

**CERTIFICATE OF HIGHWAY MILEAGE
YEAR ENDING FEBRUARY 10, 2017**

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2017 to:
Vermont Agency of Transportation, Division of Policy, Planning and Intermodal Development, Mapping Section
One National Life Drive, Montpelier, VT 05633.

We, the members of the legislative body of **NORTON** in **ESSEX** 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
Class 2	0.000			-	0.000
Class 3	0.98			0.98	0.000
State Highway	10.733			10.733	0.000
Total	11.713			11.713	0.000
* Class 1 Lane	0.000			-	
* Class 4	4.47	4.87	0.40	4.47	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. Totals + Description by
K. Alley 3/29/2017

- NEW HIGHWAYS:** Please attach Selectmen's "Certificate of Completion and Opening".
- DISCONTINUED:** Please attach SIGNED copy of proceedings (minutes of meeting).
- 0.40 mi CL4 TH-4 removed from map. Never a town highway. (Docket No. 21-4-13, Vermont Superior Court, Essex Unit, Civil Division).
- RECLASSIFIED/REMEASURED:** Please attach SIGNED copy of proceedings (minutes of meeting).
- SCENIC HIGHWAYS:** Please attach a copy of order designating/discontinuing Scenic Highways.

IF THERE ARE NO CHANGES IN MILEAGE: Check box and sign below. []

PART III - SIGNATURES - PLEASE SIGN.

Selectmen/ Aldermen/ Trustees Signatures: Deval Dinn
[Signature]

T/C/V Clerk Signature: Lina M. Vigneault Date Filed: 01/10/17

Please sign ORIGINAL and return it for Transportation signature.

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

APPROVED: [Signature] DATE: 3/30/2017
Representative, Agency of Transportation

Vermont Statutes Annotated

19 V.S.A. § 305. Measurement and inspection

Received

JAN 19 2017

Policy, Planning & Intermodal
Transportation Division

§ 305. Measurement and inspection

(a) After reasonable notice to the selectboard, a representative of the agency may measure and inspect the class 1, 2, and 3 town highways in each town to verify the accuracy of the records on file with the agency. Upon request, the selectboard or their designee shall be permitted to accompany the representative of the agency during the measurement and inspection. The agency shall notify the town when any highway, or portion of a highway, does not meet the standards for its assigned class. If the town fails, within one year, to restore the highway or portion of the highway to the accepted standard, or to reclassify, or to discontinue, or develop an acceptable schedule for restoring to the accepted standards, the agency for purposes of apportionment under section 306 of this title shall deduct the affected mileage from that assigned to the town for the particular class of the road in question.

(b) Annually, on or before February 10, the selectboard shall file with the town clerk a sworn statement of the description and measurements of all class 1, 2, 3, and 4 town highways and trails then in existence, including any special designation such as a throughway or scenic highway. When class 1, 2, 3, or 4 town highways, trails, or unidentified corridors are accepted, discontinued, or reclassified, a copy of the proceedings shall be filed in the town clerk's office and a copy shall be forwarded to the agency.

(c) All class 1, 2, 3, and 4 town highways and trails shall appear on the town highway maps by July 1, 2015.

(d) At least 45 days prior to first including a town highway or trail that is not clearly observable by physical evidence of its use as a highway or trail and that is legally established prior to February 10, 2006 in the sworn statement required under subsection (b) of this section, the legislative body of the municipality shall provide written notice and an opportunity to be heard at a duly warned meeting of the legislative body to persons owning lands through which a highway or trail passes or abuts.

(e) The agency shall not accept any change in mileage until the records required to be filed in the town clerk's office by this section are received by the agency. A request by a municipality to the agency for a change in mileage shall include a description of the affected highway or trail, a copy of any surveys of the affected highway or trail, minutes of meetings at which the legislative body took action with respect to the changes, and a current town highway map with the requested deletions and additions sketched on it. A survey shall not be required for class 4 town highways that are legally established prior to February 10, 2006. All records filed with the agency are subject to verification in accordance with subsection (a) of this section.

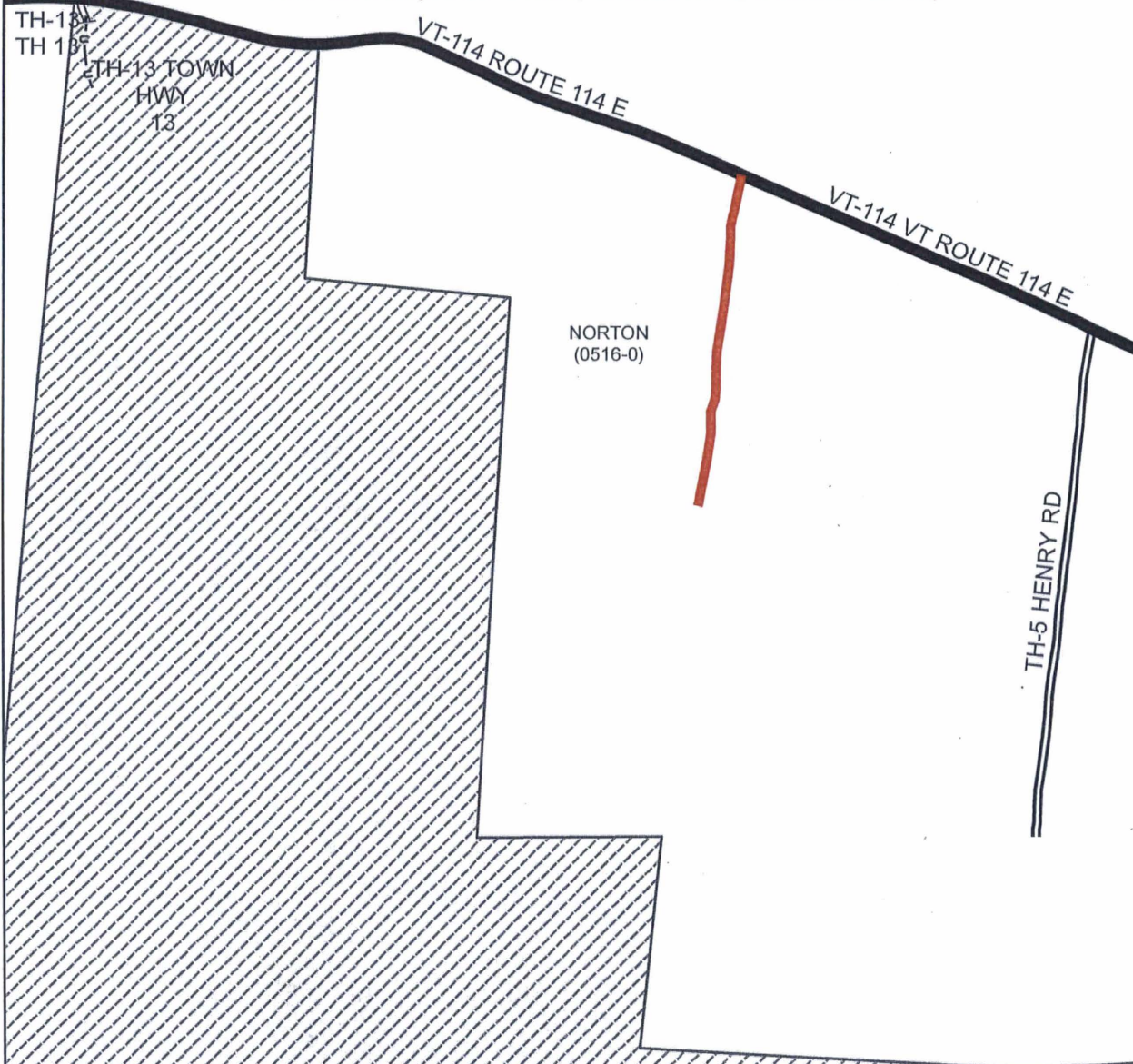
(f) The selectboard of any town who are aggrieved by a finding of the agency concerning the measurement, description, or classification of a town highway may appeal to the transportation board by filing a notice of appeal with the executive secretary of the transportation board.

(g) The agency shall provide each town with a map of all of the highways in that town together with the mileage of each class 1, 2, 3, and 4 highway, as well as each trail, and such other information as the agency deems appropriate.

Excerpt of 19 V.S.A. § 305 - *Measurement and inspection* from Vermont Statutes Online located at – <http://legislature.vermont.gov/statutes/section/19/003/00305>

December 2016

**-0.40 mi CL4 TH-4 removed from map due to court decision that it was never a Town Highway.
(12/8/2014, Docket No. 21-4-13,
Vermont Superior Court, Essex Unit, Civil Division)**



**Mileage Certificate Changes 2017
NORTON (0516-0)**

Mapping Section
Division of Policy and Planning
Vermont Agency of Transportation -- March 29, 2017



TOWN OF NORTON
PO Box 33
12 VT ROUTE 114 E
NORTON, VT 05907
Phone: 802 822-9935
Fax: 802 822-9965

DATE: January 19, 2017

TO: Kerry Alley

FAX #: 802-828-2437

FROM:

SUBJECT: Discontinuance of Hwy #4

TOTAL PGS: 4 including cover sheet

MESSAGE:

Hwy #4 Leo's Lane

Regards,
Betsy Fontaine
Asst. Town Clerk
Town of Norton

Dated this 7th day of December, 2014, at Norton, Vermont.

PLAINTIFFS

Leonard Lemay
Leonard Lemay

Cynthia P. Lemay
Cynthia Lemay

Dated this 8th day of December, 2014, at Norton, Vermont.

DEFENDANT

By: *Stephen P. Peabody*
Town of Norton, Selectboard Chair

Town Clerk's Office, Norton, Vermont 05907
Received for Record Mail 21 A.D. 2015
At 2 O'clock 10 Minutes P M. Recorded
Book 28 Page 33 Norton Land Records
Attest: *Betsy Fontaine* Town Clerk
Asst.

FILED

FEB - 5 2015

STATE OF VERMONT

SUPERIOR COURT
ESSEX UNIT

CIVIL DIVISION VERMONT SUPERIOR COURT
ESSEX UNIT

Leonard Lemay and Cynthia Lemay,
Plaintiffs/Appellants

v.

Docket No. 21-4-13 Excv

Town of Norton,
Defendant/Appellee

MOTION TO DISMISS #5

The parties to this action have resolved all of their disputes, and respectfully request dismissal of this matter with prejudice. The enclosed stipulation evidences the agreement of all parties.

Dated this 18th day of February, at Montpelier, Vermont.

PLAINTIFFS

By: Paul Gillies
Paul Gillies, Their Attorney

So ordered, Robert Bent
Hon. Robert Bent, Presiding Judge

cc: Kyle Stipples, Esq.

FILED

FEB - 6 2015

VERMONT SUPERIOR COURT
ESSEX UNIT

Town Clerk's Office Norton, Vermont 05907
Received for Record April 21 A.D. 2015
At 2 O'clock 10 Minutes P.M. Recorded
Book 23 Page 31 Norton Land Records
Attest. Betty Fontana Town Clerk
ASJC