

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 natural gas easement in perpetuity, from the Town of Middlebury (the "Town") to Vermont Gas Systems, Inc. ("VGS"). The easement will apply to Town property commonly known as the Town Green and bounded by Pleasant Street, Merchants Row, and Main Street in Middlebury, Vermont.

The proposed terms are set forth in a proposed Easement Deed and accompanying plans, all of which are on file in the office of the Middlebury Town Manager. The following is a summary of the key terms of the proposed transaction:

1. The Town will convey to VGS a permanent easement and right-of-way authorizing VGS to construct, reconstruct, maintain, move, relocate, alter, inspect, repair, replace, remove, and change the size of subsurface pipeline(s) to be used by Grantee for the distribution of gaseous energy products.
2. The proposed location of the easement begins at South Pleasant Street and proceeds westerly to St. Stephen's Episcopal Church, as shown on the plans. The easement will be ten feet in width, five feet on either side of the pipeline as it is installed and will include rights of access and other terms and conditions set forth in the Easement Deed.
3. If the Town determines that the location of the easement unreasonably interferes with the present or future use of the Town's land, then VGS will be obligated to relocate the easement at no cost to the Town. In addition, if the easement is abandoned, then unless the Town and VGS agree otherwise in writing, VGS will be obligated to remove the pipeline and related infrastructure and return the area to its pre-removal condition, save normal wear and tear. The provisions described in this paragraph will terminate in the event that the Town conveys its property to a third party.
4. The purchase price of the easement will be One Dollar (\$1.00). In addition, VGS will be responsible for all for all taxes, recording fees, Town Attorney fees, surveyors' fees, permit fees, and 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 Town Offices, 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.

Middlebury Selectboard
June 25, 2024