

TRUSTEE'S DEED OF DISTRIBUTION

K NOW ALL MEN BY THESE PRESENTS That I, **Sean P. Nolan**, Trustee of the Evergreen Realty Trust u/d/t December 30, 1989, whose mailing address is 24600 S Tamiami Trail, Ste. 212, PMB 305, Bonita Springs, FL 34134, by the powers conferred by law, and every other power, (in distribution of the trust) grant to **Pamela M. Nolan** of 24600 S Tamiami Trail, Ste. 212, PMB 305, Bonita Springs, FL 34134, her heirs and assigns, being the persons entitled to distribution, the real property in Boothbay, County of Lincoln, State of Maine, described as follows:

PARCEL I: BEGINNING at an iron rod and stones located 0.3 feet more or less southerly of Central Maine Power Company pole #5, said iron rod being located S 55° 29' E one hundred eighty-three and four tenths (183.4) feet from an iron pipe and stones at the most northerly corner of land now or formerly of Alice White Tomlinson as described in Lincoln County Registry of Deeds, Book 983, Page 300; thence S 55° 29' E six hundred fifty (650) feet along land now or formerly belonging to Dye to a drill hole in ledge; thence continuing same bearing to low water mark of the Atlantic Ocean; thence southerly by low water mark to a point; thence N 55° 36' W to an iron rod at the edge of the vegetation line, a straight line between said drill hole and the last described iron rod being S 38° 06' W two hundred eleven and three tenths (211.3) feet; thence continuing N 55° 36' W six hundred twenty-six and one tenth (626.1) feet to an iron rod and stones 3 feet southerly of Central Maine Power Company pole #4, the last described line from the Atlantic Ocean being along other land now or formerly of Tomlinson; thence N 31° 39' E two hundred twelve and four tenths (212.4) feet along land of said Tomlinson to the point of beginning. Containing 3.5 acres more or less.

Together with a right to pass and repass on foot or by vehicle across land now or formerly of Alice White Tomlinson by the gravel drive as now exists subject to the following which shall be included which run with the land hereby conveyed and which by acceptance of this deed Grantees agree to accept and perform, and which shall run with the land:

In the event Alice White Tomlinson, her heirs or assigns establish a new substantially comparable roadway or easement to the existing easement, Grantees agree to accept the new roadway or easement and to relinquish all rights to the presently used easement.

Grantees agree to pay one-third (1/3) of the cost of maintenance and repairing the roadway or easement as it is presently established or as may be established later as easement or right of passage over land of Tomlinson.

As between Tomlinson and Grantees, all winter maintenance and snowplowing or removal costs shall be borne proportionately by the property owner actually using the roadway or easement for year round access to his or her respective properties in proportion to the number of feet utilized for such access.

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In addition, the following agreement and restrictions shall apply to and run with the land herein conveyed;

No commercial, business or professional or other business activity shall be conducted on the premises herein conveyed.

There shall be no further subdivision of the property herein conveyed.

The parties to this deed agree to convey and deliver all necessary documents to give full effect to the conditions and agreements herein and specifically agree that the agreements and conditions herein shall bind their heirs, successors and assigns.

Subject however, to those pole easements from Calvin T. Berryman and Harriet R. Berryman to Central Maine Power Company dated October 27, 1958 and October 4, 1952 and recorded in the Lincoln County Registry of Deeds in Book 552, Page 408 and Book 506, Page 217.

See also plan entitled "Plan of Proposed Conveyance from Harriet R. Berryman Estate to Alice White Tomlinson, Boothbay, Maine, Lemuel L. Brown, P.E. #2328 Civil Engineer Land Surveyor, November 22, 1978". Said plan recorded in Plan Book 26, Page 76 in the Lincoln County Registry of Deeds.

PARCEL II: BEGINNING at an iron rod and stones located at 0.3 feet, more or less, southerly of Central Maine Power Company pole #5, said iron rod being South 55 degrees, 29 minutes 00 seconds East, one hundred eighty-three and four tenths feet (183.4') from an iron pipe and stones at the most northerly corner of land now or formerly of Tomlinson as described in Book 983, Page 300, Lincoln County Registry of Deeds; thence South 31 degrees, 39 minutes, 00 seconds West, two hundred twelve and four tenths feet (212.40') along west line of land conveyed to Stiles, and now or formerly of this Grantee, recorded in Book 1138, Page 282, Lincoln County Registry of Deeds; thence North 55 degrees, 86 minutes West, one hundred eighty-eight and nine hundredths feet (188.09') by land of said Tomlinson to an iron rod or bolt; thence North 32 degrees, 54 minutes, 00 seconds West, by land of said Tomlinson, a distance of two hundred twelve and six tenths feet (212.60') to an iron rod; thence South 55 degrees, 29 minutes, 00 seconds East, a distance of one hundred eighty-three and four tenths feet (183.40') by land now or formerly of Nolan to the point of beginning.

EXCEPTING AND RESERVING, however, to Tomlinson, her successors and assigns, the existing right of way and easements for all purposes, including utilities, over the thirty foot (30') wide existing easement and right of way between points Q and H, and all as more particularly shown on plan entitled "Composite Survey Plan" by L.L. Brown Associates, as set forth below.

SUBJECT, HOWEVER, to rights of Nolan, to use the right of way and easement as set forth on said plan, as conveyed in Memorandum of Agreement, Book 2026, Page 344 of the Lincoln County Registry of Deeds.

MEANING AND INTENDING to convey real estate lying between points F, G, H and Q on plan entitled "Composite Survey Plan" by L.L. Brown Associates, as set forth below.

FOR REFERENCE see plan entitled "Property of E. Whitaker Tomlinson and Alice White Tomlinson, Composite Survey Plan, Ocean Point Road, Boothbay, Maine, by L.L. Brown and Associates, September 8, 1994" to be recorded.

See also Certificate of Variance Approval dated May 2, 1990 and recorded in Book 1656, Page 79 of the Lincoln County Registry of Deeds.

TOGETHER WITH the benefits of and SUBJECT TO the terms of a Memorandum of Agreement recorded in Book 2026, Page 344 of the Lincoln County Registry of Deeds.

For title reference, see (1) deed of Richard Nolan and Pamela Nolan to Sean P. Nolan, Trustee of the Evergreen Realty Trust, dated December 30, 1989 and recorded in Book 1597, Page 326 of the Lincoln County Registry of Deeds; and (2) deed of Alice White Tomlinson to Sean P. Nolan, Trustee of the Evergreen Realty Trust, dated December 6, 1994 and recorded in Book 2026, Page 349 of said Registry.

IN WITNESS WHEREOF, I, the said Sean P. Nolan, Sole Trustee of the Evergreen Realty Trust u/d/t, have hereunto set my hand and seal this 26 day of October, 2009.

Signed, Sealed and Delivered
in Presence of

SEAN P. NOLAN

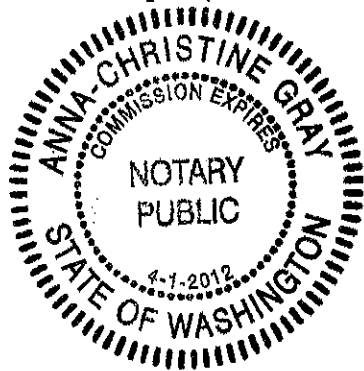
Sean P. Nolan

Sean P. Nolan, Trustee

STATE OF WASHINGTON
COUNTY OF King

October 26, 2009

Personally appeared the above named Sean P. Nolan, Trustee of the Evergreen Realty Trust, and acknowledged the foregoing instrument to be his free act and deed in his said capacity.



Before me,

AC Gray
Notary Public/Attorney at Law
Print Name:

Received
LINCOLN COUNTY REGISTRY OF DEEDS
REBECCA S. WOTTON
REGISTER