

FILED

STATE OF VERMONT
WASHINGTON COUNTY, 2005 JUL 15 A 10: 25

HOWARD FLETCHER

v.

HENRY W. FERRY

SUPERIOR COURT
Washington Superior Court
Docket No. S 376-7-01 Wncv

DECLARATORY JUDGMENT

The Court having made Findings of Fact, Conclusions of Law, and Orders on December 2, 2002, February 26, 2003, May 28, 2003, August 2, 2004, and July 15, 2005,

It is hereby DECREED:

1. That Defendant Henry W. Ferry is the holder of an easement appurtenant to a parcel of land in Calais known as the Scribner woodlot, conveyed to Henry Ferry by deed of Charles F. Scribner, Patricia L. Bouchard, and Diane E. Scribner dated May 25, 2000. The easement is twelve feet wide, and the course of it is as shown from point A to point B to point C as shown on the attached Exhibit A.
2. Howard Fletcher is ENJOINED from interfering with the quiet enjoyment of the use of the easement by Henry Ferry for the benefit of the Scribner woodlot.
3. Henry Ferry is ENJOINED from interfering with the quiet enjoyment by Howard Fletcher of his lands and premises on Moscow Woods Road, other than use of the easement as described in Paragraph 1.
4. Howard Fletcher is the holder of an easement appurtenant to a parcel of land in Calais conveyed to him by Harriet Ross and Jo Ann Ross on November 19, 1989. The easement provides access from the Fletcher parcel to the Moscow Woods Road across a parcel of land conveyed to Henry Ferry along the Moscow Woods Road on January 5, 2000.
5. Henry Ferry is ENJOINED from interfering with the quiet enjoyment of the use of the easement by Howard Fletcher for access to the Fletcher parcel.

Dated this 15th day of July, 2005.

Mary Miles Teachout
Hon. Mary Miles Teachout
Superior Judge

HOWARD FLETCHER

REFER TO

BOOK 34 PAGE 423 (11/19/1998)
" 22 " 88 (11/11/1935)
" 21 " 325 (11/11/1933)



PROPOSED 12' WIDE ROW ROUTE

ALONG DRIVEWAY AND
MOSTLY VISIBLE
WHEEL RUTS

END 2000
LOCATABLE
TRAIL

FLETCHER
HOUSE

N 45°06'45" E
20.2'

50' WETLAND
BUFFER

25.1'

OUT HOUSE

50' WETLAND
BUFFER

DITCH

END 2000
LOCATABLE
TRAIL

WHEEL RUTS

OBVIOUS
WOODS
ROAD

FLETCHER SPRING

N 37°17'15" E
196.7'

N 79°17'15" E
260.0'

N 42°16'30" E
33.0'

S 47°41'15" E
44.7'

TOWN HIGHWAY No. S.A. 5

50' WETLAND
BUFFER

EDGE OF GRAVEL DRIVE

CENTERLINE OF APPARENT WHEEL TRACK

EDGE OF PROPOSED 12' R.O.W.

EDGE OF COURT PROPOSED RELOCATED R.O.W.

HENRY FERRY

REFER TO

BOOK 35 PAGE 197 (6/1/2000)
" 21 " 325 (11/11/1933)
" 18 " 35 (12/3/1904)

PROPERTY LINE

LINE OF WETLAND FLAGS

LINE OF 50' WETLAND BUFFER

EDGE OF GRAVEL DRIVE

CENTERLINE OF APPARENT WHEEL TRACK

EDGE OF PROPOSED 12' R.O.W.

EDGE OF COURT PROPOSED RELOCATED R.O.W.

PROPOSED RIGHT-OF-WAY ROUTE
FOR HENRY FERRY THROUGH THE
PROPERTY OF HOWARD FLETCHER
MOSCOW WOODS ROAD, T.H. No. S.A. 5
CALAIS, VERMONT

SCALE 1" = 60'
AUGUST 2003 BY SUNWISE SURVEYING

Exhibit A