
MEMORANDUM**Agency of Transportation
Office of the Secretary**

TO: Governor Shumlin
FROM: Secretary Searles 
DATE: October 9, 2012
SUBJECT: Interstate 91 Exit 7 – Springfield – Request for Approval of Quit-claim Deed

We request that you approve the attached Quit-claim Deed to Preferred Motor Inns of New England Inc., which operates a small hotel on Vermont Route 11 near its junction with US Route 5 South at I-91 Exit 7 Ramp "B".

Because the parcel lies within the I-91 limited-access facility, 19 V.S.A. § 1706 (Disposal of Property) requires us to obtain your approval before transferring any property by deed or lease. Another statute, 19 V.S.A. § 1703 (Authority to Establish Limited Access Facilities), requires us to obtain your approval to alter the boundaries of a limited-access facility.

This proposal involves the sale of a landlocked parcel of land, bounded by the Southern State Correctional Facility (SSCF) and Preferred Motor Inns. The State acquired the parcel in connection with the construction of I-91 in 1963. A VTrans review determined this parcel surplus to future transportation needs.

Preferred Motor Inns of New England initiated this request and agreed to the \$16,000 market value appraisal price. The proposed use would accommodate a private snowmobile connector trail to the VAST trails system. A license agreement for the Inn's seasonal use of a portion of the SSCF property is pending from the Department of Buildings and General Services.

Also, the transfer would necessitate the alteration of the limited access designation. The proposed alteration will shift the control-of-access line from the parcel, lying entirely within the designation, to the proposed right-of-way boundary with an offset sufficient for the safe and proper operation of the interstate facility. This document incorporates the language effecting the alteration.

The proposed transfer has been reviewed and approved by the Federal Highway Administration, and undergone necessary environmental reviews.

cc: John K. Dunleavy, Assistant Attorney General
Richard M. Tetreault, Director, Program Development

ORIGINAL

QUIT-CLAIM DEED

KNOW ALL TO WHOM THESE PRESENTS COME:

THAT the State of Vermont, a sovereign state, Grantor, acting by and through its Agency of Transportation, pursuant to, and as authorized by 19 V.S.A. § 26, Sec. 42 of Act No. 75 of 2007, and 19 V.S.A. § 1706, in consideration of Sixteen Thousand and No/100 Dollars (\$16,000.00) paid to its full satisfaction by Preferred Motor Inns of New England, Inc., Grantee, has REMISED, RELEASED AND FOREVER QUIT-CLAIMED unto Preferred Motor Inns of New England, Inc., its successors, administrators and assigns, a parcel of land located in the Town of Springfield in the County of Windsor, and State of Vermont further described as follows, *viz*:

Being part of the same land and premises acquired by the State of Vermont from Edward W. and Fern A. Howe by Condemnation Order dated September 30, 1963, recorded at Highway Book 5, Pages 270-303, of the Springfield Land Records being more particularly described as follows:

Beginning at a point on the westerly side of Interstate 91 Exit 7 Exit Ramp "B" marked by a concrete bound, marking the southeasterly corner of lands of Preferred Motor Inns of New England, Inc. and the southeasterly corner of the premises conveyed herein;

thence N 22° 41' 22" W along lands of Preferred Motor Inns of New England, Inc., a distance of 348.01 feet to a point marked by a 1 ½" diameter rebar, marking the northeasterly corner of lands of Preferred Motor Inns of New England, Inc. and the southeasterly corner of other lands of the State of Vermont;

thence continuing along other lands of the State of Vermont N 23° 2' 14" E a distance of 181.12 feet to a point to be marked by a rebar set in the ground, marking the northwesterly corner of the premises conveyed herein;

thence N 68° 51' 43" E a distance of 527.44 feet to a point marked by a 1 ½" rebar marking the northeasterly corner of the herein conveyed premises;

thence S 15° 45' 50" E a distance of 130.13 feet to a point to be marked by a rebar set in the ground;

thence along other lands of the State of Vermont a distance of 329.06 feet using a radius of 490.25 feet and a tie line with a course of N 20° 49' 8" E a distance of 322.92 feet to a point marked by a rebar to be set in the ground;

thence S 39° 34' 57" W a distance of 325.52 feet to the point and place of beginning.

Containing 4.4 acres, more or less, as shown on a survey titled "State of Vermont Agency of Transportation, Limited Access Alteration and Sale to Preferred Motor Inns of New England, Inc., Town of Springfield I 91 Exit 7 Ramp "B", prepared by Paul R. Hodge L.S. dated September 09, 2012, to be filed herewith in the Springfield Land Records at Map Slide No. _____.

The Grantor excepts and reserves from this conveyance the right to limit air, access, view and light including all right of ingress and egress to, from, and between the parcel described above and the following line:

Beginning at a point in the westerly limited access right of way boundary of Interstate 91 Exit 7 Exit Ramp "B", 79.25 feet distant easterly from survey station 8+80.52, said point marking the southeasterly corner of lands of the parcel conveyed herein; thence N 39° 34' 57" E a distance of 325.52 feet to a point marking the beginning of a curve having a radius of 490.25 feet, concave, northwesterly; thence along arc of said curve a distance of 329.06 feet to a point in said limited access boundary; thence N 15° 45' 50" W a distance of 130.13 feet to a 1-1/2" rebar found, said point marking the northeasterly boundary of the parcel herein conveyed.

Notice of permit requirements: In order to comply with applicable State rules concerning potable water supplies and wastewater systems, a person shall not construct or erect any structure or building on the lot of land described in this deed if the use or useful occupancy of that structure or building will require the installation of, or connection to, a potable water supply or wastewater system, without first complying with the applicable rules and obtaining any required permit. Any person who owns this property acknowledges that this lot may not be able to meet State standards for a potable water supply or wastewater system, and therefore, this lot may not be able to be improved.

The foregoing parcel of land is subject to the provisions under 10 V.S.A. § 495. Other regulations applying to permitted signs:

(b) No on-premise or exempt sign may be erected if it is so located as to be readable primarily from a limited access facility.

TO HAVE AND TO HOLD all its right, title, and interest in and to said quitclaimed premises to Preferred Motor Inns of New England, Inc., its successors, administrators and assigns, forever.

AND FURTHERMORE, the State of Vermont does covenant with Preferred Motor Inns of New England, Inc., their successors and assigns, that from and after the ensealing of these presents, the State of Vermont, will have and claim no right in, or to, the quit-claimed premises, except as provided herein.

IN WITNESS WHEREOF, the State of Vermont has caused its name to be subscribed this 11 day of Oct, 2012, by Brian R. Searles, its Secretary of Transportation and duly authorized agent.

STATE OF VERMONT
AGENCY OF TRANSPORTATION

By: 
Brian R. Searles, Its Secretary of
Transportation and Duly
Authorized Agent

STATE OF VERMONT
Washington County, ss.

At Montpelier, this 11th day of October, 2012, Brian R. Searles, personally appeared and acknowledged the foregoing instrument, by him executed as Secretary of Transportation and duly authorized agent of the State of Vermont, to be his free act and deed and the free act and deed of the State of Vermont.

Before me,


Notary Public

APPROVED AS TO FORM:

DATED: 10/10/2012


ASSISTANT ATTORNEY GENERAL

APPROVED PER 19 V.S.A. § 1703 and § 1706:


GOVERNOR