARY LINES

THIS MAP HAS NOT BEEN PREPARED FOR RECORDING AND SHALL BE AMENDED BASED ON THE REPORT OF FINDINGS, ORDER AND RETURN REGARDING THE ROADS DESCRIBED HEREON AND TO REFLECT DESCRIPTIONS OF THE PERMANENT MONUMENTATION SET AT A FUTURE DATE

THIS SURVEY WAS PREPARED BY DANIELS SURVEY, P.C. OF MANCHESTER, VT. AT THE REQUEST OF THE SELECTBOARD FOR THE TOWN OF MANCHESTER, VERMONT FOR THE PURPOSE OF DEPICTING EXISTING MONUMENTATION & MONUMENTATION TO BE SET AT THE INTERSECTION OF GREEN MOUNTAIN ROAD AND RICHVILLE ROAD AND AT THE INTERSECTION OF VALLEY PASS ROAD AND GREEN MOUNTAIN ROAD. THIS MAP, ONCE AMENDED, SUBJECT TO CONDITIONS CONTAINED IN THE REPORT OF FINDINGS, ORDER AND RETURN FOR THE ACCEPTANCE OF GREEN MOUNTAIN ROAD AND VALLEY PASS ROAD, MAY FORM PART OF SAID REPORT. THIS MAP MAY NOT BE USED FOR ANY OTHER PURPOSE AND IS NOT TRANSFERABLE TO ANY OTHER PARTY WITHOUT WRITTEN AUTHORIZATION FROM DANIELS SURVEY, P.C. THIS MAP SHALL BE FILED IN THE TOWN OF MANCHESTER, VERMONT LAND RECORDS.

PRELIMINARY PLAN

PLAN SHOWING EXISTING AND PROPOSED ROAD MONUMENTATION

MOUNTAIN VIEW ESTATES

GREEN MOUNTAIN ROAD & VALLEY PASS ROAD

SITUATED OFF RICHVILLE ROAD (TH#6) MANCHESTER, VERMONT

SCALE: 1" = 60'

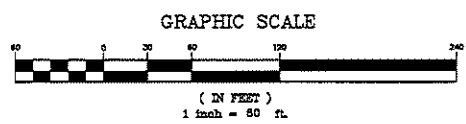
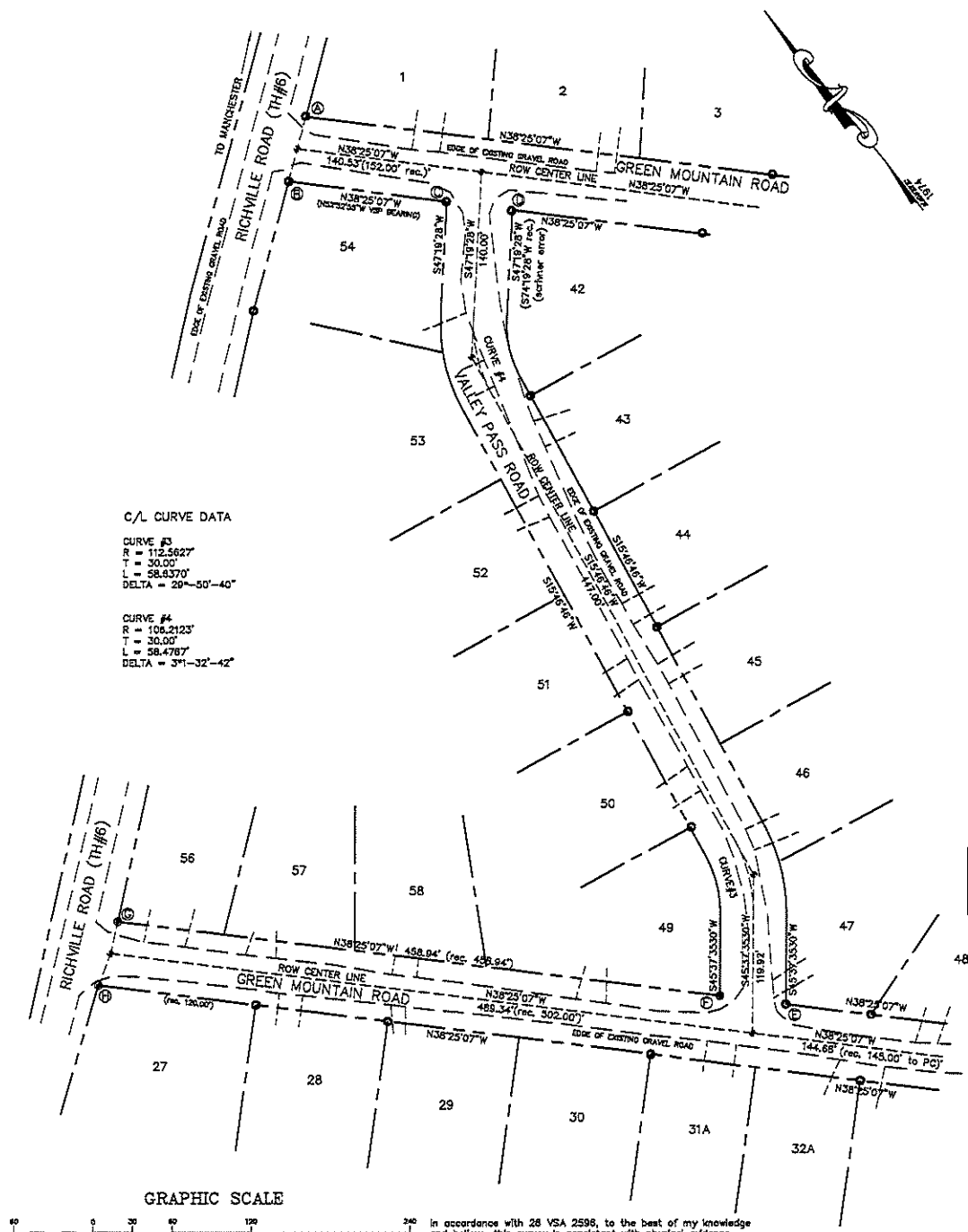
DATE: JULY 30, 2024

DANIELS SURVEY, P.C. 227 SUGARHOUSE LANE MANCHESTER CENTER, VT. 802-362-5032(d) danielssurvey@comcast.net

C/L CURVE DATA

CURVE #3
 R = 112.5827'
 T = 30.00'
 L = 58.6370'
 DELTA = 29°-50'-40"

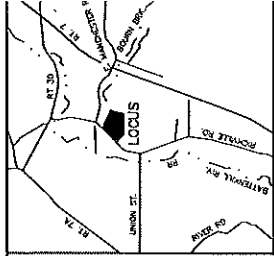
CURVE #4
 R = 106.2123'
 T = 30.00'
 L = 58.4787'
 DELTA = 3°-1'-32'-42"



In accordance with 28 VSA 2598, to the best of my knowledge and believe, this survey is consistent with physical evidence recovered on the ground and the information noted herein. This plot DOES NOT meet the requirements of 27 VSA 1403.
 Debra Daniels Mithoefer VL PLS # 615 Dated
 THIS MAP DOES NOT MEET RECORDING STANDARDS - DO NOT RECORD

ATTACHMENT E

ATTACHMENT C



STAMPED CAPS A-E READ
TOWN OF MANCHESTER VT
MOUNTAIN VIEW ESTATES
DO NOT DISTURB
WITNESS MARK
LS#615

STAMPED CAPS F-H READ
TOWN OF MANCHESTER VT
MOUNTAIN VIEW ESTATES
DO NOT DISTURB
SURVEY MARK
LS#615

- MONUMENT DESCRIPTIONS**
- ① 4" CONCRETE FILED CORNER CAN W/ 3" REC. 10" BELOW GRADE AND 1 1/4" IRON PIPE REC. 12" BELOW GRADE, TYPED NORTH VERMONT STATE PLANE COORDINATE VALUE: N243446.31 E1403846.58 US SURVEY FEET
 - ② 30" ALUMINUM ROD SET 4" ABOVE THE GROUND BEARS WITNESS TO ABOVE ORIGINAL MONUMENTATION
 - ③ THE 30" ALUMINUM ROD WITH 3 1/4" STAMPED CAP BEARS N23°48'25"W @ 0.45' FROM ORIGINAL MONUMENT
 - ④ 1 1/4" IRON PIPE REC. 2" BELOW GRADE
 - ⑤ VERMONT STATE PLANE COORDINATE VALUE: N243450.53 E1403844.40 US SURVEY FEET
 - ⑥ 30" ALUMINUM ROD WITH 3 1/4" STAMPED CAP SET FLUSH WITH GROUND BEARS WITNESS TO ABOVE ORIGINAL MONUMENTATION
 - ⑦ THE 30" ALUMINUM ROD WITH 3 1/4" STAMPED CAP BEARS N23°48'25"W @ 0.45' FROM ORIGINAL MONUMENT
 - ⑧ 1 1/2" IRON PIPE REC. 9" BELOW GRADE
 - ⑨ VERMONT STATE PLANE COORDINATE VALUE: N243770.88 E1403703.85 US SURVEY FEET
 - ⑩ 30" ALUMINUM ROD WITH 3 1/4" STAMPED CAP SET FLUSH WITH GROUND BEARS WITNESS TO ABOVE ORIGINAL MONUMENTATION
 - ⑪ THE 30" ALUMINUM ROD WITH 3 1/4" STAMPED CAP BEARS N23°48'25"W @ 0.45' FROM ORIGINAL MONUMENT
 - ⑫ 1 1/2" IRON PIPE REC. 10" BELOW GRADE, TYPED, RED PAINT
 - ⑬ VERMONT STATE PLANE COORDINATE VALUE: N243574.44 E1403750.83 US SURVEY FEET
 - ⑭ 30" ALUMINUM ROD WITH 3 1/4" STAMPED CAP SET FLUSH WITH GROUND BEARS WITNESS TO ABOVE ORIGINAL MONUMENTATION
 - ⑮ THE 30" ALUMINUM ROD WITH 3 1/4" STAMPED CAP BEARS N23°48'25"W @ 0.45' FROM ORIGINAL MONUMENT
 - ⑯ 1 1/2" IRON PIPE REC. BROKEN OFF 4" BELOW GRADE
 - ⑰ VERMONT STATE PLANE COORDINATE VALUE: N242722.44 E1403629.82 US SURVEY FEET
 - ⑱ 30" ALUMINUM ROD WITH 3 1/4" STAMPED CAP SET 4" ABOVE THE GROUND BEARS WITNESS TO ABOVE ORIGINAL MONUMENTATION
 - ⑲ THE 30" ALUMINUM ROD WITH 3 1/4" STAMPED CAP BEARS N23°48'25"W @ 0.45' FROM ORIGINAL MONUMENT
 - ⑳ NO MONUMENT RECOVERED AT OR NEAR CALCULATED RECORD POSITION
 - ㉑ VERMONT STATE PLANE COORDINATE VALUE: N242732.77 E1403586.72 US SURVEY FEET
 - ㉒ 30" ALUMINUM ROD WITH 3 1/4" STAMPED CAP SET FLUSH WITH GROUND AT CALCULATED RECORD POSITION
 - ㉓ NO MONUMENT RECOVERED AT OR NEAR CALCULATED RECORD POSITION
 - ㉔ VERMONT STATE PLANE COORDINATE VALUE: N243029.85 E1403237.71 US SURVEY FEET
 - ㉕ 30" ALUMINUM ROD WITH 3 1/4" STAMPED CAP SET FLUSH WITH GROUND AT CALCULATED RECORD POSITION
 - ㉖ NO MONUMENT RECOVERED AT OR NEAR CALCULATED RECORD POSITION
 - ㉗ VERMONT STATE PLANE COORDINATE VALUE: N242994.82 E1403186.73 US SURVEY FEET
 - ㉘ 30" ALUMINUM ROD WITH 3 1/4" STAMPED CAP SET FLUSH WITH GROUND AT CALCULATED RECORD POSITION

SURVEY NOTES

THIS SURVEY MEETS THE STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN SUBURBAN AREAS AS ESTABLISHED BY 28 V.S.A. SECTION 2544(9)(A-E) AND SET FORTH IN STATE OF VERMONT BOARD OF LAND SURVEYORS RULES, PART 5: MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING.

THIS SURVEY PLAT CONFORMS WITH THE REQUIREMENTS OF 27 V.S.A. CHAPTER 17 SECTION 1403 FOR COMPOSITION OF SURVEY PLATS.

THIS SURVEY PLAT IS BASED ON RECORD DOCUMENTS, RECORDED SURVEYS BY OTHERS AND FIELD EVIDENCE. EACH IN PART, DANIELS SURVEY, P.C. PERFORMED A CLOSED, CONNECTED FIELD SURVEY DURING THE SUMMER OF 2024 USING A TRIMBLE S8 ROBOTIC TOTAL STATION AND A GPS FIELD SURVEY DURING THE SUMMER OF 2024 USING LEICA 2 BASE AND RTX ROVER RECEIVERS.

THE FIELD SURVEY BY DANIELS SURVEY, P.C. PRODUCE A CLOSED, BALANCED TRAVERSE BY ROBOTIC TOTAL STATION WITH A PRECISION RATIO EQUAL TO 1:100000 AFTER ANGULAR ADJUSTMENT. THE RTK GPS FIELD SURVEY BY DANIELS SURVEY, P.C. UTILIZED REDUNDANT OBSERVATIONS TO DETERMINE POSITION.

BEARINGS SHOWN HEREIN REFERENCE MAGNETIC NORTH AS DEPICTED ON THE 1974 SUBDIVISION BY W. BYRD LARABEE, L.L. ACTING FOR DUFFRESNE-HENRY. THE BEARINGS THEREON AND HEREON ARE SHOWN TO THE NEAREST 000'-00"-00" AND ARE NOT TO BE CONSIDERED AS A BASIS FOR ADJUSTMENT. THE BEARINGS AND DISTANCES ARE SHOWN AS GROUND DISTANCES. ROAD TERMINUS POINTS ARE ALSO DESCRIBED BY VERMONT STATE PLANE COORDINATE VALUES.

REFERENCE IS MADE TO THE RECORDED MAPS REFERENCED ON THE FACE OF THIS MAP.

DANIELS SURVEY, P.C. DID NOT CONDUCT ANY RESEARCH PERTAINING TO PRIOR LOCAL SUBDIVISION OR ZONING PERMIT COMPLIANCE, STATE PERMIT COMPLIANCE, SIGNIFICANT HABITAT AREAS, WETLANDS, ANY OTHER POTENTIAL NATURAL RESOURCE ENCUMBRANCE OR ANY OTHER REGULATORY AND PERMITTING CONCERNS FOR THE PROPERTY DEPICTED HEREON.

DANIELS SURVEY, P.C. DID NOT CONDUCT RESEARCH PERTAINING TO TOWN HIGHWAYS, TRAILS OR UNIDENTIFIED CORRIDORS, AS DEFINED IN TITLE 10 V.S.A., CHAPTER 1, SECTION 302 FOR THE PROPERTY DEPICTED HEREON.

THIS SURVEY WAS PREPARED BY DANIELS SURVEY, P.C. OF MANCHESTER, VT, AT THE REQUEST OF THE SELECTBOARD OF THE TOWN OF MANCHESTER, VERMONT. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE VERMONT BOARD OF LAND SURVEYORS RULES, PART 5: MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE VERMONT BOARD OF LAND SURVEYORS RULES, PART 5: MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE VERMONT BOARD OF LAND SURVEYORS RULES, PART 5: MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING.

FINAL PLAN

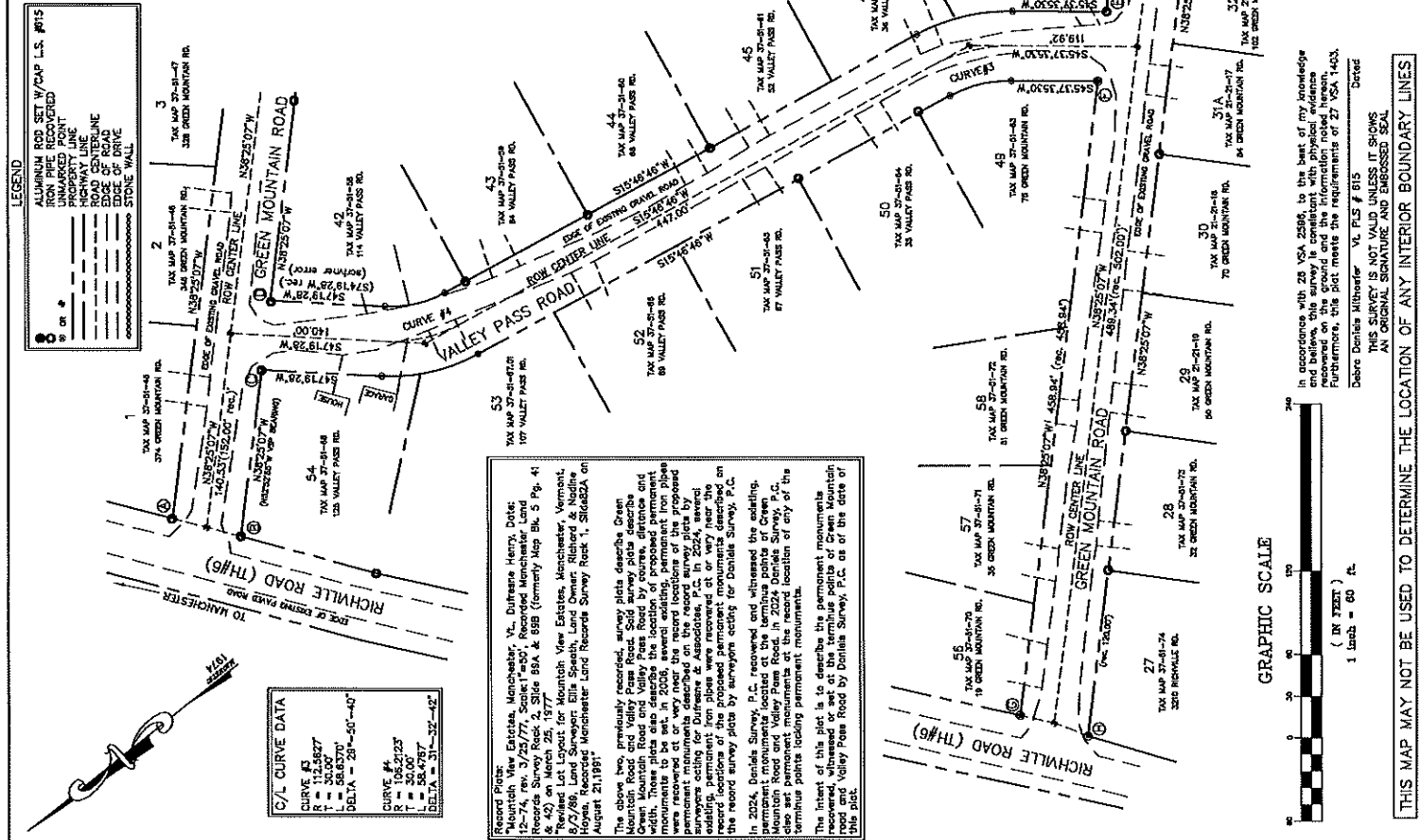
PLAN SHOWING EXISTING AND SET ROAD MONUMENTATION

MOUNTAIN VIEW ESTATES

GREEN MOUNTAIN ROAD & VALLEY PASS ROAD

SITUATED OFF RICHVILLE ROAD (TH#6) MANCHESTER, VERMONT
DATE: AUGUST 16, 2024
SCALE: 1" = 60'
DANIELS SURVEY, P.C. 227 SUGARHOUSE LANE MANCHESTER CENTER, VT 05255-5032(6) danielssurvey@comcast.net

DRAFT 8/13/24



*UNOFFICIAL DIGITAL COPY. This plot image is a copy created pursuant to 27 V.S.A. section 1401. The survey plot filed with the town clerk of the subject municipality is the official plot of record.

ATTACHMENT F

EXHIBIT LIST
MANCHESTER PUBLIC HIGHWAY HEARING RE
ROADS WITHIN
MOUNTAIN VIEW ESTATES SUBDIVISION
8/6/24

No. **Exhibit**

- 1 Agreement to Dedicate and Accept Common Roads and Common Water Service and Sewer Collection Systems and Related Easements at Mountain View Estates a/k/a Green Mountain Estates Subdivision dated 10/4/2024 with the following exhibits:
 - a. Subdivision Survey entitled Mountain View Estates, prepared by Dufresne-Henry Engineering Corporation in December, 1974, revised March 25, 1977 and recorded in Book 5, Pages 41-42 of the Manchester Land Records;
 - b. Plat of Subdivision of Lot #53A dated 6/26/04; and
 - c. Plat XI, prepared by Dufresne Associates, PC, Project #716016 and titled "Green Mountain Estates Road, Water, and Sewer Utilities Existing Conditions Manchester, Vermont" dated September, 2006.
- 2 VT Superior Court, Probate Div., Bennington Unit Entry Order granting Motion to Approve Settlement Agreement dated 3/23/2024 in *In re: Estate of Richard D. Hayes*, Case No. 112-3-14-Bnpr
- 3 VT Superior Court, Probate Div., Bennington Unit License to Sell or Convey Personal Property with attached Property Description dated 3/23/2024 in *In re: Estate of Richard D. Hayes*, Case No. 112-3-14-Bnpr
- 4 VT Superior Court, Probate Div., Bennington Unit License to Sell or Convey Real Property with attached Property Description dated 3/23/2024 in *In re: Estate of Richard D. Hayes*, Case No. 112-3-14-Bnpr
- 5 VT Superior Court, Probate Div., Bennington Unit Entry Order granting Motion to Approve Settlement Agreement dated 3/23/2024 in *In re: Estate of Nadine M. Hayes*, Case No. 111-3-14-Bnpr
- 6 VT Superior Court, Probate Div., Bennington Unit License to Sell or Convey Personal Property with attached Property Description dated 3/23/2024 in *In re: Estate of Nadine M. Hayes*, Case No. 111-3-14-Bnpr

- 7 VT Superior Court, Probate Div., Bennington Unit License to Sell or Convey Real Property with attached Property Description dated 3/23/2024 in *In re: Estate of Nadine M. Hayes*, Case No. 111-3-14-Bnpr
- 8 Plan Showing Existing and Proposed Parcel Monumentation-Mountain View Estates, Green Mountain Road & Valley Pass Situated off Richville Rd. (TH#6), Manchester, Vermont prepared by Deborah Daniels Mithoefer and dated 7/30/24.
- 9 Survey of Mountain View Estates, Manchester, Vermont dated 12/74, recorded 3/25/77 prepared by W. Byrd LaPrade, Dufresne-Henry Engineering Corporation and recorded at Bk 5, P. 40-41 of the Manchester Land Records
- 10 Revised Lot Layout for Mountain View Estates, Richville Rd., Manchester, Vermont prepared by Ellis H. Speath, Jr., dated 8/3/89, recorded 11/3/89
- 11 Green Mountain Estates Road, Water, and Sewer Utilities Existing Conditions, Project # 716016, dated 9/06 prepared by Wayne D. Lawrence, Dufresne & Associates.
- 12 Title Opinion and Report of Lon McClintock, Esq. dated 3/22/24 re: Title of Richard D. Hayes and Nadine M. Hayes concerning the following interests: (1) The Private Roadways, (2) The Sewer Pump Station, (3) The Water and Sewer Mains serving MVE, and (4) Four easements appurtenant to the sewer lines and force mains.
- 13 Affidavit of Douglas Kilburn re: Mailing of Certified Notice of Hearing pursuant 19 V.S.A. § 709 to persons owning or interested in lands abutting Green Mountain Road and Valley Pass.
- 14 Certified Publication Notice

AFFIDAVIT OF DOUGLAS KILBURN

I, Douglas (Doug) Kilburn am employed by the Town of Manchester as a Special Assistant to the Town Manager and the Planning and Zoning Administrator for the Town of Manchester. I hereby state as follows, based on personal knowledge and information:

1. As part of my duties for the Town of Manchester, I have provided assistance in preparing for the town highway proceeding pursuant to 9 V.S.A. § 708, *et. seq.*, of and relating to the Acceptance, Dedication, Classification and laying out of Green Mountain Road and Valley Pass noticed for August 6, 2024.

2. On July 1, 2024, I mailed, by certified mail, return receipt requested, the Notice of Hearing attached hereto as Exhibit A to the official residence of all persons listed on Exhibit B attached hereto who own or are interested in lands through which Valley Pass and Green Mountain Road passes or abuts.

DATED this 5th day of August, 2024.


Douglas Kilburn

STATE OF VERMONT
COUNTY OF BENNINGTON, SS.

Subscribed and sworn this 5th day of August, 2024.


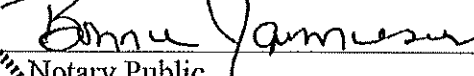

Before me, 
Notary Public
Print Name: Bonnie Jamieson
Commission No: _____
Commission Expires: 1/31/25

EXHIBIT A

**TOWN OF MANCHESTER, VERMONT
NOTICE OF INSPECTION & PUBLIC HEARING REGARDING
DEDICATION, ACCEPTANCE, CLASSIFICATION AND LAYING OUT OF ROADS
KNOWN AS GREEN MOUNTAIN ROAD AND VALLEY PASS
LYING WITHIN MOUNTAIN VIEW ESTATES A/K/A GREEN MOUNTAIN ESTATES**

The Town of Manchester Selectboard hereby gives notice pursuant to 19 V.S.A. §§ 701 and 709 of a public hearing and inspection to consider the dedication, acceptance, classification and laying out of the following private roads located within the Mountain View Estates Subdivision a/k/a Green Mountain Estates ("MVE Subdivision"):

1. The entirety of a common and existing private road known as Green Mountain Road centered on a 50' strip of land through the MVE Subdivision from its intersection with Richville Road on the north to its intersection with Richville Road on the south.

2. The entirety of a common and existing private road known as Valley Pass centered on a 50' strip of land through the MVE Subdivision from its intersection with Green Mountain Road on the north to its intersection with Green Mountain Road on the south.

The inspection of both roads will be held on August 6, 2024 commencing at 5:00 p.m. at the southern intersection of Richville Road and Green Mountain Road and a hearing on both roads will be held on August 6, 2024 at 7:00pm or, if later, at a time to be announced at the conclusion of the site inspection, at the Manchester Town Offices located at 40 Jeff Williams Way, Manchester, Vermont.

Reference is hereby made to an Agreement to Dedicate and Accept Common Roads and Common Water Service and Sewer Collection Systems and Related Easements at Mountain View Estates a/k/a Green Mountain Estates Subdivision dated September 22, 2023, which sets forth certain terms and conditions relating to the dedication, acceptance, classification and laying out of Green Mountain Road and Valley Pass, a copy of which is available for inspection upon request at the Manchester Town Office.

For more information, please contact Scott Murphy at (802) 362-1313, option 2, or Doug Kilburn at (802) 362-1313, option 3 or by e-mailing them at s.murphy@manchester-vt.gov or d.kilburn@manchester-vt.gov.

06-01-17.00	Nat Form Way	BIW LLC	PO Box 2225	Manchester	VT	05255
				CTR		
06-01-18.02	Natural Form Way	Creative Process	PO Box 468	Manchester	VT	05254
		Runway LLC				
	Attorney	Slayson	PO Box 535	Bellows Falls	VT	05101
	Hayes Estate	Lawrence				
	Attorney	Campbell	PO Box 2748	Manchester	VT	05255
		Ed		CTR		
	Attorney	McClintock	457 Rollins Road	North Bennington	VT	05257
	Tn. Of Manchester	Lon				
	Trustee	Hayes	300 Green Mt. Road	Manchester Ctr	VT	05255
	Hayes Estate	Deb				
	Trustee	Hayes	4354 Manayunk Ave.	Philadelphia	PA	19128
	Hayes Estate	Hunter				
	Town of	Planning	40 Jeff Williams Way	Manchester Ctr	VT	05255
	Manchester	Commission				

Tax Map ID	Parcel ID	Property Address	Owner Name	Co-Owner Name	Owner Address	Owner Address 2	Owner City	Owner State	Owner Zip
21-21-02.01		120 GREEN MOUNTAIN ROAD	TOWSLEE MARK E & CECELIA G		120 GREEN MOUNTAIN RD		MANCHESTER CTR	VT	05255
21-21-02.02		102 GREEN MOUNTAIN ROAD	MULREADY ERICA		102 GREEN MOUNTAIN RD		MANCHESTER CTR	VT	05255
21-21-02.03		140 GREEN MOUNTAIN ROAD	COLGAN GAIL M & GRAHAM W		PO BOX 1507		MANCHESTER CTR	VT	05255
21-21-17.00		84 GREEN MOUNTAIN ROAD	WILD NICHOLAS C	WILD EMMA C	PO BOX 843		MANCHESTER CTR	VT	05255
21-21-18.00		70 GREEN MOUNTAIN ROAD	NAPPI ANDREW J & LINDA M		160 SARLES LN		PLEASANTVILLE	NY	10570
21-21-19.00		50 GREEN MOUNTAIN ROAD	LESLIE BENJAMIN & AMBER		50 GREEN MOUNTAIN RD		MANCHESTER CTR	VT	05255
21-21-21.00		18 VALLEY PASS	MCNULTY STEVEN P JR		18 VALLEY PASS		MANCHESTER CTR	VT	05255
21-21-22.00		141 GREEN MOUNTAIN ROAD	KNIGHT EDWARD C & SANDRA M		141 GREEN MOUNTAIN RD		MANCHESTER CTR	VT	05255
21-21-23.00		177 GREEN MOUNTAIN ROAD	WILKINSON JOHN C	TRAFTON SHERRI	177 GREEN MTN RD		MANCHESTER CTR	VT	05255
21-21-24.00		205 GREEN MOUNTAIN ROAD	BISHOP KEVIN J & LINDA S		PO BOX 527		MANCHESTER CTR	VT	05255
21-21-25.00		214 GREEN MOUNTAIN ROAD	HUGHES TRACY		214 GREEN MOUNTAIN ROAD		MANCHESTER CTR	VT	05255
21-21-26.00		196 GREEN MOUNTAIN ROAD	THOMPSON EDWARD L & PATRICIA L	IFE ESTATE	PO BOX 403		MANCHESTER CTR	VT	05255
37-51-35.00		3390 RICHVILLE ROAD	DAD & THE BOYS LLC		379 WESTVIEW EST		MANCHESTER CTR	VT	05255

EXHIBIT B

37-51-43.00		RICHVILLE ROAD	BLACKACRE LLC		52 DEER HILL AVE	DANBURY CT	06810
37-51-44.00		3385 RICHVILLE ROAD	ROBERTS MARK N		PO BOX 785	MANCHESTER VT CTR	05255
37-51-45.00		374 GREEN MOUNTAIN ROAD	CHARBONNEAU JOSEPH H	LEONE-CHARBONNEAU MARY FRANCES	PO BOX 458	MANCHESTER VT CTR	05255
37-51-46.00		348 GREEN MOUNTAIN ROAD	CODY PATRICIA B		348 GREEN MOUNTAIN RD	MANCHESTER VT CTR	05255
37-51-47.00		328 GREEN MOUNTAIN ROAD	PENGE 2021 TRUST COSMO D	PENGE 2021 TRUST KATHLEEN D	328 GREEN MOUNTAIN RD	MANCHESTER VT CTR	05255
37-51-48.00		GREEN MOUNTAIN ROAD	HAYES RICHARD ESTATE		300 GREEN MOUNTAIN RD	MANCHESTER VT CTR	05255
37-51-49.00		300 GREEN MOUNTAIN ROAD	HAYES-MCGRAW DEBORAH	MCGRAW KENNETH	300 GREEN MOUNTAIN RD	MANCHESTER VT CTR	05255
37-51-50.00		288 GREEN MOUNTAIN ROAD	SAVARD SUSAN B		3387 N SPYGLASS VILL PATH	LECANTO FL	34461
37-51-51.00		274 GREEN MOUNTAIN ROAD	MICHALKOVIC MICHELLE		274 GREEN MTN RD	MANCHESTER VT CTR	05255
37-51-52.00		254 GREEN MOUNTAIN ROAD	CONWAY SHARON L		254 GREEN MTN RD	MANCHESTER VT CTR	05255
37-51-53.00		234 GREEN MOUNTAIN ROAD	LONDREGAN CHRISTOPHE R & MELISS	A	132 SQUIRREL TREE LN	MT LAUREL NJ	08054
37-51-54.00		229 GREEN MOUNTAIN ROAD	HARRINGTON SHAWN		229 GREEN MOUNTAIN RD	MANCHESTER VT CTR	05255
37-51-55.00		249 GREEN MOUNTAIN ROAD	HOM RICHARD D	SHELDON ELIZABETH	249 GREEN MOUNTAIN RD	MANCHESTER VT CTR	05255
37-51-56.00		263 GREEN MOUNTAIN ROAD	CASEY SCOTT & JOY		263 GREEN MOUNTAIN RD	MANCHESTER VT CTR	05255

EXHIBIT B

37-51-57.00	309 GREEN MOUNTAIN ROAD	ZENALI ARYA & MARYAM		309 GREEN MOUNTAIN RD		MANCHESTER VT	05255
37-51-58.00	114 VALLEY PASS	LEMKE ANNE C		114 VALLEY PASS		MANCHESTER VT	05255
37-51-59.00	84 VALLEY PASS	WILBORN SUSAN		84 VALLEY PASS		MANCHESTER VT	05255
37-51-60.00	68 VALLEY PASS	LEMNAH PATRICK T & KAREN K		PO BOX 268		MANCHESTER VT	05255
37-51-61.00	52 VALLEY PASS	BELL BRANDON S	BELL CARLEY A	52 VALLEY PASS		MANCHESTER VT	05255
37-51-62.00	36 VALLEY PASS	SHEVORSKI DIMITRY	KALISCH ALLS	36 VALLEY PASS		MANCHESTER VT	05255
37-51-63.00	75 GREEN MOUNTAIN ROAD	CARTHY ROSHEEN	CARTHY SHANE	75 GREEN MOUNTAIN ROAD		MANCHESTER VT	05255
37-51-64.00	35 VALLEY PASS	EH PROPERTIES LLC		35 VALLEY PASS		MANCHESTER VT	05255
37-51-65.00	67 VALLEY PASS	EKELUND WILLIAM J & PATRICIA		67 VALLEY PASS		MANCHESTER VT	05255
37-51-66.00	89 VALLEY PASS	NYSTROM CHARLES P & SANDRA A		169 MEADOW LANE		POULTNEY VT	05764
37-51-67.00	3312 RICHVILLE ROAD	TOOMEY JEREMY		PO BOX 2674		MANCHESTER VT	05255
37-51-67.01	107 VALLEY PASS	BARTLETT MELISSA		107 VALLEY PASS ROAD		MANCHESTER VT	05255
37-51-68.00	125 VALLEY PASS	GOTGART LIFE ESTATE EDWARD & MARY		125 VALLEY PASS		MANCHESTER VT	05255
37-51-69.00	3270 RICHVILLE ROAD	REID CHRISTOPHE R		3270 RICHVILLE RD		MANCHESTER VT	05255
37-51-70.00	19 GREEN MOUNTAIN ROAD	DENNAN ROSEANNE M		19 GREEN MOUNTAIN ROAD		MANCHESTER VT	05255

EXHIBIT B

37-51-71.00		35 GREEN MOUNTAIN ROAD	PAGLICCIA SAMANTHA	COBB JERRID	35 GREEN MOUNTAIN RD		MANCHESTER VT	05255
37-51-72.00		51 GREEN MOUNTAIN ROAD	FRENCH DANIEL M & HILARY B		PO BOX 2508		MANCHESTER VT	05255
37-51-73.00		32 GREEN MOUNTAIN ROAD	HENRY BRENON	BUSHEE TONYA	32 GREEN MTN RD		MANCHESTER VT	05255
37-51-74.00		3210 RICHVILLE ROAD	BURR & BURTON ACADEMY		PO BOX 498		MANCHESTER VT	05254
37-51-75.11		3195 RICHVILLE ROAD	WHITE MARTIN J	MICHAEL CHRISTINE N	PO BOX 308		SALEM NY	12865

VERMONT NEWS & MEDIA
AFFIDAVIT OF PUBLICATION

On this 5th day of August, 2024, I certify that the following document is true, exact,
complete and unaltered copies published for TOWN OF MANCHESTER

in re: **MOUNTAIN VIEW ESTATES A/K/A**

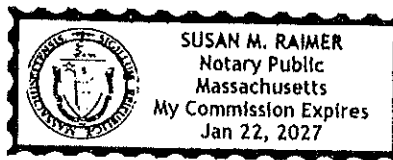
GREEN MOUNTAIN ESTATES

in the July 10th issue of the Bennington Banner,
a daily newspaper published in Bennington, Vermont and
with a general circulation in Bennington County. It was presented
to me by Roberta Brassard, Public Notice Coordinator for

Vermont News & Media



Signature of Notary Public



My Commission Expires on _____

(Seal)

Roberta Brassard
Public Notices Coordinator for
Vermont News & Media
Bennington Banner, 423 Main St.,
Bennington, VT 05201 413-496-6238
legals@benningtonbanner.com

Your brain holds secrets. Scientists want to find them.

By Peter Saw
The New York Times

About a month ago, Judith Hansen peeped awake in the prison lairs, thinking about her father's brain.

Her father, Mark Markoff, was an unusual man. At 10, he was thought to be the oldest in the United States. His brain was unusual, too, even after he recovered from a stroke in 19.

Although he left school after the eighth grade to work, Markoff became a successful businessman. Later in life, he curiously and compulsively collected items, including photographs and sculptures fashioned from scrap metal.

He was a healthy centenarian when he exhibited his work at a gallery in Los Angeles, where he lived. At 100, he published a monthly called "Keep Everything." He blogged regularly, peered over The Los Angeles Times daily, discussed articles in Scientific American and followed the national news on CNN and "60 Minutes."

Now he was meeting death, enticed in his hospital care. "In the middle of the night, I thought, 'That's brain to go to,'" said Hansen, 102, a retired librarian in Seattle. "I went online and looked up 'brain donation'."

Her search led to National Institutes of Health website explaining that its NeuroBank, established in 2001, collected postmortem human brain tissue to advance neurological research.

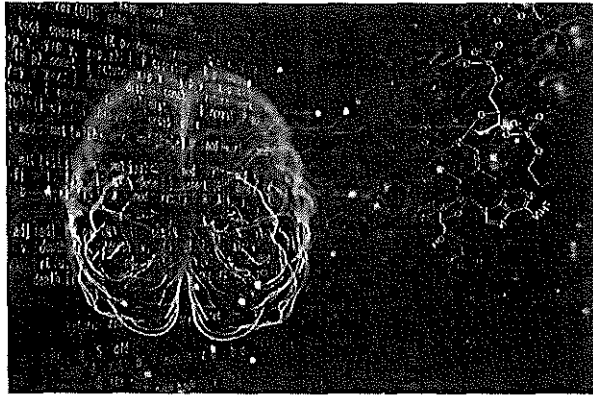
Through the site, Hansen contacted the nonprofit Brain Donor Project. It promotes and simplifies donations through a network of university brain banks, which distribute processed tissue to research labs.

Tish Heel, the founder of the project, traveled quickly, putting Hansen and her brother in touch with the brain bank of UCLA. Brain donors may have neurological and other diseases, or they may possess healthy brains, like Markoff's.

"We're going to learn so much from him," Heel said. "What is it about these superagers that allows them to function at such a high level for so long?"

Many older Americans have checked the box on their driver's licenses to allow organ donation for transplants; some have also looked into or arranged whole-body donations to medical schools. Fewer know about brain donation.

The campaign to encourage it began about a decade ago, when "new techniques came on the scene that allow studying the underlying 'crazy' of brain cells," said Dr. Walter Kozlowski, the director of the National Institute of Neurological Disorders and Stroke, which administers the NeuroBank.



Though some neurological research relies on scans and computer simulations, there's no substitute for human tissue. Dr. Walter Kozlowski, the director of the National Institute of Neurological Disorders and Stroke, which administers the NeuroBank, said, "It's like the difference between looking at a cartoon and a Rembrandt."

ministers the NeuroBank. Its secretors use its material to study many of brain disorders and psychological disorders.

But "these new techniques require the brain to be taken quickly and then frozen," because "brain tissue starts to deteriorate in a matter of hours," Kozlowski said.

Before the NeuroBank was established, some universities were already collecting donated brains, but the process "was scattered around the country," he said. "Access to tissue was not centralized."

Heel encountered such obstacles when her own father was dying of Lewy body dementia in 2001. "It was a terribly complicated process at the time," she said. "The Brain Donor Project now works to inform the public of the importance of brain donation and the best way to arrange it."

Though some neurological research relies on scans and computer simulations, there's no substitute for human tissue, Kozlowski said. "It's like the difference between looking at a cartoon and a Rembrandt."

Now, each of the six university brain banks affiliated with the NeuroBank averages two donations annually, enabling research on topics from Parkinson's disease and schizophrenia to the effects of military blasts. The Brain Donor Project, working with NINDS, has registered 2,000 donors since its inception in 2001. "There's a need for more," Kozlowski said.



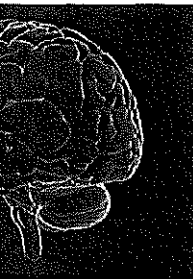
Many older Americans have checked the box on their driver's licenses to allow organ donation for transplants; some have also looked into or arranged whole-body donations to medical schools. Fewer know about brain donation.

Brain donation requires a simple fee, he acknowledged. "For some families, it's very uncomfortable to talk about," and some religious and ethnic groups find it objectionable. When he led research on Huntington's disease, Kozlowski and his team with patients. "It would take years of people asking questions before they'd feel comfortable signing a form."

How does it work? The Brain Donor Project connects would-be donors with NINDS-affiliated university brain banks. "Don't try to pick a brain bank on your own," Heel

FOODS: HERE TO STAY FOR COOKING

FOODS: HERE TO STAY FOR COOKING



Many older Americans have checked the box on their driver's licenses to allow organ donation for transplants; some have also looked into or arranged whole-body donations to medical schools. Fewer know about brain donation.

Heel said. "They have different requirements and protocols, and they project will connect you with the appropriate one."

The donor signs the necessary paperwork, or a relative or medical team member may sign on the donor's behalf. The family or medical staff must meet the bank immediately after the donor dies.

At the funeral home or morgue, where the body is kept, a "recovery specialist" often a pathologist or medical examiner, removes the brain from the back of the skull to avoid disfigurement (thus, the de-

ceased can still have an unperfected funeral and delivers it to a brain bank for freezing and distribution to research labs.

"I've heard from many families that even in the face of great loss, there's a relief of solace and comfort, knowing something positive can come from it," Heel said.

There is no cost to families, who can opt to receive a neuropathology report a few months later. It may prove useful in clarifying symptoms in potential diseases or abnormalities.

There are other ways to transport one's body as a legacy of science. Under the Uniform Anatomical Gift Act, almost any adult can become an organ donor when getting or renewing a driver's license, or by signing up at an online state registry. (According to state organs for transplantation doesn't include brain donation for neuroscience research.)

More than 100,000 Americans are on waiting lists for transplants, the greatest number waiting for a kidney.

It's "a different world" when people want to donate their bodies to medical schools to help educate health care professionals, said Sheldon Runtz, who teaches law at the University of Iowa and helped draft the current legislation on organ donation.

In that case, donors must contact schools directly, and they can be picky about which bodies they will accept and under what terms. Some will not work with out-of-state donors, for instance, or accept "research donations" arranged by families if the donor has not personally signed the paperwork.

It's sometimes possible to donate both a brain and a whole body. "There's no real legal shield if there are arrangements," Runtz said. "It's really a contract between the donor and the institution."

For Markoff, the 100-year-old man, however, his children saw his brain, more than his body, as a gift that could benefit others.

"There's a secret about there," Kozlowski noted. "In the very center, it's rare that a brain doesn't have neurological pathology, but 30% of them have no cognitive difficulty. The results are still working even when the pathology is severe. What's becoming that evidence?"

Markoff died at home June 4, just two days after his daughter's prearranged donation. Because the Brain Donor Project had immediately contacted Hansen with NINDS, she had his father's brain stored properly within four hours of his death, Heel said.

"That happened in a heartbeat. We felt so lucky that that could be useful," Hansen said. "But that's what we all want: To have purpose."

Classifieds

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Public Notices

STATE OF VERMONT
SUPERIOR COURT
PROBATE DIVISION
Bennington Unit
Docket No. 21-27-03315
IN RE: ESTATE OF
William Lutz
NOTICE TO CREDITORS
To the Creditors of WILLIAM LUTZ

Public Notices

State of Vermont, VT 05201
I have been appointed administrator of the estate of William Lutz, deceased, all creditors having claims against the decedent are to submit and present their claims to the probate court for review of the estate of the decedent, the claim must be presented to me at the address stated below with a copy sent to the Court. The claim may be denied forever if it is not presented within the four (4) month period.
Dated July 10, 2002
Diane Lutz, Administrator
C/O William Lutz
1000 N. Main St., Bennington, VT 05201
Tel: 802-234-7404

Public Notices

Bennington Banner
Publication No. 0710-0201
I have and I hereby offer for sale to the highest bidder the Bennington Banner, a newspaper published daily except on Sundays and public holidays, at Bennington, Vermont. The Bennington Banner is a newspaper published daily except on Sundays and public holidays, at Bennington, Vermont. The Bennington Banner is a newspaper published daily except on Sundays and public holidays, at Bennington, Vermont.
Dated July 10, 2002
Diane Lutz, Administrator
C/O William Lutz
1000 N. Main St., Bennington, VT 05201
Tel: 802-234-7404

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Dated July 10, 2002
Diane Lutz, Administrator
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1000 N. Main St., Bennington, VT 05201
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Dated July 10, 2002
Diane Lutz, Administrator
C/O William Lutz
1000 N. Main St., Bennington, VT 05201
Tel: 802-234-7404

\$100 and Under

FREE WOOD TOOLBOX, made of wood, \$10.00. Call 802-234-7404.
CLASSIC OLD CLOTHING, \$10.00. Call 802-234-7404.
2000 FAX MACHINE, \$10.00. Call 802-234-7404.
MAHOGANY ANTIQUE FULL SIZE, \$10.00. Call 802-234-7404.
NEW FULL 12 PCE SET OF 100, \$10.00. Call 802-234-7404.
OLD FARM TOOLS, \$10.00. Call 802-234-7404.
QUIN PAPER SHREDDER, \$10.00. Call 802-234-7404.
VASES & BASKETS, \$10.00. Call 802-234-7404.

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Received
& Posted
JUL 01 2024
Quinta J. Sheldon
Manchester Town Clerk mind
CVC

**TOWN OF MANCHESTER, VERMONT
NOTICE OF INSPECTION & PUBLIC HEARING REGARDING
DEDICATION, ACCEPTANCE, CLASSIFICATION AND LAYING OUT OF ROADS
KNOWN AS GREEN MOUNTAIN ROAD AND VALLEY PASS
LYING WITHIN MOUNTAIN VIEW ESTATES A/K/A GREEN MOUNTAIN ESTATES**

The Town of Manchester Selectboard hereby gives notice pursuant to 19 V.S.A. §§ 701 and 709 of a public hearing and inspection to consider the dedication, acceptance, classification and laying out of the following private roads located within the Mountain View Estates Subdivision a/k/a Green Mountain Estates ("MVE Subdivision"):

1. The entirety of a common and existing private road known as Green Mountain Road centered on a 50' strip of land through the MVE Subdivision from its intersection with Richville Road on the north to its intersection with Richville Road on the south.

2. The entirety of a common and existing private road known as Valley Pass centered on a 50' strip of land through the MVE Subdivision from its intersection with Green Mountain Road on the north to its intersection with Green Mountain Road on the south.

The inspection of both roads will be held on August 6, 2024 commencing at 5:00 p.m. at the southern intersection of Richville Road and Green Mountain Road and a hearing on both roads will be held on August 6, 2024 at 7:00pm or, if later, at a time to be announced at the conclusion of the site inspection, at the Manchester Town Offices located at 40 Jeff Williams Way, Manchester, Vermont.

Reference is hereby made to an Agreement to Dedicate and Accept Common Roads and Common Water Service and Sewer Collection Systems and Related Easements at Mountain View Estates a/k/a Green Mountain Estates Subdivision dated September 22, 2023, which sets forth certain terms and conditions relating to the dedication, acceptance, classification and laying out of Green Mountain Road and Valley Pass, a copy of which is available for inspection upon request at the Manchester Town Office.

For more information, please contact Scott Murphy at (802) 362-1313, option 2, or Doug Kilburn at (802) 362-1313, option 3 or by e-mailing them at s.murphy@manchester-vt.gov or d.kilburn@manchester-vt.gov.

VERMONT SUPERIOR COURT

Bennington Unit
207 South St
Bennington, VT 05201
802-447-2700
www.vermontjudiciary.org



PROBATE DIVISION

Case No. 112-3-14 Bnpr

IN RE: Hayes, Richard D.

ENTRY REGARDING MOTION

Title: Motion to Approve Settlement Agreement (Motion: 12)
Filer: Hunter Hayes and Deborah Hayes-McGraw
Filed Date: March 21, 2024

The Motion is granted.

The Court hereby approves and ratifies the Settlement Agreement between the Town of Manchester and Hunter Hayes and Deborah Hayes-McGraw as Administrators, c.t.a. of the Estate of Richard D. Hayes filed with this Court on March 21, 2024, which is intended to dedicate and accept certain common roads, common water service and sewer collection systems and related easements at Mountain View Estates a/k/a Green Mountain Estates subdivision.

Electronically signed on March 23, 2024 pursuant to V.R.B.F. 9(d)

A handwritten signature in black ink, appearing to read "K. Anderson", written over a horizontal line.

Karl C. Anderson
Probate Judge

STATE OF VERMONT

SUPERIOR COURT
Bennington ☒ Unit

PROBATE DIVISION
Docket No. 112-3-14-Bnpr

In re the Estate of:

Richard D. Hayes

LICENSE TO SELL OR CONVEY

☒ Real Property☒ Personal PropertyTO: Hunter Hayes and Deborah Hayes-McGraw

On March 21, 2024 you filed a motion for a license to sell or convey certain property located in the Town of Manchester, County of Bennington, Vermont.

The property is described as ☒ Real Estate ☒ Personal Property consisting of: *(Description of Property for Real Estate - include Land Records Information)*

The Administrators c.t.a. are authorized to implement and carry out the terms of their Agreement with the Town of Manchester dated October 4, 2023, entitled "Agreement to Dedicate and Accept Common Roads and Related Easements at Mountain View Estates a/k/a Green Mountain Estates Subdivision".

Findings with respect to notice and hearing:

- ☐ The motion was accompanied by the consent of all interested persons; or
☐ A hearing was held as required by statute and notice of hearing sent to all parties; or
☒ Notice and hearing were waived because power was expressly conferred by Article Fourth of the Will and no surviving spouse, heir, devisee or legatee resides in the dwelling to be sold.

Findings with respect to the requested transaction:

- ☒ The transaction is authorized by Article Fourth of the decedent's Will.
☐ Decedent was under contract to convey or sell the property at the time of death.
☒ The transaction appears necessary to pay the obligations of the estate or to preserve property.
☒ The transaction would aid in distribution or otherwise benefit the interested persons.
☐ The property is the decedent's homestead, but there is no surviving spouse.
☐ The property is the decedent's homestead and the surviving spouse has waived his/her rights to the homestead.

Therefore, it is hereby ORDERED that the property may be sold or conveyed as requested and you are licensed, authorized and empowered in your fiduciary capacity to complete the transaction as requested, subject to:

- ☐ No Conditions
☐ Conditions as described below: _____
☐ You shall file a Report on License within 60 days from the date of the sale of any real or personal property.
☐ No Report on License is required to be filed.

3/23/2024

Dated

Manchester, VT Town Clerk's Office

04/12 2024 at

Book B o'clock 00 minutes A M
 Instrument # 71 /pg. 266 of
Land records.

Attest: Quinta J. Sheldon Town Clerk

I certify this document to be a true copy of the original on file in the Vermont Superior Court, Probate Division, Bennington, Vermont.

This 21st day of March, 2024

Karl C. Anderson
 Signature of Judge
 Karl C. Anderson
 Judge's Printed Name

STATE OF VERMONT

SUPERIOR COURT

PROBATE DIVISION

BENNINGTON UNIT

Case No. 112-3-14 Bnpr

Re ESTATE OF Richard D. Hayes, late of Manchester

ATTACHMENT TO LICENSE TO SELL OR CONVEY PERSONAL ESTATE

Property Description

To any extent it is comprised of personal property:

1. All components of the Common Utilities, including but not limited to all water and sewer main lines serving Mountain View Estates and its homeowners, force mains, pump stations, existing pumps and equipment, connections, valves, filters, fire hydrants and manholes, together with all existing main sewage lines running from Mountain View Estates to and from the existing pump station serving Mountain View Estates and to the Lincoln Avenue pump station owned by the Town of Manchester (for clarification, the Estates will convey to the Town of Manchester only the main water distribution and sewage collection lines, and not such service lines as run from individual houses to the main lines as defined in Manchester's Regulation of Sewer Line Ordinance and Water Department Regulatory Code, which shall remain in the ownership and control of the Mountain View Estate Lot Owners and customers of Manchester's public sewer system and public water system subject to the terms of the Ordinance, as amended, and existing utility connection agreements.
2. Any personal property that may be included in the Estate's ownership of the entirety of the Common Roads, 50' in width, along with ownership, control, and maintenance responsibility of the Common Roads which serve Mountain View Estates known as Green Mountain Road and Valley Pass Road, as currently located and depicted on the Mountain View Estates Survey, attached to this Motion as Exhibit A.
3. Any personal property that may be included in the Estate's ownership of a lot of land 30 feet x 30 feet, +/-, and all appurtenances and sewer system components located thereon including an existing pump station serving Mountain View Estates and other properties located at the intersection of Richville Road and Natural Form Way owned by the Estates (Parcel No. 21-21-01.00 as set forth on the Town of Manchester Tax Map).
4. Any personal property that may be included in the Estate's ownership interests in a Force Main Sewer Line running from the Pump Station Parcel (Paragraph 3, above) westerly across Richville Road and thence northerly to Manchester's lands and pump station located on Parcel 37-51-42.00, together with their interest in any and all easements which are appurtenant to, or necessary for the use of, said Force Main Sewer Line.
5. Any personal property that may be included in the Estate's ownership of the entirety of the Estates' interests in any and all easements or rights of way which are appurtenant to or relate to the Common Utilities, including any such easements that are located outside of Mountain View Estates or within Mountain View Estates and the Common Roads.

The underlying real estate interests covered by this License were conveyed to Richard D. Hayes and Nadine M. Hayes by George V. Quick et al by deed April 24, 1974 and recorded in Book 69 at Page 47 of the Manchester Land Records; that Right of Way and Sewer Line Easement conveyed to Richard D. Hayes and Nadine M. Hayes by Richard A. Lake, by deed dated April 25, 1974 and recorded in Book 69 at Page 54 of the Manchester Land Records; and that Right of Way and Sewer Line Easement conveyed to Richard D. Hayes and Nadine M. Hayes by Richard A. Lake, individually and as Trustee of the R.A. Realty Trust, by deed dated May 17, 1976 and recorded in Book 72 at Page 439 of the Manchester Land Records; the roadways are depicted on a map entitled "Mountain View Estates" prepared by Dufresne-Henry Engineering Corporation dated December 19, 1974, revised March 25, 1977 and signed by Waverly Byrd LaPrade, Registered Professional Engineer #1459, of record in the Manchester Town Clerk's office.

Manchester, VT Town Clerk's Office
04/18 2024 at
8 o'clock 00 minutes A M
 Book 377 Instrument # 70 /pg. 263 of
Land records.
 Attest: Quinta J. Shelton Mitchell
 Town Clerk

VERMONT SUPERIOR COURT

Bennington Unit
207 South St
Bennington, VT 05201
802-447-2700
www.vermontjudiciary.org



PROBATE DIVISION

Case No. 111-3-14 Bnpr

IN RE: Hayes, Nadine M.

ENTRY REGARDING MOTION

Title: Motion to Approve Settlement Agreement (Motion: 12)

Filer: Hunter Hayes and Deborah Hayes-McGraw

Filed Date: March 21, 2024

The Motion is granted.

The Court hereby approves and ratifies the Settlement Agreement between the Town of Manchester and Hunter Hayes and Deborah Hayes-McGraw as Administrators, c.t.a. of the Estate of Nadine M. Hayes filed with this Court on March 21, 2024, which is intended to dedicate and accept certain common roads, common water service and sewer collection systems and related easements at Mountain View Estates a/k/a Green Mountain Estates subdivision.

Electronically signed on March 23, 2024 pursuant to V.R.E.P. 9(d)

A handwritten signature in black ink, appearing to read "K. Anderson", is written over a horizontal line.

Karl C. Anderson
Probate Judge

STATE OF VERMONT

SUPERIOR COURT
Bennington ☒ Unit

PROBATE DIVISION

Docket No. 111-3-14-Bnpr

In re the Estate of:

Nadine M. Hayes

LICENSE TO SELL OR CONVEY

☒ Real Property

☒ Personal Property

TO: Hunter Hayes and Deborah Hayes-McGraw

On March 21, 2024 you filed a motion for a license to sell or convey certain property located in the Town of Manchester, County of Bennington, Vermont.

The property is described as ☒ Real Estate ☒ Personal Property consisting of: *(Description of Property for Real Estate - Include Land Records Information)*

The Administrators c.t.a. are authorized to implement and carry out the terms of their Agreement with the Town of Manchester dated October 4, 2023, entitled "Agreement to Dedicate and Accept Common Roads and Related Easements at Mountain View Estates a/k/a Green Mountain Estates Subdivision"

Findings with respect to notice and hearing:

- ☐ The motion was accompanied by the consent of all interested persons; or
☐ A hearing was held as required by statute and notice of hearing sent to all parties; or
☒ Notice and hearing were waived because power was expressly conferred by Article Fourth of the Will and no surviving spouse, heir, devisee or legatee resides in the dwelling to be sold.

Findings with respect to the requested transaction:

- ☒ The transaction is authorized by Article Fourth of the decedent's Will.
☐ Decedent was under contract to convey or sell the property at the time of death.
☒ The transaction appears necessary to pay the obligations of the estate or to preserve property.
☒ The transaction would aid in distribution or otherwise benefit the interested persons.
☐ The property is the decedent's homestead, but there is no surviving spouse.
☐ The property is the decedent's homestead and the surviving spouse has waived his/her rights to the homestead.

Therefore, it is hereby ORDERED that the property may be sold or conveyed as requested and you are licensed, authorized and empowered in your fiduciary capacity to complete the transaction as requested, subject to:

- ☐ No Conditions
☐ Conditions as described below: _____
☐ You shall file a Report on License within 60 days from the date of the sale of any real or personal property.
☐ No Report on License is required to be filed.

3/23/2024

Dated

Manchester, VT Town Clerk's Office

04/12 2024 at

8 o'clock 00 minutes A M

Book 377 Instrument # 74 /pg. 273 of

Land records.

Attest: Quenta J. Shelton Town Clerk

Karl C. Anderson
Signature of Judge
 Karl C. Anderson
Judge's Printed Name

I certify this document to be a true copy of the original on file in the Vermont Superior Court, Probate Division, Bennington, Vermont.
 This 21st day of March 2024

STATE OF VERMONT

SUPERIOR COURT

PROBATE DIVISION

BENNINGTON UNIT

Case No. 111-3-14 Bnpr

Re ESTATE OF Nadine M. Hayes, late of Manchester

ATTACHMENT TO LICENSE TO SELL OR CONVEY PERSONAL ESTATE

Property Description

To any extent it is comprised of personal property:

1. All components of the Common Utilities, including but not limited to all water and sewer main lines serving Mountain View Estates and its homeowners, force mains, pump stations, existing pumps and equipment, connections, valves, filters, fire hydrants and manholes, together with all existing main sewage lines running from Mountain View Estates to and from the existing pump station serving Mountain View Estates and to the Lincoln Avenue pump station owned by the Town of Manchester (for clarification, the Estates will convey to the Town of Manchester only the main water distribution and sewage collection lines, and not such service lines as run from individual houses to the main lines as defined in Manchester's Regulation of Sewer Line Ordinance and Water Department Regulatory Code, which shall remain in the ownership and control of the Mountain View Estate Lot Owners and customers of Manchester's public sewer system and public water system subject to the terms of the Ordinance, as amended, and existing utility connection agreements.
2. Any personal property that may be included in the Estate's ownership of the entirety of the Common Roads, 50' in width, along with ownership, control, and maintenance responsibility of the Common Roads which serve Mountain View Estates known as Green Mountain Road and Valley Pass Road, as currently located and depicted on the Mountain View Estates Survey, attached to this Motion as Exhibit A.
3. Any personal property that may be included in the Estate's ownership of a lot of land 30 feet x 30 feet, +/-, and all appurtenances and sewer system components located thereon including an existing pump station serving Mountain View Estates and other properties located at the intersection of Richville Road and Natural Form Way owned by the Estates (Parcel No. 21-21-01.00 as set forth on the Town of Manchester Tax Map).
4. Any personal property that may be included in the Estate's ownership interests in a Force Main Sewer Line running from the Pump Station Parcel (Paragraph 3, above) westerly across Richville Road and thence northerly to Manchester's lands and pump station located on Parcel 37-51-42.00, together with their interest in any and all easements which are appurtenant to, or necessary for the use of, said Force Main Sewer Line.
5. Any personal property that may be included in the Estate's ownership of the entirety of the Estates' interests in any and all easements or rights of way which are appurtenant to or relate to the Common Utilities, including any such easements that are located outside of Mountain View Estates or within Mountain View Estates and the Common Roads.

The underlying real estate interests covered by this License were conveyed to Richard D. Hayes and Nadine M. Hayes by George V. Quick et al by deed April 24, 1974 and recorded in Book 69 at Page 47 of the Manchester Land Records; that Right of Way and Sewer Line Easement conveyed to Richard D. Hayes and Nadine M. Hayes by Richard A. Lake, by deed dated April 25, 1974 and recorded in Book 69 at Page 54 of the Manchester Land Records; and that Right of Way and Sewer Line Easement conveyed to Richard D. Hayes and Nadine M. Hayes by Richard A. Lake, individually and as Trustee of the R.A. Realty Trust, by deed dated May 17, 1976 and recorded in Book 72 at Page 439 of the Manchester Land Records; the roadways are depicted on a map entitled "Mountain View Estates" prepared by Dufresne-Henry Engineering Corporation dated December 19, 1974, revised March 25, 1977 and signed by Waverly Byrd LaPrade, Registered Professional Engineer #1459, of record in the Manchester Town Clerk's office.

Manchester, VT Town Clerk's Office
04/12 2024 at
8 o'clock 00 minutes A M
Book 377 Instrument # 73 /pg. 270 of
Land records.
Attest: Debra J. Shelton Manchester
Town Clerk

**Town of Manchester
Selectboard Meeting Minutes
August 6, 2024
40 Jeff Williams Way, Manchester Ctr, VT**

Board Members: Ivan Beattie, Jan Nolan, Jonathan West, Heidi Chamberlain, Greg Cutler
Town Staff: Scott Murphy (Town Manager), Bonnie Jamieson (HR/Admin), Anita Sheldon (Town Clerk)

Attendees: GNAT, Deb Hayes McGraw, Ken McGraw, Dom Penge, Josh Corey, Patty Cody, Doug Kilburn, Cynthia Kilburn, Joe Charbonneau, Hunter Hayes, Sandy Hayes, Ed Gotgart, Mary Gotgart, Mike Nawrath, Scott and Joy Casey, Bill Ekelund

Zoom Attendees: Cherise Forbes, Jenni Breen, Tabettha Parker, Carol, Jim, Eric Severance, Greta Whitten, Victoria Silsby, Jim Carroll, Joyce, Phil Snow

Call to Order – Beattie called the meeting order at 7:06 pm

Pledge of Allegiance – Lead by Cutler

7:00 Public Hearing: for Possible Town Acquisition of Green Mountain Road and Valley Pass Road within the Mountain View Estates Subdivision.

Beattie reported that the Selectboard held a public inspection of both roads earlier today at 5:00 PM, where he read the notice of inspection and toured the site, with the company of many residents, and the Surveyor, Deb Daniels Mithoefer. Beattie re-read the notice for those in attendance of the Selectboard meeting.

Beattie explained that this hearing is being held to receive feedback and discuss possible acceptance of the roads. He said that the survey results were available at the check-in table. Beattie stated that during the physical inspection a few areas of concern were noted. Beattie asked for comments from the Board. None were stated.

Beattie invited comments from the Public. He stated that the Town is aware of the drainage issues and that they were considering lowering the road in certain places to assist with proper drainage. He acknowledged that the area is a very flat subdivision with the lack of areas for water to sit and absorb. Hayes McGraw explained that in past years there was a crowning of the road and swales along the road, which had been filled in over time by residents and natural occurrences. Beattie acknowledged the base of road being gravel and in good shape. He hoped we could figure out ways to solve the inconsistencies. Beattie explained that the way the water moves through, is different than in the past. S. Casey of 263 Green Mountain Rd. stated that he spoke with Jeff Williams, DPW Superintendent, and they discussed taking product away, as his lawn is below the road level and where it would continue to flood his front lawn. Town Atty Carol made a couple of points that he wanted noted. Stating the Board's job is to determine whether or not the acceptance and dedication of the roads and the laying out of them is in the best interest and good of the public. In his opinion, he felt there were multiple reasons to accept the proposal. Noting the Town would be able to provide better health and safety, and better control and protection of nearby water supplies and utility systems. His last comment he asked to point out was this acceptance will resolve a long and complicated appeal dispute. Carol asked to note that there were a set 14 exhibits

that have been presented to the Board and available for public viewing. If the Board wishes to move forward, he recommended approval subject to completing all the conditions, noting a few that are left to complete. Also included were the survey documents, completed by Mithoefer; Orders from the Probate Court to approve the estate's transfer of roads and distribution of assets; and a Title Opinion and report issued by Atty L McClintock. Carol stated that paper and electronic copies are available. Beattie commented on Mithoefer's survey about two locations, one on the southeast corner and the intersection of the northern section of Green Mountain Road and Valley Pass, where the road slightly encroaches on private property. Beattie questioning if the Town paves a 22 ft section, could we move the road into the Town's Right of Way (ROW). Carol confirmed with a statement "there is a statute that basically says that a traveled way absent any other information or title information of record by way of either a deed or a highway layout becomes a Town road. The presumption is that the center of the traveled surface is the center of the right of way." Beattie stated that the Town has not accepted many private roads in the past. But, in the context of everything and with 42 homes on it, it made sense to do this at this location. Beattie recommended to close the hearing. Carol added that the statute requires written findings from the Selectboard to be made within 60 days. Cutler motioned that we close the hearing regarding the dedication, acceptance, laying out and classification of the private roads: Green Mountain Road and Valley Pass Road and that they take the matter under advisement for further deliberations, with instructions to the Town Manager, and with the assistance of Counsel, to draft a Report of Findings. Chamberlain seconded. All-in favor. 5-0

Hayes-McGraw asked for a definition of a Class 3 road. Beattie stated that the Class 1 and 2 are general transportation, and Class 3 roads are in residential areas, and Class 4 roads can be trails and are not maintained by Town.

Public Comments:

Silsby questioned the plan for continued painting of the roadways specifically with concerns about the intersection of Beech and Barnumville. She stated that she opened the conversation in October, 2023. Silsby suggested the creation of an island and repainting the stop lines. Cutler stated that we had placed new signs noting a stop ahead. Cutler questioned Murphy asking if the Town could paint stop bars or paint an island. Murphy confirmed the commitment of moving forward with repainting the stop bars (they had been painted in the spring). Nawrath asked for an update on sale of the Town-owned Depot Street properties. Murphy confirmed that the property was still for sale. He stated we've had several interested parties and one offer, which was rejected due to the low offer. Murphy confirmed that we are receiving rent from the J Crew building and nothing from the other two buildings.

Nawrath questioned if the contamination issue was resolved. Murphy confirmed a SMAC letter was received and the property has been cleared.

Approval of Minutes from Selectboard Meeting of 7/23/2024 -- Motion to approve made by Cutler, seconded by Nolan. All in favor. 5-0

Main St Traffic Test Results

Murphy explained that the Selectboard had previously shown interest in possibly reducing the speed limit along Main St toward Homer Road. Jim Henderson of Bennington County Regional Commission (BCRC) has conducted speed tests which were distributed to the Board. Murphy reviewed the results for discussion. Two tests were conducted, noting most

From: [AOT - Mileage Certificates](#)
To: [Murphy, Scott](#); [AOT - Mileage Certificates](#)
Subject: RE: Manchester Highway Mileage
Date: Thursday, February 20, 2025 1:20:59 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Hi Scott,

The Certified mileage that happens in April is based on what we submit as the mileage for each town by April 1. The Mileage Certificate process that requires certificates due each February is what feeds into our total miles for each town. If a new road is not reported to us on the Mileage Certificate signed off by the Selectboard, then it would not necessarily get included in the April Mileage until the following year. If we know the Selectboard is meeting in March and you can get the certificate to me as soon as they sign it, we can note that and make sure the change is made by April 1 and counted in the Town's highway miles.

If you can get the other documentation to us soon, we can make the change and then the corrected certificate as soon as they meet as long as it is by the day after their March meeting, that should be ok.

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](tel:802-793-7555) | 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: Murphy, Scott <s.murphy@manchester-vt.gov>
Sent: Thursday, February 20, 2025 12:57 PM
To: AOT - Mileage Certificates <AOT.MileageCertificates@vermont.gov>
Subject: Re: Manchester Highway Mileage

You don't often get email from s.murphy@manchester-vt.gov. [Learn why this is important](#)

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

Pam,

The Selectboard isn't meeting again until two weeks after Town Meeting Day so there will be a delay. Also, I'll send the additional information you have requested but we normally certify mileage for VTrans in April after the Reorg meeting (TA -60?) and will do so again this year.

Scott Murphy
Manchester Town Manager
p - 802-362-1313
c - 802-362-0201

On Thu, Feb 20, 2025 at 12:37 PM AOT - Mileage Certificates <AOT.MileageCertificates@vermont.gov> wrote:

Good afternoon Scott,

Thank you for the certificate but we will need more information about the change that you have reported in order to process it. Based on the article here, it says that the paperwork was signed on 9/12/2024 and ribbon cutting on 9/17/2024. [After nearly 20-years, Town of Manchester takes over Green Mountain Estates infrastructure | Local-news | manchesterjournal.com](#).

It seems from the minutes that you sent from August 6, 2024, that the Selectboard did not formerly vote the acceptance of the two private roads as Town Highways on that day. I have highlighted below what just states to instruct the Town Manager to draft a report of findings. Was the vote done on 9/12/2024 as suggested in the article? If so, we need that documentation in addition to the August minutes. Have you completed a report of those findings and presented to the Selectboard for their acceptance? We should have that as well.

with 42 homes on it, it made sense to do this at this location. Beattie recommended to close the hearing. Carol added that the statue requires written findings from the Selectboard to be made within 60 days. **Cutler motioned that we close the hearing regarding the dedication, acceptance, laying out and classification of the private roads: Green Mountain Road and Valley Pass Road and that they take the matter under advisement for further deliberations, with instructions to the Town Manager, and with the assistance of Counsel, to draft a Report of Findings. Chamberlain seconded. All-in favor. 5-0**

We would also want to make sure we have documentation of the **public notice** as well.

In terms of the certificate, we really need the Selectboard and the Town Clerk to sign it, and not just the Town Manager on behalf of the Selectboard. The selectboard should sign where you signed circled in red below and the Town Clerk needs to sign and date where I have highlighted below.

IF THERE ARE NO CHANGES RECORDED THIS YEAR: Place an X in the box and sign below. ☐

PART III - SIGNATURES - PLEASE SIGN.

Signatures of Selectmen/ Aldermen/ Trustees:

Signature of T/C/V Clerk: **Recorded 4/12/24 Book 377, 71, Pg 266**

Date Filed: **Manchester Road Records**

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:

We would also appreciate it if Part I was filled out by the Town as shown below before it is sent back to us with the appropriate documentation. I assume that these roads would be Class 3 based on the minutes you provided. I saw within the minutes that there was a survey done, which we should also have as documentation.

PART I - CHANGES TOTALS - Please fill in and calculate totals.					
Town Highways	Previous Mileage	Added Mileage	Subtracted Mileage	Total	Scenic Highways
Class 1	4.733				0.000
Class 2	15.650				0.000
Class 3	23.37	0.5		23.87	0.000
State Highway	16.596				0.000
Total	60.349				0.000
* Class 1 Lane	0.559				
* Class 4	7.41				0.000
* Legal Trail	0.00				
* Mileage for Class 1 Lane, Class 4, and Legal Trail classifications are NOT included in total.					

In summary, can you please provide the following for us to be able to accept this change?

- **Notice** of Site Visit and Public Hearings/Meetings
- **Survey** of the development
- **Documents of establishment of Town Roads from 9/12/2024** such as Certificate of Road Opening
- Any **warranty deeds** of the ROW turned over to the Town
- **Selectboard Meeting/Public Hearing Minutes** with Selectboard vote of the Town acceptance of these roads
- Mileage Certificate **signed by Selectboard** with change entered in Part I and **signed and dated by the Town Clerk**

Thank you and please feel free to reach out with any questions,

Pam

Pamela DeAndrea (she/her) | AOT GIS Professional III
Policy, Planning & Research Bureau – Mapping Section
Policy, Planning & Intermodal Development Division
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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.

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

From: Murphy, Scott <s.murphy@manchester-vt.gov>
Sent: Wednesday, February 19, 2025 1:56 PM
To: AOT - Mileage Certificates <AOT.MileageCertificates@vermont.gov>
Subject: Manchester Highway Mileage

|| You don't often get email from s.murphy@manchester-vt.gov. [Learn why this is important](#)

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

Scott Murphy
Manchester Town Manager
p - 802-362-1313
c - 802-362-0201