

District 5, 6
 Certcode 0411-0

**CERTIFICATE OF HIGHWAY MILEAGE
 YEAR ENDING FEBRUARY 10, 2023**

Fill out form, make and file a copy with the Town Clerk, and submit the Mileage Certificate on or before February 20, 2023 to: Vermont Agency of Transportation, Division of Policy, Planning and Intermodal Development, Mapping Section via email to: aot.mileagecertificates@vermont.gov or if necessary via mail to: VTrans PPAID - Mapping Section, 219 North Main Street, Barre VT 05641.

We, the members of the legislative body of **RICHMOND** in **CHITTENDEN** 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.

Town Highways	Previous Mileage	Added Mileage	Subtracted Mileage	Total	Scenic Highways
Class 1	0.000				0.000
Class 2	15.630				0.000
Class 3	32.18				0.000
State Highway	14.327				0.000
Total	62.137				0.000
* Class 1 Lane	0.000				
* Class 4	3.11		0.30	2.81	0.000
* Legal Trail	0.83				

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

PART II - INFORMATION AND DESCRIPTION OF CHANGES SHOWN ABOVE.

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

2. **DISCONTINUED:** Please attach SIGNED copy of proceedings (minutes of meeting).
 -0.30 mi CL4 TH-20 (Palmer Rd) deemed to be private road by Chittenden Unit VT Superior Court 12/1/2022 Docket No. 21-CV03920

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: Place an X in the box and sign below.

PART III - SIGNATURES - PLEASE SIGN.

Signatures of Selectmen/ Aldermen/ Trustees: _____

Signature of T/C/V Clerk: _____ 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: _____
 Representative, Agency of Transportation

DATE: _____

STATE OF VERMONT

SUPERIOR COURT
CHITTENDEN UNIT

CIVIL DIVISION
DOCKET NO. 21-CV-03920

E. LAUCK and ELIZABETH PARKE,)
)
Plaintiffs,)
)
v.)
)
TOWN OF RICHMOND,)
)
Defendant.)

STIPULATED JUDGMENT ORDER

NOW COME the parties to the above-captioned matter, by and through their counsel of record, and hereby stipulate and agree that this Court may issue the following Judgment Order to resolve the above-captioned matter:

1. The case caption and the plaintiffs to this docket are amended to reflect the plaintiffs to this case as: E. Lauck Parke and Elizabeth H. Parke, Trustees of the E. Lauck Parke Revocable Trust and Elizabeth H. Parke and E. Lauck Parke, Trustees of the Elizabeth H. Parke Revocable Trust (hereinafter "Plaintiffs").
2. After a diligent search of its records, as well as the records of adjoining communities, the Defendant, Town of Richmond, cannot demonstrate that a Town highway (previously known and described as a portion of Town Highway #20 or a portion of the "Class 4 Segment of Williams Hill Road"), open to the public, was established over, through or adjacent to Plaintiffs' property at 1360 Williams Hill Road ("the Property"), as depicted in the image in Paragraph 4, below, by any of the methods recognized by Vermont law for establishing such a public highway.
3. Therefore, the Court DECLARES that the aforementioned Class 4 Segment of Williams Hill Road running over, through or adjacent to the Property, as described in Paragraph 3, above, and depicted in Paragraph 4, below, is not a Town highway. Plaintiffs own land over, through or adjacent to the highway at issue. The Town shall not interfere with Plaintiffs' ownership and control thereof absent first taking the steps required by law, and/or the federal and

Vermont constitutions, to obtain or acquire a legal or ownership interest therein.

4. The Town shall, within 30 days of the entry of this Stipulated Judgment Order, notify the VTrans mapping unit that the highway segment running over, through or adjacent the Property, described in Paragraphs 2 and 3, above, is not a Town highway and that it should be removed from the Official Town Highway Maps, in substantially this form:



5. To the extent that Plaintiffs sought relief in connection with their June 10, 2021, discontinuance request, that request, and the Richmond Selectboard's November 17, 2021, decision relative thereto, are moot.
6. Notwithstanding anything to the contrary in this Court's Decision on Motions to Dismiss, dated August 23, 2022, Plaintiffs shall not be required to join all other neighboring landowners whose land abuts or is transected by the Class 4 segment of Williams Hill Road in this action or to certify such joinder to the Court.

7. Nothing herein shall constitute a waiver by the Town of its legal rights, duties and obligations under Title 19, V.S.A., or other authority to, without limitation, lay out, acquire, condemn, maintain, repair or otherwise control and regulate public highways and trails in the Town, including any that hereafter may run over, through or adjacent to the Property.
8. This Stipulated Judgment Order is intended to fully resolve and conclude the above-captioned litigation and all issues, claims and motions related thereto. To the extent any request pending before the Court remains unresolved as of the date of this Stipulated Judgment Order, it is withdrawn, dismissed or denied as moot. Each party to the above-captioned proceeding shall bear its own costs and fees.

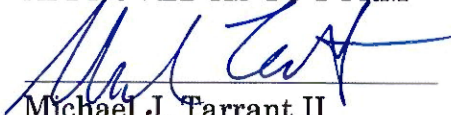
SO ORDERED.



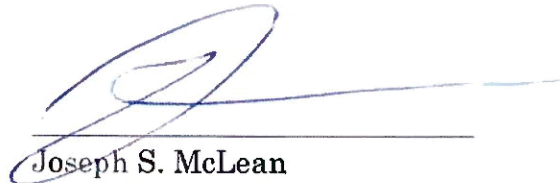
Superior Court Judge

Dated: 12/1/2022 2022

APPROVED AS TO FORM



Michael J. Tarrant II
Attorney for Plaintiffs



Joseph S. McLean
Attorney for Defendant