

# TOWN OF MIDDLEBURY

## NOTICE OF PROPOSED CONVEYANCE

In accordance with 24 V.S.A. § 1061, the Middlebury Selectboard hereby gives notice of the proposed terms of conveyance of a private sanitary sewer easement in perpetuity, from the Town of Middlebury (the "Town") to the Raymond C. Churchill Family Trust and the Teresa F. Churchill Family Trust (the "Grantees"). The easement will apply to Town property (the "Town Parcel") located on Chipman Hill northerly and easterly of the Grantee's property located at 1 Forrest Lane in Middlebury, Vermont.

The proposed terms of the transaction are as follows:

1. A permanent easement and right-of-way given by the Town to the Grantee to construct, maintain, inspect, and repair private sanitary sewer lines, together with sewer clean outs and all appurtenances (collectively referred to as "sanitary sewer"), upon, over and under the Town Parcel, for the benefit of the Grantees' property at 1 Forrest Lane.
2. The Town, its successors, and assigns, shall have the right to make use of the Easement Area such as shall not be inconsistent with or interfere with the rights granted under the Easement Deed.
3. Grantees will agree to repair any land disturbance and to replace such land to a reasonable condition as it was before such disturbance, notwithstanding any permanent disturbances created by the sanitary sewer.
4. All terms and conditions of the Easement Agreement shall be binding on and inure to the benefit of the parties, and their heirs, successors, and assigns.
5. The purchase price of this sanitary sewer Easement Agreement shall be \$1,000 (One Thousand Dollars). In addition, the Grantees will be responsible for all for all taxes, recording fees, Town Attorney fees, surveyors' fees, permit fees, costs of notice publication, and any other expenses associated with this transaction.

This notice will be posted in three public places in the Town of Middlebury (the Municipal Building, the Post Office, and the Ilsley Public Library). Notice shall also be published in the Addison Independent, a newspaper of general circulation within the municipality, at least 30 days prior to the date of the proposed conveyance. Unless a petition objecting to the conveyance is filed in accordance with 24 V.S.A. § 1061(2), the Selectboard may proceed with the conveyance.

If a petition signed by five percent of the legal voters of the municipality objecting to the proposed conveyance is presented to the municipal clerk within 30 days of the date of posting and publication of this notice, the Selectboard shall cause the question of whether the municipality shall convey the easement to be considered at a special or annual meeting called for that purpose. After the meeting, the easement may be conveyed unless a majority of the voters of the municipality present and voting vote to disapprove of the conveyance.