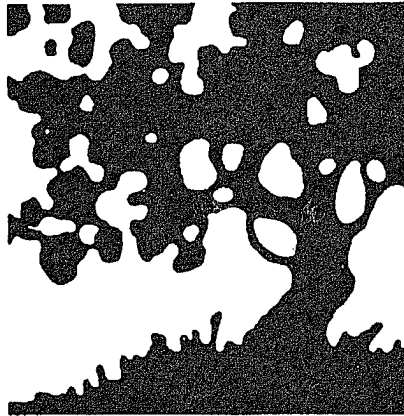


BASELINE DOCUMENTATION REPORT



Vermont Land Trust

INDIAN LOVE CALL PROPERTY

Newfane, Vermont

VLT Project No. 130608

Prepared by:
Conservation Stewardship Program
Vermont Land Trust
8 Bailey Ave.
Montpelier, VT 05602
(802) 223-5234

Vermont Land Trust ■ Conservation Stewardship

The Conservation Stewardship Program is staffed by a director, stewardship agricultural manager, paralegal, special assistant, conservation and stewardship assistant, two stewardship foresters and conservation field assistants.

The responsibilities of the Conservation Stewardship Program include maintaining land related records, tracking changes in land ownership, monitoring conserved properties at least annually, photo-documenting land uses periodically, answering landowner questions, interpreting or approving permitted activities, and correcting violations through voluntary compliance or, if necessary, legal proceedings.

The Conservation Stewardship Program publishes a quarterly newsletter, *Stewards of the Land*, for all owners of property protected by conservation easements. Stewardship Program staff also support landowners as stewards of their land by offering information and advice on sound and sustainable uses of conserved properties.

This Report Contains the Following Information:

- Introduction and description of the current uses of the property
- Summary of Grantor's and Grantee's rights
- References
- Signature pages
- Conserved property location map
- USGS topographic map
- Orthophoto map
- Conservation Easement map
- Photopoint map
- Photographic Documentation

INDIAN LOVE CALL PROPERTY

Newfane, Vermont

Introduction

The purpose of the enclosed information is to describe the physical features and current land uses of the **Indian Love Call Property** on which the development rights, perpetual conservation easement and restrictions and public access easement are being conveyed to the Vermont Land Trust, Inc. (VLT) and recorded in the Newfane Land Records.

This report is based, in part, on a documentation visit by Kerry Doyle (Conservation Field Assistant) for the Vermont Land Trust on February 13 and March 9, 2007. Joan Weir was present during the February 13 visit and Paul Cameron, Secretary/Treasurer of Rock River Preservation, Inc. was present for the March 9 visit. Kerry assembled the report and digital photographs; maps were prepared by Kerry and VLT GIS staff.

Description and Current Use

Connecticut River Watershed Council, Inc. (CRWC) is conveying the development rights and conservation restrictions on ± 4.5 acres of land in Newfane. The purpose of the easement is to conserve riparian shoreline, woodlands and open lands, wildlife habitat and other natural resource values of the Protected Property for the scenic and recreational benefit of the public.

The Indian Love Call Property includes two adjacent parcels of land; a ± 1.8 acre curving strip of land that encompasses portions of the south banks of the Rock River, and ± 2.7 acres on the north side of Depot Road in Newfane. The Rock River serves as a tributary of the West River. The protected property includes three primary swimming holes along a stretch of river and several scenic areas enjoyed by the public. Listing of the land for sale prompted users of this popular swimming area to form Rock River Preservation, Inc. (RRP) in August 2005. The property will be sold to RRP upon conservation. RRP currently includes a six member board and it maintains a mailing list of approximately 100 members.

Parking is prohibited on the Depot Road from spring through fall. Users of the swimming area typically park on the east side of Route 30 in Dummerston near the intersection with Depot Road and hike in through Town Trail No. 11, which is located downriver from the property. The property can also be accessed via its frontage on Depot Road. Several parties including the Vermont Agency of Natural Resources, Vermont Agency of Transportation (VTRANS), officials from the towns of Dummerston and Newfane, local residents and members of the CRWC and RRP conducted studies and engaged in discussion to develop improvements with regard to parking issues in this area. In addition these parties have collaborated to identify issues and potential solutions related to pedestrians crossing on Route 30, sanitation, public access to riverfront and water quality protection.

RRP prepared a 2007 Management Plan for the property. The plan will be reviewed and updated in 2008. According to the Management Plan, RRP will monitor the property for littering, erosion problems or other issues that may jeopardize its traditional use. RRP believes the best stewards of the land are the users. RRP's Secretary/Treasurer, Paul Cameron, notes that litter has not been a problem because the users have a deep appreciation for the land and they clean up after themselves and others.

A mix of typical northern hardwood and softwood species vegetate the river banks. The land descends steeply to moderately to the Rock River. According to a 1985 survey prepared by T.E. Schreyer, the center line of the river demarcates the northern property line and the center line of Town Trail No. 11 indicates the southerly boundary. Because of the river's dynamic natural processes, the boundary in the center line of the river can shift from year to year. Due to erosion, one section of Town Trail #11 has washed out. In order to access the river upstream from this point, users hike over an abutting property.

Windham County Natural Resources Conservation District conducted Phase 1 of a Geomorphic Assessment on the Rock River in 2006. The study documents erosion hazards, identifies potential negative impacts on the river and determines areas for further study. This report may be utilized by RRP, local municipalities or regional organizations to identify locations for restoration and protection projects. The section of river that includes the protected property has been recommended for Phase 2 Geomorphic Assessment.

Purposes of the Grant

The purposes of the Grant will be advanced by conserving the protected property because it possesses the following attributes:

- 4.5 acres of woodland
- 4,200 feet of frontage on the Rock River
- outstanding water features including swimming holes, whitewater and ledges
- scenic trails or paths used by the public
- wildlife habitat

Management Plans

The landowner is required to develop a comprehensive Management Plan including updates, revisions and amendments. The landowner shall solicit public input from residents of Newfane and the general public. The Management Plan should be developed in a timely and responsive manner and the Vermont Land Trust shall be provided a copy of each Management Plan and a copy of each final adopted Management Plan.

The Management Plan will:

- Present a plan for the use and management of the property that is consistent with the easement's purpose. The Management Plan will identify actions to accomplish the following and will balance all the resources attributes and human use of the property.

Inventory of Existing Structures

There are no structures on the protected property.

Excluded Parcels

There are no excluded parcels.

Natural Resources

The VLT Site Assessment process has not identified any rare species, significant natural communities, wetlands, or deer wintering areas.

Public Access

The landowner agrees that the Protected Property shall be available to the general public for all types of non-motorized, low impact, low density, dispersed recreational activities (including swimming, bird-watching, hiking, snowshoeing, and cross country skiing) and educational activities consistent with the easement's purposes and the Management Plan. The landowner may limit or restrict public access to the Protected Property to assure compliance with the easement, to protect wildlife habitat, or to protect the public health or safety (including hunter safety).

Summary of Grantor's¹ Rights and Restrictions

Conservation rights and restrictions allow the protected property to be used for public non-commercial, non-motorized pedestrian recreational or cultural purposes. The following is a summary of the restricted and permitted uses included in the grant (referred to as the easement throughout this document).

PERMITTED USES OF THE PROPERTY

The following are permitted activities on and uses of the conserved property:

1. A conserved property may be used for habitat protection, forestry, education, non-commercial, non-motorized recreation, habitat conservation and open space purposes only. Unless specified in the easement, no residential, commercial, industrial, or mining activities are permitted. No buildings or appurtenant structures or will be constructed, created, installed, erected or moved on to the Protected Property unless specifically permitted in the easement and the Management Plan.
2. The landowner has the right to use the Protected Property for low-impact, low density, non-motorized, recreational purposes consistent with the easement's purposes. Such activities may include, but are not limited to, swimming, bird watching, hiking, snowshoeing, and cross-country skiing. Mechanized recreation i.e. mountain biking and activities such as horseback riding, may be permitted by the landowner if such activities are regulated in the Management Plan and are consistent with the easement's purposes.
3. Landowner will periodically inspect the protected property to assure compliance with the easement and will report the results of inspection to VLT if requested.

¹ Grantor is the, **Connecticut River Watershed Council, Inc.** its successors, and assigns.

4. Landowner will take all reasonable steps to correct any violation of the terms of the easement.
5. Landowner agrees that the protected property will be available to the general public for uses consistent with easement. Landowner may erect signs and limit public access to the protected property to ensure compliance with the easement or to protect public health or safety. The construction of structures or site alterations may be permitted with the **prior written approval of VLT**.
6. No activity or use of the property which is inconsistent with the purposes of the easement or has the potential to become inconsistent with the purposes of the easement will be permitted.
7. The easement prohibits the operation of motorized vehicles **except** for uses permitted in the easement, such as wildlife, horticulture and forest management, trail grooming and maintenance, handicap access and for public safety purposes. Snowmobiling is left to the discretion of the landowner.
8. The landowner may clear, construct and maintain trails for non-motorized, non-commercial recreational activities.
9. The easement allows for the construction, repair, maintenance, and use of a minimal number of minor structures for erosion control and human waste disposal (stairways, outhouses, handrails, boardwalks, etc.). Any minor structure shall not have access roads, utility service or facilities or plumbing. The minor structures are not for commercial use. **Prior written approval of VLT** is required before construction of a minor structure begins.
10. Subdivision of the protected property is prohibited unless the landowner first secures **VLT's written approval** which VLT may give or withhold in its sole discretion. Since the intent of the easement is to keep the protected property together as a single unit, except when a right to subdivide is specifically permitted in the easement, approval to subdivide is rarely granted. Even when VLT does approve a subdivision, all the land will usually remain subject to the easement.

Summary of Grantees'² Rights

The Grantees' primary intent is to conserve riparian shoreline, woodlands and open lands, wildlife habitat and other natural resource values of the Protected Property for the scenic and recreational benefit of the public. Aside from holding the development rights on the protected property, the Grantee has the right to periodically monitor the property and enforce the Conservation Restrictions.

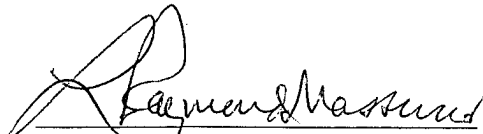
This is a summary of the actual legal rights. For a complete description of these rights, refer to the Grant of Development Rights and Conservation Restrictions.

² Grantee refers to the **Vermont Land Trust, Inc.**, its successors and assigns.

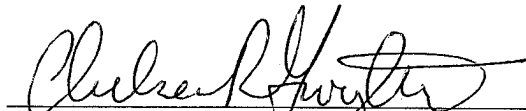
References

- Grant of Development Rights and Conservation Restrictions, Indian Love Call Property, 2007
- Rock River Preservation, Inc., Management Plan, 2007
- Rock River Geomorphic Assessment Report, Phase 1, Windham County Natural Resources Conservation District, Spring 2006
- Appraisal of Two Parcels of Land Along the Rock River, Everett Real Estate Services, Inc., September 8, 2005
- Vermont Land Trust Site Assessment Process, including data from:
 - Vermont Nongame and Natural Heritage Program, Vermont Department of Fish and Wildlife, 2003. The Biological Land Conservation Data System, Rare Species and Significant Natural Community Digital Data Set, Waterbury, Vermont;
 - U.S. Fish & Wildlife Service, 1983. National Wetlands Inventory data for Vermont;
 - Vermont Agency of Natural Resources, 1997, Deer Wintering Areas in Vermont.
- Survey titled "O'Malley Land Survey In: Williamsville, Vermont For: Robert D. O'Malley" prepared by T. E. Schreyer, Jr. and dated January 2, 1985

I, **CHELSEA REIFF GWYTHER**, duly authorized agent, of the **CONNECTICUT RIVER WATERSHED COUNCIL, INC.** have signed this Baseline Documentation Report with the understanding and agreement that this Report will be used for, but not limited to, monitoring the property depicted and described in this Report for compliance with the Grant of Development Rights and Conservation Restrictions, signed by me. I have read this Report and understand it. I agree that this Report, including the maps and photographs, accurately describes and depicts the physical features, relevant site conditions, and current structures and land uses on my property conserved by the Grant. I affirm that there are no activities ongoing on my property that are inconsistent with the Grant.


Witness

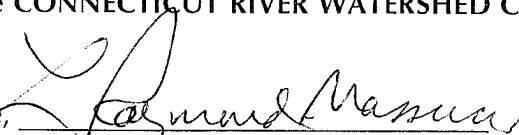
CONNECTICUT RIVER WATERSHED COUNCIL,
INC.

By: 
Its duly authorized agent

3/16/07
Date

STATE OF VERMONT
WINDHAM COUNTY, ss

At Bellefleur, this 16th day of March, 2007, **CHELSEA REIFF GWYTHER**, duly authorized agent, of the **CONNECTICUT RIVER WATERSHED COUNCIL, INC.**, personally appeared and she acknowledged this instrument, by her sealed and subscribed, to be her free act and deed and to be the free act and deed of the **CONNECTICUT RIVER WATERSHED COUNCIL, INC.**

Before me, 
Notary Public
My Commission Expires: 2/10/2011

Indian Love Call Property ♦ Newfane, Vermont

I, **KERRY E. DOYLE** have signed and prepared this Baseline Documentation Report with the understanding and agreement that this Report will be used for, but not limited to, monitoring the property depicted and described in this Report for compliance with the Grant of Development Rights and Conservation Restrictions, about to be executed. I affirm that I visited this property personally and that this Report including the maps and photographs accurately describes and depicts the physical features, relevant site conditions, and current structures and land uses on the property conserved by the Grant.

VERMONT LAND TRUST, INC.

Nichole Hammond
Witness

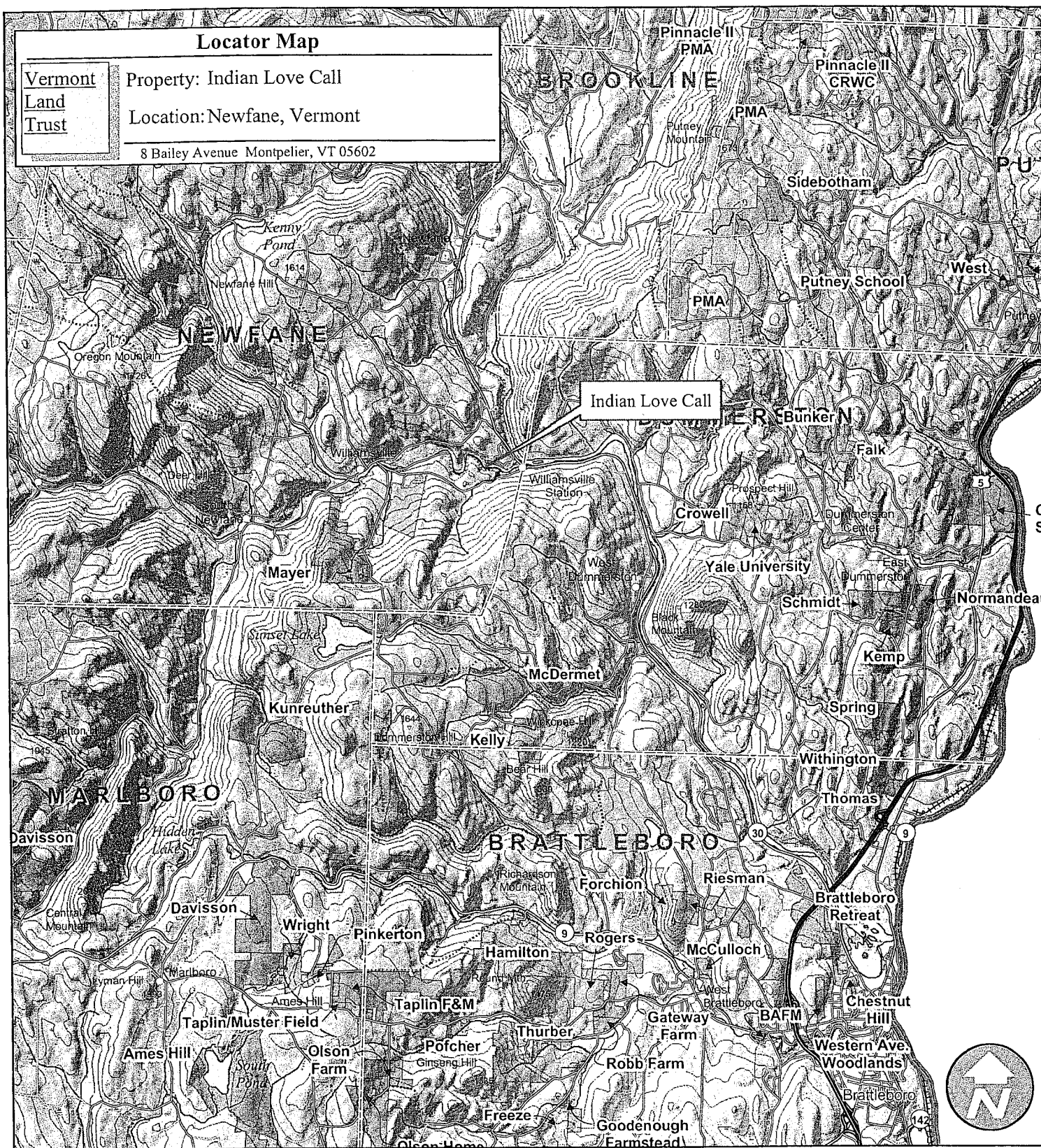
By: Kerry E. Doyle
KERRY E. DOYLE

3/15/07
Date

STATE OF VERMONT
WINDHAM COUNTY, ss

At Brattleboro, this 15th day of March, 2007, **KERRY E. DOYLE**, Duly Authorized Agent of the **VERMONT LAND TRUST, INC.**, personally appeared and she acknowledged this instrument, by her sealed and subscribed, to be her free act and deed and to be the free act and deed of the **VERMONT LAND TRUST, INC.**

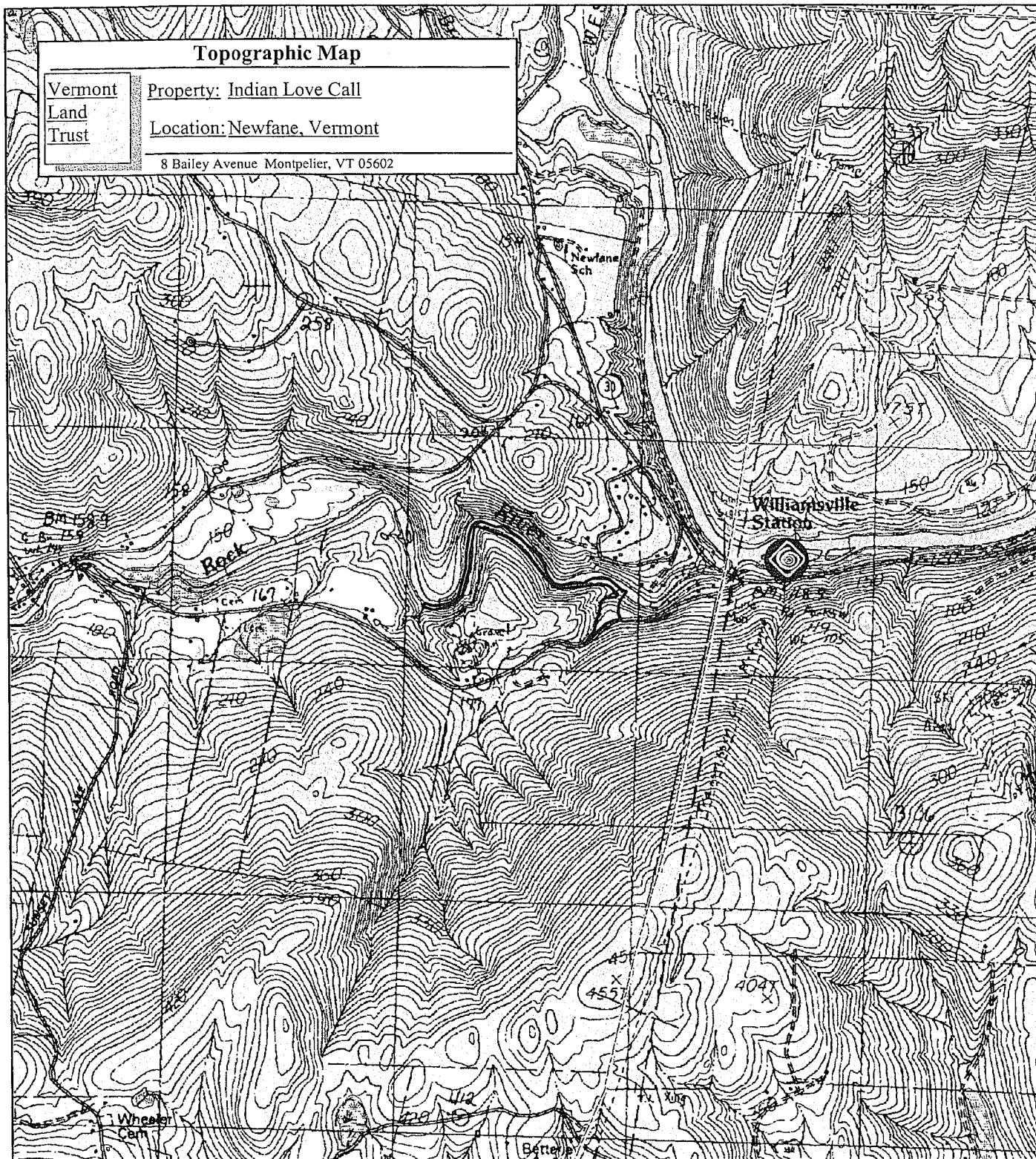
Before me, Barbara K. Hewes
Notary Public
My Commission Expires: 2/10/2011



Directions to the property:

1:100,000

From the Brattleboro office: Follow Route 30 North for approximately 14 miles. At the junction of Route 30 and Williamsville Rd. in Dummerston, park on the east side of Route 30. Cross Route 30 and walk up Williamsville Rd. (This becomes Depot Rd. in Newfane), in <0.1 miles, turn right. This road becomes Town Trail # 11. Walk approximately 100' to the end of the road and continue on the town trail, past the camps on the river. The town trail winds along the river and the property begins 77' before the first stream crossing of East Aldrich Brook.



USGS 7.5 Minute Quadrangles:
Newfane, 1984

Scale: 1:24,000



Rare, Threatened or Endangered
Species and/or Community*



Wetlands (NWI)



Deeryards



* Vermont Nongame and Natural Heritage Program, Vermont Department of Fish and Wildlife, 2003. The Biological and Conservation Data System, Rare Species and Significant Natural Community Digital Data Set. Waterbury, Vermont.

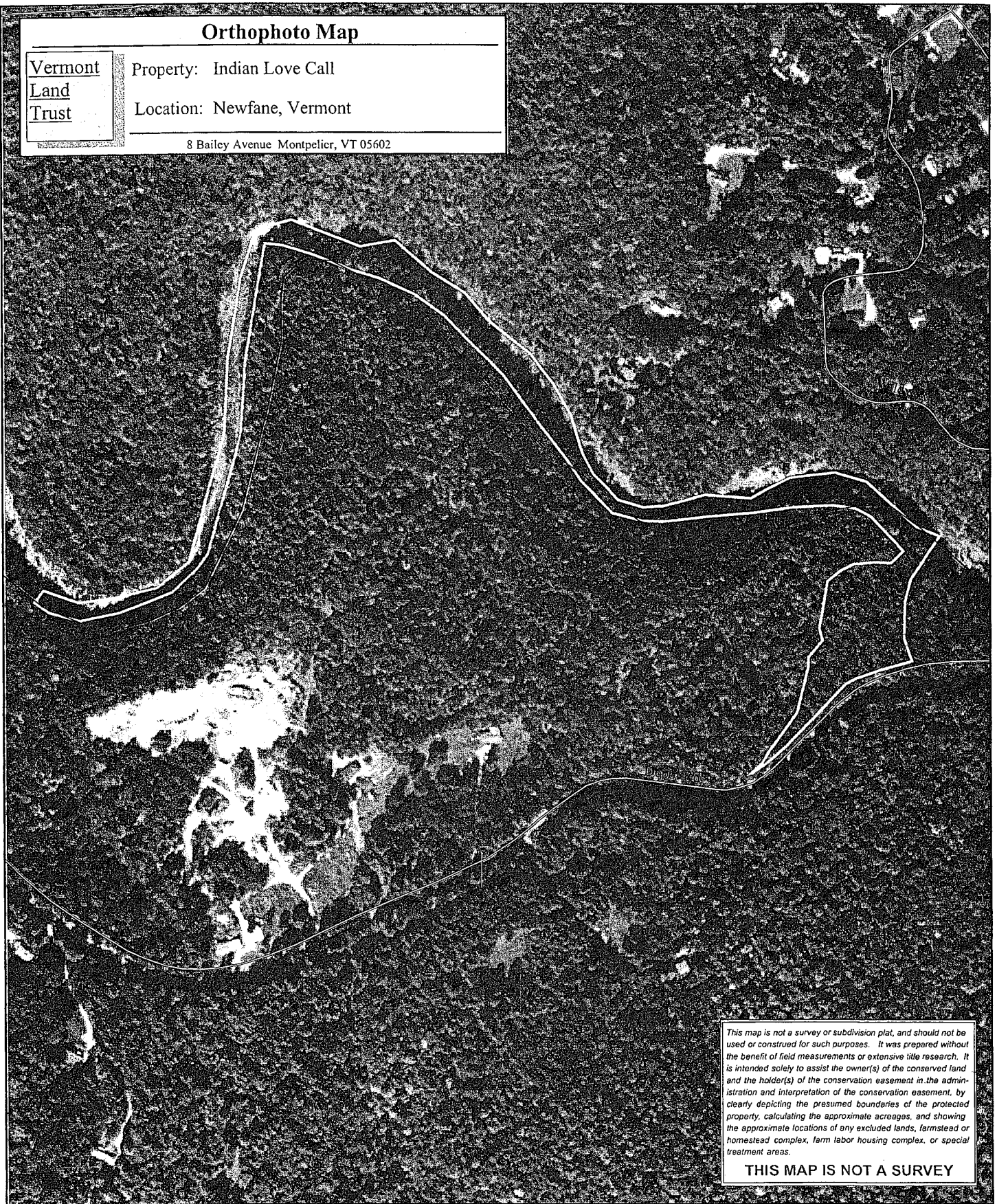
Orthophoto Map

Vermont
Land
Trust

Property: Indian Love Call

Location: Newfane, Vermont

8 Bailey Avenue Montpelier, VT 05602



This map is not a survey or subdivision plat, and should not be used or construed for such purposes. It was prepared without the benefit of field measurements or extensive title research. It is intended solely to assist the owner(s) of the conserved land and the holder(s) of the conservation easement in the administration and interpretation of the conservation easement, by clearly depicting the presumed boundaries of the protected property, calculating the approximate acreages, and showing the approximate locations of any excluded lands, farmstead or homestead complex, farm labor housing complex, or special treatment areas.

THIS MAP IS NOT A SURVEY

Protected Property

Scale: 1:5,000

0 150 300 600 900 1,200 Feet



Photopoint Map

Vermont
Land
Trust

Property: Indian Love Call

Location: Newfane, Vermont

8 Bailey Avenue Montpelier, VT 05602



1:9,000

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