

CERTIFICATE OF HIGHWAY MILEAGE year ending FEB. 10, 1998

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Fill out form, make & file COPY with the Town Clerk, & mail ORIGINAL before Feb. 20, 1998 TO:
Vt. Agency of Transportation, Planning Dept., 133 State Street, Montpelier, Vt. 05633.

We, the Selectmen ~~or Trustees or Aldermen~~ of NORTHFIELD, WASHINGTON COUNTY
on an oath state that the mileage of highways, according to Title 19, V.S.A., Sec#305, added
1985, is as follows:

PART I - CHANGES & TOTALS - Please fill in and calculate totals.

DISTRICT 6

TOWN HIGHWAYS *****	PREVIOUS MILEAGE *****	ADDED MILEAGE *****	SUBTRACTED MILEAGE * *****	TOTAL	* SCENIC HIGHWAYS
CLASS 1	.909			.909	*
* CL1 LANE	.000			.000	*
CLASS 2	4.810			4.810	*
CLASS 3	57.390			57.390	*
STATE HWY	10.541			10.541	*
*****	*****	*****	*****	*****	*****
TOTAL	73.650			73.650	*
*****	*****	*****	*****	*****	*****
CLASS 4	8.340		.305	8.035 8.340	*

VT. AGENCY OF TRANSPORTATION
JAN 29 1998
PLANNING DIVISION

* Class 1 Lane Mileage is NOT added into the total.

PART II - INFORMATION & DESCRIPTION OF CHANGES SHOWN ABOVE.

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

(2) DISCONTINUED: Please attach SIGNED copy of proceedings(minutes of meeting).
TH 110 - .305 of trail discontinued 09/20/97 (NOT INCLUDED IN CLASS #4)

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

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

PART II - CHECK BOX IF NO CHANGES IN MILEAGES AND SIGN BELOW []

PART III - SIGNATURES - PLEASE SIGN.

SELECTMEN/ALDERMEN/TRUSTEES
SIGNATURES:

Caroline Gillespie
Bradford Penny
Lynn Sanders
Linda Christman
Kenneth Johnson

CLERK SIGNATURE: *[Signature]*
Please sign ORIGINAL & return for Transportation signature.

DATE FILED 1/26/98

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

APPROVED: Donald C. Harvey
Representative, Agency of Transportation

DATE: 2/2/98

Copy to Peter Monte
9/25/97
PM

Town of Northfield, Vermont

DECISION AND ORDER

**In re: Proceedings to Discontinue a portion of Town Highway 110
as a Public Highway and Public Trail**

This is the Decision and Order of the Selectboard of the Town of Northfield, Vermont, on proceedings regarding discontinuance of a portion of Town Highway 110 as a public highway and public trail. These proceedings were initiated by the Selectboard on its own initiative pursuant to 19 V.S.A. § 708(a). The Selectboard examined the premises and held public hearings on December 9, 1997, after due notice in accordance with 19 V.S.A. § 709 [not less than ten days before the scheduled hearing, the Selectboard gave due notice of the inspection of the premises and public hearing by certified mail to owners of property abutting Town Highway 110 (Daniel and Caroline Gillespie, Todd and Sarah Boucher, George and Lucy McCarthy and Thomas Goodrich) and to other interested parties (Northfield Joint Planning Commission, Vermont Department of Forest and Parks, Northfield Telephone Company, Pamela Knight, Richard and Cynthia Porter, Deneergard Estate, Linda Shaneburger and John Heath), published notice in the Northfield News, a local newspaper of general circulation in the Town, and posted the notice in the Town Clerk's office of Northfield.]

Selectboard member Caroline Gillespie did not participate as a member of the Selectboard in the proceedings or in this decision because she is an owner of affected property.

For the reason stated below, the Selectboard has decided to discontinue the public highway and trail over a portion of Town Highway 110 described below. The Town will not preserve any public right or interest in the discontinued portion of Town Highway 110.

Findings of Fact.

After examination of the premises and upon consideration of the evidence and testimony offered at the public hearing, the Selectboard makes the following findings:

1. The portion of Town Highway 110 which the Selectboard has considered for discontinuance is shown on a survey titled "Road Survey of a Portion of Former Route 64 in Northfield, VT for the Town of Northfield" dated July 25, 1997, and drawn by American Survey Company.
2. The relevant portion of Town Highway 110 was formerly State Highway 64, but became Town Highway 110 upon construction of the new highway for Route 64 and the State's subsequent transfer of bypassed segments of Route 64 to the Town. The Town discontinued the relevant portion of Town Highway 110 as a town highway on August 1, 1989, but retained a trail over the discontinued portion of the highway.

3. The Town of Northfield does not maintain the relevant portion of Town Highway 110 and has not maintained it since the relevant portion of Town Highway 110 became a trail. The relevant portion of Town Highway 110 is untraveled by vehicular traffic and is impassible by a motor vehicle. Vehicular traffic is obstructed by barricades at each end of the trail.
4. Passage along the trail is dangerous because of the terrain and condition of the surface.
5. The former traveled way in the relevant area is steep, has inadequate drainage, and would require great expense to be made safe and passable for vehicular traffic.
6. There is evidence that the trail has been used by people as an access to a remote area for illegal dumping of garbage and refuse. All-terrain vehicles use the former roadway at excessive and dangerous speeds.
7. There are no improved properties which depend upon the relevant portion of Town Highway 110 for access. All property owners along the relevant portion of Town Highway 110 have adequate alternate access to their respective properties from a town highway (Town Highway 110 or the Loop Road).
8. Both the Loop Road and Route 64 provide adequate ways for through traffic to bypass the the relevant portions of Town Highway 110.
9. Discontinuance of the relevant portion of Town Highway 110 would not effect an area at each end of relevant portion of Town Highway 110 which would be retained and adequate for town maintenance vehicles to use as a turnaround during snowplowing and other work on the retained portions of Town Highway 110.
10. No adjoining property owner objects to the proposed discontinuance.
11. There was no evidence of significant usage of the relevant portions of Town Highway 110 for recreational or other legitimate public uses. The terrain along the relevant portions of Town Highway 110 discourages public passage to adjoining lands.
12. No person presented evidence of any compensable damage or harm which they would suffer if the Selectboard should discontinue the relevant portions of Town Highway 110.

Conclusions.

1. The relevant portions of Town Highway 110 have been an untraveled highway for several years. Discontinuance of the relevant portions of Town Highway 110 as a town trail will not create a loss of public or commercial travel because the highway has not been traveled recently and alternative routes exist.

2. The Selectboard does not foresee that the relevant portions of Town Highway 110 are likely in the future to be a part of the traveled highway network for the Town of Northfield. Town Highway 110 is laid out along a steep and sustained grade, has inadequate drainage and would be prohibitively expensive to improve to a safe and passable condition. Because of these features, the relevant portions of Town Highway 110 provide an unsuitable location for a highway. The Town's future needs and patterns of development in the neighborhood will by necessity depend upon other, existing highways in the vicinity for access.
3. Preservation of the existing trail along the relevant portions of Town Highway 110 would not preserve desirable recreational or other public values. There is no evidence that the relevant portion has been in the past, or is likely to be in the future, to be used significantly for recreational or other public access. There is no evidence that the road provides passage to areas of significant recreational or other public usage which are not already accessible by other routes. Any travel along the trail would be dangerous because of the terrain and surface conditions.
4. The relevant portions of Town Highway 110 present exceptional circumstances which justify discontinuance of an existing trail. These circumstances include its long disuse, unpassable and dangerous character, and absence of direct or indirect value for recreational or other public access and the existence of alternative public highways providing all apparently needed or desirable access. These unusual circumstances cause the relevant portions of Town Highway 110 to have no significant value as a trail. Under the Town's Class Four Roads and Trails Policy, these unusual circumstances justify the Town's abandonment of a trail or other public right-of-way along the the relevant portions of Town Highway 110.
5. The public good, necessity and the convenience of the inhabitants of the Town do not require that the relevant portions of Town Highway 110 be maintained as a public highway or trail.
6. The Selectboard's order in these proceedings does not take any land or interest in land from any person nor otherwise cause compensable damages to any person. Accordingly, the Town should not pay damages in this proceeding to any person.

Decision and Order.

Based on the foregoing findings and conclusions, the Selectboard of the Town of Northfield hereby makes the following ORDERS:

1. That the existing public trail be discontinued over the following described portion of Town Highway 110: Being that portion of Town Highway 110 bounded as follows as shown on a survey titled "Road Survey of a Portion of Former Route 64 in Northfield, VT for the Town of Northfield" dated July 25, 1997, and drawn by American Survey Company:

Being a portion of the existing trail along Town Highway 110 approximately 1614 feet long which is bounded as follows:

On the west by a line shown on the said survey and defined by the iron rods set at the points designated as "A" and "P" on said survey, and

On the east by a line shown on the said survey and defined by the iron rods set at the points designated as "C" , "R" and "M" on said survey.

2. The Town hereby discontinues all of its interest in and to the above described portion of Town Highway 110; the Town shall not reserve a trail or any other public right or interest along the course of the discontinued portion of Town Highway 110 described above.
3. Except for the portion described above and hereby discontinued, the Selectboard makes no change in the existing trail and highway classifications of Town Highway 110.
4. No damages are awarded to any party affected by this order and decision.
5. The Town Clerk is directed to record a copy of this Decision and Order and a copy of the survey plan referenced above in the Town records in compliance with 19 V.S.A. §711.

This Decision and Order was approved by the Town of Northfield Selectboard by a vote of three in favor, none against on June 23, 1997. Voting in favor were Selectboard members Christian, Denny and Johnson. Chair Gillespie abstained.

DATED September, 28 , 1997, at Northfield, Vermont by

THE SELECTBOARD OF THE TOWN OF NORTHFIELD:

By: Bradford Denny
Bradford Denny

By: Lin Christian
Lin Christian

By: Kenneth Johnson
Kenneth Johnson