

CERTIFICATE OF HIGHWAY MILEAGE

YEAR ENDING FEBRUARY 10, 2007

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2007 to Vermont Agency of Transportation, Policy and Planning Division, Drawer 33, Montpelier, VT 05633.

We, the Selectmen or Aldermen or Trustees of WATERBURY in WASHINGTON County, Vermont, 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.

Table with 6 columns: Town Highways, Previous Mileage, Added Mileage, Subtracted Mileage, Total, Scenic Highways. Rows include Class 1, Class 1 Lane, Class 2, Class 3, State Highway, Class 4, Legal Trail, and Total.

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

PART II - INFORMATION AND DESCRIPTION OF CHANGES SHOWN ABOVE. S. Moulton 3/8/07

- 1. NEW HIGHWAYS: Please attach Selectmen's "Certificate of Completion and Opening"
2. DISCONTINUED: Please attach SIGNED copy of proceedings (minutes of meeting 99 feet at East End of Batchelder Street North, 0.1875 miles
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: Check box and sign below.

PART III - SIGNATURES - PLEASE SIGN.

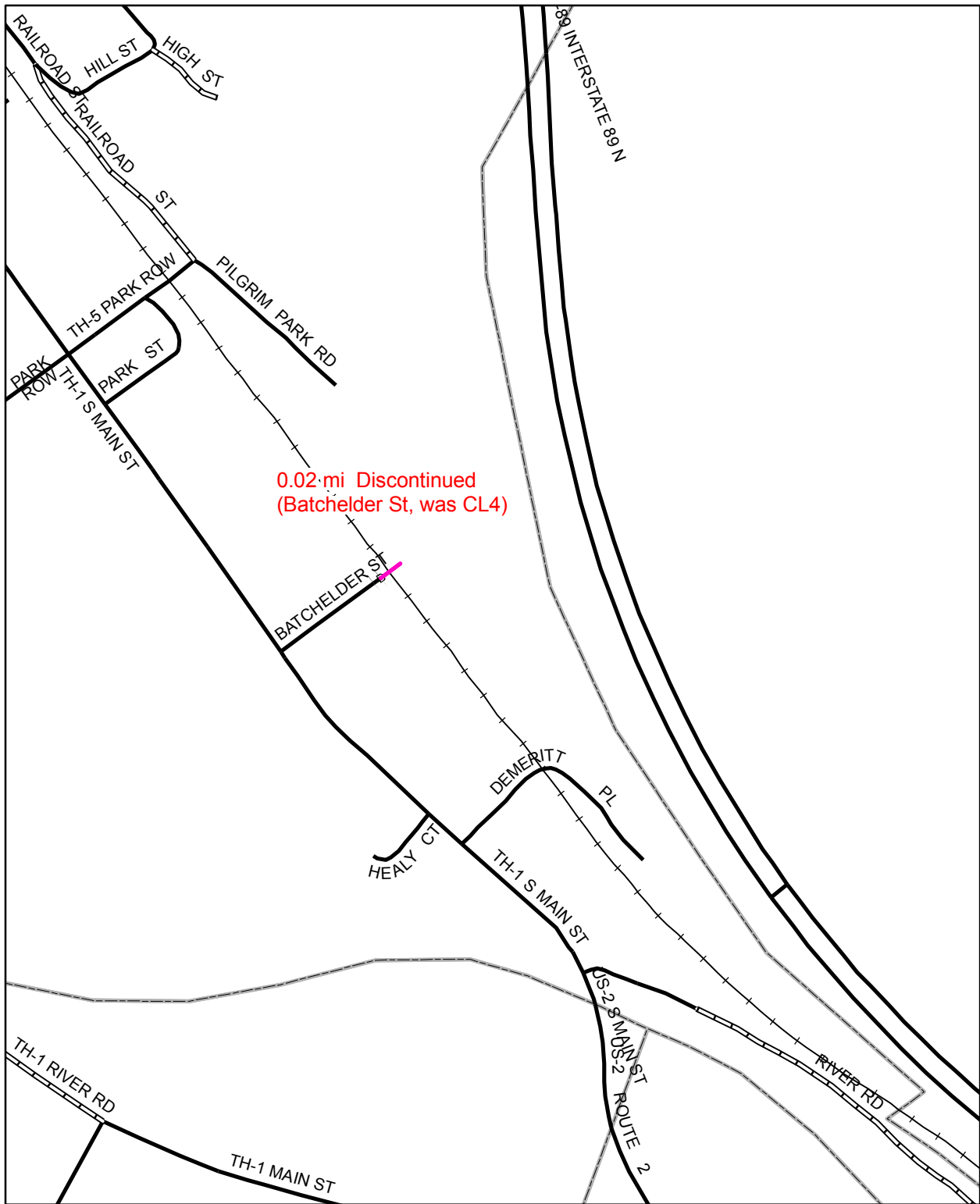
Selectmen/ Aldermen/ Trustees Signatures: [Handwritten signatures]

T/C/V Clerk Signature: Donna Centorzi Date Filed: Feb. 5, 2007

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: 5/2/2007 Representative, Agency of Transportation Johnathan Croft



Mileage Certificate Change 2007 -- WATERBURY

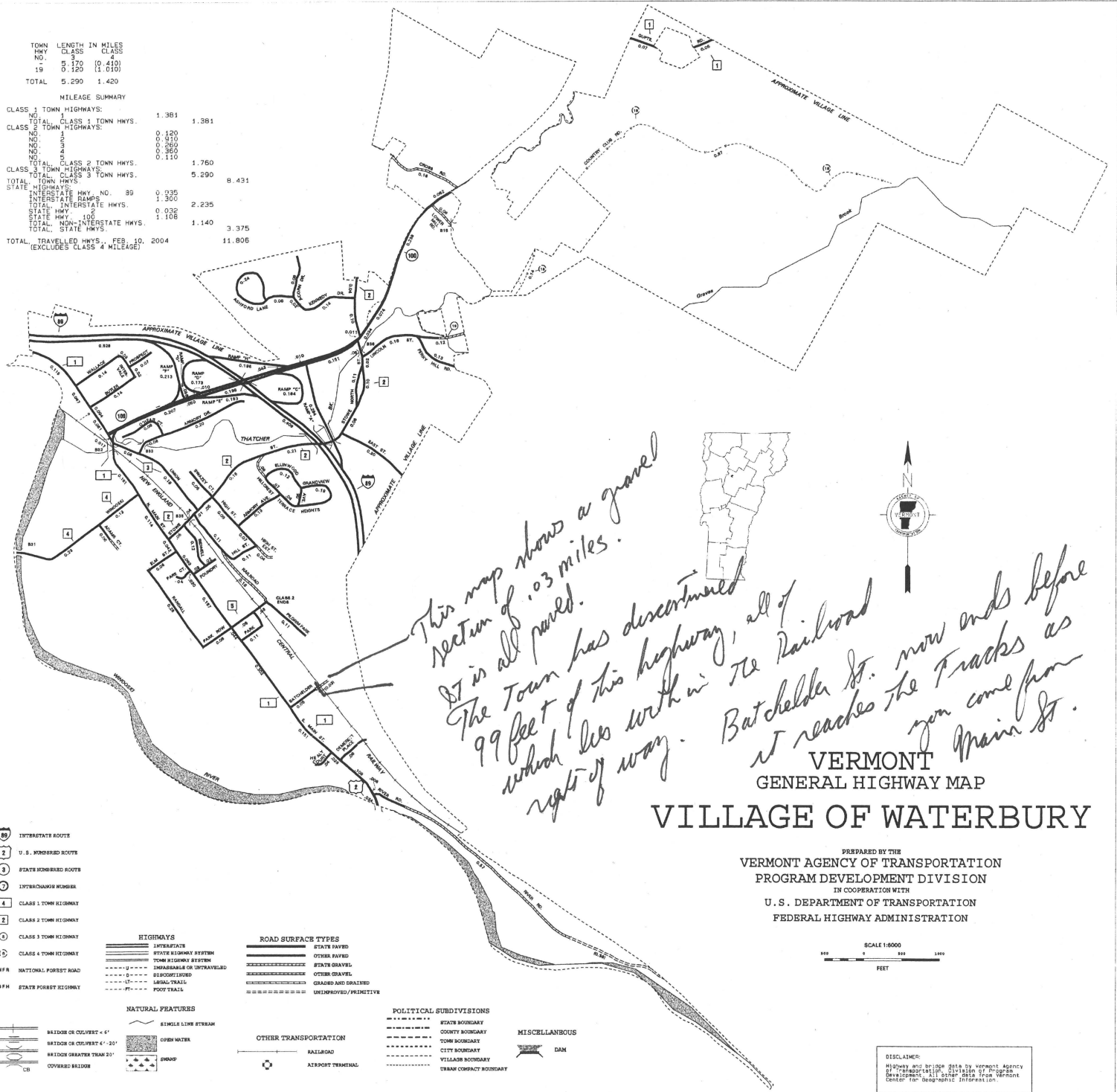
Mapping Unit
 Policy & Planning Division
 Vermont Agency of Transportation -- March 2007



TOWN HWY NO.	LENGTH IN MILES	CLASS
5	170	(0.410)
19	0.120	(1.010)
TOTAL	5.290	1.420

MILEAGE SUMMARY

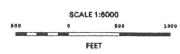
CLASS	1 TOWN HWYS.	2 TOWN HWYS.	3 TOWN HWYS.	4 TOWN HWYS.	TOTAL
CLASS 1 TOWN HWYS.	1.381				1.381
CLASS 2 TOWN HWYS.		0.120			0.120
CLASS 3 TOWN HWYS.			0.935		0.935
CLASS 4 TOWN HWYS.				0.110	0.110
TOTAL CLASS 1-4 TOWN HWYS.	1.381	0.120	0.935	0.110	2.546
STATE HWYS.			5.290		5.290
TOTAL CLASS 1-4 TOWN HWYS. + STATE HWYS.			6.225		6.225
INTERSTATE HWY. NO. 89			0.335		0.335
INTERSTATE HWY. RAMP			1.300		1.300
TOTAL INTERSTATE HWYS.			1.635		1.635
STATE HWY. 100			1.108		1.108
TOTAL NON-INTERSTATE HWYS.			1.140		1.140
TOTAL TRAVELLED HWYS., FEB. 10, 2004 (EXCLUDES CLASS 4 MILEAGE)			8.431		8.431



This map shows a gravel section of .03 miles. The Town has discontinued 87 is all paved. 99 feet of this highway, all of which lies with in the Railroad right of way. Batchelder St. now ends before it reaches the Tracks as you come from Main St.

VERMONT
GENERAL HIGHWAY MAP
VILLAGE OF WATERBURY

PREPARED BY THE
VERMONT AGENCY OF TRANSPORTATION
PROGRAM DEVELOPMENT DIVISION
IN COOPERATION WITH
U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION



DISCLAIMER:
Highway and bridge data by Vermont Agency of Transportation, Division of Program Development. All other data from Vermont Center for Geographic Information.

REPORT OF FINDINGS RELATED TO THE DISCONTINUANCE OF
BATCHELDER STREET PUBLIC ROAD CROSSING OF
RAILROAD RIGHT OF WAY

Pursuant to the requirements of V.S.A. Title 19 Chapter 7, the Board of Selectmen of the Town of Waterbury (the "Board") hereby report the following:

1. At its regular meeting of May 15, 2006, the Board voted to begin the process of DISCONTINUING the Batchelder Street public road crossing of the railroad right of way at railroad mile post 85.70. Such public road crossing is shown on the Site Plan of T Bass Land Surveys, Ltd. dated June 2006 attached hereto as Exhibit A.
2. The following adjoining landowners were notified by letters, dated May 16, 2006 and sent by certified mail, that the Board intended to examine the Batchelder Street public road crossing of the railroad right of way at 7:00 p.m. on June 19, 2006:
 - a. New England Central Railroad, Inc.
c/o CT Corporation System, Registered Agent
400 Cornerstone Drive, Suite 240
Williston, VT 05495
 - b. CV Properties Incorporated
c/o CT Corporation System, Registered Agent
400 Cornerstone Drive, Suite 240
Williston, VT 05495
 - c. Ronald and Pauline Danyew
1 Batchelder Street
Waterbury, VT 05676
 - d. Lance C. and Diana S. Harrington
179 Lower Meadow Road
Plainfield, VT 05667
 - e. Philip Whalley
5 Batchelder Street
Waterbury, VT 05676
 - f. Francis W. and Janice S. Sherman
7 Batchelder Street
Waterbury, VT 05676
 - g. Keith and Carmen Morgan
8 Batchelder Street
Waterbury, VT 05676

- h. Ronald and Betty Frederick
PO Box 262
Waterbury, VT 05676
 - i. James and Georgiana Birmingham
10 Batchelder Street
Waterbury, VT 05676
 - j. Cathleen S. Desalaurier
11 Batchelder Street
Waterbury, VT 05676
 - k. Peter A. Comtess
RD 5, Box 2020
Montpelier, VT 05602
 - l. Messer Living Trust
c/o Fred and Josette Messier, Trustees
317 Meadow Road
Waitsfield, VT 05673
 - m. Pilgrim Partnership, LLC
c/o Stephen van Esen
PO Box 447
Waterbury, VT 05676
3. The Waterbury Planning Commission was notified of the Board's action by letter sent to Rick Weston, Chairman, dated May 16, 2006.
 4. A Public Notice was mailed to the Town Clerk by letter dated May 16, 2006. The Town Clerk subsequently posted said Notice in the Town Office. Said Notice is attached hereto as Exhibit B.
 5. The same Public Notice was published in the Barre-Montpelier Times-Argus, a newspaper of general circulation, on May 31, 2006.
 6. On June 19, 2006, the Board of Selectman examined the Batchelder Street public road crossing of the railroad right of way at 7:00 pm.
 7. At a regular meeting of the Board of Selectmen on June 19, 2006, the Board made the following findings:
 - a. The adjoining landowners have access to their properties either from Batchelder Street or from Pilgrim Park Road.

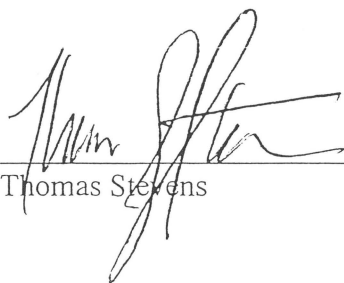
- b. No other properties are served by the Batchelder Street public road crossing of the railroad right of way.
 - c. The Town Manager opined that the proposed discontinuance was in the public good, but that it would be best if there were ongoing emergency access across the Batchelder Street Railroad Crossing.
 - d. The Village Fire Chief stated that in the event of a catastrophic event, access across the Batchelder Street Railroad Crossing would be necessary to provide adequate fire and emergency services.
8. Based on the preceding findings and pursuant to 19 V.S.A. Chapter 7, the Board concludes that the public good, necessity and convenience require the DISCONTINUANCE of the Batchelder Street public road crossing of the railroad right of way at railroad mile post 85.70, which is more particularly described as follows:

Being a highway 3 rods in width running generally northeasterly from the southernmost limit of the railroad right of way at railroad mile post 85.70 of CV Properties, Incorporated, a distance of 99 feet to the northernmost limit of such right of way; all as shown on a "Site Plan For The Purpose Of Discontinuance Of BATCHELDER STREET RAILROAD CROSSING WATERBURY, VERMONT JUNE 2006" by T Bass Land Surveys, Ltd. (*see* Exhibit A).

9. THEREFORE, it is hereby ORDERED that the Batchelder Street public road crossing of the railroad right of way, as hereinbefore described, be DISCONTINUED.
10. All lands underlying the Batchelder Street public road crossing of the railroad right of way shall henceforth be owned by the adjoining landowner, CV Properties Incorporated.

Dated this 19 of June 2006.

WATERBURY BOARD OF SELECTMEN



Thomas Stevens

[Handwritten signature]

Robert Butler

[Handwritten signature]

Jack Carter

[Handwritten signature]

Michelle Baker

Rebecca Ellis

Received for recording this 19 day of June 2006 at Waterbury, Vermont.

[Handwritten signature]

Donna P. Centonze, Town Clerk

WATERBURY TOWN CLERK'S OFFICE
RECEIVED FOR RECORD
June 19, A.D. 2006
AT 11 O'CLOCK 30 MINUTES 4 M
AND RECORDED IN BOOK 247 PAGE 287-290
RECORDS OF Deeds
ATTEST [Handwritten signature]
ABST TOWN CLERK

A certified copy as filed in the Waterbury Land Records Vol. 247 pages 287-290.

Attest: [Handwritten signature]

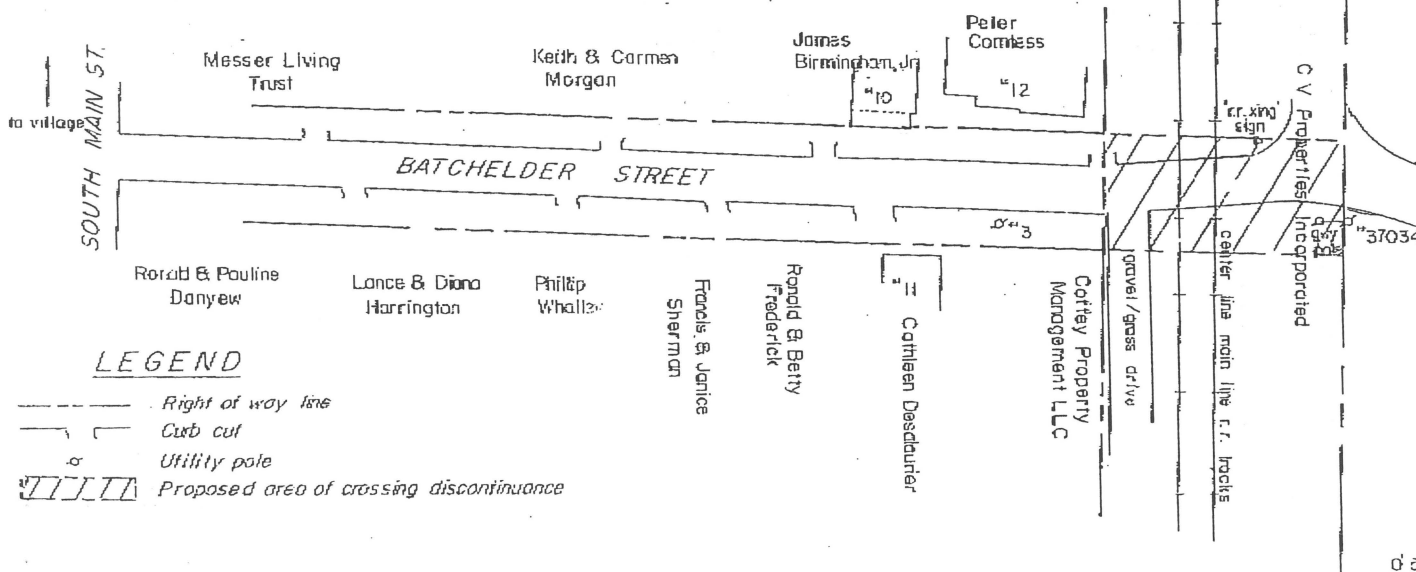
Donna Centonze, Town Clerk

Date June 21, 2006

NOTES

This site plan is for the purpose of discontinuance of the Batchelder Street railroad crossing located in Waterbury, Vt. No record research was performed. Land owner information was taken from tax map information on tax map #19.

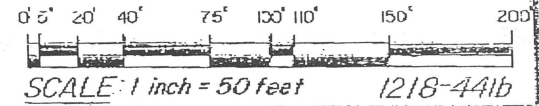
Batchelder Street right of way width is assumed to be three rods (49.5 feet). No record of fee title was found.



LEGEND

- Right of way line
- Curb cut
- Utility pole
- Proposed area of crossing discontinuance

Site Plan For The Purpose Of Discontinuance Of
BATCHELDER STREET RAILROAD CROSSING
 WATERBURY, VERMONT
 JUNE 2006



T. Bass Land Surveys, Ltd.
 Waterbury Cir., Vt.

Exhibit A