

STATE OF VERMONT

EXECUTIVE DEPARTMENT

EXECUTIVE ORDER NO. 04-19

[Remove Portion of US Route 5 from Limited Access Facility]

WHEREAS, a certain portion of the state-owned highway known as US Route 5 located in the Town of Putney, County of Windham and State of Vermont, described more particularly below, is presently under the jurisdiction and control of the Agency of Transportation (VTrans); and

WHEREAS, this certain portion of US Route 5 and land surrounding it as described below is located within the boundaries of a Limited Access Facility, as defined in 19 V.S.A Chapter 17; and

WHEREAS, in 19 V.S.A §1702 a Limited Access Facility is defined as a highway or street over, from, or to which owners, or occupants of abutting land, or any other person have no right, or easement, or only a limited right, or easement, of access, light, air, or view by reason of the fact that their property abuts upon the limited access facility or for any other reason; and

WHEREAS, an abutting landowner, Putney Landing Apartments, wishes to construct a drive for access, ingress and egress for its property to and from US Route 5 within this certain portion of US Route 5 that is currently within the afore-mentioned Limited Access Facility; and

WHEREAS, VTrans has determined that this certain portion of US Route 5 as described below is no longer necessary for Limited Access Facility purposes; and

WHEREAS, VTrans desires to change the boundaries of the Limited Access Facility right-of-way to reduce the Limited Access to allow the abutting landowner, Putney Landing Apartments, to build and have access to a drive in the normal US Route 5 right-of-way; and

WHEREAS, the current Limited Access Facility right-of-way ends at stations 466+00 RT and 465+42 LT; and

WHEREAS, with the change of boundaries, the new Limited Access Facility right-of-way end stations will be 463+00 RT and LT.

NOW THEREFORE, I, Philip B. Scott, by virtue of the power vested in me as Governor of the State of Vermont, do hereby change, amend and modify the boundaries of the Limited Access Facility right-of-way to remove real property from the Limited Access Facility, described as follows:

Being part of the same land and premises conveyed to the State of Vermont, by Condemnation

Order for Transportation Project Brattleboro-Rockingham I 91-1 (8) dated June 5, 1959 and recorded in Book 35, Pages 156-170 of the Town of Putney land records and being more particularly described as follows;

Being a parcel of land, as shown on the plat entitled "State of Vermont Department of Highways Interstate Project in the towns of Brattleboro-Dummerston-Putney, The Clarkson Engineering Co., Inc, Consulting Engineers, Project No. I-91-1 (8) Sheet 67 of 530."

Parcel A: Beginning at a point in the easterly boundary of the present highway State Aid Road No. 2, 460 feet distant southerly, radially from the approximate survey station 968+69 of the established centerline of Highway Project Brattleboro-Rockingham I 91-1 (8); thence 1375 feet, more or less, northerly in said easterly highway boundary to a point in the believed property line between Roman Catholic Diocese of Burlington, Vermont and Esther T. and Homer E. Barton to a point 47 feet distant easterly, radially from approximate side line survey station 465+90 of said established centerline; thence 32 feet, more or less, easterly in said believed property line to a point 80 feet distant easterly, radially from approximate side line survey station 466+00 of said established centerline; thence 472 feet, more or less, southerly to a point 155 feet distant easterly at right angle from approximate side line survey station 461+00 of said established centerline; thence 100 feet, more or less, southerly to a point 260 feet distant northerly, radially from approximate survey station 966+79 of said established centerline; thence 540 feet, more or less, easterly to a point in the believed property line between Roman Catholic Diocese of Burlington, Vermont and Windham College, 365 feet distant northerly, radially from approximate survey station 971+68 of the established centerline; thence 160 feet, more or less, southerly in said believed property line to a point 214 feet distant northerly, radially from approximate survey station 971+48 of said established centerline; thence 214 feet, more or less, easterly in said believed property line to a point 257 feet distant northerly, radially from approximate survey station 973+44 of said established centerline; thence 738 feet, more or less, southeasterly to a point in the center of Sacketts Brook and in the believed between Roman Catholic Diocese of Burlington, Vermont and Congregational Church Society of Putney, 250 feet distant northerly, radially from approximate survey station 980+73 of said established centerline; thence 1,045 feet, more or less, southerly in said believed property line and in the center of Sacketts Brook, aforesaid, to a point 319 feet distant southwesterly, radially from approximate survey station 983+32 of said established centerline; thence 175 feet, more or less, northwesterly to a point 20 feet distant southwesterly, radially from survey station 982+00 of said established centerline; thence 972 feet, more or less, northeasterly to a point 150 feet distant southerly, radially from survey station 972+24 of said established centerline, thence 217 feet, more or less, easterly to a point 150 distant southerly, radially from survey station 970+0 of said established centerline; thence 200 feet, more or less, southeasterly to a point 216 feet distant southerly, radially from survey station 968+00 of said established centerline; thence 40 feet, more or less, southwesterly to a point 250 feet distant southerly, radially from survey station 967+85 of said established centerline; thence 137 feet, more or less, southeasterly to a point 375 feet distant southerly, radially from survey station 968+50 of said established centerline; thence 90 feet, more or less, southerly to the point of beginning. Said parcel to contain 8.5 acres, more or less.

Parcel B: Beginning at a point in the westerly boundary of the present highway, State Aid Road No. 2, 68 feet distant westerly, radially from side line survey station 462+30 of said established

centerline; thence 68 feet, more or less, northwesterly to a point 100 feet distant westerly, radially from survey station 462+87 of said established centerline; thence 255 feet, more or less, northerly to a point in the believed property line between Roman Catholic Diocese of Burlington, Vermont and land of State of Vermont, 77feet distant westerly radially from approximate side line survey station 465+32 of said established centerline; thence 44 feet, more or less, northeasterly in said believed property line to a point in the westerly boundary of the present highway, State Aid Road No.2, aforesaid, 34 feet distant westerly, radially from approximate side line survey station 465+42 of said established centerline; thence 322 feet, more or less, southerly in said westerly highway boundary to the point of beginning. Said parcel to contain 0.28 acre, more or less.

This Order shall take effect upon signing.



WITNESS my name hereunto subscribed and the Great Seal of the State of Vermont hereunto affixed at Montpelier this 9th day of July, 2019.

A handwritten signature in black ink, which appears to read 'Philip B. Scott'. The signature is written in a cursive style and is positioned above a horizontal line.

Philip B. Scott
Governor

By the Governor:

A handwritten signature in black ink, which appears to read 'Brittney L. Wilson'. The signature is written in a cursive style and is positioned above a horizontal line.

Brittney L. Wilson
Secretary of Civil and Military Affairs

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