

CERTIFICATE OF HIGHWAY MILEAGE
YEAR ENDING FEBRUARY 10, 2009

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2009 to:
Vermont Agency of Transportation, Policy and Planning Division, One National Life Drive, Montpelier, VT 05633.

We, the members of the legislative body of WINDSOR in WINDSOR County

on an oath state that the mileage of highways, according to Vermont Statutes Annotated,
Title 19, Section 305, added 1985, is as follows:

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

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

* Mileage for Class 1 Lane, Class 4, and Legal Trail classifications is NOT included in total. Totals by S. Moulton 2/20/09

PART II - INFORMATION AND DESCRIPTION OF CHANGES SHOWN ABOVE.

- 1. NEW HIGHWAYS: Please attach Selectmen's "Certificate of Completion and Opening". Documentation submitted in November 2008 and accepted (see attached letter to Town of Windsor dated 11/26/08 from J. Croft.
2. DISCONTINUED: Please attach SIGNED copy of proceedings (minutes of meeting).
3. RECLASSIFIED/REMEASURED: Please attach SIGNED copy of proceedings (minutes of meeting).
4. SCENIC HIGHWAYS: Please attach a copy of order designating/discontinuing Scenic Highways.

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

PART III - SIGNATURES - PLEASE SIGN.

Selectmen/ Aldermen/ Trustees Signatures:

Handwritten signatures of selectmen and trustees, including one dated 11-17-08 and another dated 2/11/09.

T/C/V Clerk Signature:

Handwritten signature of the T/C/V Clerk.

Date Filed: 2/11/09

Please sign ORIGINAL and return it for Transportation signature.

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

APPROVED:

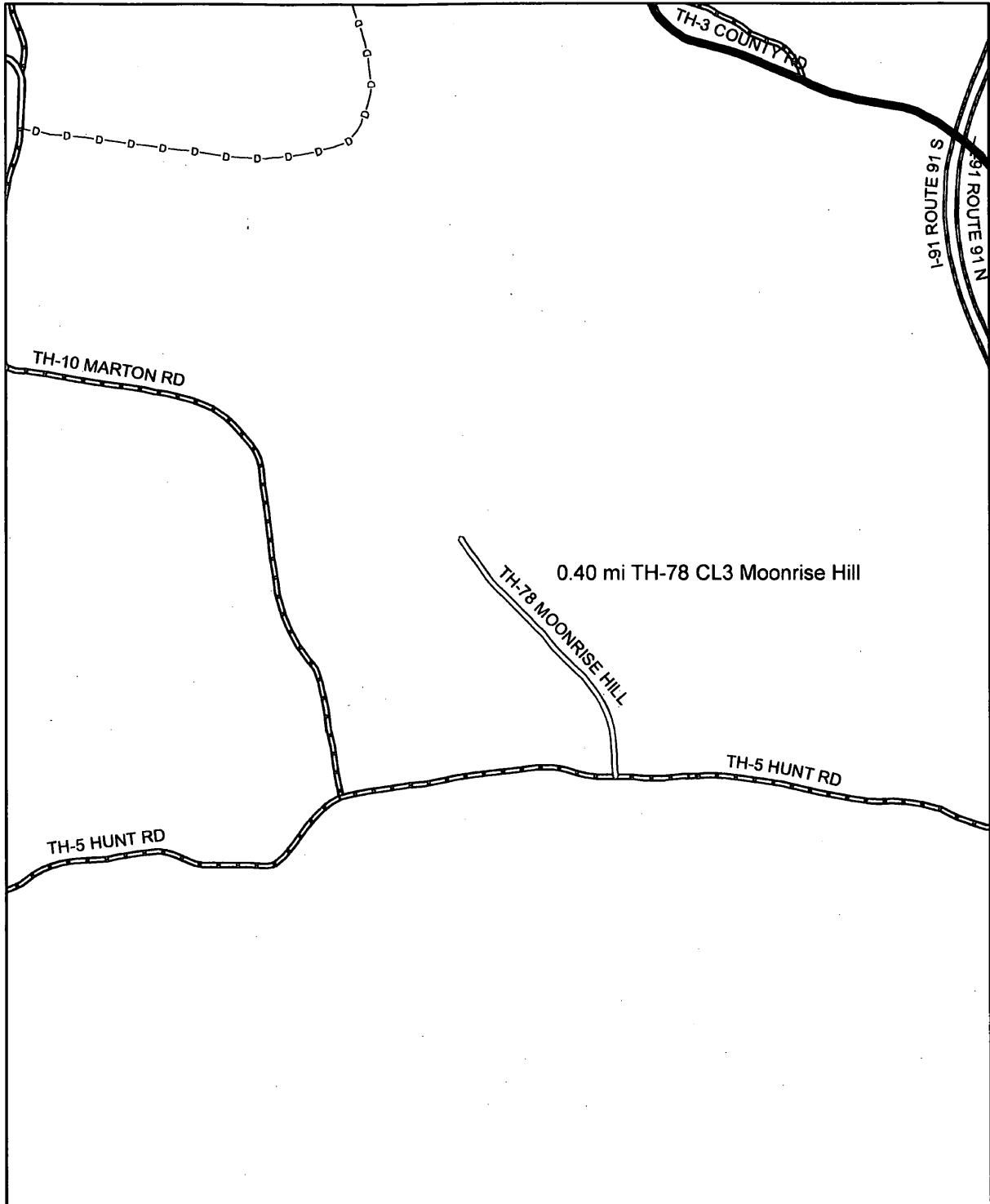
Handwritten signature and text: Representative, Agency of Transportation

DATE:

4/2/2009

FEB 12 2009

Policy & Planning Division



**Mileage Certificate Change 2009
WINDSOR**

Mapping Unit
Policy & Planning Division
Vermont Agency of Transportation -- February 2009





State of Vermont
Policy & Planning Division-Mapping Unit
One National Life Drive
Montpelier, VT 05633-5001
<http://www.aot.state.vt.us>

Agency of Transportation

Telephone: 802-828-2600
Fax: 802-828-2334
Email: johnathan.croft@state.vt.us

November 26, 2008

Steve Cottrell
Town of Windsor
PO Box 47
Windsor, VT 05089

Dear Mr. Cottrell,

I have received the copy of the plan entitled "Subdivision of Land for Joseph Marchand" dated September 3, 1985 and recorded Map Book 2, Number 41 from the Windsor town records.

Based on the information you have provided, Moonrise Hill Road, formerly known as Ascutney Hill Road, was dedicated to the Town of Windsor in 1995, with all the adjoining landowners deeding the right of way to the Town. It appears that there has been acceptance by the Town with the filing of the Property Transfer Tax Return.

The documentation provided describes 0.4 miles of Class 3 Town Highway created through "dedication and acceptance" in 1995. Town Highways are under the authority of the Selectboard, as defined in V.S.A Title 19 § 304. Duties of selectmen.

The VTrans Mapping Unit will add this highway to the 2009 Town Highway Map as a 0.4 mile section of Class 3 Town Highway, provided the Selectboard includes this highway and mileage on the 2009 Mileage Certificate to be filed in the Town Clerk's Office on or before February 10, 2009.

Please feel free to contact me with any questions or comments regarding the process to add this highway to the map, or mapping in general.

Sincerely,

A handwritten signature in black ink, appearing to read "Johnathan Croft", written over a horizontal line.

Johnathan Croft
AOT GIS Database Administrator
VTrans Mapping Unit

JFC/jfc

Enclosures

Cc: Gary Shelley – VTrans Operations
Trevor Star – District 4



Steve Cottrell

From: Croft, Johnathan [Johnathan.Croft@state.vt.us]
Sent: Wednesday, November 26, 2008 10:04 AM
To: Steve Cottrell
Cc: Schelley, Gary; Starr, Trevor
Subject: Moonrise Hill Road - Windsor, Vermont

Steve,

Please find attached a letter that will go into the mail today regarding Moonrise Hill Road. Based on the information supplied, it appears that this highway has been a town highway since 1995 when it was created through "dedication and acceptance". We will add this to the map in 2009 after the Selectboard adds this to the Mileage Certificate.

I have not forwarded this letter to FEMA and will let you take care of those details.

Please feel free to contact me with any questions or comments.

Johnathan Croft
VTrans Mapping Unit
(802) 828-2600

NOV 24 2008

Policy & Planning Division



TOWN of WINDSOR

P.O. Box 47 29 Union Street
Windsor, Vermont 05090



Steve Cottrell
Town Manager
P.O. Box 47
Windsor VT 05089

Tel: 802 674-6786
SJCottrell@windsor-vt.gov FAX 802 674-1017
www.vermont-towns.org/Windsor

November 19, 2008

Mr. Jonathan Croft
AOT GIS Database Administrator
VTrans Mapping Unit
One National Life Drive
Montpelier, VT 05633-5001

Subject: Windsor's "Ascutney Hill Road/Moonrise Hill Road"

Dear Mr. Croft:

I apologize for taking this long to send you the enclosed additional documentation regarding the subject town, Class 3 road, currently named Moonrise Hill Road.

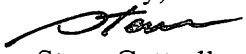
The enclosed document is a copy of the Sept. 3, 1985 recorded depiction of the aforementioned road found in Map Book 2, Number 41 in the Windsor Town records.

The current road length is approximately .4 miles, but does not conform exactly to the platted/recorded depiction insofar as the three or more properties at the end of the road are accessible by private driveways and not a cul-de-sac.

I am speculating that the reason a former select board may not have formally accepted the road right-of-way/easement as shown, is because they accepted each property owner's deed of same in pieces, rather than taking the additional effort to hire a surveyor to reconstruct and describe each piece as a part of the larger, contiguous easement/road.

Please advise if you think that it is essential for the present select board to re-accept this formerly dedicated and deeded collection of road easements as a re-described (surveyed aggregation of deeds/right-of-way) again, in order for the State to include it within the context of our recognized list of town maintained roads.

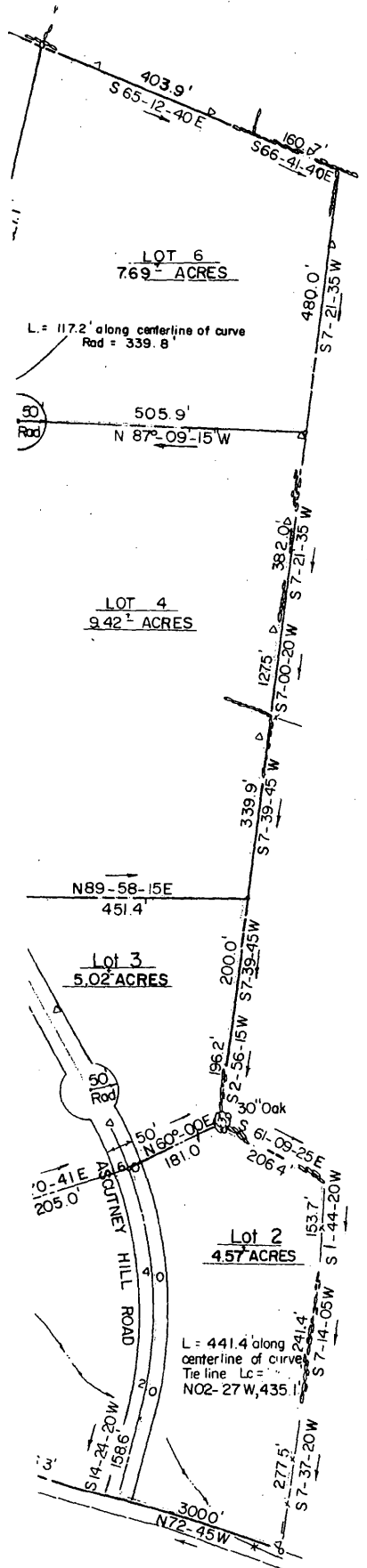
Sincerely,


Steve Cottrell,
Town Manager

Cc Lynn Grace, Admin. Assist.
Sandra Mica, Town Clerk

NOTES

- BEARINGS ARE WITH RESPECT TO MAGNETIC NORTH
- PROPERTY IS SUBJECT TO ALL EXISTING EASEMENTS AND RIGHTS-OF-WAY OF RECORD
- BOUNDARIES FROM PHYSICAL EVIDENCE AND INFORMATION SUPPLIED BY OWNER
- PROPOSED 50' RIGHT-OF-WAY AS SHOWN IS TO BE HELD IN COMMON BY ALL LOT OWNERS.
- LOTS 1-3 & 10.50² ACRE PARCELS ARE EXISTING LOTS CREATED IN A SUBDIVISION PLAN OF THE SAME TITLE DATED FEB. 1985, REVISED JUNE 5, 1985.



Hope
n/f

Russell
n/f

Laplante
n/f

Vitale
n/f

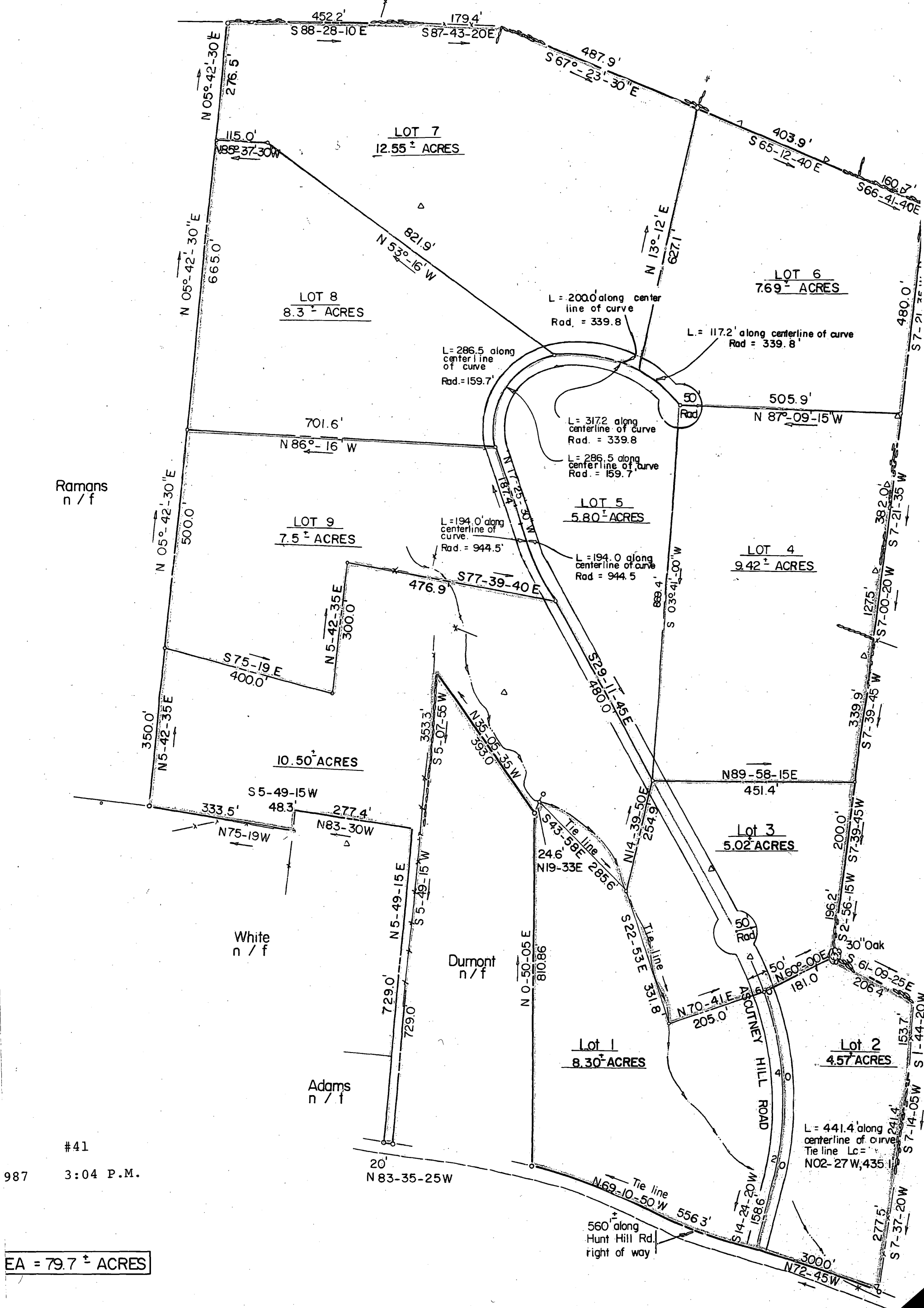
LEGEND

- o IRON PIN
- Δ TRAVERSE POINT
- n/f NOW OR FORMERLY
- STONE WALL
- - - WIRE FENCE
- PROPERTY LINE
- CENTERLINE STREAM

I DO HEREBY CERTIFY THIS MAP AND INFORMATION TO BE SUBSTANTIALLY CORRECT VT. L. S. 485



BRUNO ASSOCIATES INC. P.C.			
ENGINEERS, PLANNERS, SURVEYORS			
WOODSTOCK, VERMONT			
SUBDIVISION of LANDS for JOSEPH MARCHAND WINDSOR, VERMONT		SURVEYED KH&RF	DESIGNED
		DRAWN SV SH	CHECKED JB
		SCALE 1" = 200'	
		DATE SEPT. 3, 1985	
REVISIONS common line Lots 6 & 7 (9-10-85)			

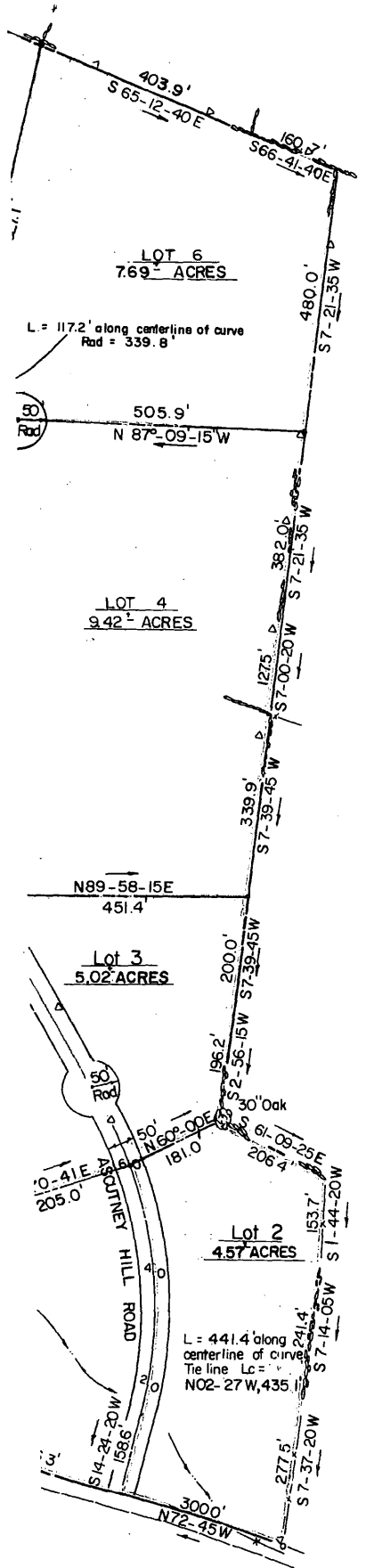


#41
987 3:04 P.M.

EA = 79.7 ± ACRES

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n/f

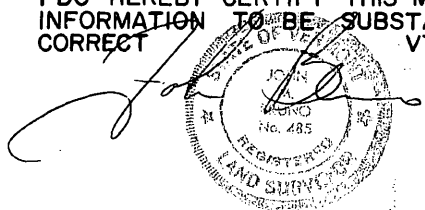
Laplante
n/f

Vitale
n/f

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BRUNO ASSOCIATES INC. P.C.
ENGINEERS, PLANNERS, SURVEYORS
WOODSTOCK, VERMONT

SUBDIVISION of LANDS for JOSEPH MARCHAND WINDSOR, VERMONT	SURVEYED KH8RF	DESIGNED
	DRAWN SV SH	CHECKED JB
	SCALE 1" = 200'	
	DATE SEPT. 3, 1985	

REVISIONS common line Lots 6 & 7 (9-10-85)

431 Moonrise

7

6

411 Moonrise

8

418 Moonrise

Stryker
502 Moonrise

47008-K

5

Lavoie
339 Moonrise

4

4

8

47008-Q

1256 Hunt Rd
Donald Pierce Jr.

5

For Sale

218 Moonrise

Ronald
Tucker

3

For Sale

17 Moonrise Hill

1

2

1244 Hunt Rd

For Sale

104

State of Vermont
Policy & Planning Division-Mapping Unit
One National Life Drive
Montpelier, VT 05633-5001
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Agency of Transportation

Telephone: 802-828-2600
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November 26, 2008

Steve Cottrell
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The VTrans Mapping Unit will add this highway to the 2009 Town Highway Map as a 0.4 mile section of Class 3 Town Highway, provided the Selectboard includes this highway and mileage on the 2009 Mileage Certificate to be filed in the Town Clerk's Office on or before February 10, 2009.

Please feel free to contact me with any questions or comments regarding the process to add this highway to the map, or mapping in general.

Sincerely,



Johnathan Croft
AOT GIS Database Administrator
VTrans Mapping Unit

JFC/jfc

Enclosures

Cc: Gary Shelley – VTrans Operations
Trevor Star – District 4

The Vermont Statutes Online

Title 19: Highways

Chapter 3: Town Highways

304. Duties of selectmen

§ 304. Duties of selectmen

(a) It shall be the duty and responsibility of the selectboard of the town to, or acting as a board, it shall have the authority to:

(1) see that town highways and bridges are properly laid out, constructed, maintained, altered, widened, vacated, discontinued and operated, when the safety of the public requires, in accordance with the provisions of this title;

(2) take any action consistent with the provisions of law, including determinations made pursuant to subdivision 302(a)(3)(B) or subsection 310(a) of this title, which are necessary for or incidental to the proper management and administration of town highways;

(3) purchase tools, equipment and materials necessary for the construction, maintenance or repair of highways and bridges, and to incur indebtedness from the municipal equipment loan fund as established in section 1601 of Title 29 for these purchases. It may contract with governmental or private agencies for the use of tools, equipment, road building material, and services;

(4) order hills graded, surfaces graveled, or treated with a dust layer, or surface treated with bituminous material, upon any town highway either laid out by them or already existing;

(5) grant permission to enclose pent roads and trails by the owner of the land during any part of the year, by erecting stiles, unlocked gates and bars in the places designated and to make regulations governing the use of pent roads and trails and to establish penalties not to exceed \$50.00, for noncompliance. Permission shall be in writing and recorded in the town clerk's office;

(6) make special regulations as to the operation, use and parking of motor vehicles on highways under their jurisdiction, as provided in Title 23;

(7) make special regulations as to the speed of motor vehicles using the highways under their jurisdiction, as provided in Title 23;

(8) lay out winter roads and lumber roads pursuant to chapter 9 of this title;

(9) change the course of a stream, pursuant to chapter 9 of this title;

- (10) erect embankment on stream, pursuant to chapter 9 of this title;
- (11) construct a watercourse, drain or ditch from a highway across lands of any person, pursuant to chapter 9 of this title;
- (12) lay out, alter, classify, and discontinue town highways, pursuant to chapter 7 of this title;
- (13) forward the town's annual plan for the construction and maintenance of town highways to the agency of transportation;
- (14) keep accurate accounts, showing in detail all moneys received by them including from whom and when received and all moneys paid out by them, to whom and for what purpose, and settle the accounts with auditors not less than 25 days before the annual meeting;
- (15) receive grant funds and gifts from public and private sources;
- (16) unless the town electorate votes otherwise, under the provisions of 17 V.S.A. § 2646, appoint a road commissioner, or remove him or her from office, pursuant to 17 V.S.A. § 2651. Road commissioners, elected or appointed, shall have only the powers and authority regarding highways granted to them by the selectmen;
- (17) number houses and name highways if desired;
- (18) participate in cooperative purchasing arrangements with the state or other municipalities;
- (19) prepare a transportation plan and capital budget for transportation for voter approval;
- (20) retain staff and consultant assistance if needed in carrying out duties and powers;
- (21) issue permits for work in highway rights-of-way pursuant to 19 V.S.A. chapter 11;
- (22) regulate the location and relocation of utility wires and poles pursuant to 30 V.S.A. chapter 71; and
- (23) publish and adopt after public hearing(s) road specifications for highways to be built or rebuilt within the town in compliance with applicable statutes.

(b) Nothing in this chapter shall be construed to affect the rights and powers conferred on incorporated villages and cities by their charters to appoint street commissioners, collect and disburse highway taxes, and repair and maintain highways under their care. (Added 1985, No. 269 (Adj. Sess.), § 1; amended 1999, No. 156 (Adj. Sess.), § 28, eff. May 29, 2000; 2001, No. 64, § 21, eff. June 16, 2001.)

The Vermont Statutes Online

Title 19: Highways

Chapter 3: Town Highways

305. Measurement and inspection

§ 305. Measurement and inspection

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

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

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

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

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

2006. All records filed with the agency are subject to verification in accordance with subsection (a) of this section.

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

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

(h) Notwithstanding the provisions of subchapter 7 of chapter 7 of this title, on or before July 1, 2010, a municipality's legislative body may vote to discontinue all town highways that are not otherwise clearly observable by physical evidence of their use as a highway or trail and that are not included as such on the sworn certificate of the description and measurement of town highways filed with the town clerk on February 10 of that year pursuant to subsection (b) of this section. For the purposes of this section, a town highway shall be deemed to be included on the sworn certificate of the description and measurement of town highways if:

(1) a petition has been filed with the legislative body by persons who are either voters or landowners, and whose number is at least five percent of the voters in a municipality desiring to include that town highway on the sworn certificate of the description and measurement of town highways, prior to the vote taken under this subsection; or

(2) the legislative body has voted at an annual or special meeting duly warned for the purpose to include that town highway on the sworn certificate of the description and measurement of town highways, prior to the vote taken under this subsection.

(i)(1) Prior to a vote to discontinue town highways provided in subsection (h) of this section, the legislative body shall hold a public informational hearing on the question by posting warnings at least 30 days prior to the hearing in at least two public places within the municipality and in the town clerk's office. The notice shall include the most recently available map of all town highways prepared by the agency of transportation pursuant to subsection (g) of this section. At least 30 days prior to the hearing, the legislative body shall also deliver the warning and map together with proof of receipt or mail by certified mail, return receipt requested, to each of the following:

(A) The chair of any municipal planning commission in the municipality;

(B) The chair of a conservation commission, established under chapter 118 of Title 24, in the municipality;

(C) The chair of the legislative body of each abutting municipality;

(D) The executive director of the regional planning commission of the area in which the municipality is located; and

(E) The commissioner of forests, parks and recreation.

(2) The hearing shall be held within the 10 days preceding the meeting at which the legislative body will vote whether to discontinue all town highways as provided in subsection (h) of this section.

(j) The legislative body may designate a specific highway or portion thereof proposed to be discontinued as a trail, in which case the right-of-way shall be continued at the width provided for in section 702 of this title. A designation of a highway or portion thereof as a trail under the provisions of this section shall be in writing, setting forth a complete description of the highway or portion thereof so designated. For all highways not designated as a trail and discontinued pursuant to this section, title to the rights-of-way shall belong to the owners of the abutting lands. If the right-of-way is located between the lands of two different owners, it shall be returned to the lots to which it originally belonged, if they can be determined; if not, it shall be equally divided between the owners of the lands on each side. The legislative body shall return a report of its actions to the town clerk's office and the agency of transportation.

(k) A vote pursuant to subsection (h) of this section may be disapproved by a vote of a majority of the qualified voters of the municipality voting on the question at an annual or special meeting duly warned for the purpose pursuant to a petition that is:

(1) signed by not less than five percent of the qualified voters of the municipality; and

(2) presented to the legislative body or the clerk of the municipality within 44 days following the vote taken pursuant to subsection (h) of this section.

(l) When a petition is submitted in accordance with subsection (k) of this section, the legislative body shall call a special meeting within 60 days from the date of receipt of the petition or include an article in the warning for the next annual meeting of the municipality if the annual meeting falls within the 60-day period to determine whether the voters will disapprove the discontinuance of town highways as provided in subsection (h) of this section.

(m) No fewer than two copies of a notice that the legislative body has voted to discontinue all town highways as provided in subsection (h) of this section shall be posted at each polling place during the hours of voting, and copies thereof shall be made available to voters at the polls upon request.

(n) If a petition for an annual or a special meeting is duly submitted in accordance with this section to determine whether the vote of the legislative body to discontinue all town highways as provided in subsection (h) of this section shall be disapproved by the voters of the municipality, the discontinuance shall take effect on the conclusion of the meeting or at such later date as is specified in the discontinuance unless a majority of the qualified voters voting on the question at the meeting vote to disapprove the discontinuance, in which event it shall not take effect. (Added 1985, No. 269 (Adj. Sess.), § 1; amended 1995, No. 60, § 21a, eff. April 25, 1995; 2005, No. 178 (Adj. Sess.), § 2; 2007, No. 158 (Adj. Sess.), § 3.)



State of Vermont
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Agency of Transportation

Telephone: 802-828-2600
Fax: 802-828-2334
Email: johnathan.croft@state.vt.us

October 30, 2008

Steve Cottrell
Town of Windsor
PO Box 47
Windsor, VT 05089

Dear Mr. Cottrell,

I have received the documentation related to Moonrise Hill Road in Windsor. Based on what has been submitted, I have several questions and requests. The documentation supplied references Ascutney Hill Road, please confirm that Ascutney Hill Road was renamed to Moonrise Hill Road.

Please forward a copy of the plan entitled "Subdivision of Land for Joseph Marchand" dated September 3, 1985 and recorded Map Book 2, Number 41 (now Slide 40) in the Windsor records. This plan will provide detail to the description and location of this road.

The documentation shows the intent of this road to become a town highway through dedication and acceptance. There is documentation to show dedication by the land owners through deeds to the land, but there is limited documentation regarding the acceptance by the town. The Property Transfer Tax Return provides some documentation regarding acceptance. Please provide additional documentation from Selectboard minutes related to this road being accepted as Town Highway and if there are any Selectboard orders related to adding this road as a town highway.

What is the length in miles of Moonrise Hill Road that was accepted by the town? The documentation supplied provides the width to be 50 feet, but there is no information to provide length of the road.

Is the road is being added as a Class 3 Town Highway and is the road currently maintained to a Class 3 standard as defined in V.S.A. Title 19 § 302?

When reviewing Moonrise Hill Road in the Geographic Information System (GIS), I overlaid the Windsor Parcel data and the VTTrans road centerline data. The right of way for Moonrise Hill Road is not shown and if the road is currently held in fee simple, as shown on the Property Transfer forms, updates to the parcel data may be necessary.



Please find attached a print of the parcel data and the road centerlines.

Based on the documents received related to Moonrise Hill Road, there are some gaps that require additional information. If there is additional description of the questions posed above, or the information to be supplied, please do not hesitate to contact me. The information supplied provides part of the picture; we need to receive additional documentation before we can complete this process.

Sincerely,

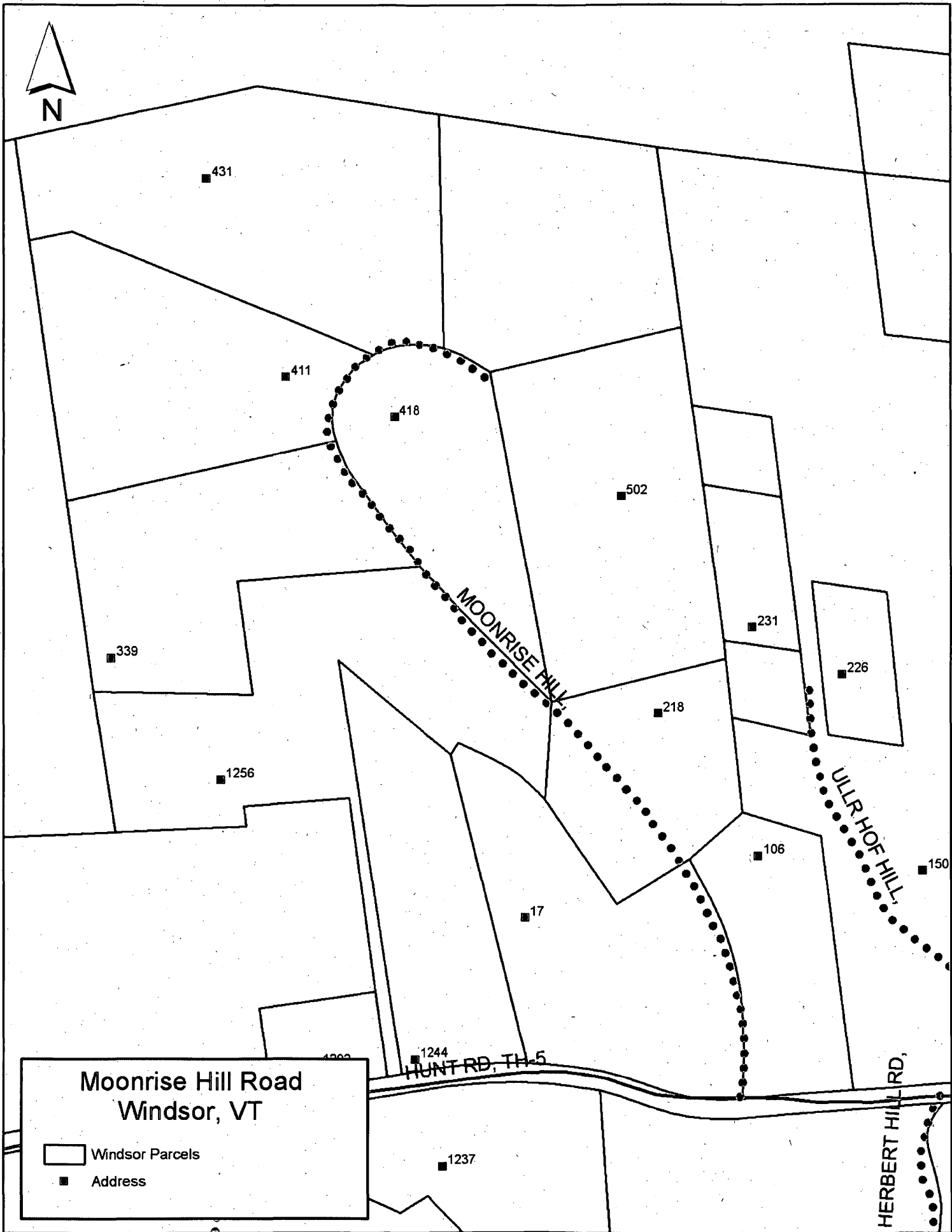


Johnathan Croft
AOT GIS Database Administrator
VTrans Mapping Unit

JFC/jfc

Enclosures

Cc: Gary Shelley – VTrans Operations
Trevor Star – District 4



**Moonrise Hill Road
Windsor, VT**

- Windsor Parcels
- Address

Ron Vezina

From: Pinkham, Kenneth [kenneth.pinkham@dhs.gov]
To: Ron Vezina
Cc: sjcotrell@windsor-vt.gov; Schelley, Gary; Costello, Frederick
Subject: 1790 VT, Town of Windsor, Moonrise Hill Road
Attachments:

Sent: Fri 10/17/2008 3:15 PM
Vermont
Agency of Transportation

OCT 3 0 2008

Policy & Planning Division

Mr. Vezina,

From information available to FEMA through the Vermont Agency of Transportation, Moonrise Hill Road is not shown as an accepted Town Road and apparently is not publicly owned as required by the Stafford Act. The Town's claim for damage on that road as identified as a Subgrant Application #83, prepared by Project Specialist Dave Wallace, is therefore ineligible for aid since the facility has not been shown to be owned by the Town.

If the Town has documentation to show they had taken over the road sometime prior to this damage event (July 12, 2008) and present this information to FEMA and the state prior to December 5, 2008, this issue may be reconsidered.

Sincerely,

Ken Pinkham, Public Assistance Project Coordinator 802-872-7224

SELECTBOARD MEETING
DECEMBER 28, 1993

Present: Selectboard members - W. Hochstin, J. Day, S. Nowlan, W. Paronto, R. Vezina; Dept Heads - R. Vivian; Town Manager - D. Battistoni; Press - P. Clifton-Waite, J. Evarts; Clerk - S. Gould; Public - W. A. Grosjean, S. Esty, W. Parry, J. Marchand, M. Bruce, K. Parry, J. Daignault and N. J. Simon.

Meeting was called to order at 7:01 P.M. by Chair Hochstin, who led in the Pledge of Allegiance.

Minutes of the Dec 14th meeting were accepted as presented on motion of Paronto, second of Day and so voted, Nowlan abstained. Minutes of the Dec 17th special meeting were accepted as presented on motion of S. Nowlan and second of R. Vezina and so voted.

M. Bruce requested an audience in Executive Session, to discuss contractual matters. Nowlan moved to allow this, seconded by Paronto and so voted.

AGENDA ITEM #1 Town take-over of Ascutney Hill Road. J. Marchand present to answer questions. Note from R. Vivian regarding the road states no inspection can be made from Nov 15 to May 1, one section approximately 30 feet long does not meet 24 foot width requirement, and permanent signs are not in place. A possibility exists of having the petitioners be responsible for any problems during the first year following Town take-over. Vezina moved to table until R. Vivian could be present to answer for the Town highway department, seconded by Paronto and so voted.

OLD BUSINESS (W. Paronto abstained from participating) Vezina moved to pay the legal fees incurred by Paronto in regards to the Ethics Committee hearings, seconded by Day. Nowlan stated her position in voting against payment, feeling an attorney was not necessary. Day stated he was changing his vote on advise of legal counsel, feeling the added burden of fighting the payment would be more than the Town could afford. Vezina stated even though he was new to the Board, he felt the matter should be put behind us. Hochstin stated his position that the advise of attorneys, both VLCT and Town, should not be ignored. He reminded the Board that at the last meeting it was requested that a memo go out from the Town Manager stating that all requests for legal advice should be channeled through that office. Motion passed, with Nowlan voting no and Paronto abstaining.

A discussion of policy regarding the hiring of an attorney followed. It was decided that the Town Manager should the existence of a policy for the Town. Nowlan suggested that all new members to the Board should review policies.

APPOINTMENTS None

BOARD MEMBER COMMENTS Paronto - None; Day - None; Vezina stated he had misquoted, his taxes didn't go up \$400.

Hochstin brought several matters to the Board's attention:

There will be a hearing of the Vermont Environmental Board in the Windsor Selectboard Chambers on Jan 18 at 1:30 to 3:30 P.M. regarding the Act 250 permit for Kelly Green Recycling. He recommended that W. Townsend be requested to attend to correct any misinformation from F. Anthony.

He received a survey form from and recommended that it be answered by Town Manager. He also recommended that the Town acquire 5 copies of the VLCT Handbook for Selectboard members and a Directory of Vermont Selectboard members, to be given to Board members after March 1, 1994.

A letter from the Vt Agency of Transportation advising of a seminar to be held on Feb 2, 1994. He suggested that the Town Manager and R. Vivian of Highway Dept. attend.

He presented a letter from VLCT requesting support for the Town of Danville which is being sued in the Supreme Court for establishing a Traffic Court. Consensus of the Board was to support the Town of Danville.

Regarding the budget, he stated that the Town of Springfield was requesting a line item in their budget for the County Budget.

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AGENDA ITEM #1 R. Vivian arrived and the take-over of Ascutney Hill Road was brought up for discussion. Day moved to accept the take-over, seconded by Vezina. Vivian went over the problems he had outlined in his written report. Marchand stated there were 8 taxpayers on the road, and he felt they had done all they could at this time to meet the required specifications for take-over. Any conditions not met would be corrected in the spring. Vezina asked if any of the residents were opposed to the Town take-over and was told no. Motion was defeated, with Nowlan abstaining. Marchand was told that the take-over would most likely be approved if all requirements were met.

MANAGER'S COMMENTS Battistoni told the Board he had received a call from Will Hunter, attorney for A. Bacon. They were unable to attend this meeting but would be scheduled as an agenda item for the Jan 11 meeting.

He stated he had received a letter from Historic Windsor, Inc., which denies the request for waiver of Section 2.2 of the lease. This is the section which holds the Town responsible for any expenditures for the building.

He also had a letter from the VT Agency of Transportation, requesting approval of the Selectboard regarding the deed of 6.5+ acres from C. Prevo to the State. This will also be an agenda item for the next meeting.

He requested the signatures of the Board members on a lien of \$889.20 against H-Our Mart by the Town.

Battistoni reminded the members of the budget meetings which will begin tomorrow, Dec 29 at 6:30 P.M.

Motion was made by Day, seconded by Vezina, to sign orders and take a 5 minute break. So voted at 8:05 P.M.

Motion to enter Executive Session for Contractual matters was made by Day, seconded by Vezina and so voted at 8:18 P.M.

Motion to exit Executive session was made at 9:17 P.M. by Paronto, seconded by Nowlan and so voted.

A letter from the Listers, signed by W. Flanagan and M. Bruce, requesting the Reappraisal be set aside was accepted and tabled for an emergency meeting ASAP on motion of Vezina and second of Paronto and so voted.

Motion to adjourn was made by Paronto, seconded by Vezina and so voted at 9:20 P.M.

Respectfully submitted,



Sherrill Gould
Clerk

SELECTBORAD MEETING

Tuesday, September 13, 1994

6:30 P.M.

Present: Selectboard Members Hochstin, Nowlan, Grano, Minard, Vezina; Town Manager Battistoni, Atty. Rounds, Atty English, Employees D. Duling, S. Gould, R. Vivian, B. Shaban, W. Parry, L. Grace, Citizens, A. Grosjean, S. Estey, H. Northrup, D. Hall, D. Stein, W. Lowery, J. Schumacher, B. Mesropian, M. Quinn, W. Southard, D. Ewald, M. Levesque.

Chairman opened the meeting at 6:30 p.m. Nowlan moved to enter executive session to discuss pending litigation. Minard seconded. All voting in favor. Grano moved to exit executive session at 6:55 p.m. with Vezina seconding. All voting in favor.

Regular Meeting

Chairman Hochstin opened the meeting at 7:00 p.m. with the Pledge of Allegiance and discussed the meeting format. He explained that after discussing it with VLCT, the Citizen Comments section of the agenda would be the only place for public comment. Agenda items are to conduct the business of the town and only those involved in the topic would be allowed to speak.

AMEND/APPROVE MINUTES OF PREVIOUS MEETING - Nowlan moved to approve the August 17th minutes. Vezina seconded all voting in favor. Minard moved to approve the August 24th minutes, Grano seconded with all voting in favor.

CITIZEN COMMENTS - Grosjean expressed discontent with the new meeting format. Northrup asked who the Board had spoken with at VLCT. Vezina explained that he had spoken to the League. Northrup questioned the price of copies being charged by the Town. Manager to investigate the pricing. Hochstin said they will continue to use Roberts Rules of Order. Schumacher asked for the status of the Tuck School Study for Windsor. Hochstin explained that they would be beginning in Sept. to do a 5 year financial plan including Schools, Town, Infrastructure. Groups in the community will gather information for the Tuck School to study. Schumacher asked if a scope of the study is available and Hochstin said he had only his letter written to the school explaining our needs. The study should be finished in December in time for budgeting. D. Stein felt he does not have enough information on agenda items to discuss prior to the Board's discussion, Vezina suggested more information be included in the agenda item explanation, Grano expressed the Boards desire to execute the business they were elected to do, Nowlan said Stein could speak on any item on the agenda under citizen comments. Stein then expressed his concerns about the proposed removal of picnic tables on Pumping Station Road. Hochstin explained that abutting land owners had complained of their placement. Hochstin did not recall the Commission requesting permission to place them and felt they encouraged unintended uses in the well head protection area. D. Hall, R. Luntz, and D. Ewald felt there should not be restricted use of the area and that the change would prevent the scientific research now being done by students. Hochstin explained that no restricted use is intended. The intent is to deter "dallying" in the area of the well head. No changes in use are intended. M. Quinn said he was only there to answer questions if necessary. Nowlan suggested that the Paradise Park Commission be given the job of researching the problem and presenting the results to the Board. Quinn explained he has legal opinions on permitted and non-permitted uses in the area if clarification is needed. Northrup then asked the Board if they would answer questions put to them in writing. None of the Board had a problem with responding to written inquiries.

ITEM #1 - Renewal of Bank Line of Credit - Town Treasurer. Gould asked the Board to renew the \$350,000 note for another two months. Nowlan made a motion to renew the \$350,000 for two months, Vezina seconded. Vezina asked if any could be paid down, Gould said only the interest at this time. Hochstin asked about the delinquent list and about the process of tax sales. Treasurer said list totalled about \$700,000 and that the Treasurer recommended those properties for tax sale. Hochstin said a Town Tax Sale Policy should be created and published for all to read. After some discussion on delinquencies, the Board voted unanimously in favor of signing the note.

ITEM #2 - Review of Errors & Omissions - Listers. D. Duling requested the approval of the \$44,920 in reductions in the amount of the Grand List as a result of errors and omissions. Nowlan moved to approve the reduction, Grano seconded. All in favor.

ITEM #3 - Update of Club Vesque Activities - M. Levesque. Hochstin had received a letter from R. Knox suggesting more involvement by the Recreation Department. Hochstin said that would be difficult at this time with the present staff. Levesque said there is a need for more volunteers and that the building should be used more for videos, meetings, a recreation office etc. Levesque said donations from private individuals have been received and that the business community will be asked to contribute as well. He said that the townspeople seem to be behind the idea of the Club. He asked if the Board could alleviate the taxes on the center. The taxes have gone from \$500 to \$1,000. Hochstin said that the board did not have that power but that it could be put on the warning for the March Town Meeting.

ITEM #4 - Status Report on Ascutney View Road Work - R. Farnsworth and R. Vivian. Vivian said that Mr. Marchand had come in compliance with the Town's road takeover policy. The Deed of Dedication is being drawn up by Mr. Marchand and when that is received action can be taken. Manager Battistoni said that a one year warrantee period on the road's stability would commence when the deed was received. No formal action was taken on this issue.

ITEM #5 - Review of Permitted Uses of Paradise Park (tabled from 7/26/94 meeting). A. Evarts letter was passed to all interested parties. Hochstin explained Evarts' objections in the change in use without permission of the Board. Hochstin said he has seen parties and called the police. Even though it is not an every day occurrence he felt it is not an appropriate activity for the area. Fears of fire, dumping and some irreparable damage to the well head area may occur. He is only suggesting the tables and trash cans be removed to discourage loitering. Minard felt there was not significant enough activity to warrant removal of them and that they serve a purpose. Some suggested that the police patrol the area more. After further discussion Nowlan moved to submit the problem to the Commission for a recommendation to the Selectboard. Vezina seconded. All in favor.

ITEM #6 - WIC request - D. Allen. D. Allen, President of Windsor Improvement Corporation asked the Town to take over the lights, maintenance of lawn area and insurance for the common land in the industrial park. He said he has approached the park property owners about forming a park association and they are not willing. The cost of these expenses is about \$1,650 and they feel it should be part of their taxes. Hochstin asked about the insurance. Allen explained it was liability insurance. Hochstin explained that the town insurance could only cover WIC if WIC came under control of the Selectboard. Hochstin asked about the common land. Allen said he felt this was town land. Hochstin said these issues would have to be investigated before action is taken. Hochstin said he would like to set up a meeting between the WIC Board and the Select Board to discuss the issue.

ITEM #7 - Sewer Allocation - J.B. Fabricare. Nowlan moved to approve the sewer allocation requested by J.B. Fabricare. Minard seconded. All in favor. Sewer Allocation - Windsor Rebar. Grano moved to approve 300 GPD to Windsor Rebar. Vezina seconded. All in favor.

ITEM #8 - Town License Request - Cavern Restaurant. Nowlan moved to approve the Restaurant License for the Cavern. Vezina seconded. All in favor. So voted and signed.

OLD BUSINESS - Hochstin explained he had already talked about the Tuck School Study. Said VLCT was having an instructional seminar on Municipal Court System. Suggested all should go. Said our ordinances must be reviewed and class each as civil or criminal cases and establish fines. Hochstin suggested all go including the Town Attorney. Hochstin said the Main Street Paving Project was delayed slightly but hoped it would happen before winter. Vezina and Minard had met with abutter of the Weeden Hill Power Line project. Said that questions of Act 250 and Act 248 would hold the project up until 1995 or 1996. CVPS is considering an alternative route. They are waiting for more information. Grano expressed concern that Mr. Bacon had not done anything to clean up his property. Thought that Bacon may be our first Municipal Court Case.

APPOINTMENTS - Hochstin said that a new WASTE Board appointee may be necessary. Vezina nominated Grano and Nowlan seconded that nomination should it be necessary to reappoint. All in favor.

BOARD MEMBERS' COMMENTS - Hochstin discussed the Clough Avenue garage that is being built. Suggested that the Board intervene to mediate and divert legal action. Suggested that two members go to the Public Hearing on Sept. 19th if the parties agreed to discuss. Vezina asked for a brief explanation of the situation. Rounds said that abutting land owners were challenging the building of a garage on Clough Ave. The permit was obtained in 1988 and not many conditions were placed in the permit. If there are no conditions in the permit, there would be no ability to enforce the permit by law. The Board suggested that Grano and Hochstin go to the Monday meeting if the parties involved agree. Minard and Nowlan spoke about Festival Windsor and thanked those involved. Nowlan said she had heard complaints about the legal bills but felt they were necessary. Vezina spoke on behalf of Project Graduation. Hochstin spoke about the Dangerous Buildings Ordinance concerning an abandon house on 170 State St. Said action would be taken at the next Board meeting.

TOWN MANAGER'S COMMENTS - Battistoni said it appeared Bacon was moving things to Rt. #5 South as a new location of his possessions. Grano concerned that adequate fire protection is not available to Mr. Bacon. Manager then explained that a trailer obtained in a tax sale by the town may be used as a training exercise for the Fire Department. Manager said the Green Mountain Marble Building will be used by the Post Office for six months or longer. Manager asked if anyone interested in going to Town Fair. Manager said he had correspondence from D-H that digester repair would begin. It was the consensus of the Board to begin the repairs as soon as possible.

SIGNING ORDERS - Nowlan moved to sign the orders, Vezina seconded. All in favor. So voted.

After discussion of whether to enter executive session and Mr. Lowery agreeing to discuss the proposed agreement in open session the Board discussed the issue. Hochstin said they had been discussing a Water Rights agreement with Mr. Lowery in the area of Juniper Hill. Lowery has land close to our existing aquifer. Two test wells were drilled at a cost to the Town of \$2,500. They are now discussing the purchase of the land. The wells currently produce 30 gallons per minute and if a hole were

reamed could double to 50-60 GPM. They could drill further or drill another well. Hochstin said the elevation is good and the properties in the area could be gravity fed saving on electrical costs. This would also provide another source of water for Windsor. A draft agreement was drawn up. They will have until March 31, 1995 to decide if they want the property. No price has been set for the 8 acres. Lowery said he would want what he has into it and that no water user fees be charged to him or his family if they build nearby. A six month option on the property for consideration of six months of taxes is being considered. The property is adjacent to Paradise Park. Lowery would want the Town to pay the taxes on the property for as long as the property is tied up by the town. Question was asked if there is a possibility of more water. Rounds said Well Head Protection needs to be determined. Juniper Hill Inn and the Carter/Gilman Property could benefit from this purchase. Mr. Lowery also suggested the purchase price be the currently appraised value of the property. The Vermont Land Trust might aid with the purchase of the land.

Nowlan moved that the Board authorize the Town Manager to sign the agreement with Lowery subject to an amendment satisfactory to the Town Attorney to provide insurance coverage for any claims. Grano seconded. There was much discussion concerning Lowery's liability during the option agreement period. Rounds agreed to investigate a way to provide protection either through a rider on the town's policy or in the option agreement. Motion voted on in the affirmative unanimously.

Vezina moved to go into executive session at 9:55 PM to discuss Pending Litigation, Contractual Matters and Personnel. Nowlan seconded. In discussion Hochstin felt premature general public knowledge would clearly place the town or individuals involved at a substantial disadvantage. All voted in favor.

Motion to exit executive session at 10:57 p.m. by Nowlan, seconded by Vezina. All voting in favor.

Motion was made by R. Minard seconded by N. Grano that the proposed legal settlement between the town and Herald Associates be approved and to authorize Richard English, Esq. to sign the settlement document. In addition, the Selectboard agrees to proceed to amend Title 14 of the Vending Machine Ordinance. Voted unanimously in the affirmative.

Hochstin then referenced the job performance of the Town Manager and the salary study of eleven area towns done in January, 1994. Motion made by S. Nowlan seconded by R. Vezina to extend the contract of the Town Manager for two years, from July 1, 1994 to July 1, 1996. That a one year extension be offered for consideration by July 1, 1995. Salary to be \$47,100 retroactive to July 1, 1993. All other terms and conditions to remain unchanged. Unanimously voted in the affirmative.

With no further business, Vezina moved to adjourn at 11:02 p.m., seconded by Grano. All voting in favor.



Lynn Grace, Clerk

WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS, That WE, STEWART L. STRYKER and JANET STRYKER; JONATHAN D. WEIDMAN and VANESSA M. WEIDMAN; JOSEPH MARCHAND and SUSAN MARCHAND; EDWARD A. CAIN; JEAN D. SALTMARSH, surviving spouse of DONALD W. SALTMARSH; JEANNE J. ROBISON and HERBERT D. ROBISON; BLANCHE M. LAVOIE and BONNIE J. BOLLMAN; GEORGE L. VREDENBURG and KIM J. VREDENBURG; and BRUCE A. MCCUMBER and ELIZABETH H. DOWNS; for consideration paid, grant to TOWN OF WINDSOR, VERMONT of Windsor, County of Windsor and State of Vermont does freely Give, Grant, Sell, Convey and Confirm unto the said Grantee, TOWN OF WINDSOR, VERMONT, and its heirs and assigns forever, with WARRANTY COVENANTS to the said TOWN OF WINDSOR, VERMONT, its heirs and assigns forever, the following described premises:

A certain piece of land located in Windsor, in the County of Windsor and the State of Vermont, described as follows, viz:

Granting the 50' wide right of way shown as Ascutney Hill Road on the Plan entitled "Subdivision of Land for Joseph Marchand" dated September 3, 1985 and recorded at Map Book 2, Number 41 (now Slide 40) of the Town of Windsor, Vermont Land Records. This parcel is more particularly described as follows:

Beginning at the intersection of Hunt Road and the 50' wide right of way known as Ascutney Hill Road as shown on said plan and terminating at the turnaround as agreed upon and approved by the Town of Windsor Department of Public Works. (Said terminus is located on the right-of-way just westerly of the southwesterly boundary of Lot 7 on said Plan).

WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS, That WE, STEWART L. STRYKER and JANET STRYKER; JONATHAN D. WEIDMAN and VANESSA M. WEIDMAN; JOSEPH MARCHAND and SUSAN MARCHAND; EDWARD A. CAIN; JEAN D. SALTMARSH, surviving spouse of DONALD W. SALTMARSH; JEANNE J. ROBISON and HERBERT D. ROBISON; BLANCHE M. LAVOIE and BONNIE J. BOLLMAN; GEORGE L. VREDENBURG and KIM J. VREDENBURG; and BRUCE A. MCCUMBER and ELIZABETH H. DOWNS; for consideration paid, grant to TOWN OF WINDSOR, VERMONT of Windsor, County of Windsor and State of Vermont does freely Give, Grant, Sell, Convey and Confirm unto the said Grantee, TOWN OF WINDSOR, VERMONT, and its heirs and assigns forever, with **WARRANTY COVENANTS** to the said TOWN OF WINDSOR, VERMONT, its heirs and assigns forever, the following described premises:

A certain piece of land located in Windsor, in the County of Windsor and the State of Vermont, described as follows, viz:

Granting the 50' wide right of way shown as Ascutney Hill Road on the Plan entitled "Subdivision of Land for Joseph Marchand" dated September 3, 1985 and recorded at Map Book 2, Number 41 (now Slide 40) of the Town of Windsor, Vermont Land Records. This parcel is more particularly described as follows:

Beginning at the intersection of Hunt Road and the 50' wide right of way known as Ascutney Hill Road as shown on said plan and terminating at the turnaround as agreed upon and approved by the Town of Windsor Department of Public Works. (Said terminus is located on the right-of-way just westerly of the southwesterly boundary of Lot 7 on said Plan).

The intention of this deed is to grant to the Town of Windsor, Vermont that portion of the right-of-way above-described for the purpose of making that portion of the right-of-way above-described of Ascutney Hill a Town Road.

TO HAVE AND TO HOLD said granted premises with all the privileges and appurtenances thereof, to the said Grantee, TOWN OF WINDSOR, VERMONT, and its heirs, successors, administrators and assigns, to their own use and behoof forever;

and We the said grantors, STEWART L. STRYKER and JANET STRYKER; JONATHAN D. WEIDMAN and VANESSA M. WEIDMAN; JOSEPH MARCHAND and SUSAN MARCHAND; EDWARD A. CAIN; JEAN D. SALTMARSH, surviving spouse of DONALD W. SALTMARSH; JEANNE J. ROBISON and HERBERT D. ROBISON; BLANCHE M. LAVOIE and BONNIE J. BOLLMAN; GEORGE L. VREDENBURG and KIM J. VREDENBURG; and BRUCE A. MCCUMBER and ELIZABETH H. DOWNS, for ourselves and our heirs, successors, executors and administrators, do covenant with the said Grantee, TOWN OF WINDSOR, VERMONT, that until the ensealing of the presents We are the sole owners of the premises and have good right and title to convey the same in manner aforesaid, that they are free from every encumbrance; except municipal taxes and assessments, which are a lien, though not yet determined as to the amount and which taxes and municipal assessments are assumed by the grantees herein and they shall hold the grantors herein harmless therefrom; and except as aforesaid; and I hereby engage to **WARRANT AND DEFEND** the same against all lawful claims whatever, except as aforesaid.

DATED this FIFTEENTH day of MARCH, 1995

Francis W Woods
Witness

Edward A Cain
Edward A. Cain

[Signature]
Witness

State of MASS.
County of PLYMOUTH

MARCH 15, 1995

Personally appeared, Edward A. Cain, known to me, or satisfactorily proven, to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he executed the same for the purposes therein contained.

Before me, Charlotte V. Griswold
Notary Public/~~Justice~~
~~of the Peace~~

CHARLOTTE V. GRISWOLD
NOTARY PUBLIC
My Commission Expires Feb. 2, 2001

100

DATED this 21st day of February, 1995

BW + h
Witness

Jean D. Saltmarsh
Jean D. Saltmarsh
Jean D. Saltmarsh

Witness

State of Vermont
County of Windsor

February 21, 1995

Personally appeared, Jean D. Saltmarsh, known to me, or satisfactorily proven, to be the person whose name is subscribed to the foregoing instrument, and acknowledged that she executed the same for the purposes therein contained.

Before me: Margaret J. Prain
Notary Public/Justice
of the Peace

Commission Expires 2-10-99

DATED this 28th day of February, 1995

Michelle A. Boutwell
Witness to both

Jonathan D. Weidman
Jonathan D. Weidman

Witness to both

Vanessa M. Weidman
Vanessa M. Weidman

State of New Hampshire
County of Sullivan

Feb 28, 1995

Personally appeared, Jonathan D. Weidman and Vanessa M. Weidman, known to me, or satisfactorily proven, to be the persons whose names are subscribed to the foregoing instrument, and acknowledged that they executed the same for the purposes therein contained.

Before me,

Michelle A. Boutwell
Notary Public/~~Justice~~
of the Peace

MICHELLE A. BOUTWELL, Notary Public
My Commission Expires May 26, 1997

DATED this 21 day of March, 1995

Clair Kurlander
Witness to both

Bruce A. McCumber
Bruce A. McCumber

Clair Kurlander
Witness to both

Elizabeth H. Downs
Elizabeth H. Downs

State of Vermont
County of Windsor

March 21, 1995

Personally appeared, Bruce A. McCumber and Elizabeth H. Downs, known to me, or satisfactorily proven, to be the persons whose names are subscribed to the foregoing instrument, and acknowledged that they executed the same for the purposes therein contained.

Before me, Margaret L. Puring
Notary Public/Justice
of the Peace

MY COMMISSION EXPIRES
FEBRUARY 10th, 1999

DATED this 15th day of February, 1995

Blanche M. LaVoie
Witness to both

Blanche M. LaVoie
Blanche M. LaVoie

Sherrill L. Gould
Witness to both

Bonnie J. Bollman
Bonnie J. Bollman

State of Vermont
County of Windsor

Feb 15, 1995

Personally appeared, Blanche M. LaVoie and Bonnie J. Bollman, known to me, or satisfactorily proven, to be the persons whose names are subscribed to the foregoing instrument, and acknowledged that they executed the same for the purposes therein contained.

Before me, Sherrill L. Gould
Notary Public/~~Justice~~
of the Peace
Comm Exp 2-10-95

DATED this _____ day of February, 1995

Lisana W Allen
Witness to both

Jeanne J. Robison
Jeanne J. Robison

Clayton Chase
Witness to both

Herbert D Robison
Herbert D. Robison

State of Vermont
County of Windsor

February 17, 1995

Personally appeared, Jeanne J. Robison and Herbert D. Robison, known to me, or satisfactorily proven, to be the persons whose names are subscribed to the foregoing instrument, and acknowledged that they executed the same for the purposes therein contained.

Before me, Lisana W Allen
Notary Public/Justice
of the Peace

Com Exp 2/10/99

DATED this 14 day of February, 1995

[Signature]
Witness to both

[Signature]
Stewart L. Stryker

Witness to both

[Signature]
Janet Stryker

State of Vermont
County of Windsor

Feb 14, 1995

Personally appeared, Stewart L. Stryker and Janet Stryker, known to me, or satisfactorily proven, to be the persons whose names are subscribed to the foregoing instrument, and acknowledged that they executed the same for the purposes therein contained.

Before me, [Signature]
Notary Public/Justice
of the Peace

DATED this 6th day of FEBRUARY, 1995

[Signature]
Witness to both

[Signature]
Joseph Marchand

[Signature]
Witness to both

[Signature]
Susan Marchand

State of VERMONT
County of WINDSOR

FEBRUARY 6, 1995

Personally appeared, Joseph Marchand and Susan Marchand, known to me, or satisfactorily proven, to be the persons whose names are subscribed to the foregoing instrument, and acknowledged that they executed the same for the purposes therein contained.

Before me, [Signature]
Notary Public/Justice
of the Peace
MY COMMISSION EXPIRES 2/10/95

DATED this 16th day of March, 1995

Jean E. Stead
Witness to both

George L. Vredenburg
George L. Vredenburg

Jean E. Stead
Witness to both

Kim J. Vredenburg
Kim J. Vredenburg

State of Rhode Island
County of Washington

Mar. 16, 1995

Personally appeared, George L. Vredenburg and Kim J. Vredenburg, known to me, or satisfactorily proven, to be the persons whose names are subscribed to the foregoing instrument, and acknowledged that they executed the same for the purposes therein contained.

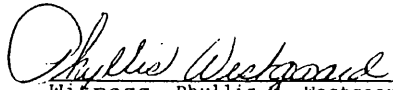
Before me, Carel J. Hall
Notary Public/Justice
of the Peace
com. exp 7/21/95


PARTIAL RELEASE OF MORTGAGE


Norwest Mortgage ~~XXX~~, Inc., holder of a mortgage from Jonathan D. Weidman and Vanessa M. Weidman to Statewide Funding Corporation dated April 30, 1993 and recorded at Book 102, Page 446 and assigned to Prudential Home Mortgage Co. by assignment dated October 14, 1993 and recorded in Book 104, Page 41, hereby releases that portion of the mortgage premises described as Ascutney Hill Road as shown on the Plan entitled "Subdivision of Land for Joseph Marchand" dated September 3, 1985 and recorded at Map Book 2, Number 41 (now Slide 40) of the Town of Windsor, Vermont Land Records from said mortgage. The remainder of the mortgage remains in full force and effect regarding the remainder of the premises described in said mortgage. The purpose of this partial release is to dedicate the 50' wide Right-of-Way known as Ascutney Hill Road as a Town Road.

Dated this 22nd day of June, 1995.

Norwest Mortgage ~~XXX~~, Inc.


Witness Phyllis A. Westgaard

By: 
Its Asst. Secretary

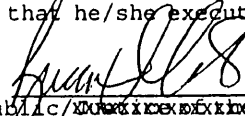

Witness Erik P. Goddard

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

State of Minnesota
County of Hennepin

June 22, 1995

Personally appeared, Kathryn L. Revord, Asst. Secretary of Norwest Mortgage ~~XXX~~, Inc., duly authorized, known to me, or satisfactorily proven, to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he/she executed the same for the purposes therein contained.

Before me, 
Notary Public / ~~Notary Public~~



PARTIAL RELEASE OF MORTGAGES

Digital Employees Federal Credit Union, holder of two mortgages from Stewart L. Stryker and Janet Stryker to Digital Employees Federal Credit Union dated September 1, 1993 and recorded in Book 103, Page 402 and dated September 30, 1994 and recorded in Book 106, Page 336, hereby releases that portion of the premises described as 50' wide Right-of-Way known as Ascutney Hill Road, Windsor, Windsor County, Vermont from said mortgages. The mortgages remains in full force and effect regarding the remainder of the premises described in said mortgages. The purpose of this partial release is to dedicate the 50' wide Right-of-Way known as Ascutney Hill Road as a Town Road.

Dated this 27 day of June, 1995.

Digital Employees Federal Credit Union

Amy Giacullo
Witness

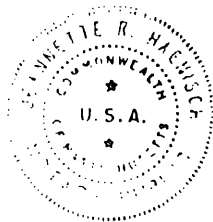
By: Eileen A. Galligan
Its Mortgage Operation Manager

State of Massachusetts
County of Middlesex

June 27, 1995

Personally appeared, Eileen A. Galligan, Mortgage Operation Manager of Digital Employees Federal Credit Union, duly authorized, known to me, or satisfactorily proven, to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he/she executed the same for the purposes therein contained.

Before me, Jeannette R. Haenisch
Notary Public/Justice of the Peace



JEANNETTE R. HAENISCH
NOTARY PUBLIC
MY COMMISSION EXPIRES JUNE 28, 1996

PARTIAL RELEASE OF MORTGAGE

Claremont Savings Bank, holder of a mortgage from Bruce A. McCumber and Elizabeth H. Downs to Claremont Savings Bank dated April 7, 1989 and recorded in Book 93, Page 12 hereby releases that portion of the premises described as 50' wide Right-of-Way known as Ascutney Hill Road, Windsor, Windsor County, Vermont from said mortgage. The mortgage remains in full force and effect regarding the remainder of the premises described in said mortgage. The purpose of this partial release is to dedicate the 50' wide Right-of-Way known as Ascutney Hill Road as a Town Road.

Dated this 7th day of April, 1995.

Claremont Savings Bank

Katherine L Dexter
Witness

By: Sally A. Asanowicz
Its Asst. Vice President

State of New Hampshire
County of Sullivan

April 7, 1995

Personally appeared, Sally A. Asanowicz of Claremont Savings Bank, duly authorized, known to me, or satisfactorily proven, to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he/she executed the same for the purposes therein contained.

Before me, Daniel K. Hood
Notary Public/Justice of the Peace

My Commission Expires June 13, 1995

PARTIAL RELEASE OF MORTGAGE

Vermont Federal Bank, holder of a mortgage from Herbert D. Robison and Jeanne T. Robison to Vermont Federal Bank dated August 7, 1986 and recorded in Book 85, Page 278 hereby releases that portion of the premises described as 50' wide Right-of-Way known as Ascutney Hill Road, Windsor, Windsor County, Vermont from said mortgage. The mortgage remains in full force and effect regarding the remainder of the premises described in said mortgage. The purpose of this partial release is to dedicate the 50' wide Right-of-Way known as Ascutney Hill Road as a Town Road.

Dated this 14th day of April, 1995.

Vermont Federal Bank

Eileen M. Blow
Witness Eileen M. Blow

By: Mary M. Pidgeon
Its Vice President

State of Vermont
County of Chittenden

April 14, 1995

Personally appeared, Mary M. Pidgeon, Vice President of Vermont Federal Bank, duly authorized, known to me, or satisfactorily proven, to be the person whose name is subscribed to the foregoing instrument, and acknowledged that ~~he~~/she executed the same for the purposes therein contained.

Before me, Eileen M. Blow
Notary Public ~~for the State of Vermont~~

PARTIAL RELEASE OF MORTGAGE

Vermont Federal Bank, holder of a mortgage from Blanche M. LaVoie and Bonnie J. Bollman to Vermont Federal Bank dated September 4, 1992 and recorded in Book 101, Page 69 hereby releases that portion of the premises described as 50' wide Right-of-Way known as Ascutney Hill Road, Windsor, Windsor County, Vermont from said mortgage. The mortgage remains in full force and effect regarding the remainder of the premises described in said mortgage. The purpose of this partial release is to dedicate the 50' wide Right-of-Way known as Ascutney Hill Road as a Town Road.

Dated this 14th day of April, 1995.

Vermont Federal Bank

Eileen M. Blow
Witness Eileen M. Blow

By: Mary M. Pidgeon
Its Vice President

State of Vermont
County of Chittenden

April 14, 1995

Personally appeared, Mary M. Pidgeon, Vice President of Vermont Federal Bank, duly authorized, known to me, or satisfactorily proven, to be the person whose name is subscribed to the foregoing instrument, and acknowledged that ~~he~~/she executed the same for the purposes therein contained.

Before me, Eileen M. Blow
Notary Public ~~State of Vermont~~

PARTIAL RELEASE OF MORTGAGE

Vermont National Bank, holder of a mortgage from Jean D. Saltmarsh and Donald W. Saltmarsh (now deceased) to Vermont National Bank dated July 22, 1993 and recorded in Book 103, Page 222 hereby releases that portion of the premises described as 50' wide Right-of-Way known as Ascutney Hill Road, Windsor, Windsor County, Vermont from said mortgage. The mortgage remains in full force and effect regarding the remainder of the premises described in said mortgage. The purpose of this partial release is to dedicate the 50' wide Right-of-Way known as Ascutney Hill Road as a Town Road.

Dated this 17th day of April, 1995.

Vermont National Bank

[Signature]
Witness

By: Floyd W. Turner
Its Assistant Vice President

State of Vermont
County of Windsor

April 17, 1995

Personally appeared, Floyd W. Turner, Assistant Vice President of Vermont National Bank, duly authorized, known to me, or satisfactorily proven, to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he/she executed the same for the purposes therein contained.

Before me, [Signature]
Notary Public/Justice of the Peace

Windsor, Vt Town Clerk's Office
Received for Record this 28th day of August A.D. 1995 at
9 o'clock 47 minutes A.M.

A True Copy. Attest:

[Signature]
Assistant Town Clerk

**VERMONT PROPERTY TRANSFER TAX
ACKNOWLEDGMENT**

Returned Receiver
(Including certificate and if required,
ACT 250 disclosure statement) and tax paid.

[Signature] Asst. Town Clerk

August 28, 1995

VERMONT DEPARTMENT OF TAXES
MONTPELIER, VERMONT 05602

9 V.S.A. Sec 2440(d)

A. THE PARTIES

1. SELLER (TRANSFEROR) NAME(S) Stewart L. Stryker Janet Stryker see attached continuation sheet	MAILING ADDRESS IN FULL - INCLUDING ZIP CODE Ascutney Hill Road, Windsor, VT. " " 05089	SOCIAL SECURITY NO. OR TAXPAYER IDENT. NO. [REDACTED]
2. BUYER (TRANSFeree) NAME(S) Town of Windsor	MAILING ADDRESS IN FULL - INCLUDING ZIP CODE Windsor, VT. 05089	SOCIAL SECURITY NO. OR TAXPAYER IDENT. NO. [REDACTED]

B. THE PROPERTY

3. PROPERTY LOCATION (Address in full)
50' Right of Way shown as Ascutney Hill Road, Windsor, VT.

4. DATE OF CLOSING
[REDACTED]

5. INTEREST IN PROPERTY

1. FEE SIMPLE
2. LIFE ESTATE
3. UNDIVIDED 1/2 INTEREST
4. UNDIVIDED ___% INTEREST
5. TIME-SHARE ESTATE
6. LEASE
7. EASEMENT
8. OTHER _____

6. FRONTAGE AND DEPTH
7. TOTAL ACREAGE

8. BUILDINGS ON PROPERTY AT THE TIME OF TRANSFER (CHECK ALL THAT APPLY).

1. NONE
2. FACTORY
3. HOUSE
4. CAMP/VACATION HOME
5. BARN
6. APARTMENT WITH (INSERT NUMBER) DWELLING UNITS
7. MOBILE HOME
8. CONDOMINIUM WITH (INSERT NUMBER) DWELLING UNITS
9. STORE
10. OTHER _____

CHECK WHETHER THE BUILDINGS WERE NEVER OCCUPIED PREVIOUSLY OCCUPIED

C. USE 9. PRIMARY USE OF PROPERTY BEFORE TRANSFER AS SHOWN IN GRANDLIST BOOK (CHECK ONE):

1. PRIMARY RESIDENCE
2. TIMBERLAND
3. OPERATING FARM
4. GOVERNMENT USE
5. COMMERCIAL
6. OPEN LAND
7. INDUSTRIAL
8. CAMP OR VACATION
9. OTHER road

10. PRIMARY USE OF PROPERTY AFTER TRANSFER (CHECK ONE):

1. PRIMARY RESIDENCE
2. TIMBERLAND
3. OPERATING FARM
4. GOVERNMENT USE
5. COMMERCIAL
6. OPEN LAND
7. INDUSTRIAL
8. CAMP OR VACATION
9. OTHER road

11. IS ANY PORTION OF THE LAND BEING CONVEYED SUBJECT TO A LIEN OR OTHER RESTRICTIONS UNDER CHAPTER 124 OF 32 V.S.A. (Agricultural, Forest, Farmland, Working Farmland Tax Abatement Use Value Appraisal Programs)? Yes No

D. EXEMPTION

12. IF TRANSFER IS EXEMPT FROM PROPERTY TRANSFER TAX, CITE EXEMPTION FROM INSTRUCTIONS AND COMPLETE SECTION ENTITLED "VALUE."

E. VALUE

13. TOTAL PRICE PAID \$ No consideration
14. PRICE PAID FOR PERSONAL PROPERTY \$ No consideration
15. PRICE PAID FOR REAL PROPERTY: IF LESS THAN FAIR MARKET VALUE, ENTER FAIR MARKET VALUE AND DESCRIBE THE CIRCUMSTANCES

F. PROPERTY TRANSFER TAX

16. TAX DUE: Enter amount from rate schedule on reverse side. COMPLETE RATE SCHEDULE FOR ALL TRANSFERS \$ 0

G. LAND GAINS TAX

17. DATE SELLER ACQUIRED _____
18. IF A VERMONT LAND GAINS TAX RETURN IS NOT BEING FILED, CITE EXEMPTION FROM INSTRUCTIONS: _____

(CONTINUE ON REVERSE SIDE)

TO BE COMPLETED BY TOWN OR CITY CLERK

TOWN/CITY Windsor	ACKNOWLEDGEMENT RETURN RECEIVED (INCLUDING CERTIFICATES AND, IF REQUIRED, ACT 250 DISCLOSURE STATEMENT) AND TAX PAID.	TOWN NUMBER
DATE OF RECORD August 28, 1995	SIGNED <i>[Signature]</i> Ass't. Town Clerk	
BOOK NUMBER 108	DATE August 28, 1995	
LISTED VALUE \$ MAP AND PARCEL NOS. 470008.K R-2		
GRAND LIST OF 19 95 (Part of larger parcel)		

1. Tax on Special Rate Property:

a. Value of purchaser's principal residence (not to exceed \$100,000) (See instructions) (b) \$ _____

b. Value of property enrolled in current use program (c) \$ _____

c. Value of qualified working farm (d) \$ 0

d. Add Lines 1(a), (b) and (c) (e) \$ 0.005

e. Tax rate (f) \$ 0

f. Tax due on Special Rate Property: multiply Line 1(d) by Line 1(e)

2. Tax on General Rate Property:

a. Enter amount from Line 15 on front of return 2. (a) \$ 0

b. Enter amount from Line 1(d) of Rate Schedule above (b) \$ _____

c. Subtract Line 2(b) from Line 2(a) (c) \$ 0

d. Tax rate (d) \$ 0.0125

e. Tax due on General Rate Property: multiply Line 2(c) by Line 2(d) (e) \$ 0

3. Total Tax Due:

Add Line 1(f) and Line 2(e) and enter on Line 16 on front of return 3. \$ _____

FLOOD AND SUBDIVISION REGULATIONS 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 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 subdivision regulations of the Agency of Natural Resources for the following reasons:

- This property is the subject of Subdivision Permit No. _____ and is in compliance with said permit, or
- This property and any retained parcel is exempt from the subdivision regulations because (see instructions for exemptions):
 - Parcel to be sold: Exemption Number _____ Number of acres _____
 - Parcel retained: Exemption Number _____ Number of acres _____

Sellers(s) further certify 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:

- This property is the subject of Act 250 Permit No. _____ and is in compliance with said permit, or
- This property is exempt from Act 250 because: (list exemption number from instructions) _____

E. That this transfer does/does not (strike one) result in a partition or division of land. Note: If it does, an Act 250 Disclosure Statement must be attached to this return before filing with the Town Clerk.

WITHHOLDING CERTIFICATION

This transfer is in compliance with or is exempt from Vermont income tax withholding for the following reason (Check one):

1. Seller(s) certify that, at the time of transfer, each seller was a resident of Vermont or an estate; or

2. Buyer(s) certify that the parties obtained withholding certificate no. _____ from the Commissioner of Taxes in advance of this sale; or

3. Buyer(s) certify that the buyer has withheld Vermont income tax from the purchase price and will remit it to the Commissioner of Taxes with Form REW-1 within 30 days from the transfer; or

4. Buyer(s) certify that this is a transfer without consideration between husband and wife, parent and child, or grandparent and grandchild, or a transfer without consideration which corrects or modifies a previously recorded transfer.

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(S)	DATE	BUYER(S) SIGNATURE(S)	DATE
			8/25/92
		TOWN MANAGER	

Preparer's Signature _____ Prepared by Witkus, Wilson & Weidman PC

Preparer's Address PO Box 5, Newport, NH 03773 Buyer's Representative Tom Rollins Tel. 674-26
(Print or Type)

Continuation Sheet to Vermont Property Transfer Tax Return

RE: Stryker et al to Town of Windsor

A. THE PARTIES (Continued)

1. SELLER (TRANSFEROR) NAME(S) MAILING ADDRESS IN FULL

SS #

Jonathan D. Weidman	Ascutney Hill Road, Windsor VT. 05089	
Vanessa M. Weidman	" 470008.L	" R-1
Joseph Marchand	" 470008.011	" R-1
Susan Marchand	" "	" "
Edward A. Cain	" 47008.I	" V-1
Jean D. Saltmarsh	" 47008.D	" R-2
Jeanne W. Robison	" 47008.N	" R-2
Herbert D. Robison	" "	" "
Blanche M. Lavoie	" 47008.Q	" R-2
Bonnie J. Bollman	" "	" "
George L. Vredenburg	" 470008.P	" R-2
Kim J. Vredenburg	" "	" "
Bruce A. McCumber	" 470008.H	" R-2
Elizabeth H. Downs	" "	" "

SSNs Redacted
 02/05/01
 V.S.A. Sec 2446(b)



BUYER(S) SIGNATURE(S) CONTINUED

DATE

<i>Jonathan D. Weidman</i>	
<i>Vanessa M. Weidman</i>	2-12-95
<i>Herbert D. Robison</i>	
<i>Jeanne W. Robison</i>	
<i>Blanche M. Lavoie</i>	2/13/95
<i>Bonnie J. Bollman</i>	2/13/95
<i>Janet Stryker</i>	2/13/95
<i>Edward A. Cain</i>	2/13/95
<i>Susan Marchand</i>	2-10-95
<i>Kim J. Vredenburg</i>	2/18/95
<i>Bruce A. McCumber</i>	2/18/95
<i>Elizabeth H. Downs</i>	2/19/95
<i>George L. Vredenburg</i>	3/13/95
<i>Kim J. Vredenburg</i>	3/13/95
<i>Elizabeth H. Downs</i>	4/1/95