

District 8
 Certcode 0613-0

**CERTIFICATE OF HIGHWAY MILEAGE
 YEAR ENDING FEBRUARY 10, 2021**

Fill out form, make and file a copy with the Town Clerk, and submit the Mileage Certificate on or before February 20, 2021 to: Vermont Agency of Transportation, Division of Policy, Planning and Intermodal Development, Mapping Section through upload to the secure FTP site or if necessary via mail to: VTrans PPAID - Mapping Section, 2178 Airport Rd, Unit B, Berlin, VT 05641.

We, the members of the legislative body of SAINT ALBANS TOWN in FRANKLIN 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		0	0.000
Class 2	20.570	0		20.570	0.000
Class 3	32.94	.16 0.20		33.10 33.14	0.000
State Highway	27.074	0		27.074	0.000
Total	80.584	.16 0.20		80.744 80.784	0.000
* Class 1 Lane	0.000	0		0	
* Class 4	1.27	0		1.27	0.000
* Legal Trail	0.00	0		0	

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

0.20 mi CL3 updated by JBlouin VTrans Mapping

PART II - INFORMATION AND DESCRIPTION OF CHANGES SHOWN ABOVE.

1. NEW HIGHWAYS: Please attach Selectmen's "Certificate of Completion and Opening".

465' & 359' added to Harbor View Drive "Phase 3 - 2020" (Measurement updated to match ROW survey - confirmed per phone call by KAlley to town public works director 02/26/2021)
 + 0.09 mi CL3 TH-100, + 0.06 mi CL3 TH-100 (Harbor View Dr.)

JBlouin VTrans Mapping

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

None

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

+ 0.05 mi CL3 TH-100 (Harbor View Dr) "Phase 2 - 2018" segment previously recorded as 0.12 mi. See cert year 2018 documentation - updated measurement of 0.17 mi from 2018 town submitted warranty deed survey.

JBlouin VTrans Mapping

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

None

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:

[Handwritten signatures]
 Date Filed: 1/26/2021

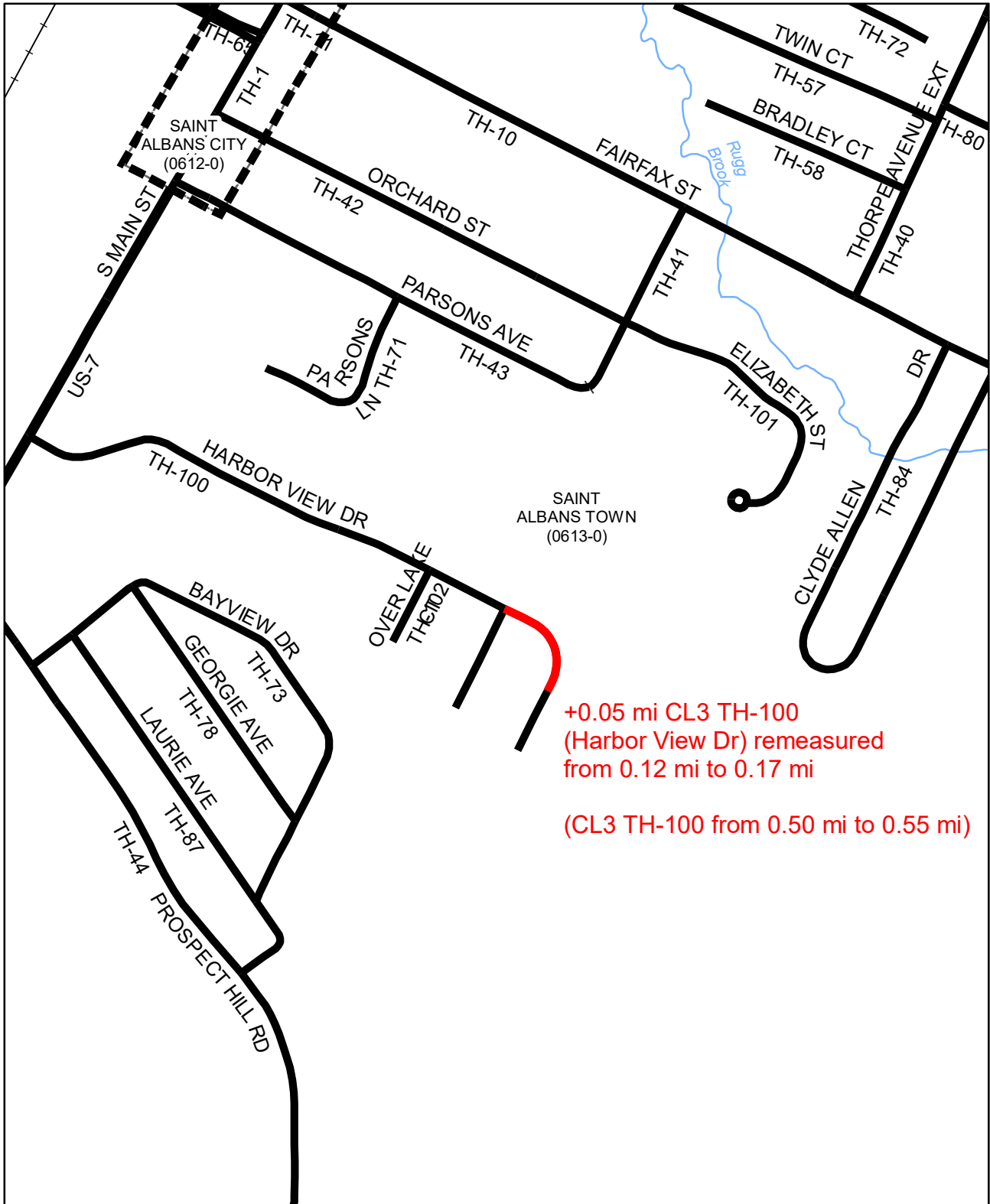
Please sign ORIGINAL and return it for Transportation signature.

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

APPROVED:

Representative, Agency of Transportation

DATE:

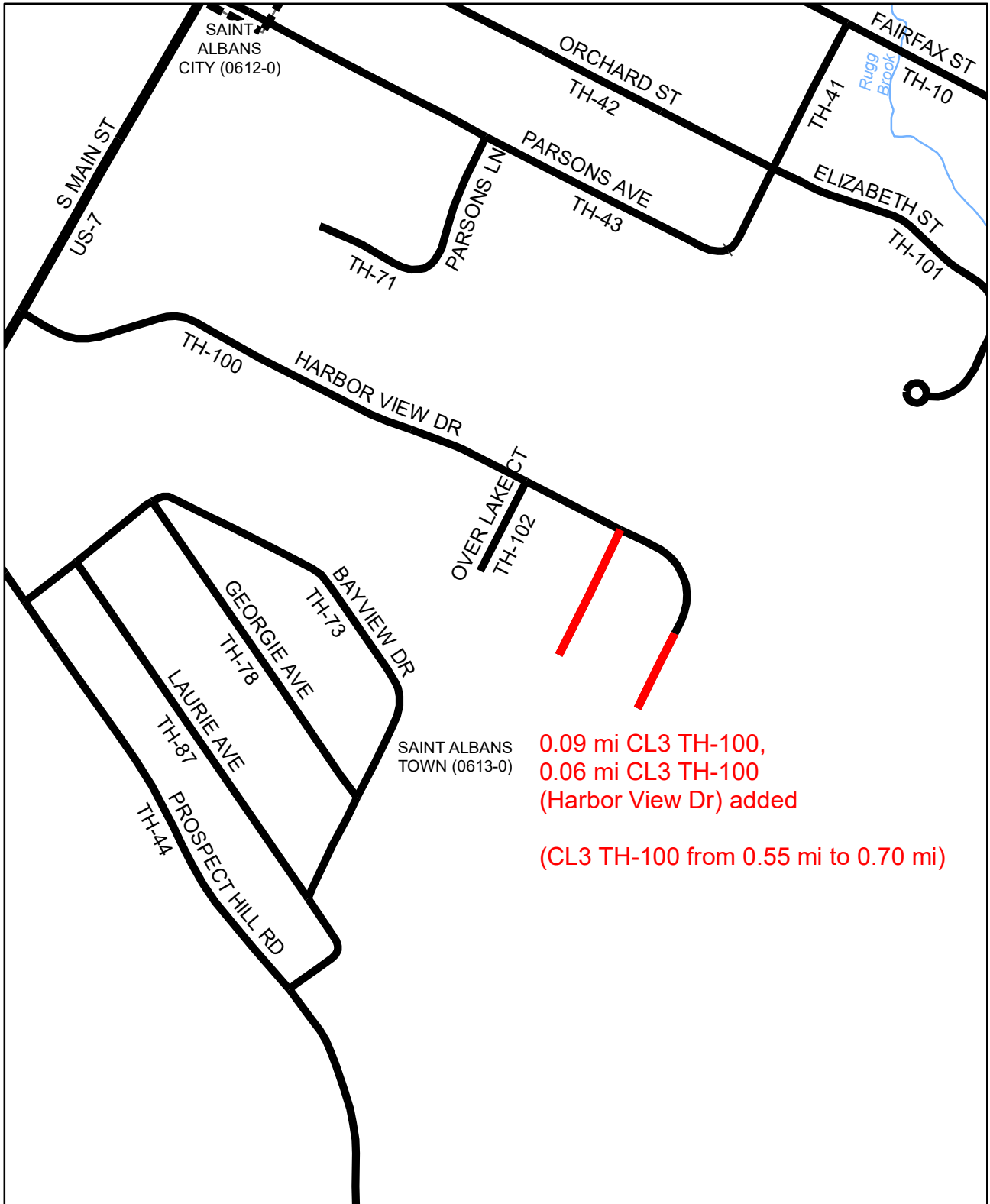


Mileage Certificate Changes 2021
Saint Albans Town - TH-100 Remeasure

(CTUA: 0613-0)

Mapping Section
 Division of Policy and Planning
 Vermont Agency of Transportation -- March 17, 2021

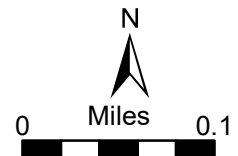




Mileage Certificate Changes 2021
Saint Albans Town - New Highways

(CTUA: 0613-0)

Mapping Section
 Division of Policy and Planning
 Vermont Agency of Transportation -- March 17, 2021



Subject: RE: St. Albans Town Cert Maps
Date: Friday, March 12, 2021 10:28:31 AM
Attachments: [image001.png](#)

From: Alley, Kerry <Kerry.Alley@vermont.gov>
Sent: Friday, February 26, 2021 3:24 PM
To: Blouin, James <James.Blouin@vermont.gov>
Subject: RE: St. Albans Town Cert Maps

I just spoke with the administrative assistant Jenn Gray and the Public Works director Alan Mashtare from St. Albans Town.

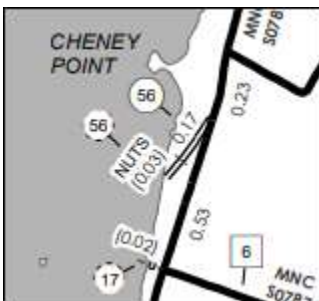
Jenn said that the meeting minutes were the only acceptance documentation they had, and she'll include those in the future. She was relieved that the Certificate of Completion and Opening isn't required because it is confusing!

There haven't been any additions to Benoit Dr, though it's possible that they will happen at some point in the future.

Alan Mashtare confirmed that we should use the measures from the Warranty Deed (along with the extra 30'), so I would make a note on the Cert that he confirmed by phonecall with me on 2/26/2021 that the deed measures were good to use.

One thing I forgot to mention to you earlier today is that when calculating the AOTMILES to add to Harbor View Dr, it's good to consider whether the new mileage totals will also reflect the new total length. When a highway is lengthened "bit by bit", rounding the lengths of the "bits" can affect the total mileage. Alan thinks it is likely that the entire loop will be constructed (there are houses being built now), so it's worth considering using the same TH# for the North Section. Otherwise a new TH# is fine too. Historically we've done it both ways, though sometimes the loops don't get finished, leaving a discontinuous town highway.

As I was on the phone with Jenn, a memory of ***another*** road issue from St. Albans resurfaced. The Town isn't maintaining TH-56 (Austin Rd), and it isn't clear how much of it might be private/public. I'll send Alan an email later about it, so that he can bring it up with the Town Manager. It's unlikely we will try to slip it onto this year's certificate, though.



Kerry

From: Blouin, James <James.Blouin@vermont.gov>
Sent: Friday, February 26, 2021 9:29 AM
To: Alley, Kerry <Kerry.Alley@vermont.gov>
Subject: RE: St. Albans Town Cert Maps

Hey Kerry,

Nice! Thank you for explaining all that so clearly. Could we meet around 11am today to go over everything?

Thank you,
James

James Blouin | GIS Professional
Mapping Section | Vermont Agency of Transportation
219 North Main Street, Barre, VT 05641 - Physical Address
2178 Airport Rd, Unit B, Berlin, VT 05641 - Mailing Address
802-595-2245 | james.blouin@vermont.gov

From: Alley, Kerry <Kerry.Alley@vermont.gov>
Sent: Thursday, February 25, 2021 5:57 PM
To: Blouin, James <James.Blouin@vermont.gov>
Subject: RE: St. Albans Town Cert Maps

The lengths of the two sections, according to the deeds, are (with North section extending to centerline):

South Section: $28.75' + 100' + 100' + 73.21' = 302'$ if rounded to the nearest foot

North Section: $105' + 105' + 105' + 159.44' = 473.8' + 30' \text{ to centerline} = 504'$ if rounded to nearest foot

This is consistent with the imagery and georeferenced plans (though existing rdsmall arcs could use some centering). The values written on the Cert may have been made with a wheel (wild guess), and didn't account for the "centerline to centerline" measures. There may be other factors...

Ideally I'd mark up a copy of the plans indicating these values for clarity. Or maybe a separate sheet...

It's easier to discuss how to reach out to the town in person, I think.

From: Blouin, James <James.Blouin@vermont.gov>
Sent: Thursday, February 25, 2021 9:42 AM
To: Alley, Kerry <Kerry.Alley@vermont.gov>
Subject: RE: St. Albans Town Cert Maps

Hey Kerry,

Here are the georeferenced Harbor View Drive development plan maps for St. Albans Town.

V:\Projects\Shared\Mapping\JBlouin\Mileage_Certs\Georeferenced

Thank you,
James

James Blouin | GIS Professional
Mapping Section | Vermont Agency of Transportation
219 North Main Street, Barre, VT 05641 - Physical Address
2178 Airport Rd, Unit B, Berlin, VT 05641 - Mailing Address
802-595-2245 | james.blouin@vermont.gov

Phase 3 Road "North" ROW Survey

N/S	Degrees	Minutes	Seconds	E/W	Length (ft)
N	43	9	57	E	105
N	43	9	57	E	105
N	43	9	57	E	105
N	43	9	57	E	159.44
S	46	13	45	E	60
S	43	9	57	W	473.8
N	46	50	3	W	60

**Total "North" road length = 503.8 ft
(473.8 ft ROW length + 30 ft to center of intersection)**

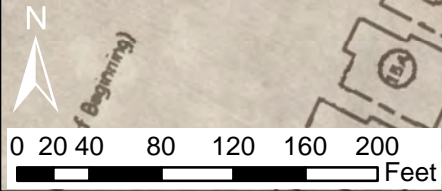
**Phase 3 Road
(North) Origin**

**Phase 3 Road
(South) Origin**

Phase 3 Road "South" ROW Survey

N/S	Degrees	Minutes	Seconds	E/W	Length (ft)
N	43	9	57	E	301.97
S	46	50	3	E	60
S	43	9	57	W	28.75
S	43	9	57	W	100
S	43	9	57	W	100
S	43	9	57	W	73.21
N	46	50	3	W	60

Total "South" road length = 301.97 ft



COPY

465'
359'

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WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS, That Harbor View/St. A, LLC of Colchester, in the County of Chittenden and State of Vermont, GRANTOR (whether singular or otherwise, hereinafter referred to as "Grantor"), in the consideration of TEN AND MORE DOLLARS paid to Grantor's full satisfaction by Town of St. Albans, a Vermont municipality, of St. Albans, in the County of Franklin and State of Vermont, GRANTEE (whether singular or otherwise, hereinafter referred to as "Grantee"), by these presents, do freely GIVE, GRANT, SELL, CONVEY AND CONFIRM unto the said Grantee, Town of St. Albans, and Grantee's heirs and assigns forever, a certain piece of land in the Town of St. Albans, in the County of Franklin and State of Vermont, described as follows, viz:

Being a portion of the lands and premises conveyed to Harbor View/St. A, LLC by Warranty Deed of J & H Malboeuf, LLC dated October 3, 2008 and of record at Volume 224, Page 278 of the Town of St. Albans Land Records.

Being two (2) portions of the roadway known as "Harbor View Drive" located in the planned unit development known as Harbor View, and being more particularly described as two strips of land having a width of sixty feet (60') each, more or less, as depicted on a plan entitled "Harbor View/St. A, LLC, Roadway Phase 3 Takeover Plan dated September 6, 2017, last revised September 16, 2020, prepared by O'Leary-Burke Civil Associates (the "Plan") to be recorded in the Town of St. Albans Land records. Said parcels are more particularly as follows:

Phase 3 Road (North): Commencing at a point being the front shared property corner of Lot #39 and Lot #40 as labeled on said Plan along the road frontage of Harbor View Drive from the proposed ROW taking of Phase 3 labeled thereon; thence proceeding N 43-09-57 E a distance of 105.00' along the frontage of Lot #40; thence continuing along the frontage of Harbor View Drive N 43-09-57 E a distance of 105.00' along the frontage of Lot #41; thence continuing along the frontage of Harbor View Drive N 43-09-57 E a distance of 105.00' along the frontage of Lot #42; thence continuing N 43-09-57 E a distance of 159.44' along the frontage of Lot #43 to a concrete monument set at the intersection of Harbor View Drive; thence turning to the right and proceeding S 46-13-45 E a distance of 60.00'; thence turning to the right and proceeding westerly S 43-09-57 W for a distance of 473.80' along the frontage of Units 1A, 1B, 2A, 2B, 3A, 3B, 4A, 4B, 5A, and 5B to a calculated point; thence turning to the right and proceeding N 46-50-03 W for a distance of 60.00' to the point and place of beginning. Said parcel contains 0.65 acres, more or less.

Phase 3 Road (South): Commencing at a point approximately 301.97' along the road frontage of Harbor View from the proposed ROW taking of Phase 2 labeled on the Plan east of Unit 18A; thence proceeding N 43-09-57 E a distance of 301.97'; turning to the right and proceeding S 46-50-03 E a distance of 60.00'; thence proceeding S 43-09-57 W a distance of 28.75' along a portion of the frontage of Lot 26; thence proceeding S 43-09-57 W a distance of 100.00' along the frontage of Lot 27; thence proceeding S 43-09-57 W a distance of 100.00' along the frontage of Lot 28; thence continuing S 43-09-57 W a distance of 73.21 feet to a point; thence turning to the right and proceeding N 46-50-03 W a distance of 60.00' to the point and place of beginning. Said parcel contains 0.41 acres, more or less.

Grantor acknowledges that, Grantee, The Town of St. Albans maintains no responsibility for the storm water system within the Harbor View subdivision, except as set forth in a Stormwater Maintenance Agreement by and between the Town of St. Albans and Harbor View/St. A, LLC and the Harbor View Master Association, Inc., dated Oct. 13th, 2020, and to be recorded in the Land Records of the Town of St. Albans, attached hereto as Attachment A.

Grantee acknowledges that parts of the system are located under the subject "Harbor View Drive". Grantor also acknowledges the Town will not be responsible for future cost of the offset required under State of Vermont Agency of Natural Resources Department of Environmental Conservation Stormwater Discharge Permits #5577-INDS.AR dated January 12, 2015 of record at Volume 303, Page 523 of said land records or as may be dictated by future changes in the storm water permit renewal process.

The herein conveyed roadway is conveyed with the appurtenant interests set forth in, and is subject to, and has the benefit of the terms and conditions of the Declaration of Covenants, Conditions, Restrictions, Easements and Liens for Harbor View, A Planned Community dated November 8, 2010 and of record at Volume 249, Page 238 of said land records; as amended by Amendment to the Declaration of Covenants, Conditions, Restrictions, Easements and Liens for Harbor View, A Planned Community, dated May 22, 2012 and of record at Volume 267, Pages 303-305 of said land records; as amended by Second Amendment dated May 24, 2012 of record at Volume 267, Pages 318-320 of said land records; as amended by Third Amendment dated March 28, 2014 and of record at Volume 290, Pages 189-199 of said land records; as amended by Fourth Amendment dated April 18, 2014, and of record at Volume 290, Pages 526-527 of said land records, and as may be further amended from time to time.

Said lands and premises are subject to the terms and conditions of the following: (1)

Declaration of Covenants, Conditions, Restrictions, Easements and Liens for Harbor View, A Planned Community, dated November 8, 2010 and of record at Volume 249, Page 238 of the Town of St. Albans Land Records; as subsequently amended; (2) State of Vermont Land Use Permit 6F0594-1 dated October 9, 2008 and of record at Volume 224, Page 403 of said land records, as amended by Land Use Permit 6F0594-2 dated January 19, 2010 of record at Volume 240, Page 300 of said land records; as amended by Land Use Permit 6F0594-3 dated March 9, 2010 of record at Volume 241, Page 171 of said land records; as amended by letter of clarification dated February 23, 2011 and of record at Volume 254, Page 53 of said land records; (3) State of Vermont Wastewater System and Potable Water Supply Permit WW-6-1786 dated July 10, 2008 and of record at Volume 222, Page 182 of said land records; as amended by Permit WW-6-1786-1 dated October 14, 2009 and recorded in said land records; (4) State of Vermont Public Water System Permit to Construct WSID# 21191 and #5130 dated June 30, 2010; (5) State of Vermont Conditional Use Determination #2007-026 dated January 4, 2008 and of record at Volume 215, Page 506 of said land records; (6) State of Vermont Construction General Permits 3-9020 dated July 28, 2008 and November 17, 2009; (7) State of Vermont Agency of Natural Resources Department of Environmental Conservation Stormwater Discharge Permits #5577-INDS dated August 10, 2009 of record at Volume 235, Page 190 of said land records, and #5577-INDS.A dated December 1, 2009 of record at Volume 240, Page 228 of said land records; (8) Town of St. Albans Development Review Board approvals dated January 4, 2007; June 30, 2009; December 2, 2010; and March 27, 2012; and (9) all easements and rights of way as depicted on the above referenced plans.

The Property is conveyed subject to and/or with the benefit of the following: (a) all rights-of-way, easements, conditions and covenants of record, not meaning to reinstate any claims barred by operation of the Vermont Marketable Record Title Act, 27 V.S.A. 601-611, both inclusive; (b) all terms, conditions, restrictions, easements and liens set forth in the Declaration; (c) all easements, rights of way, restrictions, permits and approvals as set forth on Exhibit AA @ to the Declaration or as shown on the Plat; (d) taxes assessed on the Grand List not delinquent on the date of this Deed, which the Grantees herein assume and agree to pay as part of the consideration for this Deed, subject to such taxes being prorated between Grantor and Grantees on the date this Deed is delivered; and (e) the provisions of municipal ordinances, public laws, and special acts.

Reference is hereby made to the above-mentioned deeds, the records thereof and to the deeds and records therein contained, all in further aid of this description.

TO HAVE AND TO HOLD all said granted premises, with all the privileges and appurtenances thereof, to the said Grantee, Town of St. Albans, and Grantee's successors and assigns, to Grantee's own use and behoof forever;

And the said Grantor, Harbor View/St. A, LLC, for Grantor and Grantor's heirs, executors and administrators, does covenant with the said Grantee, and Grantee's heirs and assigns, that until the ensembling of these presents Grantor is the sole owner of the premises, and has good right and title to convey the same in manner aforesaid, that they are **FREE FROM EVERY ENCUMBRANCE**, except as aforesaid, and except for all utility easements as may appear of record, provided that such exception shall not reinstate any such utility easements previously extinguished by Title 27 Vermont Statutes Annotated, Chapter 5, Subchapter 7; and Grantor hereby engages to **WARRANT AND DEFEND** the same against all lawful claims whatever, except as aforesaid.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed and

acknowledged this 13 day of October 2020.

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Harbor View/St. A, LLC

By: [Signature]
Duly Authorized Agent

STATE OF VERMONT
CHITTENDEN COUNTY, SS

At St Albans, Vermont, this 13 day of October, 2020,
William Fitzgerald, duly authorized agent of Harbor View/St. A, LLC, personally appeared and
acknowledged this instrument, by him sealed and subscribed to be his free act and deed and the
free act and deed of Harbor View/St. A, LLC.

Before me, [Signature: Carrie Johnson]
Notary Public
My commission expires:

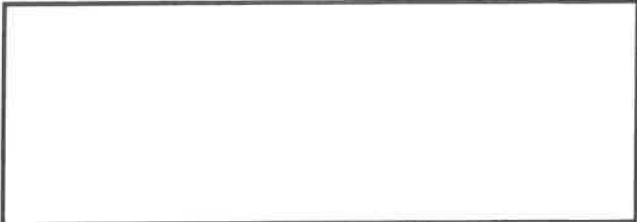


dan\fitzgerald\harbor view\warranty deed\Roadway.Phase 3 WD.docx

ST. ALBANS TOWN CLERK'S OFFICE
RECEIVED FOR RECORD / DISCHARGE
October 23 A.D. 2020
at 11 o'clock 39 minutes A M
and recorded in Book 361 Pages 177-179
Attest: [Signature] Asst. Town Clerk

Vermont Property Transfer Tax
32 V.S.A. Chap. 231
-ACKNOWLEDGMENT-
RETURNS RECEIVED
Signed [Signature] Clerk
Date October 23, 2020

E-Filed



VT Form
PTT-172 **VERMONT**
PROPERTY TRANSFER TAX RETURN

4kbjk3

Web request key / Verification code

For Town Use Only

TRANSFERORS (Sellers)

HARBOR VIEW/ST. A, LLC
PO BOX 319
COLCHESTER, VT 05446-0000

TRANSFEREES (Buyers)

TOWN OF ST. ALBANS
PO BOX 37
ST. ALBANS BAY, VT 05481-0000

*Any additional transferors or transferees are listed at the bottom of this page

Date Acquired by Transferor: Oct-03-2008

Date of this Closing: Oct-13-2020

Land Size (acres): 1.06

Property Physical Location:

City/Town:

SPAN#

Check if property is located in multiple cities or towns

HARBOR VIEW DRIVE

St. Albans Town

552-174-00000

This sale did not involve land

Buyer Seller relationship type:

If other, description:

If transfer is exempt from Property Transfer Tax: 02 - 32 V.S.A. § 9603 (2)

Interest in property: Fee Simple

If other, description:

If "undivided" percent of interest:

Type of building construction: None

If other, description:

Transferors use of property before transfer: Open Land

If other, description:

Transferees use of property after transfer: Other

If other, description: Public roadway

Will the property be rented after transfer? No

Enrolled in the Current Use Program? No

Have development rights been conveyed separately? No

New owner elects to continue current use enrollment? No

Does the transferee hold title to any adjoining property: Yes

Value paid or transferred as defined in 32 V.S.A. § 9601(6)

\$0.00

Value paid or transferred for personal property

\$0.00

Value paid or transferred for real property

\$0.00

Tax Due

\$0.00

Preparer's Name: BERGERON, PARADIS

Preparer's Phone: (802) 879-6304

Preparer's Address: ESSEX JUNCTION, VT 05452-0000

Preparer's E-mail: RBEANE@BPFLEGAL.COM

Transferee's Name TOWN OF ST. ALBANS
Property Location HARBOR VIEW DRIVE
Date of this Closing Oct-13-2020

NOTE: Long names or addresses may not display fully on the paper copy of the return, but the full names and addresses are submitted electronically to the Town and Department.

LOCAL AND STATE PERMITS AND ACT 250 NOTICE

This serves as notice that:

- The property being transferred may be subject to regulations governing potable water supplies and wastewater systems under 10 V.S.A. chapter 64 and building, zoning and subdivision regulations;
- The property being transferred may be subject to Act 250 regulations regarding land use and development under 10 V.S.A. chapter 151;
- The parties have an obligation to investigate and disclose knowledge regarding flood regulation affecting the property.

To determine if the property is in compliance with or exempt from these rules, contact the relevant agency.

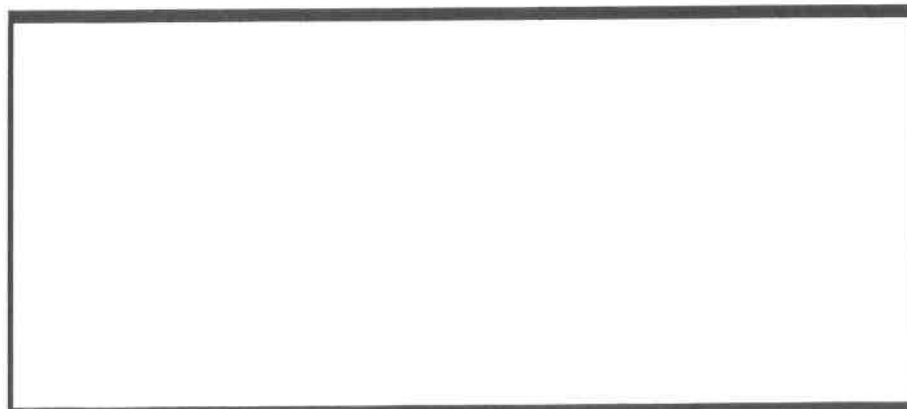
Town Clerk - Sign into your myVtax account to enter this recording information. After you have entered the recording information print a copy to deliver to the primary Transferee per 32 V.S.A 9607.

This section to be completed by Town or City Clerk

Book Number	361	Page Number	177	Grand List year	2020
City or Town	St. Albans Town	Parcel ID Number		Date of Record	Oct-23-2020
Grand List Value		Grand List Category	Other	SPAN	552-174-00000
Comments, additional information, etc. DEED OF ROADWAY					

Duplicate Return Suspected
 Portion of the property sold/subdivision
 Original Return Waiting on Deed
Deed Acknowledgment and Return Received

SIGNED _____, Clerk DATE _____



For Town Use Only

STORMWATER MAINTENANCE AGREEMENT

THIS AGREEMENT, made this 13 day of October, 2020, by and between the Town of St. Albans, by its Legislative Body, hereinafter called the "MUNICIPALITY," and Harbor View/St. A, LLC, hereinafter called the "LANDOWNER," and Harbor View Master Association, Inc. hereinafter called the "HOMEOWNERS ASSOCIATION" (collectively, the "PARTIES").

WITNESSETH:

WHEREAS, the project identified as Harbor View (the "Project") has obtained State of Vermont Agency of Natural Resources Department of Environmental Conservation Stormwater Discharge Permits #5577-INDS.ARA dated February 28, 2019 from the Vermont Department of Environmental Conservation for stormwater discharge (collectively called the "Permit") under the name of Harbor View/St. A, LLC; and

WHEREAS, the Permit attaches to the lands that contain the permitted stormwater management system (the "System"); and

WHEREAS, the Parties anticipate that a designated portion of the Project lands, including portions of the System, will be offered to and accepted by the Municipality upon completion of the public improvements, all as more particularly set forth in the approval by the Municipality (the "Public Improvements"); and

WHEREAS, the PARTIES anticipate that upon acceptance by the Municipality of the Public Improvements, the Parties will share the responsibility for the maintenance and operation of the System and compliance with all permits and conditions; and

WHEREAS, the Project is (will be) subject to the following state permit(s):

[check permit(s) that apply]

X **3-9020 Construction Permit.** For projects disturbing more than 1 acre; regulates construction erosion while the project is under construction; expires once construction is complete. The Town is not a party to this permit.

 3-9015 General Permit. State general permit for new storm water discharges to waters that are not principally impaired by storm water. This permit expires after five years. If project involves private and public stormwater, Town, after acceptance of the Public Improvements, will join as co-applicant and be subject to permit conditions.

X **3-9010 General Permit.** State general permit for the renewal of previously issued permits within waters that are not principally impaired by storm water. This permit expires after five years.

 Individual Stormwater Discharge Permit. State stormwater discharge permit for new storm water discharges to waters that are principally impaired by storm water. This permit expires after five years. If project involves private and public stormwater, Town, after acceptance of the Public Improvements will join as co-applicant and be subject to permit conditions. ("Applicable Permit(s)")

WHEREAS, a portion of the System is solely on private property owned or controlled by the LANDOWNER (the "Private Portion"), and is comprised of

stormwater ponds and pipes located on individual lots and common land as depicted on a plan entitled "Harbor View Subdivision, Route 7, (353 South Main Street), St. Albans, Site Plan" prepared by O'Leary-Burke Civil Associates, PLC, dated April 1, 2009, last revised June 2, 2009 and recorded at Map Slide 488 of the Town of St. Albans Land Records; and

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WHEREAS, a portion of the System, after acceptance by MUNICIPALITY, will be solely on public property owned or controlled by the MUNICIPALITY (the "Public Portion"), and will be comprised of catch basins and pipes within Harbor View Drive as depicted on a plan entitled "Harbor View Subdivision, Route 7, (353 South Main Street), St. Albans, Site Plan" prepared by O'Leary-Burke Civil Associates, PLC, dated April 1, 2009, last revised June 2, 2009 and recorded at Map Slide 488 of the Town of St. Albans Land Records; and

WHEREAS, the State of Vermont may require that the PARTIES be co-applicants/co-permittees [on the Applicable Permit(s)/Notice of Intent (NOI)].

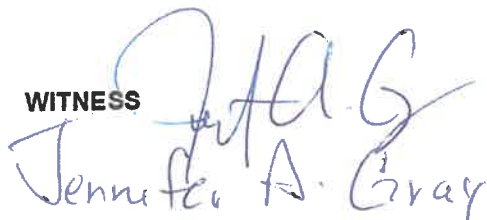
NOW THEREFORE, in consideration of these mutual covenants and premises herein set forth, it is agreed by the PARTIES hereto as follows:

1. PARTIES will be co-applicants and co-permittees under the Applicable Permit(s)(NOI), as may be required;
2. MUNICIPALITY will assume all inspection, maintenance, and reporting responsibilities set forth in the Applicable Permit(s) for the Public Portion.
3. LANDOWNER will assume all inspection, maintenance and reporting responsibilities set forth in the Applicable Permit(s) for the Private Portion.
4. LANDOWNERS shall pay the cost of all fees to be paid to the State.
5. Should future repairs or upgrade be required, LANDOWNERS will bear the responsibility for all cost of the System.
6. PARTIES acknowledge and agree that only naturally occurring stormwater run-off is permitted in the System and shall take steps to so inform all users.
7. MUNICIPALITY may upon 60 days written notice to the LANDOWNER terminate this agreement and assume full control of and responsibility for the Private Portion of the System or assume partial control of and responsibility for a section or portions of the Private Portion of the System. In the event the MUNICIPALITY assumes less than full control of and responsibility for the System, the Parties shall enter into a new agreement to specify each Party's respective obligations and rights. Stormwater system components that are located on private property such as roof drains, footing drains, catch basins or driveways will not be assumed or acquired by the Municipality.
8. Once the MUNICIPALITY exercises either election set forth in Section 7 immediately preceding, the LANDOWNER, its successors or assigns, shall grant the MUNICIPALITY a permanent easement for access to the Private Portion for which the MUNICIPALITY has assumed control, and the MUNICIPALITY shall thereafter be free to modify the System for the public good provided such modification shall be in compliance with state statute.

THIS AGREEMENT shall be binding upon the successors and assigns of the PARTIES.

IN WITNESS WHEREOF, the Parties hereto have caused this AGREEMENT to be duly executed on the day and year first written above.

WITNESS


Jennifer A. Gray

MUNICIPALITY

Town of St Albans

361 182

Carrie Johnson
Authorized Representative
Town of St. Albans

Printed Name, Title
CARRIE JOHNSON, TOWN manager

WITNESS
Jennifer A. Gray
J.A.G.

LANDOWNER
HARBORVIEW STALL C

Authorized Representative
William H. Fitzgerald

Printed Name, Title
William H Fitzgerald

WITNESS
ASSOCIATION
Jennifer A. Gray
J.A.G.

HOMEOWNERS
HARBORVIEW HOMEOWNER
ASSOCIATION INC
William H. Fitzgerald

Authorized Representative
William H. Fitzgerald
Printed Name, Title

ST. ALBANS TOWN CLERK'S OFFICE
RECEIVED FOR RECORD / DISCHARGE
October 23 A.D. 2020
at 11 o'clock 39 minutes A.M.
and recorded in Book 361 Pages 180-182
Attest: *Alisa Roque* Asst. Town Clerk

PARTIAL DISCHARGE OF MORTGAGE

KNOW ALL PERSONS BY THESE PRESENTS: That **NBT BANK, NATIONAL ASSOCIATION**, a national banking association having an office at 150 Bank Street, Burlington, Vermont 05401 (the "Bank"), in consideration of Ten and More Dollars and other good and valuable consideration, paid to its full satisfaction, does hereby discharge the below described property and interests from a certain mortgage given to it by **HARBOR VIEW/ST. A, LLC**, dated April 5, 2012 of record at Volume 265, Page 352 of the Town of St. Albans Land Records; as subsequently amended by First Amendment dated March 31, 2014 of record at Volume 290, Page 359; Second Amendment dated April 23, 2014 of record at Volume 290, Page 515; Third Amendment dated December 10, 2015 of record at Volume 307, Page 162; and Fourth Amendment dated January 11, 2019 of record at Volume 340, Page 379; the following described property and interests:

Being a portion of the lands and premises conveyed to Harbor View/St. A, LLC by Warranty Deed of J & H Malboeuf, LLC dated October 3, 2008 and of record at Volume 224, Page 278 of the Town of St. Albans Land Records.

Being two (2) portions of the roadway known as "Harbor View Drive" located in the planned unit development known as Harbor View, and being more particularly described as two strips of land having a width of sixty feet (60') each, more or less, as depicted on a plan entitled "Harbor View/St. A, LLC, Roadway Phase 3 Takeover Plan dated September 6, 2017, last revised September 16, 2020, prepared by O'Leary-Burke Civil Associates (the "Plan") to be recorded in the Town of St. Albans Land records. Said parcels are more particularly as follows:

Phase 3 Road (North): Commencing at a point being the front shared property corner of Lot #39 and Lot #40 as labeled on said Plan along the road frontage of Harbor View Drive from the proposed ROW taking of Phase 3 labeled thereon; thence proceeding N 43-09-57 E a distance of 105.00' along the frontage of Lot #40; thence continuing along the frontage of Harbor View Drive N 43-09-57 E a distance of 105.00' along the frontage of Lot #41; thence continuing along the frontage of Harbor View Drive N 43-09-57 E a distance of 105.00' along the frontage of Lot #42; thence continuing N 43-09-57 E a distance of 159.44' along the frontage of Lot #43 to a concrete monument set at the intersection of Harbor View Drive; thence turning to the right and proceeding S 46-13-45 E a distance of 60.00'; thence turning to the right and proceeding westerly S 43-09-57 W for a distance of 473.80' along the frontage of Units 1A, 1B, 2A, 2B, 3A, 3B, 4A, 4B, 5A, and 5B to a calculated point; thence turning to the right and proceeding N 46-50-03 W for a distance of 60.00' to the point and place of beginning. Said parcel contains 0.65 acres, more or less.

Phase 3 Road (South): Commencing at a point approximately 301.97' along the road frontage of Harbor View from the proposed ROW taking of Phase 2 labeled on the Plan east of Unit 18A; thence proceeding N 43-09-57 E a distance of 301.97'; turning to the right and proceeding S 46-50-03 E a distance of 60.00'; thence proceeding S 43-09-57 W a distance of 28.75' along a portion of the frontage of Lot 26; thence proceeding S 43-09-57 W a distance of 100.00' along the frontage of Lot 27; thence proceeding S 43-09-57 W a distance of 100.00' along the frontage of Lot 28; thence continuing S 43-09-57 W a distance of 73.21 feet to a point; thence turning to the right and proceeding N 46-50-03 W a distance of 60.00' to the point and place of beginning. Said parcel contains 0.41 acres, more or less.

This Partial Discharge is intended to release and discharge only those parcels of land described herein and no other land whatsoever, the mortgage on the rest of the lands and premises described in said mortgage deed now held by **NBT BANK, NATIONAL ASSOCIATION** to be and remain in full force and effect.

IN WITNESS WHEREOF, I have executed this Partial Discharge of Mortgage this 1 day of October, 2020.

NBT BANK, NATIONAL ASSOCIATION

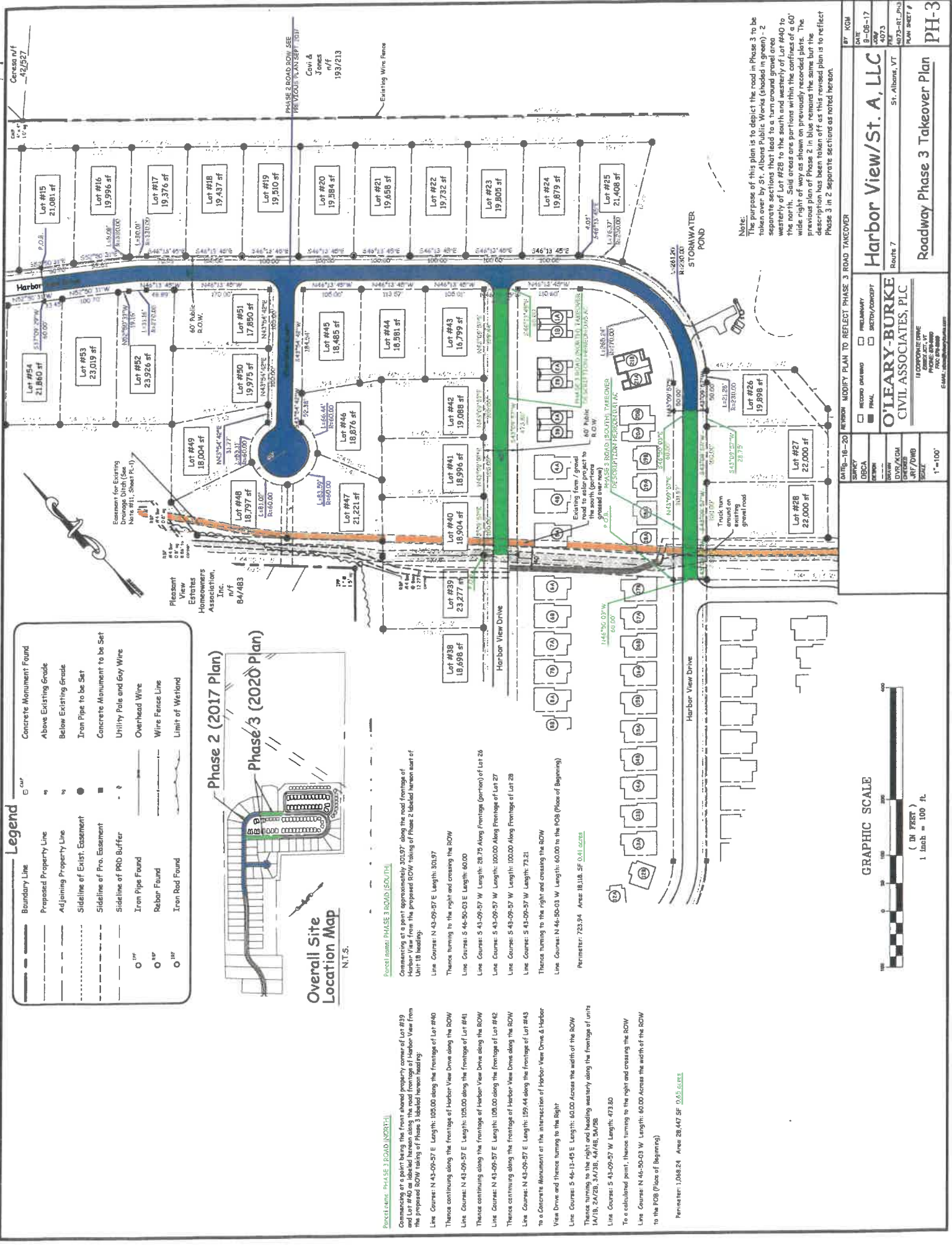
By: Mark T. Wahl
Duly Authorized Agent

STATE OF VERMONT
CHITTENDEN COUNTY, SS.

At Burlington, Vermont, this 1 day of October, 2020, personally appeared MARK T. WAHL, duly authorized agent of **NBT BANK, NATIONAL ASSOCIATION** and he acknowledged this instrument by him sealed and subscribed to be his free act and deed and the free act and deed of **NBT BANK, NATIONAL ASSOCIATION**.

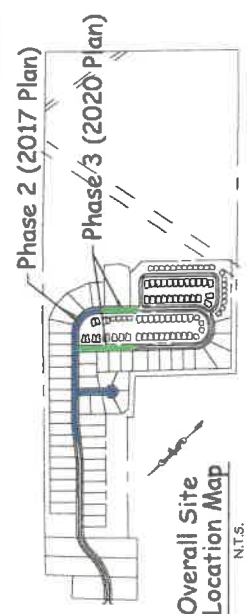
Before me, Keri Wolgast
Notary Public Exp. 1/31/2021
My Commission Expires:

ST. ALBANS TOWN CLERK'S OFFICE
RECEIVED FOR RECORD / DISCHARGE
November 30 A.D. 2020
at 8 o'clock minutes AM
and recorded in Book 363 Pages 36-37
Attest [Signature] Asst. Town Clerk



Note:
The purpose of this plan is to depict the road in Phase 3 to be taken over by St. Albans Public Works (shaded in green) - 2 separate sections that lead to a turn around gravel area westerly of Lot #28 to the south and westerly of Lot #40 to the north. Said areas are portions within the confines of a 60' wide right of way as shown on previously recorded plans. The previous plan of Phase 2, in blue, remained the same but the description has been taken off as this revised plan is to reflect Phase 3 in 2 separate sections as noted hereon.

Legend	
	Concrete Monument Found
	Above Existing Grade
	Below Existing Grade
	Iron Pipe to be Set
	Concrete Monument to be Set
	Utility Pole and Guy Wire
	Overhead Wire
	Wire Fence Line
	Limit of Wetland



PHASE 3 ROAD (SOUTH)
Connecting at a point approximately 301.97' along the road frontage of Harbor View from the proposed ROW taking of Phase 2 (shaded in green) Unit 10 heading:
Line Course: N 43-09-57 E Length: 301.97
Thence turning to the right and creating the ROW
Line Course: S 46-50-03 E Length: 60.00
Line Course: S 43-09-57 W Length: 28.79 Along Frontage (portion) of Lot 26
Line Course: S 43-09-57 W Length: 100.00 Along Frontage of Lot 27
Line Course: S 43-09-57 W Length: 100.00 Along Frontage of Lot 28
Line Course: S 43-09-57 W Length: 73.21
Thence turning to the right and creating the ROW
Line Course: N 46-50-03 W Length: 60.00 to the POB (Place of Beginning)
Perimeter: 723.94 Area: 18,116.57 SQ. FT. (0.41 ACRES)

PHASE 3 ROAD (NORTH)
Commencing at a point being the front corner of Lot #39 and Lot #40 as labeled hereon along the road frontage of Harbor View from the proposed ROW taking of Phase 3 (shaded in green) heading:
Line Course: N 43-09-57 E Length: 105.00 along the frontage of Lot #40
Thence continuing along the frontage of Harbor View Drive along the ROW
Line Course: N 43-09-57 E Length: 105.00 along the frontage of Lot #41
Thence continuing along the frontage of Harbor View Drive along the ROW
Line Course: N 43-09-57 E Length: 108.00 along the frontage of Lot #42
Thence continuing along the frontage of Harbor View Drive along the ROW
Line Course: N 43-09-57 E Length: 159.44 along the frontage of Lot #43
To a Concrete Monument at the intersection of Harbor View Drive & Harbor View Drive and thence turning to the right
Line Course: S 46-13-48 E Length: 60.00 Across the width of the ROW
To a calculated point, thence turning to the right and creating the ROW
Line Course: N 46-50-03 W Length: 60.00 Across the width of the ROW to the POB (Place of Beginning)
Perimeter: 1,068.24 Area: 28,447.57 SQ. FT. (0.65 ACRES)

PHASE 3 ROAD (WEST)
Commencing at a point being the front corner of Lot #39 and Lot #40 as labeled hereon along the road frontage of Harbor View from the proposed ROW taking of Phase 3 (shaded in green) heading:
Line Course: N 43-09-57 E Length: 105.00 along the frontage of Lot #40
Thence continuing along the frontage of Harbor View Drive along the ROW
Line Course: N 43-09-57 E Length: 105.00 along the frontage of Lot #41
Thence continuing along the frontage of Harbor View Drive along the ROW
Line Course: N 43-09-57 E Length: 108.00 along the frontage of Lot #42
Thence continuing along the frontage of Harbor View Drive along the ROW
Line Course: N 43-09-57 E Length: 159.44 along the frontage of Lot #43
To a Concrete Monument at the intersection of Harbor View Drive & Harbor View Drive and thence turning to the right
Line Course: S 46-13-48 E Length: 60.00 Across the width of the ROW
To a calculated point, thence turning to the right and creating the ROW
Line Course: N 46-50-03 W Length: 60.00 Across the width of the ROW to the POB (Place of Beginning)
Perimeter: 1,068.24 Area: 28,447.57 SQ. FT. (0.65 ACRES)

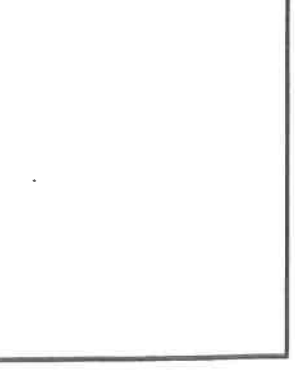
DATE: 10-20 REVISION: MODIFY PLAN TO REFLECT PHASE 3 ROAD TAKEOVER

SHEET NO.	18 OF 18
DATE	9-05-17
DESIGNER	PRELIMINARY
DRAWN BY	SECTION/CONCEPT
CHECKED BY	FINAL
DATE	10-20-17
PROJECT NO.	18-CORPORATE DRIVE
SCALE	1" = 100'

PROJECT: Harbor View/St. A, LLC
Route 7 St. Albans, VT

CLIENT: O'LEARY-BURKE CIVIL ASSOCIATES, PLC
18 CORPORATE DRIVE
ST. ALBANS, VT 05478
PHONE: 802-249-2800
FAX: 802-249-2809
EMAIL: info@oleary-burke.com

PROJECT: Roadway Phase 3 Takeover Plan
PH-3



10/20/2020
11:58 am

Town of St Albans Grand List
Parcel Report
For Parcel: 00000GRT00-745 HARBOR VIEW / ST A LLC

Page 1 of 1
Bob.Ware

INACTIVE PARCEL

Name HARBOR VIEW / ST A LLC
PO BOX 319
COLCHESTER VT 05446

Location (A) SLIDE 492D
(B) MIXED-USE DEVELOPMENT & 97.93A:
(C) HARBOR VIEW SUB-DIVISION

911 HARBOR VIEW DR

Tax Map 34-050-026

Desc. 81.26A-DEVELOPMENT(CONDOS & SF DWLS):

Codes:	(1)	(Category)	M	(Equipment)	(Owner)	C		
		Wood		Crop	Pasture	Other	Site	Total
Acres:		0.00		0.00	0.00	0.00	81.26	81.26
Values:		Real		Land	Building	Equipment		Inventory
		402,500		402,500	0	0		0
		Homestead		Veterans	Farm Stab.	L.U. Acres		Land Use
		0		0.00	0.00	0.00		0.00
		Contract		Lease	Prev. Eqpm	Land Use Amt		Prev. Real
		0		0.00	0	0.00		402,500
		Housesite		Special Exmp	Grand List			
		0.00		0.00	4,025.00			

Misc: Status: T Updated: 06/17/2020
Last sale was: Invalid on 05/25/2012 for \$315000 recorded on 267/394-397

Grievance Info: Flag: N Remarks: (1)

SPAN: 552-174-11373