

Transfer of Land in Lowell from AOT to ANR

November 7, 2007

WHEREAS, certain state-owned land (the "Property") located in the Town of Lowell, County of Orleans and State of Vermont, described more particularly below, presently is under the jurisdiction and control of the Agency of Transportation; and

WHEREAS, the Agency of Transportation has determined the Property to be surplus to its needs; and

WHEREAS, the Agency of Natural Resources desires to obtain jurisdiction and control of the Property for the purposes of using it in a legislatively approved land swap with the abutting property owner, Chip Percy.

NOW, THEREFORE, I, James H. Douglas, by virtue of the power vested in me as Governor of the State of Vermont, do hereby transfer and set over from the Agency of Transportation to the Agency of Natural Resources for the above purposes, jurisdiction and control of the following state-owned land: Being all of the same land and premises conveyed to the State of Vermont by Leo S. and Ruth S. Stearns by Warranty Deed dated June 26, 1958, which is recorded in the land records of the Town of Lowell in Book 23 Page 33, having been received for record on August 6, 1958, and therein more particularly described as follows:

"Beginning at a point in the northwesterly boundary of the present highway Vermont Route 100, 85 feet distant measured at right angle from survey station 1194+10 of the established center line of Highway Project Lowell F 79(9); 1. Thence 90 feet, more or less, N 33°-08' W to a point; 2. Thence 40 feet, more or less, N 46°-08' W to a point; 3. Thence 335 feet, more or less, N 57°-23' W to a point; 4. Thence 55 feet, more or less, N 26°-43' W to a point; 5. Thence 65 feet, more or less, N 00°-32' E to a point; 6. Thence 50 feet, more or less, N 50°-17' E to a point; 7. Thence 600 feet, more or less, N 62°-02' E to a point; 8. Thence 422 feet, more or less, N 52°-32' E to a point; 9. Thence 240 feet, more or less, N 45°-47' E to a point; 10. Thence 44 feet, more or less, N 58°-47' E to a point; 11. Thence 55 feet, more or less, N 71°-32' E to a point, said point believed to be in the property line between said grantors and Clayton H. and Florence E. Hoadley; 12. Thence 250 feet, more or less, S 42°-38' E in said believed property line to a point in the northwesterly boundary of the present highway Vermont Route 100 aforesaid, said point also being 70 feet distant northwesterly measured at right angle from survey station 1180+58 of said established center line; 13. Thence 450 feet, more or less, S 43°-22' W in said northwesterly highway boundary to a point 70 feet distant northwesterly measured at right angle from survey station 1185+00 of said established center line; 14. Thence 215 feet, more or less, S 65°-22' W to a point 150 feet, more or less, distant northwesterly measured at right angle from survey station 1187+00 of said established center line; 15. Thence 712 feet, more or less, S 38°-52' W to the point of beginning. Said parcel to contain 8 acres, more or less."

Excepted and reserved from this transfer is the right of the Agency of Transportation to construct, inspect, maintain, and replace culverts at or near stations 1181+50 and 1184+50 of the centerline of Vermont Route 100, as established by Highway Project Lowell F 79(9).

Reference may be made to a plan entitled "Wayside Rest Area, Site No. 12-1, Lowell Vermont, Fund 25.12," and to sheets 25 and 26 of 89 sheets of the plans for Highway Project Lowell F 79(9), on file in the property records of the Agency of Transportation and the Town of Lowell's land records.

The Property is a parcel of land known locally as "Fiddler's Elbow" containing 8 acres, more or less, and is bounded northerly by the present Vermont Route 100 and otherwise bounded by the former Vermont Route 100.

The fee simple absolute interest of the herein described parcel of land is transferred subject to the afore-mentioned culvert easements and all existing licenses, leases, and easements.

This Executive Order shall take effect upon execution.

Witness my name hereunto subscribed and the Great Seal of the State of Vermont hereunto affixed at Montpelier this 6th day of November, 2007.

James H. Douglas, Governor

By the Governor:

Dennise R. Casey, Secretary of Civil and Military Affairs

Executive Order No. 07-07