

Bristol Town Administrator

From: Lydia Menendez Parker <lydia@vermontriverconservancy.org>
Sent: Monday, March 9, 2020 2:52 PM
To: Bristol Town Administrator
Cc: Kristina Michelsen; Kristen L Underwood
Subject: Fuller closing - request

Hello Valerie,

Thanks for working with us to help orchestrate the Town's ownership of the soon to be conserved public access Fuller property!

Alas, the closing scheduled last Thursday was canceled to address two details brought to our attention at the last minute. We have resolved the first one (DEC's concern of a merger) by reworking the ownership flow (now VT Riverlands LLC will purchase the property from the Fuller's instead of VRC, convey the public access easement to VHCB and VRC, transfer the property to the to Town, and quit claim the access allowed by the River Corridor Easement over the remaining Fuller lands). So – no change on your end at all. But, DEC has requested, in response to the Fuller's request for the quit claim deed, that the Town grant access to the Fuller lands over the Saunders parcel in a separate easement.

So – I would like to discuss this with you, as we still hope to close this month.

1. Could the Town (Kevin Brown?) draft an access easement from the town to VRC, DEC, VHCB and the public that grants access to the Fuller parcel over the Saunders parcel for monitoring, stewardship, and recreational purposes?
2. Does this access easement need Selectboard approval, and if so, could the draft be sent out for all to review, and be voted on at the March 16th meeting date?

Many thanks for discussing this with me. I will be available on Tuesday and Wednesday at 802-522-8068, and back in the office on Thursday at 802-229-0820.

Thanks so much,
Lydia

Lydia Menendez Parker
Assistant Director
Vermont River Conservancy
29 Main St. Suite 11
Montpelier, VT 05602

> please note: I am working part-time and will respond as promptly as possible. Apologies for any delays.

802.229.0820

www.vermontriverconservancy.org

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EASEMENT DEED

NOW COMES the Town of Bristol, a Vermont Municipality, located in the County of Addison and State of Vermont, Grantor, in the consideration of ONE DOLLAR AND OTHER GOOD AND VALUABLE CONSIDERATION, paid to its full satisfaction by the Vermont River Conservancy, Inc., a Vermont Corporation, with its office currently located at 29 Main Street, Suite 11, Montpelier, County of Washington and State of Vermont, the Vermont Housing and Conservation Board (“VHCB”), a public instrumentality of the State of Vermont with an address of 58 East State Street, Montpelier, Vermont 05602, and the State of Vermont, Agency of Natural Resources, Department of Environmental Conservation, with its office currently located at One National Life Drive, Davis 3, Montpelier, Vermont 05602, (collectively known hereinafter as “Grantees”) and their successors and assigns forever, a certain easement right for ingress and egress over land owned by Grantor, described as follows, viz:

A right of ingress and egress for the Grantees, their agents, successors and assigns, and for the public, over the land conveyed to Grantor by Warranty Deed of Vermont River Conservancy, Inc., dated October 10, 2013 and recorded in Book 143, Pages 190-192 of the Town of Bristol Land Records (the “Saunders parcel”) to lands conveyed to Grantor by Warranty Deed of Vermont Riverlands LLC (the “Fuller parcel”) of approximately even date herewith and to be recorded in the Town of Bristol Land Records.

The easement shall follow the existing right of way from Vermont Route 116 to connect to the existing “Public Access Pathway” as shown on the survey plat entitled “Bristol Flats Conservation Plan Map Saunders Property, Bristol, Vermont for Vermont River Conservancy, Montpelier, Vermont” by Paul W. Hannan, L.S., of Calais, Vermont, dated August, 2013, Project No. 12-029-03, and recorded at Hanger 71, Map 432 in the Town of Bristol Land Records, then following the existing “Public Access Pathway” south along the river, outside the 50 foot buffer zone, to the Fuller Parcel.

The purpose of this easement deed is to ensure that Grantees and the public have access to the Fuller parcel for effectuating the purposes of the conservation easements held by them on the Fuller parcel.

Reference is made to the River Corridor Easement conveyed by Paul A. Fuller, Trustee of the Trust of Paul A. Fuller, u/a/d 2/24/1994 to the Vermont River Conservancy, Inc., dated July 26, 2013, and recorded in Book 142, Pages 486-492 of the Town of Bristol Land Records and a Grant of Development Rights, Conservation Restrictions and Public Access Easement from Vermont Riverlands LLC to the Vermont River Conservancy, Inc. and the Vermont Housing and Conservation Board of approximately even date herewith and to be recorded in the Town of Bristol Land Records.

Reference is hereby made to the aforesaid deeds and their records and to all prior deeds in the chain of title and the records thereof for a further and more particular description of the lands and premises hereby conveyed.

TO HAVE AND TO HOLD said granted premises with all the privileges and appurtenances thereof, to the Grantees Vermont River Conservancy, Inc., Vermont Housing and Conservation Board, and the State of Vermont, Agency of Natural Resources, Department of Environmental Conservation, and their successors and assigns, to their own use and behoof forever; and the said Grantor for itself and its successors and assigns does covenant with the said Grantees and their successors and assigns that until the ensealing of these presents the Town is the sole owner of the premises and has good right and title to convey the same in manner aforesaid, that they are **FREE FROM ENCUMBRANCE**, except as aforesaid, and the Town hereby engages to Warrant and Defend the same against all lawful claims whatever, except as aforesaid.

IN WITNESS WHEREOF, Grantor has hereunto caused this instrument to be signed this ____ day of March, 2020.

Grantor: **Town of Bristol**

BY _____

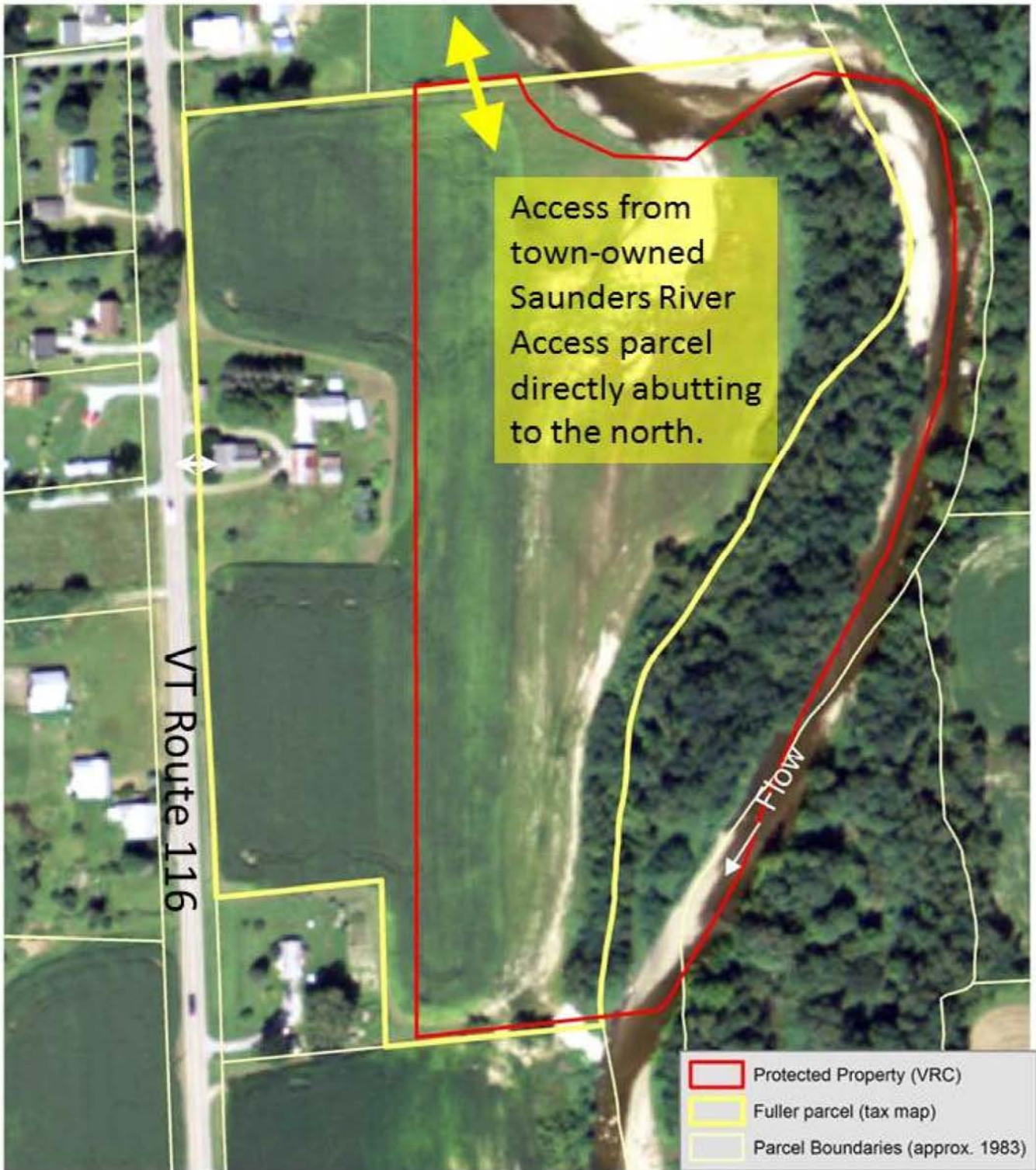
STATE OF VERMONT _____ COUNTY, SS.

At _____, this ____ day of _____, 2020
_____, duly authorized agent of the Town of Bristol, personally appeared, and the acknowledged this instrument, by them sealed and subscribed to be their free act and deed and the free act and deed for the Town of Bristol. for the purposes therein contained.

Before me: _____ Notary Public

Commission #:

My Commission Expires: 1/31/2021



VRC easement: 14.7 ac +/-
Tax parcel: 17.9 ac +/-



0 50 100 200 Feet

Fuller Lands

1525 South 116 Rd, Bristol, VT

LAT/LON: 44.107277 / -73.095961
Base Map: August 2011

Map prepared by K. Underwood,
Bristol, VT, based on data provided by
Vermont River Conservancy,
Town of Bristol, and landowner.
Boundaries are approximate only.

Not a Survey
Map for Planning Purposes only



Town of Bristol
1 South Street
P.O. Box 249
Bristol, VT 05443
(802) 453-2410
www.bristolvt.org

May 30, 2019

Charlie Fuller
61 Maple Avenue
Selkirk, NY 12158

Dear Mr. Fuller:

On behalf of the Bristol Selectboard, we would like to convey that the Town of Bristol is interested to acquire a portion of the lands in the Estate of Paul Fuller located off South 116 Road in Bristol. It is our understanding that as Trustee of the Trust, you are pursuing a sale of the property which includes a homestead and buildings as well as lands along the New Haven River. The Town's interest is in approximately 14.7 acres that are subject to a river corridor easement held by the Vermont River Conservancy (enclosed in the red boundary on the attached map). As you know from your ongoing conversations with Bristol Conservation Commission member Kristen Underwood, the Town recently commissioned a fair-market appraisal of these protected lands, and the Larson Appraisal Company valued them at \$1,461 per acre.

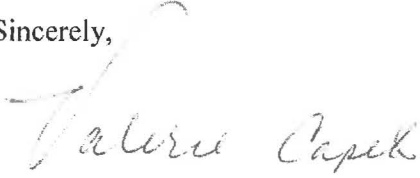
At its April 15, 2019 meeting, the Bristol Selectboard discussed and granted approval for the Bristol Conservation Commission to proceed with next steps to fund-raise and/or secure grant funding to pursue purchase of those lands subject to the river corridor easement. The Town intends to raise sufficient funds for acquisition, with a plan to merge them with the parcel directly abutting to the north, which is already Town-owned (Saunders River Access). The expanded Town lands would be used for flood resiliency, public access to the river, and enhanced riparian buffers and water quality. Merging of the lands will mean that no right-of-way from Route 116 will be required to cross the remaining Fuller estate lands, since access to the Town-owned parcel would be made through an existing access on the Saunders River Access.

The Town anticipates that it may take up to 1 or 1½ years to secure funding for acquisition and related expenses. We understand and accept the risk that a sale of these lands may proceed in the intervening time period.

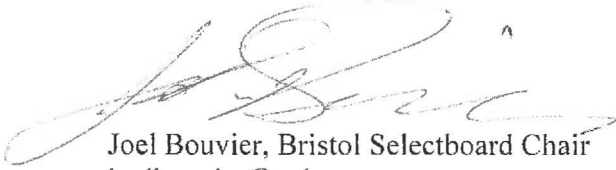
Please let us know if you have questions or require more information. We would appreciate notice in the event these lands are placed under contract by another party.

Charlie Fuller
May 30, 2019
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Sincerely,



Valerie Capels, Bristol Town Administrator
townadmin@bristolvt.org



Joel Bouvier, Bristol Selectboard Chair
joelbouvier@yahoo.com

Enc.

cc: Bristol Selectboard
Kristen Underwood, Bristol Conservation Commission
Steve Libby, Vermont River Conservancy
Lydia Menendez Parker, Vermont River Conservancy