

Chelsye & Trevor Brooks
1364 Jericho Road
Richmond VT 05477

June 28, 2024

Jay McCormack
1330 Jericho Road
Richmond VT 05477

Dear Mr. McCormack,

We are writing to you regarding the right of way and spring use rights outlined in the easement agreement associated with the lot conveyed to the grantees, Leon & Charmion Wagner in 25/450 of the Richmond land records, to present in subsequent deeds as described. Wagner to Little, 37/108, Little to Choiniere, 173/244, and finally Choiniere to Brooks, 202/533.

As stipulated in the agreement, the grantees have the right to use and develop the spring located easterly from the conveyed lot. Additionally, the grantees are granted a right of way for the construction and maintenance of a water line associated with the spring.

While you, as the grantor, retain the right to use the spring in conjunction with the grantees, it is important to note that this right must not impede or limit the grantees' access to the spring or their ability to develop and maintain the water line. As the servient estate of this appurtenant easement, you can not impede or prevent us from accessing our well.

Ensuring unimpeded access is crucial for the grantees to fully exercise their rights as agreed upon in the easement. Any actions or measures that restrict or interfere with their right of way or use of the spring would be in violation of the terms set forth in the agreement. You have effectively eliminated all historical access points for this right of way, which included the logging access road on our southerly property line as well as direct access to install water line. You requested for us only to access our well by hiking through the woods and climbing over the driveway you installed, which is neither a reasonable or sufficient substitute for the logging access road which could support vehicles, tractors, carts, etc.

Therefore, please supply us, the grantees, with the combination to the lock that you have placed on the gate which was installed across the driveway. There is no other reasonable or consistent practical means of reaching the spring and well without using the driveway, which has replaced the historically used access of the logging road. Our use of this driveway to access our well, as needed, does not impede you, the grantor, reasonable enjoyment or access to the parcel. As the owners of the dominant estate, we are entitled to a convenient, reasonable, and accessible way of accessing the deeded spring and well.

We trust that you understand the importance of adhering to the terms of the easement and will ensure that our grantees' rights are respected. If there are any concerns or if further clarification is needed, please feel free to contact us.

Sincerely,
Chelsye & Trevor Brooks