

CERTIFICATE OF HIGHWAY MILEAGE
YEAR ENDING FEBRUARY 10, 2013

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2013 to:
Vermont Agency of Transportation, Division of Policy, Planning and Intermodal Development,
One National Life Drive, Montpelier, VT 05633.

Received
FEB 1 2013
Policy, Planning & Intermodal
Development Division

We, the members of the legislative body of HARTFORD in WINDSOR
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	1.714				0.000
Class 2	19.635				0.000
Class 3	108.58	0.43		109.01	0.000
State Highway	45.525				0.000
Total	175.454			175.889	0.000
* Class 1 Lane	0.389				0.000
* Class 4	9.50		0.30	9.20	
* Legal Trail	0.07				
* Unidentified Corridor	0.00				

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

PART II - INFORMATION AND DESCRIPTION OF CHANGES SHOWN ABOVE.

- NEW HIGHWAYS:** Please attach Selectmen's "Certificate of Completion and Opening".
Arboretum Lane - Class 3 2,260 feet TH-295
- DISCONTINUED:** Please attach SIGNED copy of proceedings (minutes of meeting).
Melise Road - Class 4 1600 feet TH-75
- RECLASSIFIED/REMEASURED:** Please attach SIGNED copy of proceedings (minutes of meeting).
- SCENIC HIGHWAYS:** Please attach a copy of order designating/discontinuing Scenic Highways.

Received
FEB 07 2013
Policy, Planning & Intermodal
Development Division

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: *May E. Hill*

Date Filed: *2/6/2013*

Please sign ORIGINAL and return it for Transportation signature.

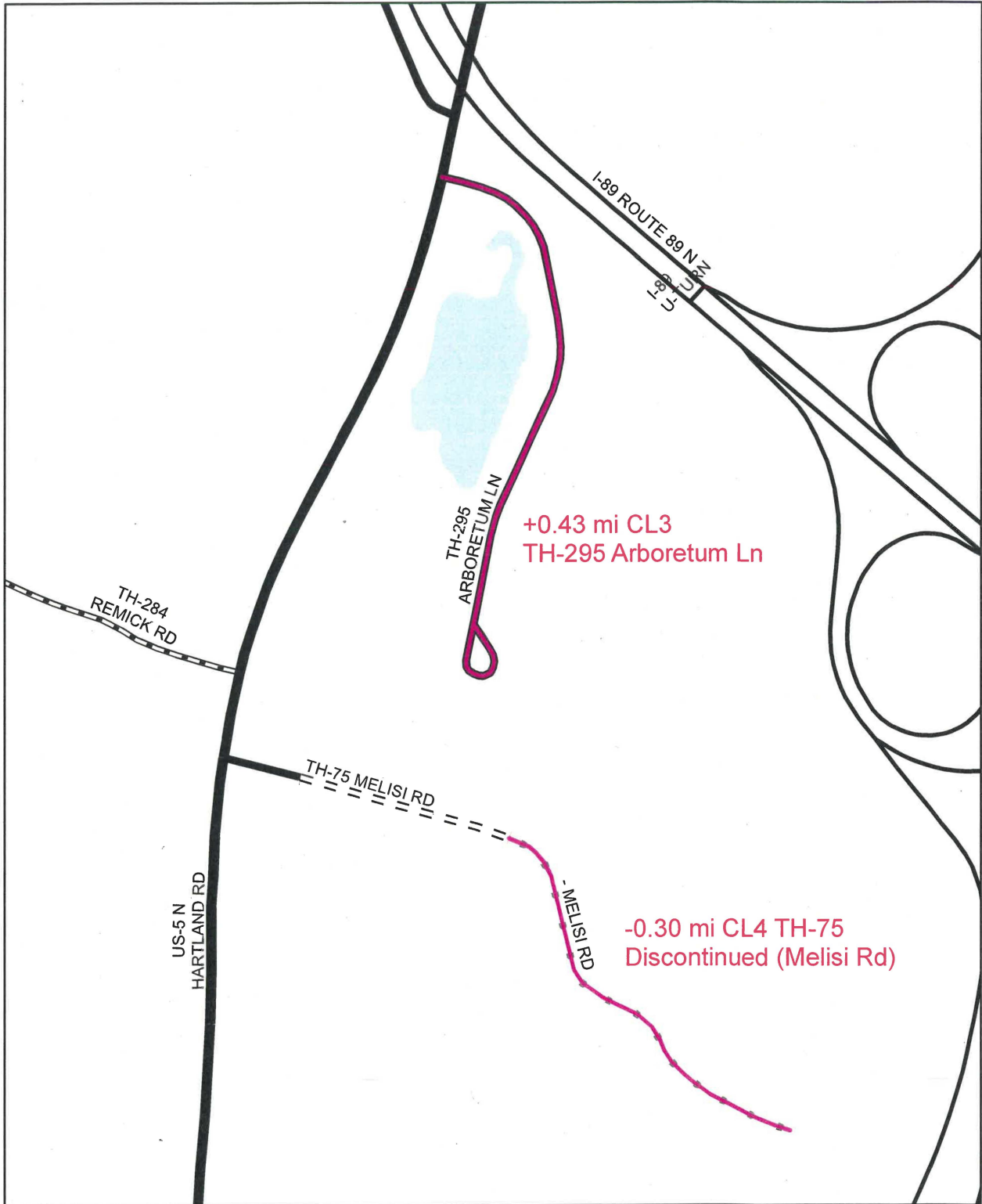
AGENCY OF TRANSPORTATION APPROVAL: Signed copy will be returned to T/C/V Clerk.

APPROVED:

[Signature]
Representative, Agency of Transportation
Johnathan Croft

DATE:

2/11/2013



**Mileage Certificate Change 2013
HARTFORD**

Mapping Unit
 Division of Policy and Planning
 Vermont Agency of Transportation -- February 2013





State of Vermont
Division of Policy and Planning - Mapping Unit

1 National Life Drive
Montpelier, VT 05633-5001
<http://www.aot.state.vt.us>

Telephone: 802-828-2109
Fax: 802-828-2334
Email: sara.moulton@state.vt.us

Agency of Transportation

February 4, 2013

Chair, Selectboard
Hartford
c/o Town Clerk
171 Bridge St
White River Junction, VT 05001

To Town Clerk and Selectboard:

Thank you for sending your 2013 Certificate of Highway Mileage. Unfortunately, I need to return it because I need to have the town clerk sign and date it.

If you have any questions, please let me know.

Sincerely,

Sara Moulton

Sara Moulton
Mapping and GIS Specialist

Enclosure

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PART III - SIGNATURES - PLEASE SIGN.

Selectmen/ Aldermen/ Trustees Signatures:

[Handwritten signatures: John Pennington, Alex DeLina, Smeal, Miller, etc.]

T/C/V Clerk Signature: _____

Date Filed: _____

Please sign ORIGINAL and return it for Transportation signature.

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

APPROVED: _____

DATE: _____

Representative, Agency of Transportation

TOWN OF HARTFORD

Tuesday, October 16, 2012

Liquor Control & Board of Selectmen Meeting – 6:00 p.m.

Bugbee Senior Center at 262 North Main Street White River Junction, VT

Present: Ken Parker, Chairman; F.X. Flinn, Vice Chairman; Bethany Fleishman, Clerk; Sam Romano, Selectman; Alex DeFelice, Selectman; Sonia Knight, Selectman; Simon Dennis, Selectman; Hunter Rieseberg, Town Manager; Judith Bettis; Trudy Abbott; Dan Smith; Marty Jacobs, Systems In Sync; Evan Eccher, Design Review Committee Candidate; Brett Mayfield, Health Officer & Chair, Sister Cities; Martha McLafferty, Deputy Health Officer; Allyn Ricker, Highway Superintendent; Joan Ponzoni, Sister Cities Candidate; Jo-Ann Ells, Zoning Administrator; Michael Morris; Barry Hoeg; Rich Menge, Director Public Works.

- I. **Call to Order:** Mr. Parker called the Local Liquor Control Commission meeting to order at 6:03 p.m.
 - II. **Application: Art Gallery or Bookstore Permit Malt and/or Vinous Service Permit:** Mr. DeFelice moved to accept the Revco, LLC d/b/a Revolution application as presented. Mr. Dennis seconded. All were in favor and the motion carried.
 - III. **Review Meeting Minutes of September 18, 2012:** Mr. Flinn moved to approve the September 18, 2012 minutes as presented. Mr. Romano seconded. All were in favor and the motion carried.
 - IV. **Adjournment:** Mr. Flinn moved to adjourn at 6:05 p.m. Mr. Dennis seconded. All were in favor and the motion carried.
- I. **Call to Order and Pledge of Allegiance:** Mr. Parker called the meeting to order at 6:06 p.m. and Ms. Fleishman led the pledge.
 - II. **Citizen, Selectboard Comments, Announcements & Acknowledgments:** Ms. Abbott requested for Town care of Jericho Street as the hill is full of pot holes. She also asked that the Town submit the cost for two tires to the Town insurance company. Her tires were less than a year old and were damaged when she hit a pothole.

Mr. Morris asked for clarification of the Town bid process. He specifically asked why Mr. Laurin obtained the bid for the Municipal Building study. Mr. Rieseberg explained that due to the time constraints with getting this item on the ballot for March, 2013, the procurement policy was waived for the conceptual design. Mr. Laurin, who has been working on this project for about 10 years, was “hired” for the conceptual phase which includes developing conceptual plans, refining floor plans and having costs projected. The steps after the bond has been voted are yet to be determined.

III. **Appointments:**

- a. **New Appointments: Sister Cities (Joan Ponzoni):** Ms. Ponzoni introduced herself and offered a brief statement about her interest. Ms. Knight moved to appoint Joan Ponzoni to the Town of Hartford Sister Cities International Committee from October 16, 2012 through March 23, 2015. Mr. Flinn seconded. All were in favor and the motion carried.

Design Review Committee (Evan Eccher): Mr. Eccher introduced himself and also offered a brief statement. Mr. DeFelice asked if the 8:00 a.m. committee meetings would be an issue and he was assured it would not be a problem. Ms. Knight moved to appoint Evan Eccher to serve as a member of the Design Review Committee from October 16, 2012 through March 28, 2015. Mr. DeFelice seconded. All were in favor and the motion carried.

Hartford Business Revolving Loan Fund (Stevan Geiger): Mr. Geiger also introduced himself and stated how he came to make the decision to request appointment to the HBRLF. Mr. DeFelice moved to appoint Stevan Geiger to the Hartford Business Revolving Loan Fund Committee from October 16, 2012 through March 15, 2015. Ms. Knight seconded. All were in favor and the motion carried.

Ms. Knight moved to go into Executive Session at 7:03 p.m. to discuss the potential of a contract with Systems In Sync. Mr. DeFelice seconded for discussion purposes. Mr. DeFelice said that this Executive Session should have been placed on the agenda so that others new. Ms. Knight and Mr. DeFelice voted nay and the motion carried to go into Executive Session.

A motion was moved and seconded to adjourn executive session at 8:09 p.m... The motion unanimously carried.

- b. Health Office Review: Mr. Mayfield, Health Officer and Ms. McLafferty, Deputy Health Officer were present to offer a Health Officer update and to ask his the Board would consider a member that could receive updates from the Health Office. When a call comes in and negotiations fail, the investigation is then turned over to the Health Board which is the Selectboard. This has only happened once since Ms. McLafferty and Mr. Mayfield became health officers. Ms. Fleishman will serve as the contact and will receive emails periodically from Mr. Mayfield and/or Ms. McLafferty.

IV. Board Reports, Motions & Ordinances: Item IV. a. was approved in section III.

- b. Highway Ordinance – Public Comment: Mr. Menge handed out a document explaining that the only change to the final draft was the simplification of the definition of a Road – For the purpose of this ordinance, a road (also referred to as Highway or Street) is defined as a developed or undeveloped travel way intended for public or private use by motor vehicles. It removes reference to “3 dwellings or businesses.” The Selectboard has the option of adopting the ordinance tonight. The concern is that discussion during the last meeting included Private Road specifications in the Public Works Specifications document which is mentioned in the Ordinance. The review of the private road specifications have not yet been completed by the Planning Department.

Discussion included that statutes no longer require a Public Hearing for changes other than land-related. Ms. Bettis offered comments for consideration. Mr. Parker said that the insurance coverage section needs clarification. The limit amounts should be deleted but leave the phrase statutory requirements to eliminate the need to change dollar-amounts each time they are changed. On the contractors’ general liability, the Town must be listed as an additional insured.

Ms. Knight moved to table the Highway Ordinance until after suggested changes are made. The motion was seconded and the motion carried unanimously.

Ms. Knight suggested moving Item e. to this section and disregarding the Selectboard Procedure (item d.) and disregard the Selectboard Work Session – all due to the longevity of the meeting.

- e. Consider Finance Plan for Quechee Covered Bridge, W. Hartford Library, & Tropical Storm Irene: Mr. Rieseberg said now that the Tropical Storm Irene numbers are becoming clearer, he devised an estimated budget which is actually a series of financial transfers that should eliminate the need for bonding the West Hartford Library, saving an excess of 170,000 in interest. The Town will still end with an unassigned fund balance of about 1.2 million.

Mr. DeFelice moved that the Selectboard adopt the financial plan as put forth by the Town Manager in a document entitled *QCB – WH Library – TS Irene Estimated Budget* specifically to authorize the use of transferred assigned fund balance in the amount of \$278,178 and the unassigned fund balance for the reconstruction of the West Hartford Library not to exceed \$441,281 and lastly an amount not to exceed \$400,000 from the unassigned fund balance to fund the municipal portion of damages relating to Tropical Storm Irene and to further take action to rescind the West Hartford Library Bond Vote. Ms. Knight seconded. Mr. Flinn asked for Role Call. Mr. DeFelice voted in favor of the motion. Mr. Dennis voted against the motion. Ms. Fleishman voted nay. Mr. Flinn voted nay. Ms. Knight voted in favor. Mr. Romano voted in favor. Mr. Parker voted in favor. The motion carried.

- c. Acceptance of Campbell Street and Arboretum Drive: Mr. Flinn moved that the Town accept Arboretum Drive at the recommendation of the Director of Public Works, Rich Menge in a memo to Town Manager, Hunter Rieseberg dated October 11, 2012 and to waive the 12-month warrantee period provided the memo-mentioned items are addressed prior to November 15, 2012. Mr. DeFelice seconded. All were in favor and the motion carried.

Mr. Flinn moved that the Selectboard adopt the decision outlined in the memo from Director of Public Works, Rich Menge to Town Manager, Hunter Rieseberg dated October 11, 2012 that the Town not maintain the private drive off Campbell Street servicing 3 homes to wit. Mr. Romano seconded. The motion carried with Mr. DeFelice and Mr. Parker voting nay.

- d. Discussion of Minutes and Selectboard Procedure. Not discussed.

- V. Selectboard Work Session – Discussion of future items of interest: Not discussed.

Ms. Knight left the meeting.

- VI. Consent Agenda: Mr. DeFelice moved to adopt the Payroll of October 17, 2012; the AP Processing Report of October 12, 2012; and the Future Meeting Dates of 10/30/2012; 11/13/2012; 11/27/2012. Ms. Fleishman seconded. The 6 members present were in favor and the motion carried.

Mr. DeFelice moved to accept the Meeting Minutes of October 2, 2012 as amended by Mr. Flinn. Mr. Romano seconded. The motion should be to adopt the Meeting Minutes as amended by Mr. Flinn. Mr. Parker abstained as he was not at the meeting. Mr. DeFelice voted nay. Ms. Fleishman, Mr. Dennis, Mr. Romano and Mr. Flinn voted aye and the motion carried. Mr. Flinn changed the original sentence in section 1 to, “Mr. Flinn thanked everyone for coming out and asked if Mr. Parker could be excused as he is sick.” Mr. Flinn noted that the foliage season was in full force and that thousands of visitors from around the world would be in Town during the coming week.

Mr. Flinn wanted the section IV. a. changed so that the second sentence ended at Transfer Station Usage. He then wanted the following “Data Collected; Key Findings and offered conclusions of Transfer Station Usage” to “The findings of this study will be used as a basis for new discussions with the Upper Valley Solid Waste District. The parties with comments on the study should send them to DSM via the Town Manager.”

- VII. **Chairman’s Report:** Mr. Parker and Mr. Flinn had a conversation with Mr. Briggs and Mr. Saladino of the Hartford Development Corporation regarding the proposal that was given approval by the Board previously to create a town-wide economic development council or entity. Mr. Briggs and Mr. Saladino indicated the desire to turn the HDC entity over to the effort so the name HDC could apply to the whole economic development effort for the Town of Hartford. Mr. Parker and

Mr. Dennis were at a meeting that included two members of the School Board. Those in attendance discussed an all-purpose playing field, WABA and the Maxfield property.

VIII. **Town Manager's Report – (Board questions, concerns, requests, project updates, etc.) – TBD**

Mr. Rieseberg said that during his meeting with Superintendent DeBalsi they discussed the possibilities for combining resources such as vehicle maintenance, IT, and Human Resources Management.

Fireworks Display Permits February 17, 2013 and July 5, 2013 – QLLA

IX. **Commission Meeting Reports:** Mr. Flinn attended the Planning Commission meeting. Mr. Flinn spoke with Denis Backus, Veteran's Council but didn't attend the meeting – The Council was pleased with the mowing that was done. Mr. Parker said he has received complaints from the Garden Club by restrictions set forth by the Vermont Agency of Transportation.

X. **Old Business:** None

XI. **Executive Session:** None

XII. **Adjournment: A motion was made and seconded to adjourn at 10:36 p.m. All were in favor and the motion carried.**

Bethany Fleishman, Clerk

RECEIVED

OCT 29 2012

TOWN OF HARTFORD
10:45 AM

WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS that **SPORTS VENUE FOUNDATION**, a private Vermont not-for-profit foundation having its principal place of business in White River Junction, in the County of Windsor and State of Vermont, Grantor, in the consideration of One Dollar and other good and valuable consideration paid to its full satisfaction by the **TOWN OF HARTFORD**, a municipal corporation organized under the laws of the State of Vermont and having an address of 171 Bridge Street, White River Junction, Vermont 05001, in the County of Windsor and State of Vermont, Grantee, by these presents does freely GIVE, GRANT, SELL, CONVEY AND CONFIRM unto the said Grantee, **TOWN OF HARTFORD**, and its successors and assigns forever, a certain piece of land in Hartford, in the County of Windsor and State of Vermont, described as follows, viz:

Being a portion only of the lands and premises conveyed to Sports Venue Foundation by Warranty Deed of Atlas Ledge, LLC dated September 19, 2007 and recorded at Book 422, Pages 683-687 of the Hartford Land Records, identified as "Arboretum Lane" on a plan entitled "'Sports Park' Subdivision Plan for Andrea Ciardelli in Hartford, Windsor County, Vermont," dated July 5, 2005, as last revised on January 23, 2006, Drawing No. 05039-SU, prepared by Bruno Associates, Inc., P.C. of Woodstock, Vermont, said plan being recorded as Map No. 576B in the Hartford Land Records (the "Plan"), and being more particularly described on the Plan as follows:

Beginning at a capped rebar located along the easterly boundary of U.S. Route 5, said capped rebar marking the most northerly point of Lot #1 as shown on the Plan;

Thence running S 49° 17' 50" E along the southerly boundary of the right of way to Interstate Highway I-89 a distance of 319.75 feet to a point;

Thence continuing S 49° 17' 50" E along the southerly boundary of the right of way to Interstate Highway I-89 a distance of 77.84 feet to a point;

Thence turning and running along the easterly boundary of Arboretum Lane S 11° 51' 01" E a distance of 341.83 feet to a point;

Thence continuing in a southerly direction along an arc to the right having a length of 336.68 feet and a radius of 525.00 feet to a point;

Thence continuing S 24° 53' 37" W a distance of 103.32 feet to a capped rebar set flush, which rebar marks the northerly most point of Lot #2 as shown on the Plan;

Thence continuing S 24° 53' 37" W along the westerly boundary of Lot #2 a distance of 279.14 feet to a capped rebar set flush;

Thence continuing in a southwesterly direction along the westerly boundary of Lot #2 and along an arc to the left having a length of 111.8 feet and a radius of 475.00 feet to a capped rebar set flush;

Thence continuing S 11° 24' 16" W along the westerly boundary of Lot #2 a distance of 312.55 feet to a capped rebar set flush;

Thence continuing S 02° 24' 48" W along the westerly boundary of Lot #2 a distance of 122.14 feet to a capped rebar set flush at the intersection of the boundaries of Lots #1, 2 and 3 as shown on the Plan;

Thence turning and proceeding S 88° 48' 16" W along the northerly bound of Lot #3 a distance of 75 feet, more or less, to a point;

Thence turning and running along the westerly boundary of Arboretum Lane N 11° 24' 16" E a distance of 443.62 feet to a point;

Thence continuing in a northerly direction along an arc to the right having a length of 125.96 feet and a radius of 535.00 feet to a point;

Thence continuing N 24° 53' 37" E a distance of 382.46 feet to a point;

Thence continuing in a northerly direction along an arc to the left having a length of 298.20 feet and a radius of 465.00 feet to a point;

Thence continue N 11° 51' 01" W a distance of 241.31 feet to a point;

Thence continuing in a northwesterly direction along an arc to the left having a length of 91.91 feet and a radius of 165.00 feet to a point;

Thence continuing in a westerly direction N 43° 45' 56" W a distance of 80.71 feet;

Thence continuing in a westerly direction along an arc to the left having a length of 98.56 feet and a radius of 165.00 feet to a point;

Thence continuing in a westerly direction N 77° 59' 26" W a distance of 118.75 feet to a point located along the westerly boundary of U.S. Route 5;

Thence turning and running in a northerly direction along the westerly boundary of U.S. Route 5 N 12° 41' 37" E a distance of 163.44 feet to the point and place of beginning.

To the extent that there are any discrepancies between the narrative metes and bounds description set forth above and the actual metes and bounds as delineated on the aforementioned Plan, the metes and bounds set forth on the Plan shall control.

EXCEPTED AND RESERVED HEREFROM is a permanent easement and right-of-way for Grantor, and its successors and assigns, to enter upon the lands of the Grantee being conveyed herewith to install, maintain, repair and replace any signage at the entrance of Arboretum Lane, off of Route 5; provided, however, that any such signage must conform to the Hartford Zoning Ordinance.

Both the Grantor and the Grantee acknowledge and agree that the dedication and acceptance of Arboretum Lane as a Class III town road by Grantee, as set forth in this deed, does not cause Lot #1 to become two (2) validly subdivided lots separated by a town road. The parties further agree that the portion of Lot #1 located westerly of Arboretum Lane may not be developed as a separate lot without first securing any necessary state and local permits.

The property is conveyed subject to and encumbered by all rights reserved by Atlas Ledge, LLC in its Warranty Deed to Sports Venue Foundation dated September 19, 2007 and recorded at Book 442, Page 683 of the Hartford Land Records including, but not limited to, all easements for electricity, telephone, water, sewer and other rights reserved in said deed.

The property is also conveyed subject to and encumbered by all easements and other rights conveyed to Atlas Ledge, LLC by Easement Deed of Sports Venue Foundation dated October 22, 2012 and to be recorded in the Hartford Land Records.

The future placement by Grantor herein, or its successors or assigns, of any utility or drainage infrastructure within the limits of the right-of-way of Arboretum Lane conveyed hereby to the Town of Hartford as a public highway is subject to acquisition of any required state or local permits and approvals. No excavation shall occur within the right of way limits of the public highway conveyed hereby without notice to the Town of Hartford Department of Public Works and scheduling of any inspection that may be required for any connection to be made to municipal water, sewer or other drainage lines or mains. Any damage to pavement or sidewalks or other similar improvements owned by the Town of Hartford shall be repaired and restored to a condition substantially the same as existed prior to any disturbance by Grantor, or its successors or assigns, including, but not limited to, compacting, repaving, grading and seeding as necessary.

Upon its acceptance and recording of this deed, Grantee acknowledges and agrees that Grantor shall be relieved of all further responsibility and liability to maintain, repair or improve Arboretum Lane, except as set forth in the preceding paragraph.

The purpose of this deed is to convey to the Town of Hartford any fee title interest in Arboretum Lane (except as otherwise specifically reserved herein) which Sports Venue Foundation may have retained in its aforementioned deed to the Town of Hartford dated February 10, 2009 and recorded at Book 437, Page 137 of the Hartford Land Records to the extent that it was not previously conveyed in said prior deed.

ATLAS LEDGE, LLC joins in this conveyance for the sole purpose of releasing any fee title interest in Arboretum Lane which it may have failed to convey in its Warranty Deed to Sports Venue Foundation dated September 19, 2007 and recorded at Book 442, Page 683 of the Hartford Land Records, excepting and reserving, however, all easements for electricity, telephone, water, sewer and other rights which were reserved by Atlas Ledge, LLC in said deed.

Furthermore, in the event that the sidewalk located along the easterly side of Arboretum Lane encroaches onto Lot #2 near set capped rebar #40 (the last rebar to the south before the cul-de-sac), ATLAS LEDGE, LLC also releases hereby its fee title interest to any portion of the sidewalk which may currently be located on Lot #2, together with an easement to remove snow from the sidewalk onto Lot #2 using customary plowing techniques.

The parties hereby agree that if Sports Venue Foundation should request reconveyance of Lot #1 by the Town of Hartford, Vermont pursuant to rights reserved by it in the deed recorded in Book 437, Pages 137-142 of the Hartford Land Records, then, in such event, the Town of Hartford shall have no further responsibility for maintenance, upkeep, repair or replacement of any ditch, swale, detention pond or other component of the stormwater runoff design approved pursuant to Stormwater Permit #3994-9015 as recorded in Book 475, Page 533 of the Hartford Land Records (hereinafter "Stormwater Permit"), nor shall the Town of Hartford, Vermont be responsible for any reporting or renewal requirements set forth in such permit.

With reference to Lots #2 and 3, currently owned by Atlas Ledge, LLC, the Town of Hartford, Vermont is not assuming herein the obligations of Atlas Ledge, LLC to comply with the conditions of the Stormwater Permit as they impact said lots, except as set forth below.

Notwithstanding the duties and obligations of Sports Venue Foundation and Atlas Ledge, LLC, and their successors and assigns, as set forth in the preceding two paragraphs with respect to compliance with the Stormwater Permit, the Town of Hartford does hereby assume full responsibility for maintenance, upkeep, repair and replacement of the culverts now existing under Arboretum Lane, as shown on the two sheets of As-Built Plans for Sports Park in Hartford, Vermont (sheets AB-1 and AB-2 attached hereto in reduced-size format and made a part hereof by this reference, with full size mylar versions to be recorded in the Hartford Land Records).

Notwithstanding anything to the contrary contained herein, Sports Venue Foundation, for itself and its successors and assigns, hereby reserves an irrevocable, perpetual and assignable license, easement and right-of-way to enter upon the lands being conveyed herein to construct, repair, maintain and replace any facilities that may be required, and to take any actions that may be appropriate, under any permits affecting or related to any properties of Sports Venue Foundation and/or Atlas Ledge, LLC; provided, however, that Grantor shall be required to restore the property to substantially the same condition it was in prior to any disturbance by Grantor, or by its successors or assigns.

Reference should be made to the above-mentioned deeds and records and to the deeds and records referred to therein for a more complete and particular description of the lands herein conveyed.

TO HAVE AND TO HOLD said granted premises, with all the privileges and appurtenances thereof, to the said Grantee, **TOWN OF HARTFORD**, and its successors and assigns, to their own use and behoof forever; and the said Grantor, **SPORTS VENUE FOUNDATION**, for itself and its successors and assigns, does covenant with the said Grantee, **TOWN OF HARTFORD**, and its successors and assigns, that until the ensealing of these presents, **SPORTS VENUE FOUNDATION** 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 otherwise stated above; and **SPORTS VENUE FOUNDATION** hereby engages to WARRANT AND DEFEND the same against all lawful claims whatever, except as otherwise specified above.

IN WITNESS WHEREOF, **SPORTS VENUE FOUNDATION** has caused this deed to be executed by its duly authorized agent on this 23rd day of October, 2012.

IN THE PRESENCE OF:

SPORTS VENUE FOUNDATION

Peter H. Carter
witness

By: Andrea Ciardelli
ANDREA CIARDELLI, President and
duly authorized agent L.S.

STATE OF VERMONT
COUNTY OF WINDSOR, SS.

At Hartford, in said county, on this 23rd day of October, 2012, personally appeared ANDREA CIARDELLI, the President and duly authorized agent of SPORTS VENUE FOUNDATION, and she acknowledged this instrument, by her sealed and subscribed, to be her free act and deed and the free act and deed of SPORTS VENUE FOUNDATION.

Before me, Peter H. Carter
Notary Public

My Commission Expires: 2/10/15

IN THE PRESENCE OF:

ATLAS LEDGE, LLC

Peter H. Carter
witness

By: Andrea Ciardelli
ANDREA CIARDELLI, Managing
Member and duly authorized agent
L.S.

STATE OF VERMONT
COUNTY OF WINDSOR, SS.

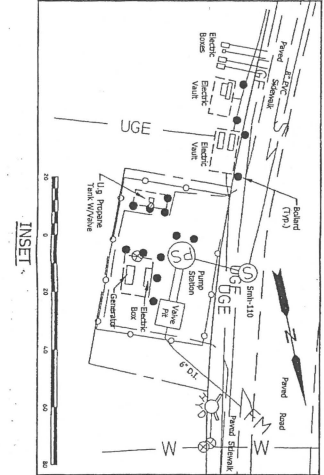
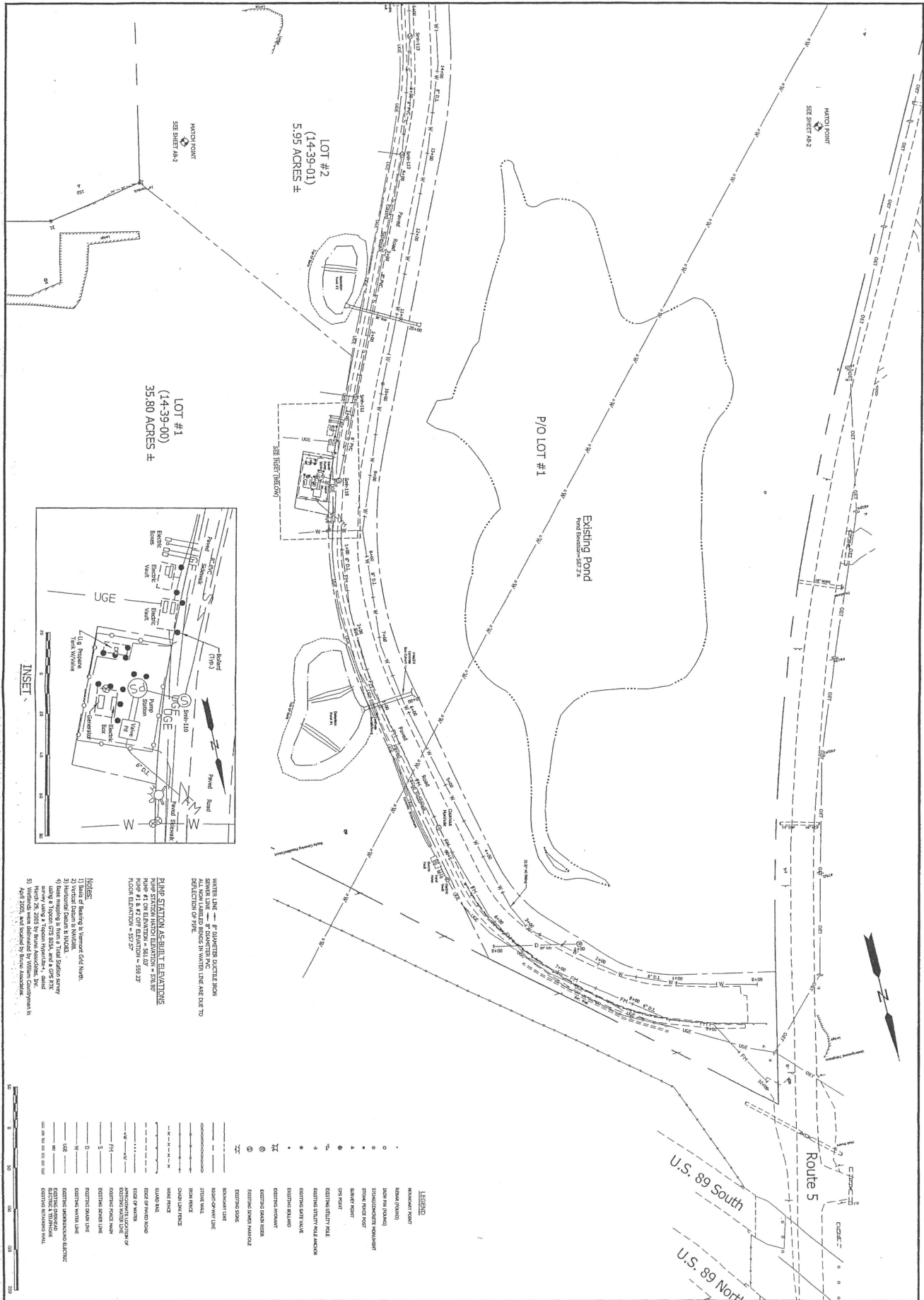
At Hartford, in said county, on this 23rd day of October, 2012, personally appeared ANDREA CIARDELLI, the Managing Member and duly authorized agent of ATLAS LEDGE, LLC, and she acknowledged this instrument, by her sealed and subscribed, to be her free act and deed and the free act and deed of ATLAS LEDGE, LLC.

Before me, Peter H. Carter
Notary Public

My Commission Expires: 2/10/15

**ACKNOWLEDGEMENT
RETURN RECEIVED**
INCLUDE CERTIFICATES AND IF REQUIRED,
ACT 250 DISCLOSURE STATEMENT.
SIGNED Mary Oakes CLERK
DATE October 29 2012

HARTFORD TOWN CLERK'S OFFICE
This 29 day of October 2012
at 10:45 (AM) PM
Recorded in Bk 481 Pg 756-762
Mary Oakes Town Clerk



WATER LINE — 8" DIA. RUSTIC DUCTILE IRON
SEWER LINE — 8" DIA. VITRIFIED P.C.
STORM SEWER LINE — 18" DIA. VITRIFIED P.C.
DIRECTION OF FLOW

PUMP STATION AS-BUILT ELEVATIONS
PUMP STATION INVERT ELEVATION = 518.57'
PUMP STATION FLOOR ELEVATION = 521.57'
PUMP #1 & #2 OFF ELEVATION = 521.22'
FLOOR ELEVATION = 527.27'

NOTES:
1) State of Building & Vermont Civil Works
2) Vertical Datum is NAVD83
3) All elevations are in feet
4) Base Mapping is from a Total Station survey using a Topcon GTS 305A and a GPS RTK
5) All points were established by Bruno Associates, Inc.
6) North is 29.1108 degrees by Vermont Commission on Land Use
7) All points were established by Bruno Associates, Inc.



NO.	REVISIONS	DATE

BRUNO ASSOCIATES, INC. P.C.
ENGINEERS, PLANNERS, SURVEYORS
PO BOX 367, THE MILL BUILDING
WOODSTOCK, VERMONT 05091

PHONE (802) 457-3560 FAX (802) 457-4553

AS-BUILT PLAN
SPORTS PARK
HARTFORD, VERMONT

AS-BUILT PLAN STA 0+00 TO STA 15+00
FOR
SPORTS PARK
IN
HARTFORD, VERMONT

NO.	REVISIONS	DATE

VERMONT
Property Transfer Tax Return

Form
PT-172



* 0 8 1 7 2 1 1 0 0 *

A. SELLER'S (TRANSFEROR'S) INFORMATION

BLACK OUT ON TOWN COPY ONLY Entity SELLER #1 Federal ID number Individual SELLER #1 Social Security Number Individual SELLER #2 Social Security Number

Entity SELLER #1 Name

S P O R T S V E N U E F O U N D A T I O N

Individual SELLER #1 Last Name

First Name

Initial

Entity SELLER #1 or Individual SELLER #1 Mailing Address **Following Transfer** (Number and Street or Road Name)

S N Y D E R C A H O O N 8 0 S M A I N S U I T E 2 0 2

City or Town

State

Zip Code

H A N O V E R

N H

0 3 7 5 5

Individual SELLER #2 Last Name

First Name

Initial

Individual SELLER #2 Mailing Address **Following Transfer** (Number and Street or Road Name)

City or Town

State

Zip Code

TOTAL number of SELLERS 0 1 If more than 2, attach Form 172-S.

B. BUYER'S (TRANSFEEE'S) INFORMATION

INTERNATIONAL address checkbox

BLACK OUT ON TOWN COPY ONLY Entity BUYER #1 Federal ID number Individual BUYER #1 Social Security Number Individual BUYER #2 Social Security Number

Entity BUYER #1 Name

T O W N O F H A R T F O R D V E R M O N T

Individual BUYER #1 Last Name

First Name

Initial

Entity BUYER #1 or Individual BUYER #1 Mailing Address **Following Transfer** (Number and Street or Road Name)

1 7 1 B R I D G E S T

City or Town

State

Zip Code

W H I T E R I V E R J U N C T I O N V T

0 5 0 0 1

Individual BUYER #2 Last Name

First Name

Initial

Individual BUYER #2 Mailing Address **Following Transfer** (Number and Street or Road Name)

City or Town

State

Zip Code

TOTAL number of BUYERS 0 1 If more than 2, attach Form 172-B.

Buyer #1 or Entity TOWN OF HARTFORD VERMONT
 SSN or FID _____
 Property Location ARBORETUM LANE HARTFORD VT
 Date of Closing OCTOBER 23, 2012



* 0 8 1 7 2 1 2 0 0 *

C. PROPERTY LOCATION
 Number and Street or Road Name
ARBORETUM LANE
 City or Town
HARTFORD VT

D. DATE OF CLOSING 10 23 2012
 M M D D Y Y Y Y

E. INTEREST IN PROPERTY - Write the number from the list 1 If "4", enter % Interest here %

1. Fee Simple 3. Undivided 1/2 Interest 5. Time-Share 7. Easement/Row
 2. Life Estate 4. Undivided ___% Interest 6. Lease 8. Other _____

F. LAND SIZE (Acres or fraction thereof) 2.75 ±

G. SPECIAL FACTORS If sale was between family members, enter number from list below Check if development rights have been conveyed _____

1. Husband/Wife 2. Parent/Child 3. Grandparent/Grandchild 4. Other _____

FINANCING: Conventional/Bank Owner Financing Other _____

H. TYPE OF BUILDING CONSTRUCTION AT THE TIME OF TRANSFER (Check all that apply)

1. None 5. Farm Buildings 9. Store
 2. Factory 6. Multi-Family with Dwelling Units Transferred 10. Residential New Construction
 3. Single Family Dwelling 7. Mobile Home 11. Other _____
 4. Seasonal Dwelling 8. Condominium with Units Transferred

I. SELLER'S USE OF PROPERTY BEFORE TRANSFER 9

(Enter number from list) 1. Primary Residence 4. Timberland 7. Commercial _____
 2. Open Land 5. Operating Farm 8. Industrial _____
 3. Secondary Residence 6. Government Use 9. Other ROAD

Check if property was rented BEFORE transfer

J. BUYER'S USE OF PROPERTY AFTER TRANSFER 9

(Enter number from list) 1. Primary Residence 4. Timberland 7. Commercial _____
 2. Open Land 5. Operating Farm 8. Industrial _____
 3. Secondary Residence 6. Government Use 9. Other ROAD

Check if property will be rented AFTER transfer

Check if property was purchased by tenant Check if buyer holds title to any adjoining property

K. AGRICULTURAL/MANAGED FOREST LAND USE VALUE PROGRAM, 32 V.S.A. Chapter 124

1. Check if property being conveyed is subject to a land use change tax lien
 2. Check if new owner elects to continue enrollment of eligible property

L. If transfer is exempt from Property Transfer Tax, cite exemption number from instructions and complete Sections M, N, and O below. 0 2

M. TOTAL Price Paid 0.00 **N. Price paid for Personal Property** 0.00 **O. Price paid for Real Property** 0.00

State type of Personal Property _____

If price paid for Real Property is less than fair market value, please explain _____

P. Value of purchaser's principal residence included in Line O for special tax rate (See instructions) 0.00

Q. Fair market value of property enrolled in current use program included in Line O for special tax rate 0.00

R. Fair market value of qualified working farm included in Line O for special tax rate 0.00

S. PROPERTY TRANSFER TAX DUE from rate schedule on page 3 of this form.

COMPLETE RATE SCHEDULE FOR ALL TRANSFERS.
 Make checks payable to VERMONT DEPARTMENT OF TAXES 0.00

T. DATE SELLER ACQUIRED 09 19 2007
 M M D D Y Y Y Y

U. IF A VERMONT LAND GAINS TAX RETURN IS NOT BEING FILED, cite exemption(s) from instructions on page 5 of this booklet 0 2

Buyer #1 or Entity TOWN OF HARTFORD VERMONT
 SSN or FID _____
 Property Location ARBORETUM LANE HARTFORD VT
 Date of Closing OCTOBER 23, 2012



* 0 8 1 7 2 1 3 0 0 *

RATE SCHEDULE

Tax on Special Rate Property

- 1. Value of purchaser's principal residence. **Also enter on Line P.** (See instructions) 1. _____
- 2. Value of property enrolled in current use program. **Also enter on Line Q.** 2. _____
- 3. Value of qualified working farm. **Also enter on Line R.** 3. _____
- 4. Add Lines 1, 2, and 3 4. _____
- 5. Tax rate 5. 0.005
- 6. Tax due on Special Rate Property (Multiply Line 4 by Line 5) 6. _____

Tax on General Rate Property

- 7. Enter amount from Line O on page 2 of this form 7. _____
- 8. Enter amount from Line 4 above 8. _____
- 9. Subtract Line 8 from Line 7 9. _____
- 10. Tax rate 10. 0.0125
- 11. Tax due on General Rate Property (Multiply Line 9 by Line 10) 11. _____

TOTAL TAX DUE

- 12. Add Line 6 and Line 11. Enter here and on Line S on page 2 of this form. 12. 0

LOCAL AND STATE PERMITS AND ACT 250 CERTIFICATES

Buyer(s) and Seller(s) certify as follows:

- A. That they have investigated and disclosed to every party to this transaction all of their knowledge relating to flood regulations, if any, affecting the property.
- B. That the seller(s) advised the buyer(s) that local and state building regulations, zoning regulations and subdivision regulations and wastewater system and potable water supply rules under 10 V.S.A. Chapter 64 pertaining to the property may limit significantly the use of the property.
- C. That this transfer is in compliance with or is exempt from the wastewater system and potable water supply rules of the Agency of Natural Resources for the following reasons:
 - 1. This property is the subject of Permit Number _____ and is in compliance with said permit, or
 - 2. This property and any retained parcel is exempt from the wastewater system and potable water supply rules because (see instructions for exemptions):
 - a. Parcel to be sold: Exemption Number 1-304(a)
 - b. Parcel retained: Exemption Number _____

Seller(s) further certifies as follows:

- D. That this transfer of real property and any development thereon is in compliance with or exempt from 10 V.S.A. Chapter 151, Vermont's Land Use and Development law (Act 250), for the following reason:
 - 1. This property is the subject of Act 250 Permit Number _____ and is in compliance with said permit, or
 - 2. This property is exempt from Act 250 because (list exemption number from Line D in instructions): a
- E. That this transfer does / does not (strike one) result in a partition or subdivision of land. **Note:** If it does, an Act 250 Disclosure Statement must be attached to this return before filing with the town clerk (see Line E instructions).

WITHHOLDING CERTIFICATION

Buyer(s) certifies that Vermont income tax has been withheld from the purchase price and will be remitted to the Commissioner of Taxes with Form RW-171 within 30 days from the transfer,

OR that the transfer is exempt from income tax withholding for the following reason (check one):

- 1. Under penalties of perjury, seller(s) certifies that at the time of transfer, each seller was a resident of Vermont or an estate.
- 2. Buyer(s) certifies that the parties obtained withholding certificate number _____ from the Commissioner of Taxes in advance of this sale.
- 3. Buyer(s) certifies that this is a transfer without consideration. (See instructions for Form RW-171.)
- 4. Seller(s) is a mortgagor conveying the mortgaged property to a mortgagee in a foreclosure or transfer in lieu of foreclosure, with no additional consideration.

Buyer #1 or Entity TOWN OF HARTFORD VERMONT
 SSN or FID _____
 Property Location ARBORETUM LANE HARTFORD VT
 Date of Closing OCTOBER 23, 2012



* 0 8 1 7 2 1 4 0 0 *

SIGNATURES

We hereby swear and affirm that this return, including all certificates, is true, correct and complete to the best of our knowledge.

SELLER(S)	Signature <u>SPORTS VENUE FOUNDATION</u>	Date _____
	Signature BY: <u>Andrea Gardell</u>	Date _____
	Signature _____	Date _____
	Signature _____	Date _____
BUYER(S)	Signature <u>TOWN OF HARTFORD, VT</u>	Date _____
	Signature BY: <u>Hunter Z Rindley</u>	Date <u>10-26-12</u>
	Signature _____	Date _____
	Signature _____	Date _____
Prepared by (print or type) <u>PETER CARTER Esq.</u>	Preparer's Signature _____	Buyer's Representative <u>C. ROBERT MAUBY JR</u>
Preparer's Address _____	Buyer's Representative Telephone <u>802 295 9347</u>	

Town or City: Please forward original to the VT Department of Taxes within 30 days of receipt.

THIS SECTION TO BE COMPLETED BY TOWN OR CITY CLERK

Book Number 481 Page Number 756-762 Grand List year of 2012

City or Town HARTFORD Date of Record 10 29 2012
M M D D Y Y Y Y

Grand List Value 0.00 Parcel ID Number 285 090

Grand List Category* 15 SPAN 10/30/2012 Per Pet Stark
Road gets no span#. Questions talk to Master Office

ACKNOWLEDGMENT

Return received (including certificates and Act 250 disclosure statement).

SIGNED Sherry Adams, Clerk DATE October 29, 2012

* Please use the following numeric two-digit grand list category codes

Residential <6 Acres 01	Seasonal >6 Acres 06	Utilities Other 11
Residential >6 Acres 02	Commercial 07	Farm 12
Mobile Home/Un 03	Commercial Apt. 08	Other 13
Mobile Home/La 04	Industrial 09	Woodland 14
Seasonal <6 Acres 05	Utilities Elec. 10	Miscellaneous 15

RECEIVED

OCT 29 2012

EASEMENT DEED

TOWN OF HARTFORD
1045

KNOW ALL PERSONS BY THESE PRESENTS that **ATLAS LEDGE, LLC**, a Vermont limited liability company with its principal place of business in Hanover, in the County of Grafton and State of New Hampshire, Grantor, in the consideration of One Dollar and other good and valuable consideration paid to its full satisfaction by the **TOWN OF HARTFORD**, a municipal corporation organized under the laws of the State of Vermont and having an address of 171 Bridge Street, White River Junction, Vermont 05001, in the County of Windsor and State of Vermont, Grantee, by these presents does freely GIVE, GRANT, SELL, CONVEY AND CONFIRM unto the said Grantee, **TOWN OF HARTFORD**, and its successors and assigns forever, an easement affecting lands in Hartford in the County of Windsor and State of Vermont, described as follows, viz:

Being an easement over a portion only of the lands and premises conveyed to Atlas Ledge, LLC by deed of Krif Road Associates Limited Partnership dated October 16, 2005 and recorded at Book 395, Pages 569-572 of the Hartford Land Records, and shown as two (2) pie-shaped areas forming a cul-de-sac on Lot #2 and Lot #3 at the end of Arboretum Lane, in Hartford, Vermont, as shown on a plan entitled "'Sports Park' Subdivision Plan for Andrea Ciardelli in Hartford, Windsor County, Vermont," dated July 5, 2005, as last revised on January 23, 2006, Drawing No. 05039-SU, prepared by Bruno Associates, Inc., P.C. of Woodstock, Vermont, said plan being recorded as Map No. 576B in the Hartford Land Records (the "Plan"), and being more particularly described on the Plan as follows:

Beginning at a capped rebar set flush in the middle of the cul-de-sac, which rebar marks the intersection of the boundaries of Lots #1, 2 and 3 as shown on the Plan;

Thence proceeding in a westerly direction along the common boundary between Lot #1 and Lot #2 S 88°48'16" W a distance of 75 feet, more or less, to the westerly edge of the cul-de-sac;

Thence turning and running in a southerly, easterly and then northerly direction around the edge of the cul-de-sac along an arc to the left having a length of 341.76 feet and a radius of 85.00 feet to a point;

Thence continuing in a northwesterly direction N 38°57'59" W a distance of 102.85 feet to a capped rebar set flush, which rebar is located along the easterly boundary of Arboretum Lane and the westerly boundary of Lot #2;

Thence turning and running in a southerly direction along the westerly boundary of Lot #2 S 02°24'48" W a distance of 122.14 feet to the point and place of beginning.

To the extent that there are any discrepancies between the narrative metes and bounds description set forth above and the actual metes and bounds as delineated on the aforementioned Plan, the metes and bounds set forth on the Plan shall control.

This easement is being given to the Town of Hartford in connection with its acceptance and establishment of the portion of Arboretum Lane located on Lot #1 as a Class III town road. The Grantor hereby grants to Grantee an easement allowing Grantee to maintain, repair, improve, rebuild, plow, sand and otherwise keep the aforementioned easement areas on Lots #2 and 3 in a good and safe condition for vehicular and pedestrian traffic. By its acceptance and recording of this Easement Deed, Grantee acknowledges and agrees that it is assuming full and sole responsibility and liability to maintain, repair, improve, rebuild, plow, sand and otherwise keep said easement areas in a good and safe condition.

Grantor also conveys to Grantee herein an easement to enter upon Lot #2 for the purpose of maintaining, repairing and replacing an existing culvert which drains water from a detention pond on Lot #2 under Arboretum Lane to the existing pond on Lot #1. By its acceptance and recording of this Easement Deed, Grantee acknowledges and agrees that Grantor, and its successors and assigns, may continue to drain water from Lot #2 through the culvert onto Lot #1 and that Grantee is assuming full and sole responsibility and liability to maintain, repair and replace said culvert.

Grantor hereby acknowledges and agrees that the setback measurements for development on Lots #2 and 3, as they relate to the cul-de-sac, shall be from the edge of the cul-de-sac easement area granted hereby.

TO HAVE AND TO HOLD said granted premises, with all the privileges and appurtenances thereof, to the said Grantee, **TOWN OF HARTFORD**, and its successors and assigns, to their own use and behoof forever; and the Grantor, **ATLAS LEDGE, LLC**, for its successors and assigns, does covenant with the said Grantee, **TOWN OF HARTFORD**, and its successors and assigns, that until the ensealing of these presents **ATLAS LEDGE, LLC** 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 otherwise stated above; and **ATLAS LEDGE, LLC** hereby engages to **WARRANT AND DEFEND** the same against all lawful claims whatever, except as otherwise specified above.

IN WITNESS WHEREOF, **ATLAS LEDGE, LLC** has caused this deed to be executed by its duly authorized agent on this 23rd day of October, 2012.

IN THE PRESENCE OF:

ATLAS LEDGE, LLC

Peter H. Carter
witness

Andrea Ciardelli
ANDREA CIARDELLI, Managing Member and
duly authorized agent

STATE OF VERMONT
COUNTY OF WINDSOR, SS.

At Hartford, in said county, on this 23rd day of October, 2012, personally appeared ANDREA CIARDELLI, the Managing Member and duly authorized agent of ATLAS LEDGE, LLC, and she acknowledged this instrument, by her sealed and subscribed, to be her free act and deed and the free act and deed of ATLAS LEDGE, LLC.

Before me, Peter H. Carter
Notary Public

My Commission Expires: 2/10/15

ACKNOWLEDGEMENT
RETURN RECEIVED
INCLUDE CERTIFICATES AND IF REQUIRED,
ACT 259 DISCLOSURE STATEMENT
SIGNED Sherry Aikens CLERK
DATE October 29 2012

HARTFORD TOWN CLERK'S OFFICE
This 29 day of October 2012
at _____ 10:45 (AM) (PM)
Recorded in Bk 481 Pg 763-765
Sherry Aikens Town Clerk

VERMONT
Property Transfer Tax Return

Form
PT-172



* 0 8 1 7 2 1 1 0 0 *

A. SELLER'S (TRANSFEROR'S) INFORMATION

BLACK OUT ON TOWN COPY ONLY Entity SELLER #1 Federal ID number Individual SELLER #1 Social Security Number Individual SELLER #2 Social Security Number

Entity SELLER #1 Name

A T L A S L E D G E L L C

Individual SELLER #1 Last Name

First Name

Initial

Entity SELLER #1 or Individual SELLER #1 Mailing Address **Following Transfer** (Number and Street or Road Name)

S N Y D E R C A H O O N 8 0 S M A I N S U I T E 2 0 2

City or Town

State

Zip Code

H A N O V E R

N H

0 3 7 5 5

Individual SELLER #2 Last Name

First Name

Initial

Individual SELLER #2 Mailing Address **Following Transfer** (Number and Street or Road Name)

City or Town

State

Zip Code

TOTAL number of SELLERS 0 1 If more than 2, attach Form 172-S.

B. BUYER'S (TRANSFeree'S) INFORMATION

INTERNATIONAL address checkbox

BLACK OUT ON TOWN COPY ONLY Entity BUYER #1 Federal ID number Individual BUYER #1 Social Security Number Individual BUYER #2 Social Security Number

Entity BUYER #1 Name

T O W N O F H A R T F O R D V E R M O N T

Individual BUYER #1 Last Name

First Name

Initial

Entity BUYER #1 or Individual BUYER #1 Mailing Address **Following Transfer** (Number and Street or Road Name)

1 7 1 B R I D G E S T

City or Town

State

Zip Code

W H I T E R I V E R J U N C T I O N V T

0 5 0 0 1

Individual BUYER #2 Last Name

First Name

Initial

Individual BUYER #2 Mailing Address **Following Transfer** (Number and Street or Road Name)

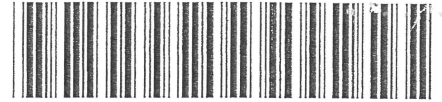
City or Town

State

Zip Code

TOTAL number of BUYERS 0 1 If more than 2, attach Form 172-B.

Buyer #1 or Entity TOWN OF HARTFORD VERMONT
 SSN or FID _____
 Property Location ARBOR ETUM LANE HARTFORD VT
 Date of Closing OCTOBER 23, 2012



* 0 8 1 7 2 1 2 0 0 *

C. PROPERTY LOCATION

Number and Street or Road Name

A R B O R E T U M L A N E

City or Town

H A R T F O R D

VT

D. DATE OF CLOSING

1 0 2 3 2 0 1 2
 M M D D Y Y Y Y

E. INTEREST IN PROPERTY - Write the number from the list

7 If "4", enter % Interest here

- 1. Fee Simple
- 2. Life Estate
- 3. Undivided 1/2 Interest
- 4. Undivided ___% Interest
- 5. Time-Share
- 6. Lease
- 7. Easement/Row
- 8. Other _____

F. LAND SIZE (Acres or fraction thereof)

0 . 0 0 ±

G. SPECIAL FACTORS

If sale was between family members, enter number from list below

Check if development rights have been conveyed

- 1. Husband/Wife
- 2. Parent/Child
- 3. Grandparent/Grandchild
- 4. Other _____

FINANCING:

Conventional/Bank

Owner Financing

Other _____

H. TYPE OF BUILDING CONSTRUCTION AT THE TIME OF TRANSFER (Check all that apply)

- 1. None
- 2. Factory
- 3. Single Family Dwelling
- 4. Seasonal Dwelling
- 5. Farm Buildings
- 6. Multi-Family with Dwelling Units Transferred
- 7. Mobile Home
- 8. Condominium with Units Transferred
- 9. Store
- 10. Residential New Construction
- 11. Other _____

I. SELLER'S USE OF PROPERTY BEFORE TRANSFER

9

(Enter number from list)

Check if property was rented BEFORE transfer

- 1. Primary Residence
- 2. Open Land
- 3. Secondary Residence
- 4. Timberland
- 5. Operating Farm
- 6. Government Use
- 7. Commercial _____
- 8. Industrial _____
- 9. Other ROAD-RIGHT OF WAY

J. BUYER'S USE OF PROPERTY AFTER TRANSFER

9

(Enter number from list)

Check if property will be rented AFTER transfer

Check if property was purchased by tenant

Check if buyer holds title to any adjoining property

- 1. Primary Residence
- 2. Open Land
- 3. Secondary Residence
- 4. Timberland
- 5. Operating Farm
- 6. Government Use
- 7. Commercial _____
- 8. Industrial _____
- 9. Other ROAD-RIGHT OF WAY

K. AGRICULTURAL/MANAGED FOREST LAND USE VALUE PROGRAM, 32 V.S.A. Chapter 124

- 1. Check if property being conveyed is subject to a land use change tax lien
- 2. Check if new owner elects to continue enrollment of eligible property

L. If transfer is exempt from Property Transfer Tax, cite exemption number from instructions and complete Sections M, N, and O below.

0 2

M. TOTAL Price Paid

0 . 0 0

N. Price paid for Personal Property

O. Price paid for Real Property

0 . 0 0

State type of Personal Property _____

If price paid for Real Property is less than fair market value, please explain _____

P. Value of purchaser's principal residence included in Line O for special tax rate (See instructions)

Q. Fair market value of property enrolled in current use program included in Line O for special tax rate

R. Fair market value of qualified working farm included in Line O for special tax rate

S. PROPERTY TRANSFER TAX DUE from rate schedule on page 3 of this form.

COMPLETE RATE SCHEDULE FOR ALL TRANSFERS.

Make checks payable to VERMONT DEPARTMENT OF TAXES

0 . 0 0

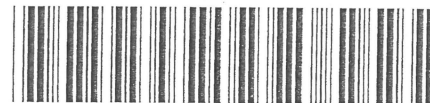
T. DATE SELLER ACQUIRED

1 0 1 6 2 0 0 5
 M M D D Y Y Y Y

U. IF A VERMONT LAND GAINS TAX RETURN IS NOT BEING FILED, cite exemption(s) from instructions on page 5 of this booklet

0 1 0 2

Buyer #1 or Entity TOWN OF HARTFORD VERMONT
 SSN or FID _____
 Property Location WINDSORTON LANE HARTFORD VT
 Date of Closing OCTOBER 23, 2012



* 0 8 1 7 2 1 3 0 0 *

RATE SCHEDULE

Tax on Special Rate Property

- 1. Value of purchaser's principal residence. **Also enter on Line P.** (See instructions) 1. _____
- 2. Value of property enrolled in current use program. **Also enter on Line Q.** 2. _____
- 3. Value of qualified working farm. **Also enter on Line R.** 3. _____
- 4. Add Lines 1, 2, and 3 4. _____
- 5. Tax rate 5. 0.005
- 6. Tax due on Special Rate Property (Multiply Line 4 by Line 5) 6. _____

Tax on General Rate Property

- 7. Enter amount from Line O on page 2 of this form 7. _____
- 8. Enter amount from Line 4 above 8. _____
- 9. Subtract Line 8 from Line 7 9. _____
- 10. Tax rate 10. 0.0125
- 11. Tax due on General Rate Property (Multiply Line 9 by Line 10) 11. _____

TOTAL TAX DUE

- 12. Add Line 6 and Line 11. Enter here and on Line S on page 2 of this form. 12. _____

LOCAL AND STATE PERMITS AND ACT 250 CERTIFICATES

Buyer(s) and Seller(s) certify as follows:

- A. That they have investigated and disclosed to every party to this transaction all of their knowledge relating to flood regulations, if any, affecting the property.
- B. That the seller(s) advised the buyer(s) that local and state building regulations, zoning regulations and subdivision regulations and wastewater system and potable water supply rules under 10 V.S.A. Chapter 64 pertaining to the property may limit significantly the use of the property.
- C. That this transfer is in compliance with or is exempt from the wastewater system and potable water supply rules of the Agency of Natural Resources for the following reasons:
 - 1. This property is the subject of Permit Number _____ and is in compliance with said permit, or
 - 2. This property and any retained parcel is exempt from the wastewater system and potable water supply rules because (see instructions for exemptions):
 - a. Parcel to be sold: Exemption Number EASEMENT DEED
 - b. Parcel retained: Exemption Number _____

Seller(s) further certifies as follows:

- D. That this transfer of real property and any development thereon is in compliance with or exempt from 10 V.S.A. Chapter 151, Vermont's Land Use and Development law (Act 250), for the following reason:
 - 1. This property is the subject of Act 250 Permit Number _____ and is in compliance with said permit, or
 - 2. This property is exempt from Act 250 because (list exemption number from Line D in instructions): _____
- E. That this transfer does / does not (strike one) result in a partition or subdivision of land. **Note:** If it does, an Act 250 Disclosure Statement must be attached to this return before filing with the town clerk (see Line E instructions).

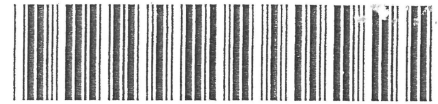
WITHHOLDING CERTIFICATION

Buyer(s) certifies that Vermont income tax has been withheld from the purchase price and will be remitted to the Commissioner of Taxes with Form RW-171 within 30 days from the transfer,

OR that the transfer is exempt from income tax withholding for the following reason (check one):

- 1. Under penalties of perjury, seller(s) certifies that at the time of transfer, each seller was a resident of Vermont or an estate.
- 2. Buyer(s) certifies that the parties obtained withholding certificate number _____ from the Commissioner of Taxes in advance of this sale.
- 3. Buyer(s) certifies that this is a transfer without consideration. (See instructions for Form RW-171.)
- 4. Seller(s) is a mortgagor conveying the mortgaged property to a mortgagee in a foreclosure or transfer in lieu of foreclosure, with no additional consideration.

Buyer #1 or Entity TOWN OF HARTFORD VERMONT
 SSN or FID _____
 Property Location ARBORETUM LANE HARTFORD VT
 Date of Closing OCTOBER 23, 2012



* 0 8 1 7 2 1 4 0 0 *

SIGNATURES

We hereby swear and affirm that this return, including all certificates, is true, correct and complete to the best of our knowledge.

SELLER(S)	Signature <u>ATLAS LEDGE, LLC</u> Date _____
	Signature BY: <u>Andrea Scodelli</u> Date _____
	Signature _____ Date _____
	Signature _____ Date _____
BUYER(S)	Signature <u>TOWN OF HARTFORD, VT</u> Date _____
	Signature BY: <u>Hunter F. Rimbey</u> Date <u>10-26-12</u>
	Signature _____ Date _____
	Signature _____ Date _____

Prepared by (print or type) Peter Carter Esq. Preparer's Signature _____
 Preparer's Address _____ Buyer's Representative C. ROBT MAURY
 Buyer's Representative Telephone 802 295 9347

Town or City: Please forward original to the VT Department of Taxes within 30 days of receipt.

THIS SECTION TO BE COMPLETED BY TOWN OR CITY CLERK

Book Number 481 Page Number 763-765 Grand List year of 2012
 City or Town HARTFORD Date of Record 10 29 2012
 Grand List Value 0.00 Parcel ID Number 14-39-2
 Grand List Category* 15 SPAN 283 090 16648

ACKNOWLEDGMENT

Return received (including certificates and Act 250 disclosure statement).

SIGNED [Signature], Clerk DATE October 29, 2012

* Please use the following numeric two-digit grand list category codes

Residential <6 Acres 01	Seasonal >6 Acres 06	Utilities Other 11
Residential >6 Acres 02	Commercial 07	Farm 12
Mobile Home/Un 03	Commercial Apt. 08	Other 13
Mobile Home/La 04	Industrial 09	Woodland 14
Seasonal <6 Acres 05	Utilities Elec 10	Miscellaneous 15

ORDER, RETURN AND REPORT

RECEIVED

TOWN OF HARTFORD SELECT BOARD

FEB 23 2012

ORDER FOR DISCONTINUANCE OF A PORTION
OF THE CLASS 4 PORTION OF MELISI ROAD,
SO-CALLED (HARTFORD TOWN HIGHWAY 75)

TOWN OF HARTFORD
A.M. 12:45 P.M.

At a regular meeting of the Hartford Select Board on December 13, 2011, the Hartford Select Board, on its own motion, moved to begin proceedings to accomplish discontinuance of a portion of the Class 4 portion of Melisi Road (Town Highway 75) in the Town of Hartford, Vermont. The procedure for discontinuance is as described in 19 V.S.A. Chapter 7. The authority for commencement of the discontinuation procedure by the Select Board on its own motion is pursuant to 19 V.S.A. §708(a).

At the meeting of the Hartford Select Board on December 13, 2011, the portion of Melisi Road to be discontinued was described and the date of inspection for the portion of the road to be discontinued was set for February 7, 2012 at 3:30 P.M., with hearing on the matter to be held thereafter on February 7, 2012 at 6:00 P.M. at the Bugbee Senior Center as required by 19 V.S.A. §709.

Pursuant to the requirements of 19 V.S.A. §709, notice, posting and publication requirements were satisfied as follows:

1. Notice by certified mail, return receipt requested was given to persons owning or interested in lands through which the highway may pass or abut. The notice included information describing the portion of the highway to be discontinued, as well as information about the time, date and place for inspection and subsequent hearing. Certified mail return receipt notice was also given to the municipal Planning Commission for the Town of Hartford, Vermont and, pursuant to 19 V.S.A. §775, certified mail return receipt requested notice was also given to the State of Vermont Commissioner of Forests, Parks and Recreation. As required, notices were sent to the following persons or entities (all notices were originally sent December 22, 2011, well within the requirement for notice of at least thirty (30) days prior to the inspection and hearing which occurred February 7, 2012):

Valley Bible Church, owner of Hartford Tax Map Parcel 14-60 (it is noted that although other persons and entities were also notified of the procedure, Valley Bible Church appears to be the only property owner where any portion of the Class 4 portion of Melisi Road to be discontinued is actually located);

Atlas Ledge, LLC, Hartford Tax Map Parcel 14-39-1;

Charlotte and Arthur Lahar, Hartford Tax Map Parcel 14-52;

Patricia A. Simonds, Hartford Tax Map Parcel 14-54 (a second notice was sent to Patricia Simonds on January 3, 2012, and evidence of receipt was timely received);

Stephen B. Allan and Joann Allan, Trustees of Stephen B. and Joann Allan Revocable Trust, Hartford Tax Map Parcel 14-53;

Michael C. Snyder, Commissioner of Vermont Department of Forests, Parks and Recreation (general notice required by statute);

Town of Hartford Planning Commission, Attn: Bruce Riddle, Chairperson (general notice required by statute);

It is also noted that John Robichaud and Paul Blanchard, owners of Hartford Tax Map Parcel 14-61 were given notice of the pending discontinuance procedure. Available tax map and survey information does not indicate that the Robichaud/Blanchard parcel is affected by the proposed discontinuance, because neither the portion of Melisi Road proposed to be discontinued, nor any other portion of Melisi Road appears to abut or run through the Robichaud/Blanchard parcel. However, because the boundary of their property appears to be relatively close to Melisi Road, notice was given as a courtesy and cautionary procedure.

Copies of return receipt cards are attached to this document and made a part hereof by this reference. Either by dates noted on the return receipt cards, or with reference to date stamps or delivery confirmation obtained by checking tracking information for each such mail article, the Hartford Select Board attests and certifies by signature hereon that all of these notices were sent well within the time required by statute and received at the addresses where the notices were sent.

2. 19 V.S.A. Section 709 also requires that a notice of the proposed discontinuance be posted in the office of the Town Clerk. A copy of the notice which was posted and a certification by the Town Clerk that such notice was posted on December 27, 2011, within the time allowed by statute, is attached hereto and made a part hereof by this reference. This is the same notice which was sent to all the persons or entities referenced in Section 1 above.

3. 19 V.S.A. §709 further requires that notice of the proposed discontinuance procedure be published in a local newspaper of general circulation not less than ten (10) days before the time set for the hearing (which hearing occurred February 7, 2012). That notice was published in the Valley News in the "Legals" section on January 20, 2012, and a photocopy of the notice as published on that date is attached hereto and made a part hereof by this reference.

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The site inspection was held at the time and place specified in the notice, being Tuesday, February 7, 2012 at 3:30 P.M. at the point where the southerly end of Arboretum Road, so-called, intersects with the northerly edge of the right of way of Melisi Road. The only person owning any land abutting Melisi Road who appeared at the site inspection was Patricia Simonds. She expressed no objection for the discontinuance procedure. Her property does not abut any portion of Melisi Road proposed for discontinuance, but is located further up Melisi Road to the west, near its point of intersection with US Route 5 North.

Various other parties were present at the time of inspection, including members of the Hartford Select Board (Alex DeFelice; Sabino (Sam) Romano; and Kenneth Parker), C. Robert Manby, Jr. as attorney for the Town of Hartford; Richard Menge and Allyn Ricker from the Town of Hartford Department of Public Works; Robert Grant as representative of Essex Capital Partners, a party which may conclude purchase of the property owned by Valley Bible Church; a representative of Trumbull Nelson Construction Company; and Skip Nalette, a representative of Pathways Consulting, LLC. A brief discussion among the persons present occurred at the time of site inspection and Skip Nalette from Pathways Consulting pointed out the place where the road discontinuation would commence and then proceed easterly to the present terminus of the Class 4 portion of Melisi Road, which terminus may best be described as a dead end before reaching the property line of the westerly edge of the right of way for I-91 southbound, with total length of the discontinued portion to be approximately 1600 feet.

The portion of the Class 4 portion of Melisi Road to be discontinued lies wholly within the Town of Hartford, Vermont, so there was no reason for notification of any other municipality.

It is noted for the record that Valley Bible Church sent a letter to the Hartford Select Board, care of the office of the Town Manager for the Town of Hartford, Vermont, c/o Hunter Rieseberg, Town Manager for the Town of Hartford, Vermont which letter is dated January 11, 2012 and stated that Valley Bible Church was in favor of the proposed discontinuance and requested that it be approved. A copy of that letter is attached hereto and made a part hereof by this reference.

It is noted for the record that the State of Vermont Department of Forests, Parks and Recreation sent a letter addressed to the Hartford Select Board c/o Beth Hill, Hartford Town Clerk, dated February 1, 2012 stated that it had no comment on the proposed discontinuance. The Department of Forests, Parks and Recreation has the power to request (but not compel) that any discontinued town highway be designated as a trail. The Vermont Department of Forests, Parks and Recreation did not make such a request and the Town of Hartford Select Board specifically does not intend that any portion of the discontinued roadway have any

status as a trail after discontinuance. A copy of that letter is attached hereto and made a part hereof by this reference.

The portion of Melisi Road which will continue to have status as a public highway may be generally described as beginning at its westerly point of commencement at intersection with the easterly edge of the right of way for US Route 5 North, where Melisi Road is a Class 3 town road. Melisi Road shall then continue easterly over its Class 3 portion of approximately 750 feet, where it becomes a Class 4 town highway and then continue easterly to the easterly terminus of a turn-around/cul-de-sac existing and as and if to be improved in the future at or near the point of intersection of the northerly edge of Melisi Road with the southerly terminus of a private way known as Arboretum Lane. Thereafter, and to the east for a distance of approximately 1600 feet to the previous end of Melisi Road, all being Class 4 roadway, Melisi Road is to be discontinued. The Town of Hartford, Vermont hereby reserves: (1) an easement 12 feet in width surrounding the turn-around/cul-de-sac area to enable and for the purpose of creating and maintaining proper slope and drainage; snowplowing; and placement, maintenance, repair and replacement of utility infrastructure as and if necessary in the future; (2) an easement 50 feet in width, running 25 feet on either side of the center line of the existing traveled way over the remaining and not-discontinued Class 4 portion of Melisi Road which runs through land of Valley Bible Church before reaching the point of commencement of the discontinuance. Notwithstanding the reference just made to the location of the 50 foot easement being 25 feet from the center line of the existing traveled way, at any point and for any distance where the northerly boundary of the land now of Valley Bible Church may be closer than 25 feet from the existing center line, such northerly boundary of Valley Bible Church land shall be the northerly edge of the 50 foot easement width.

Although applicable sections of Title 19 of Vermont Statutes Annotated appear to provide for payment of damages or compensation only to parties whose lands may be taken in the course of road creation, and lay-out, it is noted, without conceding any entitlement to any such payment, that no person or entity has requested payment of any compensation or damages in connection with the proposed discontinuance and no such damages or compensation of any description are awarded by the Hartford Select Board.

19 V.S.A. §711(a) requires that this Report and Order be completed within 60 days of the date of site examination and hearing (which occurred February 7, 2012): At the regular meeting of the Hartford Select Board on Tuesday, February 21, 2012, this Report was approved and adopted and by motion made, seconded and passed, it was and is hereby ORDERED that, the public good, necessity and convenience being served thereby, the portion of the Class 4 portion of Melisi Road as described and

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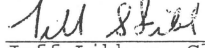
referenced above (and substantially as depicted on the Site Plan attached hereto) be and is hereby DISCONTINUED AS A TOWN HIGHWAY, not to continue as a trail or any other status allowing public passage. Further, title to the land over which the discontinued portion of Melisi Road ran prior to discontinuance shall vest in Valley Bible Church and its successors and assigns, it being the owner of the land on both sides of the portion of the discontinued highway, as provided by 19 V.S.A. §775.

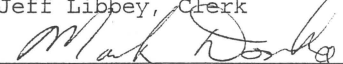
Dated at Hartford, Vermont on this 21st day of February, 2012


SELECT BOARD FOR THE
TOWN OF HARTFORD, VT

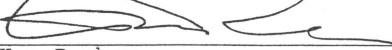

Alex DeFelice, Chair

Sonia O. Knight, Vice-Chair


Jeff Libbey, Clerk

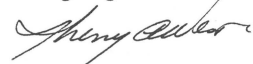

Mark Donka


Bonnie Latham


Ken Parker

Sam Romano

Hartford Town Clerk's Office February 23, 2012 at 12:45 PM received the instrument of which the forgoing is a true record.

Attest: 

Asst Town Clerk

TOWN OF HARTFORD



Board of Selectmen Meeting

Tuesday, February 21, 2012
(following Local Liquor Control Meeting)
262 North Main Street
White River Junction, VT

Present: Alex DeFelice, Chairman; Jeff Libbey, Clerk; Sam Romano, Selectman; Ken Parker, Selectman
Bonnie Latham, Selectman Mark Donka, Selectman; Hunter Rieseberg, Town Manager

Absent: Sonia O. Knight, Vice Chairman

- I. **Call to Order and Pledge of Allegiance:** Mr. DeFelice called the meeting to order at 6:06 p.m. and Ms. Latham let the pledge.
- II. **Citizen, Selectboard Comments & Announcements:** No comments.
- III. **Order of Agenda:** No changes.
- IV. **Appointments:** None
- V. **Board Reports, Motions & Ordinances:**
 - a. Order for Discontinuance of the Class 4 Portion of Melisi Road: Mr. Rieseberg explained that the Board has been entertaining the idea of closing a portion of the Class IV portion of Melisi Road. There was a site visit and a public hearing at the last meeting. Attorney Robert Manby and representatives from CRL are present to answer any questions. Mr. Rieseberg said that the Town is legally prepared for the Board to take action. Mr. Parker stated that the Hartford Selectboard needs to take final action on the discontinuance of a portion of the Class 4 portion of Melisi Road. As required by 19 VSA Section 711, a proposed Order of Discontinuance and report have been prepared by the attorney for the Town of Hartford. That document has been circulated among the members of the Board prior to the meeting. It sets forth the details about the requirements for certified mail notice to all parties required to be given notice by Statute; the required posting of notice of proposed discontinuance in the office of the Hartford Town Clerk; and the required publication of that Notice of Proposed Discontinuance in the Valley News. All those steps have been completed in a timely manner as required by Vermont statutes. A site inspection occurred on the afternoon of February 7, 2012 and a hearing on the matter was held before the Hartford Selectboard at approximately 6:00 p.m. on February 7, 2012. No objection to the discontinuance has been made. The Order of Discontinuance and Report to be recorded in the Hartford Land Records includes all necessary attachments proving notice posting and publication as well as an attachment depicting the portion of the Class 4 portion of Melisi Road to be discontinued. The Commissioner of the Vermont Department of Forests, Parks and Recreation was notified as required, and has not requested that any portion of the road to be discontinued be preserved with any public trail status. No payment of damages is appropriate, and no payment has been requested. Therefore, since the public good, necessity and convenience will be served by the discontinuance of the portion of the Class 4 portion of Melisi Road as specified in the document to be recorded, **I, Kenneth Parker move that the portion of the Class IV portion of Melisi Road, consisting of approximately 1,600 feet, more or less, now running through land of Valley Bible Church, be discontinued as a town highway, with no portion of the discontinued portion to continue as a trail or any other status as a public way and that the document entitled "Order, Return and**

Report” be signed by the Hartford Selectboard and recorded in the Land Records for the Town of Hartford, Vermont. Mr. Libbey seconded. The motion carried with 5 for and Mr. Romano against.

Mr. Parker moved the adoption of the Agreement for Future Grant of Easements between the Town of Hartford and Essex Capital Partners, relating to the discontinuance of a portion of Class 4 portion of Melisi Road and would refer to this document as the motion and the text of the agreement that was executed and to authorize the Town Manager to sign the document on behalf of the Selectboard. Ms. Latham seconded. All were in favor and the motion carried.

- b. Confirm Class 3 Road width waiver for Melisi Road: Mr. Rieseberg explained that this was an item of housekeeping. The site plan for the Aquatic Center specifies that Melisi Road is to be used as an emergency access and as such Atlas Ledge was allowed to keep the access at the 16” width. On August 23, 2005, the Selectboard voted to accept a narrower standard for the upgrade of Melisi Road. It is the opinion of staff that the usage of the road by Atlas Ledge has not changed and the use of the portion to be used by CRL is insignificant, therefore, the state “the waiver will expire should the access become anything more than an emergency access” is not impacted. **Ms. Latham moved that the current width of 16’ (August 23, 2005) be extended to Essex Capital Partners. Mr. Donka seconded. All were in favor and the motion carried.**

VI. **Chairman’s Report:** Mr. DeFelice commented that he feels the agenda that the Town/School Committee put together is confusing. As it is now, the Selectboard would have to adjourn after presenting the budget and then reconvene 1½ hours later to answer questions. The Selectboard discussed that this meeting is actually a Selectboard meeting. The Selectboard was split 3 to 3 and decided to try the schedule that the TSC presented. Mr. DeFelice stated that he feels there is a conflict between what the TSC thinks their jurisdiction is. Other Board members agreed. Although now is not the time to discuss such Mr. DeFelice feels discussions need to take place between the Selectboard, the Schoolboard and the TSC.

VII. **Town Manager’s Report**

Event on a Public Street or Highway: Torchlight Parade (FYI): Mr. DeFelice doesn’t understand how a parade can take place without Police involvement. Mr. Rieseberg said it is a sidewalk parade.

Event on a Public Street or Highway: ECCC Dartmouth Road Race (FYI): Further discussions will take place between Acting Lieutenant Vail and the applicant.

VIII. **Commission Meeting Reports:** Mr. Parker attended the Library Services Committee. They met with a representative from the Department of Libraries. Next meeting is this Thursday at the Municipal Building. Mr. DeFelice attended the Schoolboard meeting. The next one is tomorrow night. Mr. DeFelice went to the West Hartford Library Trustees meeting.

IX. **Consent Agenda:** **Mr. Libbey moved to approve the Payroll 2/22/2012, approve the AP Processing Report 2/17/2012 and note the Future Meeting Dates of 2/27/2012 Budget Discussion & Candidates Night; 3/6/2012 Australian Ballot; 3/20/2012; 4/3/2012; 4/9/2012 Annual Town/School Meeting; 4/17/2012. Mr. Donka seconded. All were in favor and the motion carried.**

Mr. Donka moved to review the Meeting Minutes of 2/7/2012. Ms. Latham seconded. Mr. DeFelice asked if the tobacco Free Policy was dated. Mr. Parker said it would be effective when passed. **Mr. Libbey was absent and abstained. All else were in favor and the motion carried.**

X. **Old Business:** Mr. DeFelice stated that after elections there will be a different Board of some sort – minimum 1 change; maximum 3 changes. Ms. Knight had requested that since she won’t be available the night of Town Meeting, the Board elect officers on a day that she will be there. March 20, 2012 is the next regular Selectboard meeting and elections could take place that night after the meeting has

been called to order. Mr. Parker feels it is the decision of the “new” board to decide when to elect officers.

- XI. Executive Session: Mr. Libbey moved to go into executive session at 7:06 p.m. to discuss Real Estate. Mr. Donka seconded. All were in favor and the motion carried.

Ms. Latham moved to adjourn with no action taken. Mr. Libbey seconded. All were in favor and the motion carried.

- XII. Adjournment: Ms. Latham moved to adjourn at 7:09 p.m. Mr. Donka seconded. All were in favor and the motion carried.

Bethany Fleishman, Clerk

COPY CRL File

AGREEMENT FOR FUTURE GRANT OF EASEMENTS

This Agreement is by and between Essex Capital Partners, including its successors and assigns, and any nominee of Essex Capital Partners (collectively ECP) and Town of Hartford, Vermont (hereafter Town).

Town has or is about to conclude the process of discontinuance of a portion of the Class 4 portion of Melisi Road. The portion to be discontinued is approximately 1,600 feet, more or less, and reference is hereby had to a certain document entitled "Order, Return and Report"/Town of Hartford Select Board/Order for Discontinuance of a portion of the Class 4 portion of Melisi Road, so-called (Hartford Town Highway 75) which document is incorporated herein by this reference as if set forth in its entirety (the Order). The Order is anticipated to be signed by the Hartford Select Board on February 21, 2012 and to be recorded thereafter in the Land Records for the Town of Hartford, Vermont.

The portion of Melisi Road to be discontinued as specified in the Order runs through land now owned by Valley Bible Church of White River Junction, Inc. (hereafter Valley Bible Church).

Valley Bible Church is under contract to sell the parcel of land it owns off Melisi Road, being 40 acres, more or less, and also identified as Town of Hartford Tax Map Parcel 14-60 to ECP.

In anticipation of completion of the sale transaction by Valley Bible Church to ECP, Town and ECP wish to express their agreement for future grant of certain easement rights by ECP to Town.

Now therefore, for good and valuable consideration, the receipt and sufficiency of which is acknowledged by ECP, ECP does agree as follows:

1. It is a condition precedent to the obligation of ECP to perform pursuant to this Agreement that ECP completes its purchase from Valley Bible Church of the property identified above. In addition, it is a condition precedent to the obligation of ECP to perform pursuant to this Agreement that: (i) Town approves the Order at its February 21, 2012 hearing, and records it in the Town of Hartford Land Records; and (ii) Town votes to continue the existing exemption granted to Melisi Road on August 23, 2005 which allowed for construction to a 16' width, for ECP's use thereof in connection with its solar array project. Once ECP's purchase as stated above is completed, ECP will grant the following easements to Town:

A. An easement 50 feet in width, running 25 feet on either side of the center line of the existing traveled way over the remaining and not-discontinued Class 4 portion of Melisi Road which runs through land of Valley Bible Church before reaching the point of commencement of discontinuance. Notwithstanding the reference just made to the location of the 50 foot easement being 25 feet from the center line of the existing traveled way, at any point and for any distance where the northerly boundary of the land now of Valley Bible Church (and proposed for conveyance to ECP) may be closer than 25 feet from the existing center line, such northerly boundary of Valley Bible Church land shall be the northerly edge of the 50 foot easement width. The above referenced area is depicted as "Area A" - 34,900 +/- Sq. Ft., Proposed 50' Wide Easement to be Granted to Town of Hartford" on the attached plan entitled: "Site Plan for CRL Solar, LLC, Melisi Road, Hartford, Vermont, dated 10/24/2011, a copy of which is attached hereto (the "Site Plan");

B. An easement 12 feet in width surrounding the hammerhead turn-around/cul-de-sac area as now existing or as may be improved in the future, which is located approximately at the end of the easterly end of Melisi Road (after discontinuance) at the point of intersection of Melisi Road with the southerly end of Arboretum Lane, so-called. As the exact location of this proposed easement is

indeterminate as of the date hereof, the parties agree to stake such area and take such measures as are reasonably agreed upon by such parties so that the 12 foot easement area is clearly described in the grant of easement and is within a location mutually agreeable by both Town and ECP;

C. The easements referenced in sub-paragraphs (A) and (B) above shall be for the purpose of allowing Town to modify slope and drainage as necessary; to allow maintenance, upkeep, repair and replacement of the public way and any utility infrastructure of any description as may now exist or be placed or erected, either beneath or above ground, by Town in the future. The easement grant includes the right for entry by personnel and machinery as necessary to accomplish the purposes for which the easement is granted. Notwithstanding the terms of this Agreement or any future easement grant by ECP to Town, nothing in this Agreement or any such future easement grant shall be deemed to expand the scope of statutory responsibilities of Town with respect to maintenance, upkeep and repair of any portion of Melisi Road that may remain a Class 4 highway;

D. It is understood that Town shall not block access to the property proposed to be purchased by ECP from Valley Bible Church from the easterly end of Melisi Road where that easterly end will be after Town Highway discontinuance;

E. ECP shall grant to Town an easement 30 feet wide extending from the sewer manhole located within the hammerhead turn-around/cul-de-sac at the easterly end of Melisi Road and then proceeding in a generally southwesterly direction across Tax Map Parcel 14-0060 (the parcel proposed to be purchased by ECP from Valley Bible Church) to a point at or near the intersection of Hartford Tax Map Parcel 14-0050-000 and Hartford Tax Map Parcel 14-0059-000 along the course of Kilburn Brook, so-called. The above referenced easement area is depicted as "Area B" – 6,180 +/- Sq. Ft., 30' Wide Easement" on the attached Site Plan. This easement grant shall be for the purpose of enabling (but not requiring) Town to install, repair, maintain and replace water and sewer lines and other utility infrastructure as and if appropriate between Melisi Road and Kline Drive, so-called. This easement grant includes a right to enter with machinery and personnel as necessary in order to accomplish the purposes of the easement grant.

F. Town acknowledges that Green Mountain Power ("GMP") will be running utility lines south of Melisi Road to service ECP's project and Town agrees that it shall not interfere or object to such operations. If GMP or ECP requires Town's consent for such easements to GMP based on the easement rights to be granted from ECP to Town, Town agrees to cooperate and grant such consent.

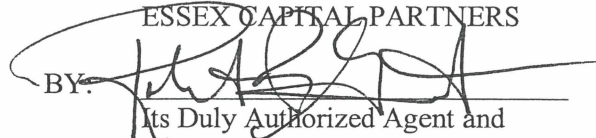
G. Town agrees that it will not unreasonably interfere with or restrict the rights and interests of ECP, its successors and assigns, in its use and enjoyment of ECP's underlying land and premises. Any damage or disturbance to ECP's property arising from the use of the easements granted to Town will be promptly restored as nearly and practicable as possible, including regrading and reseeding as necessary to the condition it was in prior to such entry and exercise by Town. The above is not meant to require Town to restore or replace trees or shrubbery which might require removal or trimming in the course of the exercise of its easement rights.

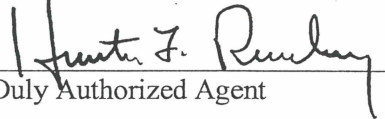
2. Although the easement grants by ECP to Town are for good and valuable consideration, with receipt and sufficiency thereof acknowledged by ECP, it is expressly understood and agreed that no further financial or other compensation is to be paid or given by Town to ECP or by ECP to Town. This Agreement supersedes all prior agreements, whether written or oral, between ECP and Town with respect to the matters addressed herein, and there are no covenants, promises, agreements, conditions or understandings, written or oral, except as herein set forth.

COPY

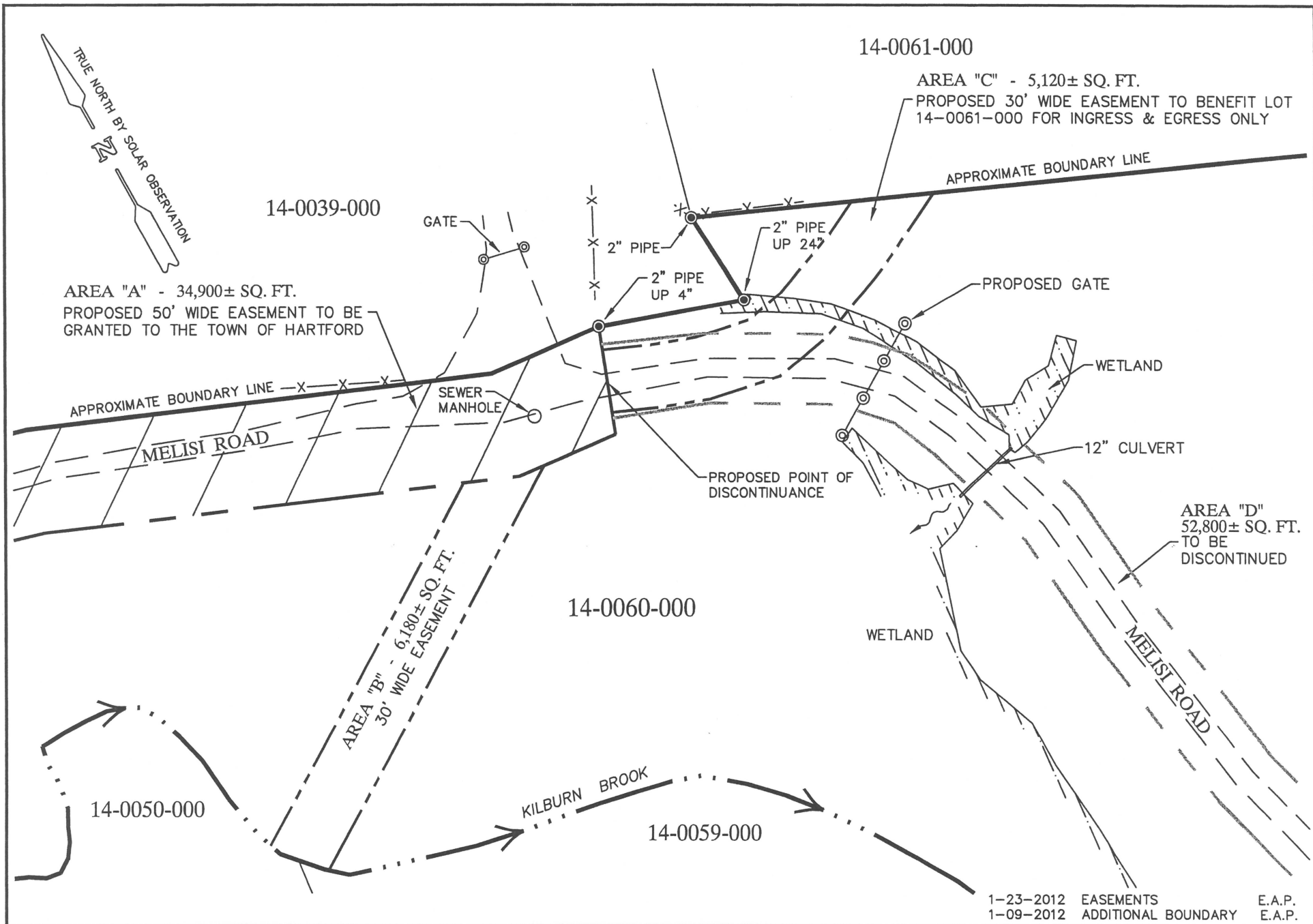
3. Any person signing this Agreement on behalf of ECP represents that he or she is fully authorized by ECP to bind ECP by signature hereon and understands that Town is reasonably and justifiably relying on the representation of authority of such person to bind ECP by signature hereon.

Dated at Hartford in the State of Vermont this 21 day of Feb, 2012

ESSEX CAPITAL PARTNERS
BY: 
Its Duly Authorized Agent and Representative

TOWN OF HARTFORD
BY: 
Its Duly Authorized Agent

COPY



1-23-2012 EASEMENTS E.A.P.
 1-09-2012 ADDITIONAL BOUNDARY E.A.P.



Pathways Consulting, LLC
 240 Mechanic Street, Suite 100
 Lebanon, New Hampshire 03766
 (603) 448-2200 FAX: (603) 448-1221

SITE PLAN FOR
CRL SOLAR, LLC
 MELISI ROAD - HARTFORD, VERMONT

SCALE: 1" = 60'
 DESIGNED BY:
 DRAWN BY: E.A.P.
 CHECKED BY: J.E.N.
 DATE: 10/24/2011
 PROJ.NO. 11765-01

CRL Solar, LLC Array Proposal
MEMORANDUM OF UNDERSTANDING

February 2, 2012

In consideration for the Town of Hartford's (the "Town") discontinuance of the eastern portion of Melisi Road, as the road crosses land known as Tax Map and Parcel 14-0060 (the "Property"), all as contemplated in the "Motion For Discontinuance of Melisi Road", CRL Solar, LLC ("CRL") agrees as follows:

Upon the acquisition of the Property by CRL, CRL shall:

- Grant to the Town of Hartford a fifty (50) foot wide easement (as measured from the northern property line of the Property), extending west to east along the length of Melisi Road in from Route 5, as Melisi crosses over the Property, to the point of discontinuance, all as shown as "Area A" on the attached plan. The area of said easement is approximately 34,900 square feet.
- Grant to the Town of Hartford a thirty (30) foot wide easement, extending from the sewer manhole located within the "hammerhead", then proceeding southerly across the Property to a point at the intersection of the lot lines of Tax Map Parcel 14-0050 and Parcel 14-0059, to install water and sewer lines between Melisi Rd. and Klein Drive. The approximate location is shown as "Area B" on the attached plan. The area of said easement is approximately 6,180 sf.
- At the request of the Town, enter into discussions to grant to its' northern abutter (owners of Tax Map Parcel 14-0061), a thirty (30) foot wide access easement across the Property from the proposed point of discontinuance of Melisi, in and to their property so as to provide access to this now landlocked parcel. The approximate location is shown as "Area C" on the attached plan. The area of said easement is approximately 5,120 sf.

SUMMARY

The area of the portion of the roadway "abandoned" by the Town is approximately 52,800 square feet (1.21 acres), identified on the attached plan as "Area D". This land is considered (per the Town Assessor's Office) "excess land", which the Assessor values at \$3,500 per acre.

The approximate dimensions (and areas) of the land to thus be "exchanged" by the Town and CRL are as follows:

Land Given To the Town...

Area A: 50 feet x roughly 660 feet = 34,900 sf,

Area B: 30 feet x roughly 205 feet = 6,180 sf;

Area C: 30 feet x roughly 170 feet = 5,120 sf;

TOTAL ESTIMATED AREA OF EASEMENTS GRANTED TO THE TOWN: 46,200 SQUARE FEET

Land Relinquished by the Town.....

Area D: 52,800 sf.

TOTAL ESTIMATED AREA OF EASEMENT ABANDONED BY THE TOWN: 52,800 SQUARE FEET



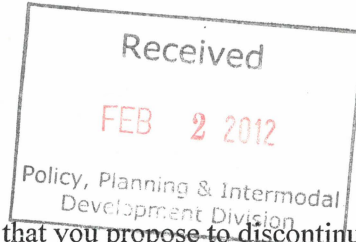
State of Vermont
 Department of Forests, Parks and Recreation
 103 South Main Street, 10 South
 Waterbury, VT 05671-0601
 www.vtfpr.org

[fax] 802-244-1481
 [tdd] 800-253-0191

Agency of Natural Resources
 802.241.3693
 ANR Lands Division

February 1, 2012

Town of Hartford Selectboard
 c/o Mary 'Beth' Hill, Town Clerk
 171 Bridge Street
 White River Junction, Vermont 05001



Dear Board Members:

We are in receipt of the notice pursuant to the requirements of Title 19 V.S.A. that you propose to discontinue the Class 4 portion of Melisi Road, also known as Town Highway #75 in the Town of Hartford. The Department of Forests, Parks & Recreation has reviewed the notice and the discontinuation of the Town Highway will not affect any existing trail corridors and therefore, has no comments on the discontinuance. For your information, it has been the policy of this Department to encourage towns to continue ownership of highway rights-of-way where they are of sufficient length or location to be of value to recreational users. Such existing rights-of-way can be valuable recreation resources for our growing population.

With the passage of H. 83 in the 1991 Legislature, the laws regarding Class 4 roads and trails give much more strength to towns in their ability to preserve these rights-of-way. Title 19 V.S.A. 711 states in part:

"...the selectmen may order that the petitioner bear the cost of upgrading a class 4 town highway to the class 3 town highway standards established in 19 V.S.A. 302(a)
 (3)(B). Nothing in this section shall be construed to require a town to maintain a class 4 highway or to upgrade a highway from class 4 to class 3."

Enclosed is a copy of the "Town Policy on Class 4 Roads and Trails," issued by the Vermont Trails and Greenways Council. In addition, you will find a copy of the Department's policy on road discontinuance. You may want to consider a similar policy in Hartford. Having such a policy will help to ensure that you will not be required to maintain Class 4 roads or trails or upgrade them to Class 3.

This Department will not be represented at your meeting on February 7, 2012 but we ask that this letter and attachments be entered into the proceedings. We also request that local trail organizations such as snowmobile clubs be notified of the proposed discontinuance.

Thank you for contacting us on this matter. We always appreciate the opportunity to comment on these important recreation resources.

Sincerely yours,

Mike Fraysier
 ANR Lands Director

Enclosures

Cc: Trails Coordinator, VAST; FPR District Trails Coordinator, Tim Morton; Planning Office, AOT

