

District 5, 6
Certcode 0401-0

**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 **BOLTON** in **CHITTENDEN** 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	0.000			0.000	0.000
Class 2	8.580			8.580	0.000
Class 3	12.01			12.01	0.000
State Highway	11.306			11.306	0.000
Total	31.896			31.896	0.000
* Class 1 Lane	0.000				
* Class 4	0.30		0.06	0.24	0.000
* Legal Trail	0.30			0.30	

* 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". Added values in Part I by K. Alley (VTrans) on 4/18/2024

2. **DISCONTINUED:** Please attach SIGNED copy of proceedings (minutes of meeting). DS
KMA

-0.06 mi CL4 TH-13 Discontinued

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: 

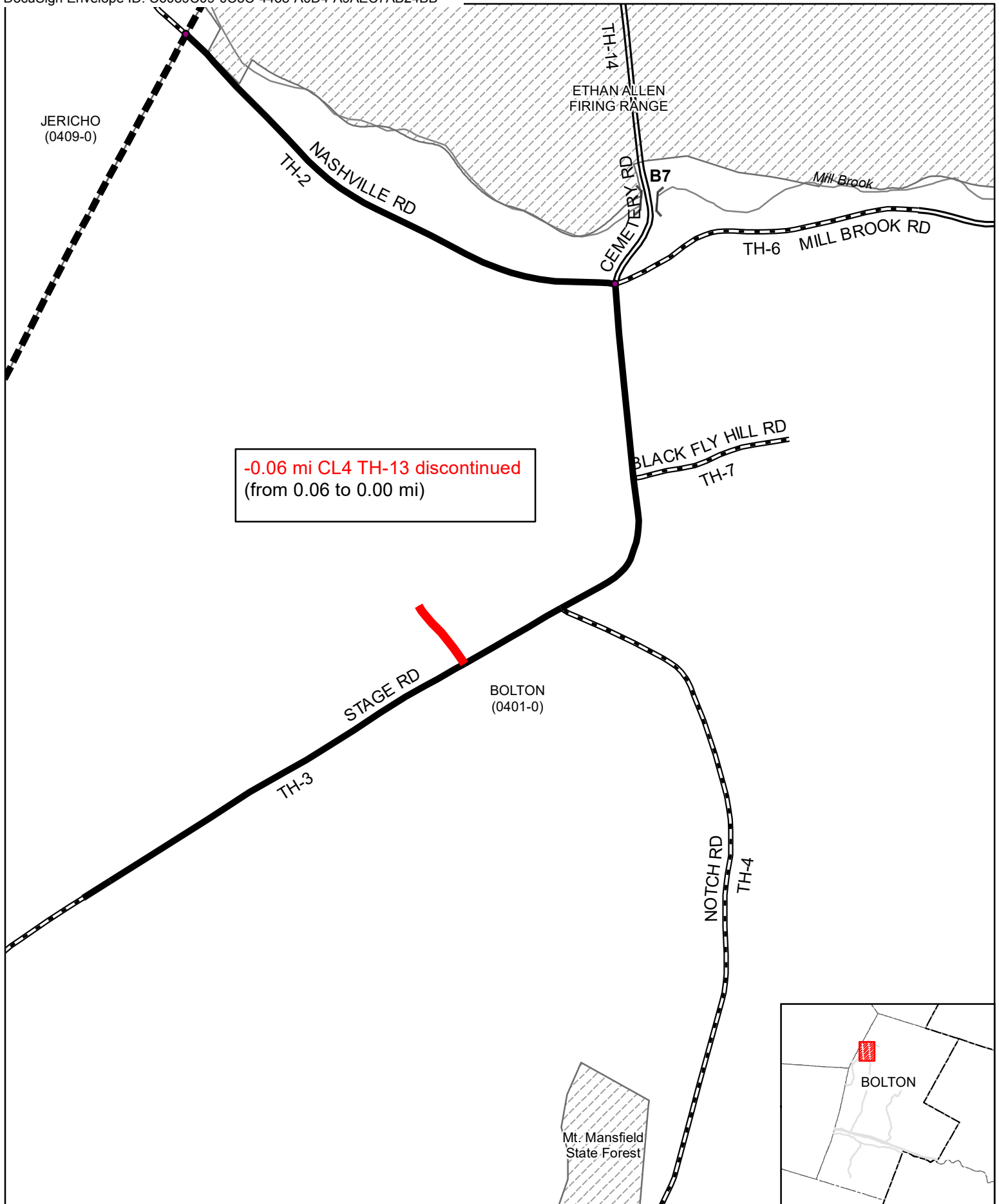
Signature of T/C/V Clerk:  Date Filed: 3/20/24

Please sign ORIGINAL and return it for Transportation signature.

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

APPROVED: 
Representative, Agency of Transportation

DATE: 4/22/2024

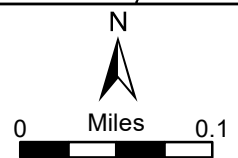
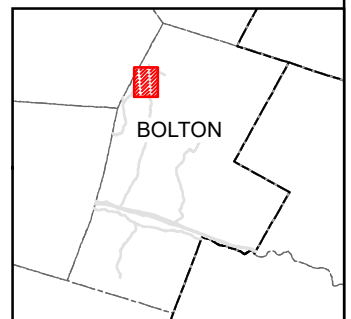


-0.06 mi CL4 TH-13 discontinued
(from 0.06 to 0.00 mi)

Mileage Certificate Changes 2024

BOLTON

(CTUA:0401-0)
(CERTCODE:0401-0)



**SELECTBOARD'S RETURN
TOWN OF BOLTON, VERMONT**

ORDER DISCONTINUING TOWN HIGHWAY RIGHT-OF-WAY

Re: Discontinuance of Town Highway #13 Right-of-Way

The Town of Bolton Selectboard held a duly warned inspection of the premises and public hearing on November 7, 2023, pursuant to 19 V.S.A. § 708, et seq., for the purpose of receiving testimony and hearing all persons interested in the matter of whether the Town of Bolton should discontinue the +/-0.06-mile Class 4 town highway right-of-way for Town Highway #13.

The town highway right-of-way for Town Highway #13 is believed to be three rods wide and extends +/-0.06-miles westerly from Stage Road (Town Highway #3). The Town was unable to find a record survey or road lay-out for Town Highway #13, but it was believed to have been laid out, if at all, between 1931 and 1941 based on the history of VTrans town highway maps of the Town. Town Highway #13 is essentially a driveway with a travelled way of approximately 10-15 feet wide and provides access only to one property, the residence of Jeffrey and Mary Brown located at 5161 Stage Road, Bolton, Vermont.

By Selectboard petition approved at its meeting on August 21, 2023, the Town of Bolton proposes to discontinue the entire +/-0.6-mile Class 4 Town Highway #13 right-of-way beginning at the westerly edge of the right-of-way for Stage Road (Town Highway #3) and extending +/-316 feet westerly near an old barn on the Brown property at 5161 Stage Road.

The Notice of Examination of Premises and Public Hearing for Discontinuance of a Portion of the Right-of-Way for Wright Road (Town Highway #19) was posted in the Town of Bolton Clerk's Office on October 4, 2023, and sent by certified mail to all interested parties, the Vermont Department of Forests, Parks & Recreation, and the Town of Bolton Planning Commission on October 5, 2023. A Certificate of Posting and Delivery is attached hereto as **Exhibit 1**. The Notice was published in *Seven Days*, a local newspaper of general circulation, on October 11, 2023. A copy of the Notice, as it appeared in that issue of *Seven Days* is attached as **Exhibit 2**.

The Town of Bolton Selectboard held an examination of the premises and a public hearing on November 7, 2023. Minutes of the examination of the premises and public hearing are attached hereto as **Exhibit 3**. At the site visit and hearing, it was noted that the Class 4 Town Highway #13 that was proposed to be discontinued is not maintained by the Town and has no recreational uses.

**Bolton Town Clerk's Office
Received For Record**

December 27 2023 A.D.
at 3 o'clock 00 minutes PM
Recorded in Book 104 Page 767-799
Attest. Carey D. [Signature]
Asst. Town Clerk

At the public hearing the Town of Bolton Selectboard received testimony that the discontinuance of the Town Highway #13 right-of-way would be for the public good, necessity and convenience of the inhabitants of the Town of Bolton, considering the greatest public good and the least inconvenience to others, including the property owners, from the following individuals:

- a. David W. Rugh, Esq., Town Attorney, described the legal standards for the discontinuance and presented a list of five exhibits for the hearing, some of which are referenced herein, and which are on-file at the Bolton Town Office. He also stated that the landowners on whose land the highway was located thought there was no need for the right-of-way and it's never used by the public for recreation or any other use.
- b. Amy Grover, testified that the discontinuance of Town Highway #13 would be in the public good, necessity and convenience of the inhabitants of the Town of Bolton.
- c. Eric Andrews, Town of Bolton Road Foreman, testified that he and the Town's road crew have never performed work on the Class 4 Town Highway #13 right-of-way during the 24 years he has worked for the Town. He also stated that there was never any need for maintenance or for anyone to use the Town Highway #13 right-of-way since it only served one property and was essentially a driveway. As such, the discontinuance of Town Highway #13 was in the public good, necessity and convenience of the inhabitants of the Town of Bolton.

No other individuals testified at the public hearing, and the hearing was closed by motion of the Selectboard that evening (November 7, 2023).

Having conducted the public hearing and the examination of the premises on November 7, 2023, the Town of Bolton Selectboard hereby determines, based on testimony and evidence submitted at the public hearing, that the +/-0.06-mile Town Highway #13 right-of-way be discontinued. This action was taken for the public good, necessity and convenience of the inhabitants of the Town of Bolton pursuant to 19 V.S.A. § 708, et seq.

WHEREFORE, it being determined that the public good, necessity and convenience of the inhabitants of the Town of Bolton support discontinuance, the Selectboard hereby orders that the +/-0.06-mile Town Highway #13 right-of-way is discontinued immediately.

The Selectboard also finds that the right-of-way automatically reverts to the landowners that own the underlying land on both sides of the town highway right-of-way, being Jeffrey and Mary Brown at 5161 Stage Road in Bolton.

The Selectboard further finds that said discontinued right-of-way for Town Highway #13 may be more particularly described being that +/-0.06-mile (+/-316-

foot) Class 4 town highway right-of-way beginning at the westerly right-of-way line for Town Highway #3 (Stage Road) and extends +/-316 feet (+/-0.06 miles) westerly to an old barn or garage on the property of Jeffrey and Mary Brown at 5161 Stage Road in Bolton.

DATED at Bolton, Vermont, this 27 day of December, 2023.

SELECTBOARD OF THE TOWN OF BOLTON

By: Paula Gervia
Paula Gervia, Chair

By: Rich Reid
Rich Reid, Vice Chair

By: Lynda DesLauriers
Lynda DesLauriers

By: _____
Andrew Pond

By: Lee Scott
Lee Scott

EXHIBIT 1

TOWN OF BOLTON

RE: DISCONTINUANCE OF TOWN HIGHWAY #13 RIGHT-OF-WAY

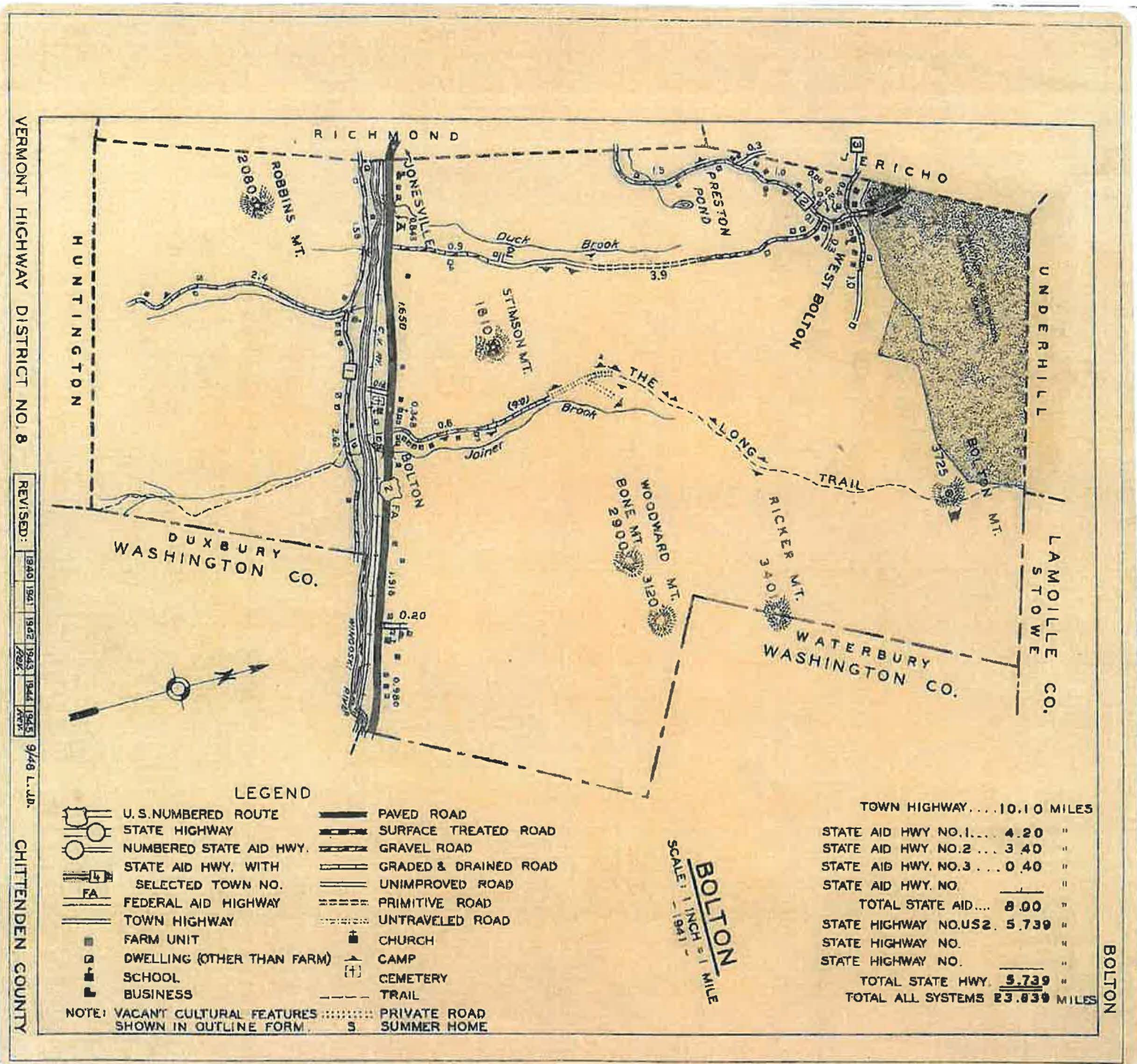
CERTIFICATE OF POSTING AND DELIVERY

I, Amy Grover, Town Clerk for the Town of Bolton, do hereby certify that on October 4, 2023, I did post the attached Notice of Examination of Premises and Public Hearing for Discontinuance of Town Highway #13, for the site examination and for the hearing to be held on November 7, 2023, in the Town of Bolton Clerk's office and in two other places in the Town of Bolton. A copy of the posted Notice is attached hereto. On October 5, 2023, notice was also mailed by certified mail to all interested parties, the Vermont Department of Forests, Parks & Recreation, and the Town of Bethel Planning Commission. A copy of the notice letters is attached hereto.

Dated at Bolton, Vermont, this 21st day of December, 2023.



Amy Grover, Town Clerk
Town of Bolton



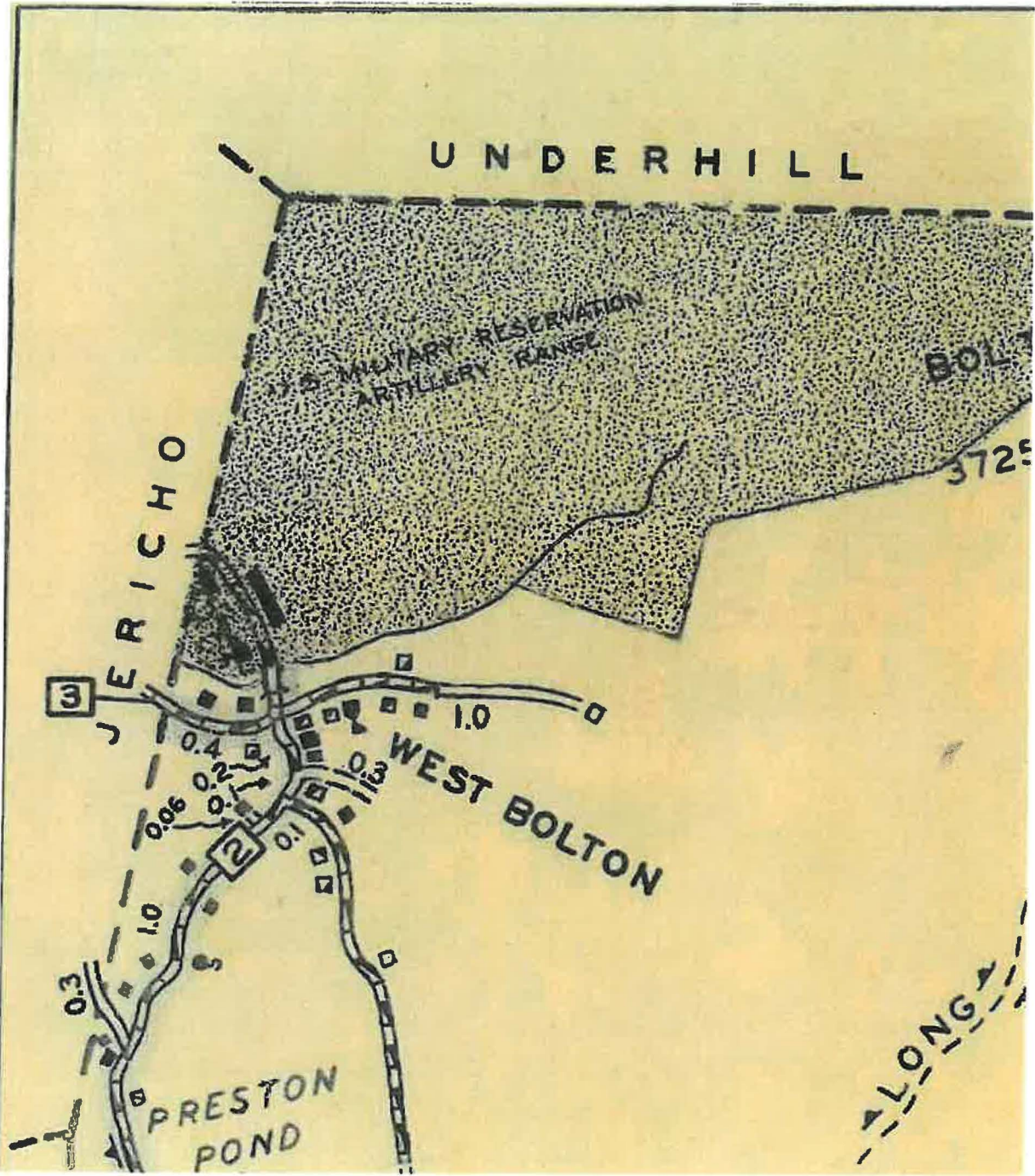
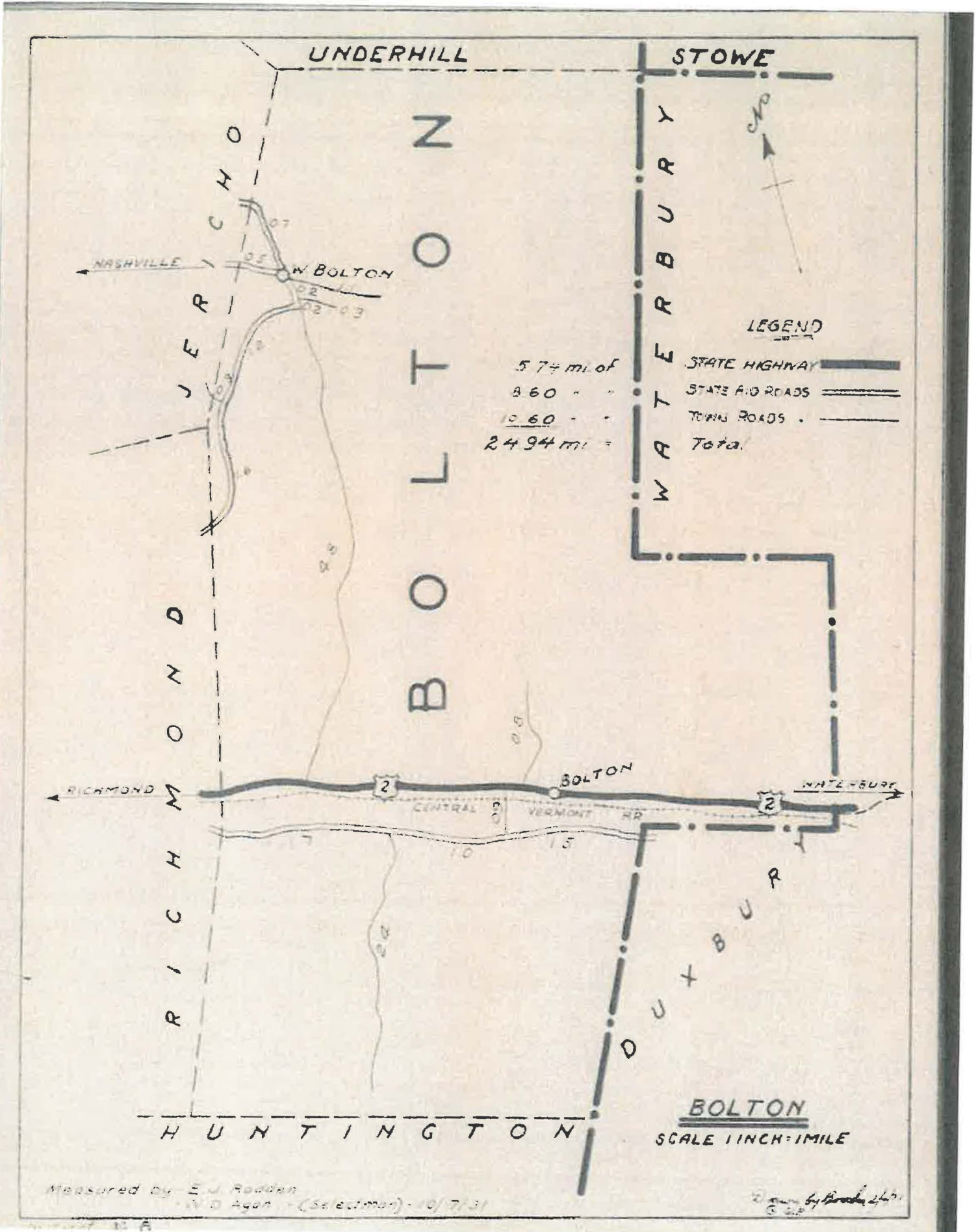


EXHIBIT 2



Measured by E. J. Rodden
W. D. Agan - (Selectman) - 10/7/31

Drawn by Rodden 4/31

1931

855

EXHIBIT 3

53A/855

Vermont Warranty Deed

KNOW ALL PERSONS BY THESE PRESENTS

THAT THE WEST BOLTON GOLF CLUB, INC., a Vermont corporation with its principal place of business in West Bolton in the County of Chittenden and State of Vermont, Grantor, in consideration of TEN and MORE Dollars paid to its satisfaction by **JEFFREY W. BROWN and MARY K. BROWN, husband and wife, as tenants by the entirety**, of Town of Bolton, in the County of Chittenden, and State of Vermont, Grantee, by these presents, does freely GIVE, GRANT, SELL, CONVEY AND CONFIRM unto the said Grantees, JEFFREY W. BROWN and MARY K. BROWN, and their heirs and assigns forever, a certain piece of land in the Town of Bolton, in the County of Chittenden, and State of Vermont, described as follows, viz:

Being a parcel of land containing 4.48 acres, more or less, with dwelling house and all outbuildings located thereon, more particularly depicted on a plat of survey entitled, "Plat of Survey for Xenophon C. Wheeler in the Town of Bolton" drawn by John A. Marsh dated December 9, 1985 and recorded in Map Volume 1 at Page 24 of the Land Records of the Town of Bolton.

Said parcel is more particularly depicted on the above-mentioned plat of survey as follows: Beginning at a point, said point marked by an iron pin set in the ground, said point lying in the northerly sideline of Town Road #3, said point being the easterly most corner of the parcel herein described; thence proceeding north 47° 49' 00" W a distance of 354.27 feet to a point, said point marked by an iron pin set in the ground; thence proceeding north 59° 11' 10" W a distance of 102.06 feet, said point marked by an iron pin set in the ground; thence deflecting to the left and proceeding south 82° 45' 30" W a distance of 146.15 feet to a point, said point marked by an iron pin set in the ground; thence deflecting to the left and proceeding S 51° 06' 10" W a distance of 119.71 feet to a point said point marked by an iron pin set in the ground; thence proceeding S 48° 07' 30" W a distance of 162.27 feet to a point, said point marked by an iron pin set in the ground; thence deflecting to the left and proceeding S 10° 05' 40" E a distance of 270.21 feet to a point, said point marked by an iron pin set in the ground, said point lying in the northerly sideline of said Town Road #3; thence deflecting to the left and proceeding in and along the northerly sideline of said Town Road #3 N 74° 57' 30" E a distance of 685.24 feet, said point marked by an iron pin set in the ground, said point being the point or place of beginning.

Being all and the same lands and premises conveyed to The West Bolton Golf Club, Inc. by Warranty Deed of Xenophon C. Wheeler and Irene B. Wheeler dated February 10, 1992 recorded in Volume 44, Pages 721-722 of the Land Records of the Town of Bolton.

Grantor reserves unto itself, its successors and assigns, a right of first refusal on the above-described parcel. In the event that Grantees, or their heirs or assigns receive a bona fide offer to purchase said lot, Grantees shall notify Grantor in writing of said offer. Grantor shall have fifteen (15) days from the date of receipt of such notice to accept or decline the terms of the offer. Grantor covenants that it will provide written evidence in recordable form of its decision to decline the offer if it does not wish to exercise this right of first refusal. This right of first refusal shall run with the land and shall be binding on the heirs, assigns, and successors of Grantees, except that the right of first refusal shall expire if Grantor or its successors and assigns no longer operate a seasonal golf course on the lands adjacent to Town Road #3. Grantor will be deemed to have declined to exercise its right of first refusal in the event it fails to respond within fifteen days following receipt of notice of purchase offer; provided such notice and non receipt of acceptance is confirmed by affidavit filed in the land records.

Reference is hereby made to the instruments aforementioned, and the records thereof, and the instruments therein referred to, and the records thereof, in further aid of this description.

TO HAVE AND TO HOLD said granted premises, with all the privileges and appurtenances thereof, to the said Grantee, **JEFFREY W. BROWN and MARY K. BROWN**, and their heirs

and assigns, to their own use and behoof forever; and the said Grantor, **THE WEST BOLTON GOLF CLUB, INC.**, for itself and its successors and assigns, does covenant with the said Grantees, **JEFFREY W. BROWN** and **MARY K. BROWN**, and their heirs and assigns, that until the ensembling of these presents it is the sole owner of the premises, and has good right and title to convey the same in manner aforesaid, that they are **FREE FROM EVERY ENCUMBRANCE**: except as aforementioned;

and **THE WEST BOLTON GOLF CLUB, INC.**, hereby engages to **WARRANT AND DEFEND** the same against all lawful claims whatever, except as aforementioned.

IN WITNESS WHEREOF, **THE WEST BOLTON GOLF CLUB, INC.** hereunto set my seal this 6th day of April, A.D. 2000.

IN PRESENCE OF THE WEST BOLTON GOLF CLUB, INC.

Alison Clapp

By Barbara A Cowles
Barbara Cowles, President
Its duly authorized agent

State of Vermont, County of Chittenden, at Burlington, this 6th day of April, A.D. 2000, Barbara Cowles, the duly authorized agent of **THE WEST BOLTON GOLF CLUB, INC.**, appeared, and she acknowledged this instrument, by her sealed and subscribed, to be her free act and deed and the free act and deed of **THE WEST BOLTON GOLF CLUB, INC.**

Before me

Alison Clapp
Notary Public
My commission expire: 2/10/03

Bolton Town Clerk's Office
Rec'd. for record April 10 2000 A.D.
at 2 o'clock 15 minutes P.M.
Recorded in Book S3-A Page 855-856
/ s: Jana Atwood
Asst. Town Clerk

ACKNOWLEDGEMENT Return rec'd (including cos. fees & if req'd. ACT 250 disclosure statement & tax paid.)	Town Number <u>4</u> <u>21-06</u>
Signed <u>Jana Atwood</u>	Clerk
Date <u>April 10, 2000</u>	

EXHIBIT 4

44/721

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS That We, XENOPHON C. WHEELER, and IRENE B. WHEELER, of Richmond, the County of Chittenden and State of Vermont, Grantors, in the consideration of Ten or More Dollars paid to our full satisfaction by THE WEST BOLTON GOLF CLUB, INC., a Vermont corporation with its principal place of business in West Bolton, in the County of Chittenden and State of Vermont, Grantee, by these presents, do freely GIVE, GRANT, SELL, CONVEY AND CONFIRM unto said Grantee, WEST BOLTON GOLF CLUB, INC., and its, successors and/or assigns forever, a certain piece of land in Bolton, in the County of Chittenden and State of Vermont, described as follows, viz:

Being a parcel of land containing 4.48 acres, more or less, with dwelling house and all outbuildings located thereon, more particularly depicted on a plat of survey entitled, "Plat of Survey for Xenophon C. Wheeler in the Town of Bolton" drawn by John A. Marsh dated December 9, 1985 and recorded in Map Volume 1 at Page 24 of the Land Records of the Town of Bolton.

Said parcel is more particularly depicted on the above-mentioned plat of survey as follows: Beginning at a point, said point marked by an iron pin set in the ground, said point lying in the northerly sideline of Town Road #3, said point being the easterly most corner of the parcel more herein described; thence proceeding north 47° 49' 00" W a distance of 354.27 feet to a point, said point marked by an iron pin set in the ground; thence proceeding north 59° 11' 10" W a distance of 102.06 feet, said point marked by an iron pin set in the ground; thence deflecting to the left and proceeding S 82° 45' 30" W a distance of 146.15 feet to a point, said point marked by an iron pin set in the ground; thence deflecting to the left and proceeding S 51° 06' 10" W a distance of 119.71 feet to a point said, point marked by an iron pin set in the ground; thence proceeding S 48° 07' 30" W a distance of 162.27 feet to a point, said point marked by an iron pin set in the ground; thence deflecting to the left and proceeding S 10° 05' 40" E a distance of 270.21 feet to a point, said point marked by an iron pin set in the ground, said point lying in the northerly sideline of said Town Road #3; thence deflecting to the left and proceeding in and along the northerly sideline of said Town Road #3 N 74° 57' 30" E a distance of 685.24 feet, said point marked by an iron pin set in the ground, said point being the point or place of beginning.

Being a portion of the lands and premises conveyed to Xenophon C. Wheeler and John H. Wheeler by Warranty Deed of William H. Wheeler and Fannie S. Wheeler dated December 14, 1945 and recorded in Volume 19 at Page 427 of the Land Records of the Town of Bolton. Reference is also made to a certain Quit Claim Deed from John H. Wheeler to Xenophon C. Wheeler dated February 9, 1974 and recorded in Volume 25 at Page 124 of the Land Records of the Town of Bolton.

Grantors herein, Xenophon C. Wheeler and Irene B. Wheeler hereby reserve a Life Estate in said property. Xenophon C. Wheeler and Irene B. Wheeler shall be able to live in the dwelling house located on the parcel above-described for the rest of their natural lives.

Reference is hereby made to the instruments aforementioned, and the records thereof, and the instruments therein referred to, and the records thereof, in further aid of this description.

TO HAVE AND TO HOLD said granted premises, with all the privileges and appurtenances thereof, to the said Grantee, WEST BOLTON GOLF CLUB, INC., and its successors and assigns, to its own use and behoof forever; and We the said Grantors, XENOPHON C. WHEELER and IRENE B. WHEELER, for ourselves and our heirs, executors and administrators, do covenant with the said Grantee, WEST BOLTON GOLF CLUB, INC., and its successors and assigns, that until the ensembling of these presents We are the sole owners 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 except for taxes and municipal charges hereafter due and payable, which have been pro-rated as of the date of closing and which the Grantee accordingly assumes and agrees to pay; and We hereby engage to WARRANT and DEFEND the same against all lawful claims whatsoever, except as aforesaid.

IN WITNESS WHEREOF, We have hereunto set our hands and seals this 10 day of February, A.D. 1992.

In Presence of:
Mary Juli Maley
Brenda L. Wolf

Xenophon C. Wheeler
XENOPHON C. WHEELER
Irene B. Wheeler
By Xenophon C. Wheeler VOA
IRENE B. WHEELER
By her attorney-in-fact
Xenophon C. Wheeler

STATE OF VERMONT
CHITTENDEN COUNTY, SS.

At Rutland, in said County, this 10th day of February, 1992, personally appeared Xenophon C. Wheeler and Irene B. Wheeler, by her attorney-in-fact, Xenophon C. Wheeler and they acknowledged this instrument, by them sealed and subscribed, to be their free act and deed.

Before me Mary Juli Maley
Notary Public

Bolton Town Clerk's Office

Rec'd for record February 25 1992 AD
at 9 o'clock 45 minutes AM
Recorded In B.O. 44 Page 721-722
Attest Irena Anderson ass't Town Clerk

SAXER, ANDERSON, WOLINSKY & SUNSHINE
ATTORNEYS AT LAW
P. O. Box 278
RICHMOND, VERMONT 05473

Vermont Property Transfer Tax 32 V.S.A. Chap 231
- ACKNOWLEDGEMENT -
Return Rec'd-Tax Paid-Board of Health Cert. Rec'd.
Vt Land Use & Development Plans Act. Cert. Rec'd.
Return No 10-92
Signed Irena Anderson ass't, Clerk
February 25, 1992