

BK133
485

STATE OF VERMONT
DISTRICT OF MANCHESTER, SS

IN PROBATE COURT

IN RE THE ESTATE OF
HARRY J. PICKERING, SR
LATE OF ARLINGTON, VERMONT

EXCERPTED DECREE OF PARTIAL DISTRIBUTION

On Harry J. Pickering, II, Executor of the above entitled estate, for a Decree of Partial Distribution to accomplish the specific bequest set forth in Article Second, Paragraph (B)(2) of the Last Will and Testament of the decedent, and to make a partial residuary distribution pursuant to Article Third of the Last Will and Testament of the decedent, the Court decrees as follows:

WHEREAS, it appears by the records and files of the Court that all debts and funeral expenses of the decedent have been paid, and that all administration expenses of the estate of the decedent that have come due and payable have been paid; and

WHEREAS, the said Executor is required to distribute real estate to Frederick E. Pickering, pursuant to the specific bequest set forth in Article Second, Paragraph (B)(2) of the Last Will and Testament of the decedent; and

WHEREAS, the said Executor wishes to make a partial distribution of the remaining residuary estate to the residuary beneficiaries in order to equalize the distribution of the residuary estate called for under the equalization formula set forth in Article Third of the Last Will and Testament of the decedent; and

WHEREAS, this Court is satisfied that sufficient funds will be reserved by the said Executor to pay anticipated administration expenses and taxes that may be charged to the estate;

NOW THEREFORE, in accordance with the said Motion, the Last Will and Testament of the decedent and the laws of the State of Vermont, the Court herewith decrees as follows:

1 Pursuant to the specific bequest set forth in Article Second, Paragraph (B)(2) of the Last Will and Testament of the decedent, to Frederick E. Pickering the real estate belonging to the estate and described on Schedule A attached . . .;

2 . . .;

3 . . .;

4 . . .;

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WHALEN
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SCHEDULE A

Being a portion of the lands and premises conveyed to Harry J. Pickering, Sr. and April C. Pickering, husband and wife, by Warranty Deed of William I. Young and Lillian B. Young, dated February 1, 1962 and recorded June 28, 1962 in Book 32, at Page 37, of the Arlington Land Records. The lands and premises are more particularly described as follows:

Beginning at a point located at the northeasterly corner of the lands and premises now or formerly of Martin Oakland and Valerie Oakland and the westerly boundary of the highway right of way for Vermont Route 313; thence continuing in a northerly direction along the westerly highway right of way for Vermont Route 313 to a point marking the southeasterly corner of the lands now or formerly of Flora Ellis described in a Quitclaim Deed dated February 5, 2001, and recorded in Book 97, at Page 329 of the Arlington Land Records; thence in a westerly direction along the southerly border of the lands and premises now or formerly of Ellis to a point marking the southwesterly corner of the lands now or formerly of Ellis; thence continuing in a northerly direction along the westerly boundary of the lands and premises now or formerly of Ellis to a point marking the northwesterly corner of the lands and premises now or formerly of Ellis; thence in an easterly direction along the northerly border of the lands and premises now or formerly of Ellis to a point in the westerly highway right of way for Vermont Route 313; thence continuing in a northerly direction along the westerly boundary line of Vermont Route 313 to a point represented by the intersection of the westerly boundary of the highway right of way for Vermont Route 313 and the southerly boundary of the highway right of way for Benedict Crossing; thence continuing in a westerly direction along the southerly highway right of way for Benedict Crossing to a point wherein the southerly boundary of the highway right of way for Benedict Crossing intersects the seasonal high water mark of the Battenkill River; thence in a southerly direction along the seasonal high water mark of the Battenkill River to a point wherein the seasonal high water mark of the Battenkill River intersects the northwesterly corner of the lands and premises now or formerly of Martin and Valerie Oakland; thence easterly along the northerly boundary of the lands and premises now or formerly of Oakland to the point and place of beginning. The above described lands and premises consist of 30 acres, more or less.

Included in this conveyance are all of grantor's right, title and interest to the center line of Vermont highway Route 313 bordering said parcel on the east, all of grantor's right, title and interest to the center line of Benedict Crossing bordering said parcel on the north, and all of the grantor's right, title and interest to the center line of the Battenkill River bordering said parcel on the west.

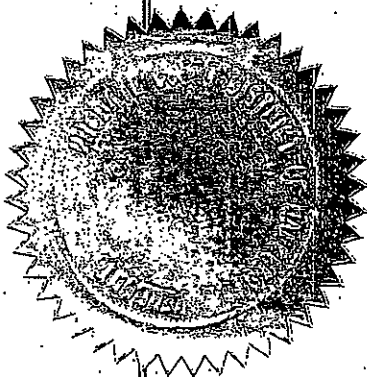
The above described lands and premises are conveyed subject to the rights of the public to traverse those portions of the lands and premises which fall within the highway right of way for Vermont Route 313, Benedict Crossing, and the rights of the public to access the waterways of the Battenkill River, the rights of the State of Vermont in and to the natural waterway, and the upper and lower riparian rights of others in connection with the Battenkill River.

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TO HAVE AND TO HOLD the same as aforesaid, to Frederick E. Pickering, their heirs, executors, administrators and assigns, forever.

And the said Executor is ordered to pay over and deliver said estate according to this Decree.



MANCHESTER PROBATE COURT

Attest:

Louise E. Stover
Register

Signed *Joseph D. Buchanan* Judge

Dated *February 11*, 2008

Probate Court, District of Manchester

ARLINGTON TOWN CLERK'S OFFICE
RECEIVED FOR RECORD

THIS 5 DAY OF March A.D. 2008

AT 1:15 O'CLOCK P M AND RECORDED

IN ARLINGTON LAND RECORDS

BOOK 133 PAGE 485-487

ATTEST *Robt. S. Smith* TOWN CLERK

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