

**Bristol Town Administrator**

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**From:** Kevin E. Brown <KBrown@langrock.com>  
**Sent:** Tuesday, November 27, 2018 4:10 PM  
**To:** Bristol Town Administrator  
**Subject:** lease land conveyance  
**Attachments:** 675916\_1 (3).docx

Valerie,

Yes, the law requires that the Town receive some consideration. The way to do this is to calculate the present value of all remaining lease payments. This is difficult; however, because the leases vary in length and are sometimes difficult, time consuming, and expensive to identify through the land records. Some leases ran for 99 years and automatically renewed. Others ran for as long as grass grows and water runs.

Where I have had the information to calculate a present value, the consideration is a few hundred dollars depending on the size of the acreage. Smaller acreage would be less.

I have attached a notice that I did for Rochester. Until the recent legislative change, a town had to follow the advance notice requirement of §1061(a). At least that requirement is gone.

You could establish fee scale; something like \$150 up to 5 acres, \$300 for 5 to 20, + \$X per acre above 20.

Or, the Selectboard can vote to be done with lease lands once and for all.

**Kevin E. Brown, Esq.**

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## PUBLIC NOTICE

### TOWN OF ROCHESTER COVEYANCE BY QUITCLAIM DEED OF ANY AND ALL RIGHTS TO PUBLIC LEASE LANDS CONCERNING 1335 THRESHER HILL ROAD

Pursuant to 24 V.S.A. §1061(a)(1), the Town of Rochester (“the Town”) hereby gives notice that the Town proposes to convey by quitclaim deed any and all rights that it may have pursuant to any colonial or state grant of public lease lands associated the property of 45 acres +/-located at 1335 Thresher Hill Road in Rochester, Vermont ("the property"). The property is owned by Martin Bowne, Jr. and Martin Bowen III ("the owners"). The owners will pay to the Town the sum of \$333.33 and will reimburse the Town for the cost of publication and any other expenses incurred, including the Town's attorney's fees for reviewing the conveyance documents and to complete the closing. The proposed date of closing is July 11, 2016.

24 V.S.A. §1061(a)(2) states in pertinent part: "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 the notice required by [24 V.S.A. §1061(a)(1)] the legislative body shall cause the question of whether the municipality shall convey the real estate to be considered at a special or annual meeting called for that purpose."

Joanne McDonnell  
Rochester Town Clerk  
67 School St.  
Rochester, VT 05767