

STATE OF VERMONT
EXECUTIVE DEPARTMENT
EXECUTIVE ORDER NO. 01-16

[Transfer of Certain Easements in the Town of Middlesex from BGS to VTrans]

WHEREAS, the Agency of Transportation (“VTrans”) needs to construct Transportation Project Middlesex IM 089-2(41) (“the Transportation Project”), which involves the replacement of Bridge #55 carrying a federal highway known as U.S. Route 2 over Interstate 89 in Middlesex, Vermont, and which affects land under the jurisdiction of the Department of Buildings and General Services (“BGS”); and

WHEREAS, VTrans and BGS desire to complete the transfer of the necessary easements and/or rights from BGS to VTrans.

NOW THEREFORE, I, Peter E. Shumlin, by virtue of the power vested in me as Governor of the State of Vermont, do hereby transfer and set over to VTrans jurisdiction and control of certain land and permanent easements of BGS, which are more particularly described as follows:

Being part of the same land and premises conveyed to the State of Vermont by the Warranty Deed of Jambro Associates, dated July 22, 1988, and recorded in Book 51, Page 577 of the Town of Middlesex Land Records and being more particularly described as:

Being Parcel #2, rights and easements therein, as shown on right of way detail sheet 1 and right of way layout sheets 3-5 of the revised plans of the Transportation Project as filed on the 25th day of March, 2015, in the office of the Clerk of the Town of Middlesex.

In connection with the above parcel, the following easements and/or rights are conveyed:

Temporary easements to enter upon land of the grantor, during the period of construction, to extend highway slopes and embankments in areas of: 563 square feet, more or less; 200 square feet, more or less; and 2,799 square feet, more or less, as shown on the previously mentioned Transportation Project plans.

The State of Vermont may extend the slopes and embankments at such an angle as will hold the material of said slopes in repose against ordinary erosion in accordance with the standard practice of transportation construction. The State of Vermont shall have the right to remove all trees, logs, stumps, protruding roots, brush, duff, and other objectionable materials, structures, growth, and any other things of whatever kind or nature from said slope area.

Temporary easements during the period of construction to enter upon land of the grantor, for construction purposes, including the right to cut and dispose of all trees, down timber, stubs, brush, bushes, and debris, install project demarcation fence and erosion control barriers and to

keep the erosion control barriers clear of debris and functioning properly, throughout the construction of the project, as necessary and as noted on the project plans; and undertake general construction functions: in an area of 586 square feet, more or less, right of and between approximate stations 20+42 and 21+88; in an area of 51 square feet, more or less, right of and between approximate stations 21+99 and 22+15; and in an area of 1,255 square feet, more or less, right of approximate stations 25+64 and 29+26.32; all stations are of the established centerline of the Transportation Project.

A permanent easement to discharge water on land of the grantor as such water may hereafter be discharged or flow in an area of 0.52 acre (22,807 square feet), more or less, right of and between approximate stations 21+00.00 and 29+18.55 of the established centerline of the Transportation Project.

A permanent easement to install, construct and maintain a culvert and drainage ditch, in an area of 27 square feet, more or less, right of and between approximate stations 22+00.52 and 22+12.39 of the established centerline of the Transportation Project, and thereby the right to discharge water through said culvert and drainage ditch onto the land of the grantor.

A permanent easement to install, construct and maintain a culvert, including stone fill, in an area of 431 square feet, more or less, right of and between approximate stations 26+26.94 and 26+52.22 of the established centerline of the Transportation Project, and thereby the right to discharge water through said culvert and drainage ditch onto the land of the grantor.

The herein conveyed rights and easements are subject to the terms and conditions of Vermont Operational Stormwater Discharge Permit #7145-INDS, as the same may be amended from time to time.

This Order shall take effect upon signing.

Dated February 9, 2016.

Peter Shumlin
Governor