

March 22, 2023

RECEIVED  
3/22/2023

Development Review Board  
Town of Cornwall  
c/o James Duclos, Zoning Administrator  
2629 Route 30  
Cornwall, VT 05753

**Re: Appeal of the Randy Martin and Mary Martin Joint Trust**

Dear Jim:

Please find enclosed ten (10) copies of the following documents, which I am submitting on behalf of my clients, Randy and Mary Martin, Trustees of the Randy Martin and Mary Martin Joint Trust:

1. Development Review Board Application Form
2. Notice of Appeal
3. Copy of Zoning Administrator's letter dated March 8, 2023 (the decision being appealed)
4. Copy of the Planning Commission's subdivision approval letter dated May 3, 1989
5. Copy of the map showing the original subdivision.
6. Copy of the Martins' current deed
7. List of abutting landowners' names and addresses
8. Copy of the tax map with abutting landowners listed

Please note that the documents are double-sided. The check for the \$90 appeal fee is being delivered separately by the Martins.

Thank you for passing these materials on to the Development Review Board. If you or the DRB need any more information from us, please do not hesitate to contact me.

Sincerely,



Benjamin W. Putnam, Esq.  
[benj@pmlawvt.com](mailto:benj@pmlawvt.com)

BWP/II



**NOTICE OF APPEAL  
TO THE CORNWALL DEVELOPMENT REVIEW BOARD**

NOW COME Randy Martin and Mary Martin, Trustees of the Randy Martin and Mary Martin Joint Trust, pursuant to Section 360 of the Cornwall Zoning Bylaws, and hereby appeal the decision of the Cornwall Zoning Administrator dated March 8, 2023, a copy of which is attached hereto. In connection with this appeal, the following information is submitted, as required by Section 363 of the Bylaws:

Name and Address of the Appellants:

Randy Martin and Mary Martin  
Trustees of the Randy Martin and Mary Martin Joint Trust  
1967 Route 74  
Cornwall, VT 05753

Name and Address of the Applicants:

Randy Martin and Mary Martin  
Trustees of the Randy Martin and Mary Martin Joint Trust  
1967 Route 74  
Cornwall, VT 05753

Brief Description of the Property from which the Appeal is Taken:

The Appellants' property located at 1967 Route 74 in Cornwall, consisting of 329.4 acres, more or less, designated as parcel 080347, SPAN 162-051-10345 (hereinafter the "Property").

A Reference to the Regulatory Provisions Applicable to the Appeal:

The underlying permit at issue is the subdivision approval issued to the Martins' predecessors in title, George and Alice Candido, by the Cornwall Planning Commission on May 3, 1989. The current Zoning Administrator, Gary Barnett, issued a letter dated March 8, 2023, in which he declined to confirm that the Property exists as two lawfully subdivided parcels. This appeal is brought pursuant to Section 360 of the Cornwall Zoning Bylaws, which authorizes appeals of any act or decision of the Zoning Administrator.

The Relief Requested:

The Martins request that the DRB issue a decision confirming that the Property exists as two lawfully subdivided parcels pursuant to the May 3, 1989 subdivision approval, and that the two parcels can be conveyed separately without the need for further subdivision proceedings.

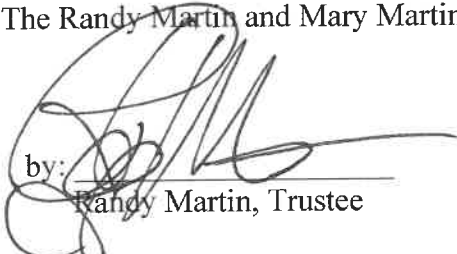


The Grounds as to why the Relief Requested is Proper under the Circumstances:

As stated above, the Planning Commission approved the proposed subdivision of the Candido property into two lots on May 3, 1989. The first lot was conveyed to the Martins by a deed dated March 28, 1989, and the second lot was conveyed to them three years later, by a separate deed dated March 31, 1992. The Martins have continued to own both lots since that time, conveying them to their Trusts in 2017 by a deed that described the lots as two separate parcels. Since the original subdivision approval was not appealed and there were no challenges to the conveyances of the two lots by separate deeds in 1989 and 1992, the subdivision became final and cannot be undone or reversed unless specific action was taken to merge the two lots back into a single lot. The Martins are not aware of any such action being taken; therefore, the two lots continue to exist as lawfully subdivided lots that can be separately conveyed. The Martins respectfully request that the DRB confirm this status in a written decision so that they will be free to convey the lots independently in the future.

Dated at Cornwall, Vermont, this 22 day of March, 2023

Respectfully submitted,  
The Randy Martin and Mary Martin Joint Trust

by:   
Randy Martin, Trustee

by:   
Mary Martin, Trustee



**RANDY MARTIN**  
PH: 802-462-2091  
1967 ROUTE 74  
CORNWALL, VT 05753

3/22/23  
DATE

**1260**  
58-114/116

PAY TO THE  
ORDER OF

Town of Cornwall  
Ninety & no/100

\$ 90.00

DOLLARS

Security features  
included.  
Details on back.



**The First National Bank of Orwell**  
*Traditional Banking Since 1863*  
P.O. Box 38 Main Street  
Orwell, Vermont 05760-0038

FOR

*[Signature]*

MP

⑆011601142⑆ 405308 1260





**TOWN OF CORNWALL  
DEVELOPMENT REVIEW BOARD  
APPLICATION FOR VARIANCE, CONDITIONAL USE APPROVAL, WAIVER,  
NON-CONFORMING STRUCTURES AND USES, ACTIVITIES IN FLOODPLAIN,  
APPEALS, AND SITE PLAN REVIEW**

*(Please type or print legibly)*

1. Applicant Randy Martin & Mary Martin, Trustees of the Randy Martin and Mary Martin Joint Trust  
  
Address 1967 Route 74, Cornwall VT 05753  
  
Phone No. 802-385-1189 Email Address randy@dewittblake.com  
  
If Corporation, name of Representative \_\_\_\_\_  
  
Is this a Corporation registered in Vermont? \_\_\_\_\_
2. Name of Record Owner Same as Applicant  
  
Address \_\_\_\_\_  
  
Phone No \_\_\_\_\_ Email Address \_\_\_\_\_  
  
If Corporation, name of Representative \_\_\_\_\_  
  
Is this Corporation registered in Vermont? \_\_\_\_\_
3. Location of Property 1967 Route 74, Cornwall
4. Tax Map Description: Map # 08 Block # 03 Lot # 47
5. Type of Application (please check applicable application(s)):  
  
☐ Application for a variance.  
☐ Application for conditional use approval.  
☐ Application for a waiver.  
☐ Application involving non-conforming structure or use.  
☐ Application involving activities in floodplain.  
☒ Appeal from decision of the Zoning Administrator. (**A copy of this appeal must be filed with the Z.A.**)  
☐ Application for site plan review.  
☐ Other. Please describe: \_\_\_\_\_
6. Provisions of the Zoning Regulations that are in question:  
360



**TOWN OF CORNWALL  
DEVELOPMENT REVIEW BOARD  
APPLICATION FOR VARIANCE, CONDITIONAL USE APPROVAL, WAIVER,  
NON-CONFORMING STRUCTURES AND USES, ACTIVITIES IN FLOODPLAIN,  
APPEALS, AND SITE PLAN REVIEW**

7. Please describe the reason and basis for your application or for your appeal (you may attach additional pages if needed):

See attached notice of appeal.

8. If your application is for conditional use approval, please specify the conditional use, and describe your plans for operation (you may attach additional pages if needed):

N/A

9. Please explain how your application satisfies the "Review Criteria" prescribed by the applicable section(s) of the regulations (you may attach additional pages if needed):

N/A - appeal - "Review Criteria" do not apply. Please see Notice of Appeal for explanation of basis for appeal.

10. The property is located in the following zoning district: V2 and LDR



**TOWN OF CORNWALL  
DEVELOPMENT REVIEW BOARD  
APPLICATION FOR VARIANCE, CONDITIONAL USE APPROVAL, WAIVER,  
NON-CONFORMING STRUCTURES AND USES, ACTIVITIES IN FLOODPLAIN,  
APPEALS, AND SITE PLAN REVIEW**

11. The size of the lot is approximately: 329.4 acres

12. The property is subject to the following rights-of-way and/or easements (please provide Book and Page Numbers where said easements may be located):  
Applicants are not aware of any easements.

13. The property has the following road frontage: Rt 74 and Audet Roads

14. The deed into the current landowner(s) is recorded at Book 82, Page 471,  
and must be attached hereto.

Signature of Applicant



Date 3/22/2023

**Please attach:**

- Deed.
- A copy of any survey of the property.
- A copy of the Tax Map marking the subject parcel and the parcels of adjacent owners.
- A complete list of the names and addresses of adjacent landowners.
- **All additional materials and information required by the applicable regulations.**  
**(Reminder - Only complete applications will be forwarded to the DRB for scheduling.)**

**Please note:** The DRB may ask for additional information.



**NOTICE OF APPEAL  
TO THE CORNWALL DEVELOPMENT REVIEW BOARD**

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Randy Martin and Mary Martin  
Trustees of the Randy Martin and Mary Martin Joint Trust  
1967 Route 74  
Cornwall, VT 05753

Name and Address of the Applicants:

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Trustees of the Randy Martin and Mary Martin Joint Trust  
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A Reference to the Regulatory Provisions Applicable to the Appeal:

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The Relief Requested:

The Martins request that the DRB issue a decision confirming that the Property exists as two lawfully subdivided parcels pursuant to the May 3, 1989 subdivision approval, and that the two parcels can be conveyed separately without the need for further subdivision proceedings.

The Grounds as to why the Relief Requested is Proper under the Circumstances:

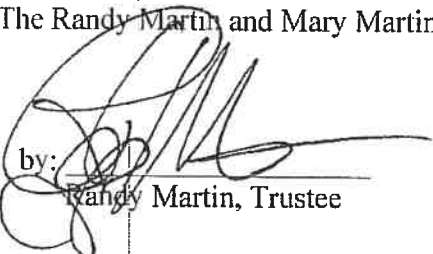
As stated above, the Planning Commission approved the proposed subdivision of the Candido property into two lots on May 3, 1989. The first lot was conveyed to the Martins by a deed dated March 28, 1989, and the second lot was conveyed to them three years later, by a separate deed dated March 31, 1992. The Martins have continued to own both lots since that time, conveying them to their Trusts in 2017 by a deed that described the lots as two separate parcels. Since the original subdivision approval was not appealed and there were no challenges to the conveyances of the two lots by separate deeds in 1989 and 1992, the subdivision became final and cannot be undone or reversed unless specific action was taken to merge the two lots back into a single lot. The Martins are not aware of any such action being taken; therefore, the two lots continue to exist as lawfully subdivided lots that can be separately conveyed. The Martins respectfully request that the DRB confirm this status in a written decision so that they will be free to convey the lots independently in the future.

Dated at Cornwall, Vermont, this 22 day of March, 2023

Respectfully submitted,

The Randy Martin and Mary Martin Joint Trust

by:

  
Randy Martin, Trustee

by:

  
Mary Martin, Trustee





## TOWN OF CORNWALL

2629 ROUTE 30  
CORNWALL, VERMONT 05753  
(802) 462-2775

March 8, 2023

**VIA E-MAIL**

Benjamin W. Putnam, Esq.  
Putnam & Menard, PLC  
One Cross Street  
Middlebury, Vermont 05753

Dear Mr. Putnam:

This letter will constitute my formal response to your request, made on behalf of your clients Randy and Mary Martin, as Trustees of the Randy Martin Joint Trust, that I provide certain written certifications concerning the status of the Martin Trust Property located at Route 74 in Cornwall, VT (parcel ID # 80347/ SPAN # 162-051-10345) ("Martin Trust Property" or "Property"). As the duly appointed Zoning Administrator for the Town of Cornwall, I have now had an opportunity to visit the property and review the existing public record located at the Cornwall Town Office. I have also sought the advice of Cornwall's counsel in connection with the interpretation of an Application For the Subdivision of Land that involves the Property and was signed by George Candido on December 5, 1988 and filed with the Cornwall Planning Commission by letter dated February 23, 1989.

To date, I have located or been provided with the following documents from which I have prepared the following chronology and upon which this response is based.

- 1) On 5/31/67, Maurice and Marilyn Prior conveyed the entirety of the Martin Trust Property to George and Alice Candido by Warranty Deed (B 21, P 399) describing seven parcels of land totaling 322 acres and reserving 2 acres of land situated in the northwest corner of "said farm".
- 2) In 1972, Cornwall adopted Zoning Regulations ("CZR") which prohibited "land or building development" without a zoning permit. The CZR was amended in 1973, 1974 and on March 3, 1987 (adding a definition of "land development" to include "the division of a parcel into two or more parcels. . .")
- 3) On February 23, 1989, Thomas Lynch, Esq. submitted a cover letter to Cornwall enclosing an Application For Subdivision of Land to the Cornwall Planning Commission. ("PC"). The Application was signed by George Candido on December 5, 1988. The Application stated that "the [o]wners will be selling half of their farm [165 acres] which includes residence and outbuildings in 1989 and at closing will grant the Purchaser of that portion of the farm an option to purchase the balance at a fixed price. The option to have a term of 3 years." The Application clarified that the Purchaser (the Martins) planned to "continue to use both the property to be

purchased and the property that will be under option for agriculture purposes other than dairy farming due to the 'Buy-Out' Program . . . ." It is unclear what, if any, plat was submitted with the Application but see Exhibits A and B (attached) which are located in the Cornwall Zoning file pertaining to the Property.

- 4) On March 7, 1989, the Cornwall Subdivision Regulations ("CSR") were adopted which defined "subdivision" as the division of a parcel into 2 or more lots, with 3 or less lots constituting a "minor subdivision." Section 320(d) of the CSR required the applicant to submit "[a] complete survey of the boundaries of the subdivision parcel by a licensed surveyor with date, true north point and scale." The CSR also required that "[a]ll subdivisions must be recorded in the office of the Town Clerk within (90) days of the date of final plan approval or the approval expires." See CSR 240.1. See also Section 260 (Minor Subdivision Application and Procedures) and 24 V.S.A. § 4463(b) (approval expires after 180 days).
- 5) On March 15, 1989, the PC and Cornwall Selectman held a joint "meeting" at which the Candido Application was "presented." "The application and map was reviewed and it was agreed that conditional approval could be granted pending a survey of the property. The Secretary was asked to notify Mr. Candido of the decision and ask him to submit a survey to comply."
- 6) On March 28, 1989, the Candido's conveyed to Randy and Mary Martin by Warranty Deed "a PORTION of those lands and premises conveyed to Grantors. . . . The portion of said lands and premises herein conveyed consists of 165 acres . . . together with dwelling house, barns, silos and other outbuildings situated thereon." No survey is referenced or of record in connection with this conveyance.
- 7) On April 19, 1989, the PC held another "meeting" at which Mr. Candido expressed concern as to why he was asked to have a survey of his subdivision. The minutes also reflect that the Selectboard adopted the Subdivision Regulations "as of November 15, 1988" although the CSR references the "effective date" as being March 7, 1989; the date of CSR's adoption at a regular or special town meeting as per 24 V.S.A. § 4404.<sup>1</sup> The minutes then go on to state:

The Board felt that Mr. Candido's subdivision would be considered a Minor Subdivision and they also felt that if he could show a sketch of the property showing where the subdivision lines were to be that it would comply. The tax map at the Town office was reviewed and it was expressed that the property was subdivided because the parcel was not being sold all at one time. The Board understands that a contract is in effect with Mr. Randy Martin on one-half of the parcel and he will become owner of the second half in three years. It was also expressed that no further action can take place on the second half without approval of the Board. It was moved by John Derrick and seconded by Jon Woodbury, that the Board approve this subdivision. So voted.

The Secretary was asked to send a letter of approval to Mr. Candido after the approval of the letter by the Board.

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<sup>1</sup> Cornwall's 1989 annual Town Meeting was held on March 7, 1989.

- 8) On May 3, 1989, the PC issued a letter to Mr. Candido as follows:

After meeting with you, the Board became aware of the conditions of the sale of your property to Randy Martin of Cornwall. You stated that Mr. Martin is under contract to purchase one-half of this property now and the other half within three years. Since only one buyer, Mr. Martin, is involved in the purchase of the total parcel, the Board voted its approval of your application with the following provisions. If, ultimately, Mr. Martin does not purchase the second half of your property and you subsequently contract to sell to another party, you must apply to the Board for further consideration under the subdivision regulations.

- 9) On March 31, 1992, the Candido's conveyed to Randy and Alice Martin by Warranty Deed "all [165 acres of] the remaining lands and premises . . . which were reserved and not conveyed" in the March 28, 1989 deed to the Martins. No survey is referenced or of record in connection with this conveyance.

- 10) On April 26, 2017, Randy and Mary Martin conveyed the Property by Warranty Deed in two parcels, to the Martin Trust with the intent of the parcels retaining their separate and distinct status as separate parcels of land.

Based solely on the above information, and the CZR, the CSR and the Municipal & Regional Planning Act as they existed as of March 7, 1989, I can certify that the Town of Cornwall is not currently pursuing any administrative or legal action to enforce its land development bylaws in connection with the Martin Trust Property. This certification is limited to its explicit terms: that the Town is not, as of the date indicated below, pursuing any enforcement actions on this Property.

Based on the above information, I have also formed an opinion that I am unable to determine whether the PC's decisions, as voted on March 15 and April 19, 1989 together with the letter of May 3, 1989 noting the ZBA's "approval of your application . . .," can be conclusively interpreted as granting a two-lot subdivision permit subject only to reapplication if "Martin does NOT purchase the second half of your property." On the one hand, these records do reasonably suggest that the PC approved of two separate parcel transfers into Martin conditioned **only** on their actual occurrence, which was completed on March 31, 1992, thereby effectively returning the two parcels into single ownership. In addition, the two parcels as separately conveyed were, and remain, in compliance with the use and dimensional requirements of the zoning districts in which the parcels are located which, I believe, limits the application of any common law or statutory merger of the parcels that might otherwise occur when abutting non-conforming parcels come into common ownership. See, e.g., Appeal of Weeks, 167 Vt. 551, 553, 712 A.2d 902, 908-909 (1998) and CZR § 405.

On the other hand, a reasonable argument can be put forward that the intent of the PC as framed in their 1989 approvals was that the Deed transfer, when coupled with an option to purchase the remainder, would effectively result in the return of the Property to its previous status as a single integrated parcel. There is also a reasonable argument that the PC's 1989 subdivision approval as noted in the minutes and letter of May 3, 1989 lapsed by operation of law after 90 days when a Plat was not recorded bearing the necessary signatures as required by CSR 240.1.

Benjamin W. Putnam, Esq.

March 8, 2023

Page 4

Given these uncertainties, I am unable to affirmatively certify that the conveyed parcels retain their status as separate parcels as conclusive resolution of these issues would necessitate a final determination made in the context of a justiciable controversy. It is my opinion, however, that the facts as stated above and applicable law would not alone warrant the issuance of a notice of violation were the parcels to be conveyed into separate ownership given the ambiguities in the existing permits of record which were created, at least in part, by the PC in its initial review and decision of the 1989 permit applications. This opinion is, of course, subject to any contrary opinion that may be provided or issued by your counsel or a court or tribunal of competent jurisdiction in the course of an actual justiciable controversy.

#### Disclaimers

- 1) Nothing stated herein shall relieve an owner or buyer of real estate and their representatives and agents of the responsibility for making a thorough review of municipal records and independently determining whether there are any encumbrances on the subject property arising out of or relating to acquisition of all necessary and required zoning and other municipal approvals or with the laws of the State of Vermont. Nothing contained herein should be construed as an opinion or certification of marketability of the subject property or that the undersigned has conducted or undertaken a title search of the property for or on behalf of an owner or buyer of real estate or any insurer, mortgagor or assignee of the recipient.
- 2) Nothing herein shall preclude or prejudice the Town of Cornwall from taking any and all enforcement actions it deems appropriate against either the seller or buyer of real estate for a violation of the zoning bylaws, other municipal ordinances, bylaws, or regulations, or the laws of the State of Vermont.
- 3) This Certificate is issued based solely on the above-referenced information and is issued solely for informational purposes and is not provided to the requesting party or any third party in an advisory capacity or as professional advice upon which the recipient may rely in making land use decisions or determinations in connection with the Property in question. The recipient is hereby advised to seek the advice of independent counsel to determine the necessity or status of any land use permit needed for the recipient's current or future use of the Property.

Please feel free to contact me if I can be of further assistance.

Sincerely,

TOWN OF CORNWALL

By: /s/ James F. Carroll, Esq. for  
Gary Barnett, Zoning Administrator



## TOWN OF CORNWALL

ROUTE 30, CORNWALL  
RD 2, BOX 795 MIDDLEBURY, VERMONT 05753  
(802) 462-2775

May 3, 1989

Re: Subdivision Application

Dear Mr. Candido:

After meeting with you, the Board became aware of the conditions of the sale of your property to Randy Martin of Cornwall. You stated that Mr. Martin is under contract to purchase one-half of this property now and the other half within three years. Since only one buyer, Mr. Martin, is involved in the purchase of the total parcel, the Board voted its approval of your application with the following provisions. If, ultimately, Mr. Martin does not purchase the second half of your property and you subsequently contract to sell to another party, you must apply to the Board for further consideration under the subdivision regulations.

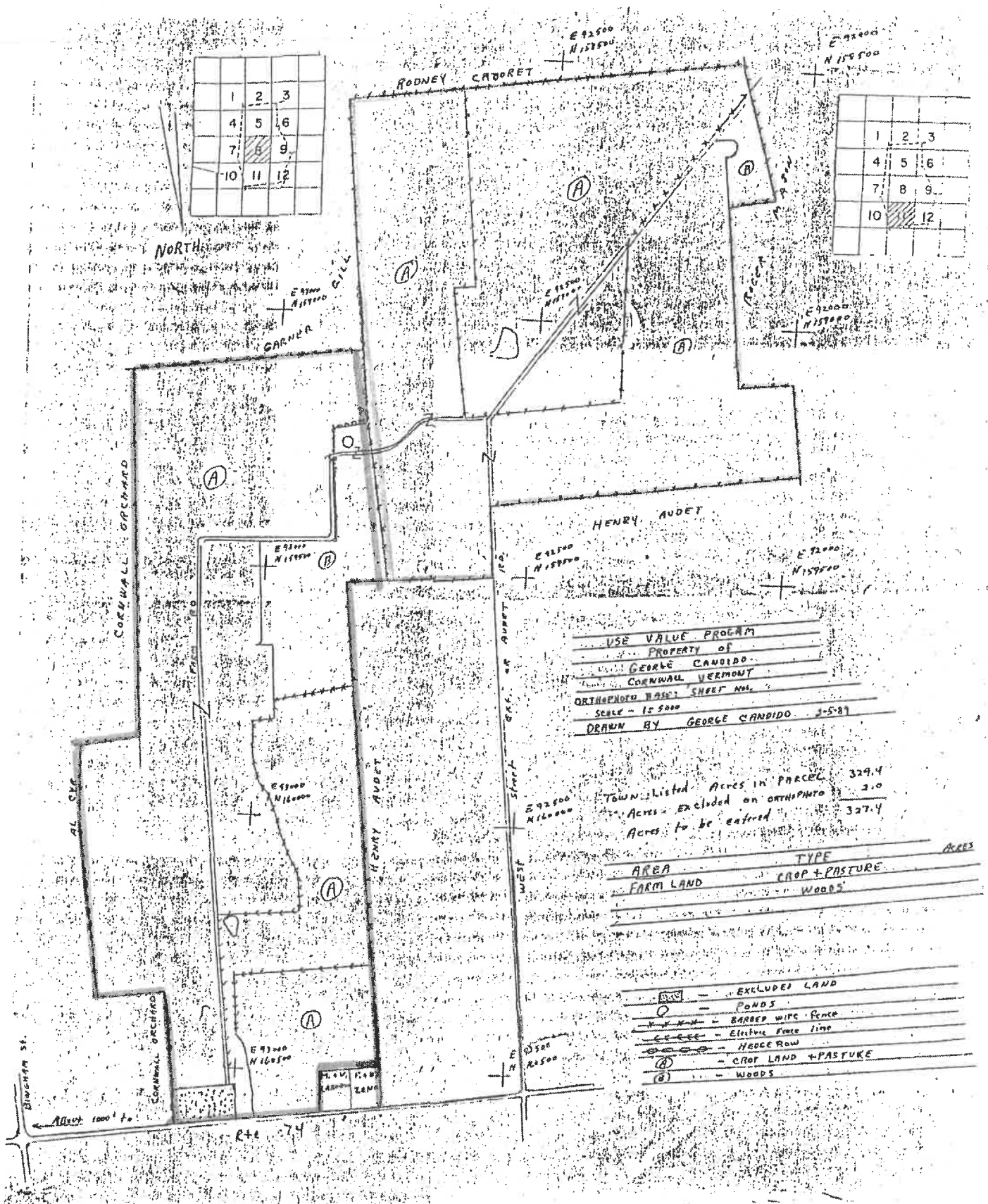
Sincerely,

Cornwall Planning Commission

*David:*  
*John Derrick & B.J.*  
*felt the letter needed to*  
*be more specific - so*  
*we rewrite it*  
*If you approve of this*  
*notice, we immediately*  
*so I can mail it out.*

*Thanks Sheila*





- Parcel to be sold
- Parcel to be under option





## WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS that **RANDY MARTIN** and **MARY MARTIN**, of Cornwall, County of Addison and State of Vermont ("Grantors"), in consideration of the sum of Ten and More Dollars, paid to their full satisfaction by **RANDY MARTIN and MARY MARTIN, Trustees of the Randy Martin and Mary Martin Joint Trust u/t/a dated April 20, 2017**, of Cornwall, County of Addison and State of Vermont ("Grantees"), by these presents, do hereby **GIVE, GRANT, SELL, CONVEY and CONFIRM** unto the said Grantees, **RANDY MARTIN and MARY MARTIN, Trustees of the Randy Martin and Mary Martin Joint Trust u/t/a dated April 20, 2017**, and their successors and assigns forever, a certain piece of land with all improvements thereon and appurtenances thereto in the Town of Cornwall, County of Addison and State of Vermont (the "Premises"), described as follows, viz:

Parcel One:

Being all and the same land and premises conveyed to Randy Martin and Mary Martin by Warranty Deed from George Candido and Alice Candido dated March 28, 1989 and recorded in Volume 35 at Page 319 of the Town of Cornwall Land Records, and being more particularly described therein as follows:

Being a PORTION of those lands and premises conveyed to the Grantors by Warranty Deed of Maurice E. Prior, Jr. and Marilyn B. Prior, dated May 31, 1967, recorded in Book 21, Page 399 of the Land Records of the Town of Cornwall.

The portion of said lands and premises herein conveyed consists of 165 acres, be the same more or less, and is described as follows:

On the north in part by Vermont Route 74, in part by lands of Maurice LaRock and in party by lands of Paul Zeno;

On the west in part by lands of Henry Audet and in part by a straight-line extension southwardly of Henry Audet's easterly line, which straight-line extension forms the boundary line between the lands herein conveyed and the lands retained by the Grantors;

On the south by lands of Gardner Gill; and

On the east by lands of Cornwall Orchards and in part by lands of Albert Cyr and Quintas.

Said lands are conveyed together with dwelling house, barns, silos and other outbuildings situated thereon.

Said lands and premises are conveyed SUBJECT TO utility pole line easements of record, including specifically, but not by way of limitation, utility line easement granted to Central Vermont Public Service Corporation on February 28, 1974.

Parcel Two:

Being all and the same land and premises conveyed to Randy Martin and Mary Martin by Warranty Deed from George Candido and Alice Candido dated March 31, 1992 and recorded in Volume 38 at Page 410 of the Town of Cornwall Land Records, and being more particularly described therein as follows:

Being a PORTION of those lands and premises conveyed to the Grantors herein by Warranty Deed of Maurice E. Prior, Jr. and Marilynn B. Prior dated May 31, 1967, recorded in Book 21, Page 399 of the Cornwall Land Records.

The portion of the lands and premises hereby conveyed constitute all the remaining lands and premises described in the aforementioned Deed which were reserved and not conveyed by the Warranty Deed of the Grantors herein to the Grantees herein dated March 28, 1989, recorded in Book 35, Page 319 of the Cornwall Land Records.

The parcel hereby conveyed is bounded on the North by lands now or formerly of Henry Audet; on the West partly by West Street Extension, or Audet Road, so called, and by lands now or formerly of Audet and lands now or formerly of Roger Mason; on the South by lands now or formerly of Rodney Cadoret; and on the East by Gill and by lands heretofore conveyed to Randy Martin and Mary Martin, the Grantees herein, by the aforementioned Deed.

Said lands and premises are conveyed SUBJECT TO utility pole line easements of record, including specifically, but not by way of limitation, utility line easement granted to Central Vermont Public Service Corporation on February 28, 1974, rights-of-way of record or in existence and any public highway which may traverse the said lands.

By acceptance of this Deed, Grantees acknowledge that the above-described lands and premises are SUBJECT TO the Land Use Value Appraisal Program and the Grantees intend to continue said lands and premises in that Program and hereby agree to indemnify and hold harmless Grantors, George Candido and Alice Candido, from any tax liability or penalty incurred by reason of any conversion of the said lands and premises to a non-farm use by reason of the land use tax lien arising by operation of law.

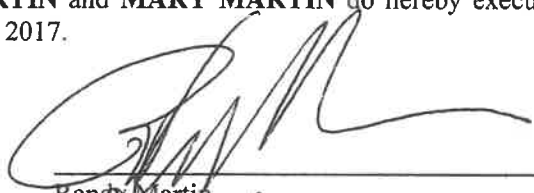
The Premises are subject to: (a) easement from Randy Martin and Mary Martin to Central Vermont Public Service Corporation and Shoreham Telephone Company, Inc., dated April 14, 2003 and recorded in Volume 57 at Page 245 of the Town of Cornwall Land Records; (b) taxes assessed on the Grand List not delinquent on the date of this Deed, which Grantees herein assume and agree to pay as part of the consideration for this Deed subject to such taxes being prorated between Grantors and Grantees on the date this Deed is delivered; (c) the provisions of municipal ordinances, public laws and special acts; and (d) all easements and rights of way of record, not meaning to reinstate any claims barred by operation of the Vermont Marketable Record Title Act, 27 V.S.A. § 601, *et seq.*

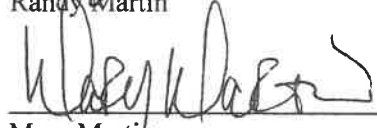
By including two separate parcels of land in a single Deed, neither Grantors nor Grantees intend to create a merger of lots. Rather, Grantors and Grantees intend for the parcels to retain their separate and distinct status as separate lots of land.

Reference is hereby made to the above-mentioned instruments, the records thereof and the references therein contained in further aid of this description.

**TO HAVE AND TO HOLD** the said granted Premises, with all the privileges and appurtenances thereto, to the said Grantees, **RANDY MARTIN and MARY MARTIN, Trustees of the Randy Martin and Mary Martin Joint Trust u/t/a dated April 20, 2017**, and their successors and assigns, to their own use and behoof forever; and the said Grantors, **RANDY MARTIN and MARY MARTIN**, for themselves and their heirs and assigns, do covenant with the said Grantees, and their successors and assigns, that until the ensealing of these presents, Grantors are the sole owners of the Premises, and have good right and title to convey the same in the manner aforesaid, that the said Premises are **FREE FROM EVERY ENCUMBRANCE**, except as aforementioned; and they hereby engage to **WARRANT and DEFEND** the same against all lawful claims whatsoever, except as aforementioned.


IN WITNESS WHEREOF, **RANDY MARTIN and MARY MARTIN** do hereby execute this Warranty Deed this 26<sup>th</sup> day of April, 2017.

  
\_\_\_\_\_  
Randy Martin

  
\_\_\_\_\_  
Mary Martin

STATE OF VERMONT  
COUNTY OF ~~CHITTENDEN~~, SS.  
ADDISON

On this 26<sup>th</sup> day of April, 2017, personally appeared **RANDY MARTIN and MARY MARTIN**, to me known to be the persons who executed the foregoing instrument, and they acknowledged this instrument, by them signed, to be their free act and deed.

Before me,   
\_\_\_\_\_  
Notary Public

Printed Name: SUSAN A. JOHNSON

Notary commission issued in Chittenden County  
My commission expires: 2/10/19



**List of Abutters**  
**Randy Martin and Mary Martin Joint Trust**

Paul and Deborah Zeno  
2141 Route 74  
Cornwall, VT 05753  
(parcel 08-03-45)

Barbara Mooney (Life Estate)  
1986 Route 74  
Cornwall, VT 05753  
(parcel 08-01-28.1)

Allison Quinttus  
15 Ashland Ave.  
Pleasantville, NY 10570  
(parcel 08-03-73)

Richard Brusco Revocable Trust  
1519 DeLong Road  
Cornwall, VT 05753  
(parcel 11-01-33)

Florence Gill Trust  
137 Wooster Road  
Whiting, VT 05778  
(parcel 11-01-14)

Casimir & Katar Chlodnicki  
812 Wooster Road  
Whiting, VT 05778  
(parcel 11-01-10.7)

Julius Kingdom Farm LLC  
315 Angel Road  
Whiting, VT 05778  
(parcel 11-01-13)

Benjamin Marks and Elizabeth Morrison  
2098 Route 74  
Cornwall, VT 05753  
(parcel 08-01-36)

Marjorie Drexler, Trustee  
1874 Route 74  
Cornwall, VT 05753  
(parcel 08-01-35)

James Girard Morisseau  
194 S. Bingham Street  
Cornwall, VT 05753  
(parcel 08-03-81)

Lorenzo and Amy Quesnel  
123 Cutting Hill Road  
Whiting, VT 05778  
(parcel 11-01-03)

Paul and Doris Seiler  
438 Wooster Road  
Whiting, VT 05778  
(parcel 11-01-39)

Roger and Kathy Mason  
980 Wooster Road  
Whiting, VT 05778  
(Shoreham parcel 06-01-07)

Hibernia Farm LLC  
John and Sheila Doyle  
P.O. Box 388  
Middlebury, VT 05753  
(parcel 08-03-75)





THESE MAPS ARE FOR PLANNING PURPOSES ONLY. THEY ARE NOT TO BE USED FOR DESCRIPTION, CONVEYANCE, OR DETERMINATION OF LEGAL TITLE. ALL INFORMATION IS SUBJECT TO CHANGE.

UPDATED THROUGH APRIL 1, 2021

UPDATED BY  
**CHRISTINE CHAMBERLAIN**  
 MAPPING  
 105 Court St #313  
 Middlebury VT 05753  
 chrishamb@gmavt.net

LEGEND	Thin boundary	Right-of-way	12
	Parcel boundary road	Black line	AcS
	Parcel boundary	N	AcD
	Parcel boundary water	Subline water	AcC
	Subparcel/BLA	Match line	③
			Δ

