

STATE OF VERMONT

Vermont Superior Court
Washington Unit

Patricia Spry, Cathy Hudson, Barbara)
Dustin, Matthew Hudson, Judith Hudson)
and Michael Hudson,)
Plaintiffs)

Civil Division
Docket No.

Wncv

v.

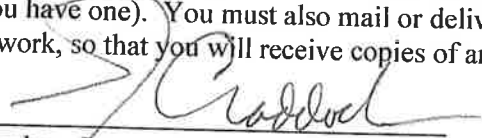
Town of East Montpelier, Gregory Allard)
and Amanda Blake,)
Defendants)

SUMMONS

THIS SUMMONS IS DIRECTED TO: Town of East Montpelier

- 1. YOU ARE BEING SUED.** The Plaintiff(s) has started a lawsuit against you. The Plaintiff's Complaint against you is attached to this summons. Do not throw these papers away. They are official papers that affect your rights.
- 2. YOU MUST REPLY WITHIN 20 DAYS TO PROTECT YOUR RIGHTS.** You must give the Plaintiff(s) a **written response** called an Answer within 20 days of the date on which you received this Summons. You must send a copy of your Answer to the Plaintiff's attorney, Stephen J. Craddock, Esq., at P.O. Box 665, Barre, VT 05641. You must also give or mail your Answer to the Court at 65 State Street, Montpelier, VT 05602.
- 3. YOU MUST RESPOND TO EACH CLAIM.** The Answer is your written response to the Plaintiff's Complaint. In your Answer you must state whether you agree or disagree with each paragraph of the Complaint. If you believe the Plaintiff should not be given everything asked for in the Complaint, you must say so in your Answer.
- 4. YOU WILL LOSE YOUR CASE IF YOU DO NOT GIVE YOUR WRITTEN ANSWER TO THE COURT.** If you do not Answer within 20 days and file it with the Court, you will lose this case. You will not get to tell your side of the story, and the Court may decide against you and award the Plaintiff(s) everything asked for in the complaint.
- 5. YOU MUST MAKE ANY CLAIMS AGAINST THE PLAINTIFF(S) IN YOUR REPLY.** Your Answer must state any related legal claims you have against the Plaintiff(s). Your claims against the Plaintiff(s) are called Counterclaims. If you do not make your Counterclaims in writing in your Answer, you may not be able to bring them up at all. Even if you have insurance and the insurance company will defend you, you must still file any Counterclaims you may have.
- 6. LEGAL ASSISTANCE.** You may wish to get legal help from a lawyer. If you cannot afford a lawyer, you should ask the court clerk for information about places where you can get free legal help. **Even if you cannot get legal help, you must still give the Court a written Answer to protect your rights or you may lose the case.**
- 7. NOTICE OF APPEARANCE FORM.** THE COURT NEEDS TO KNOW HOW TO REACH YOU SO THAT YOU WILL BE INFORMED OF ALL MATTERS RELATING TO YOUR CASE. If you have not hired an attorney and are representing yourself, in addition to filing the required answer it is important that you file the Notice of Appearance form attached to this summons, to give the court your name, mailing address and phone number (and email address, if you have one). You must also mail or deliver a copy of the form to the lawyer or party who sent you this paperwork, so that you will receive copies of anything else they file with the court.

DATED: January 26, 2016.


Stephen J. Craddock, Esq.
Plaintiffs' Attorney

SERVED ON: 01-26-16
Date


Tom Rowell
Sheriff

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ACTION TO QUIET TITLE AND/OR ACTION FOR DECLARATORY JUDGMENT

NOW COME the Plaintiffs, by and through their attorney, Stephen J. Craddock, Esq., who hereby request this Honorable Court declare that Plaintiffs have obtained title to a parcel of land in East Montpelier by adverse possession. In support hereof, Plaintiffs hereby submit the following:

BACKGROUND

1. Plaintiff Patricia Spry is a resident of North Carolina; Cathy Hudson is a resident of East Montpelier, Vermont; Barbara Dustin is a resident of Utah; Matthew Hudson is a resident of Marshfield, Vermont; Judith Hudson is a resident of Graniteville, Vermont and Michael Hudson is a resident of Middlesex, Vermont.

2. Plaintiffs are owners of a parcel of land with premises thereon in East Montpelier, Vermont. This parcel is more particularly described as: Being all the same land and premises conveyed to Judith Hudson, Michael Hudson, Cathy Hudson, Patricia Spry, and Matthew Hudson by Quit Claim Deed of Gretchen P. Hudson dated June 15, 2015 and filed for record in Book 132, Page 25-26 of the Land Records of the Town of East Montpelier

3. Defendants Town of East Montpelier and Gregory Allard and Amanda Blake are adjoining landowners to the parcel of land that is the subject of this action.

4. The subject parcel is a parcel of land abutting Route 2/Route 14 in the Town of East Montpelier that is a rectangular piece of land 69.5 feet by 100 feet that was conveyed to the East Montpelier Hall Association, a corporation organized under the laws of the State of Vermont, by two deeds, one from Hartwell P. Worcester dated January 20, 1891 and filed in Book 7, Page 131 of the East Montpelier Land Records and the other deed was also from Hartwell P. Worcester dated October 27, 1896 and filed for record in Book 7, Page 457 of the land records of the Town of East Montpelier.

5. The Charter of the East Montpelier Hall Association was revoked April 1, 1952 as indicated by a charter revocation filed in Book 2, Page 60 of C, file #102 of the Town of East Montpelier Land Records.

6. There is no record of any further activity by the East Montpelier Hall Association after this date and there are no records showing that the Association ever conveyed the subject parcel of land.

7. Plaintiffs and their successors in title have used the subject parcel, which abuts the property they own, for well over 20 years.

ADVERSE POSSESSION

8. Plaintiffs reallege paragraphs 1-7 above and incorporate them herein by reference.

9. Plaintiffs and their predecessors in title have used the subject property in an open, hostile and continuous manner for more than 15 years.

WHEREFORE, Plaintiffs respectfully requests this Honorable Court take jurisdiction of this matter and declare that Plaintiffs have obtained title to the subject parcel of land by adverse possession. Plaintiffs also pray for any other relief this Court may deem just.

DATED at Williamstown, Vermont this 26th day of January 2016.

By: 

Stephen J. Craddock, Esq.
Attorney for Plaintiffs