

WARRANTY DEED

KNOW ALL BY THESE PRESENTS

THAT ROBERT C. FOSTER III and JANET P. FOSTER, husband and wife, both of East Boothbay, Lincoln County, Maine, whose mailing address is 920 Ocean Point Road, East Boothbay, Maine 04544, for consideration paid grant to PAMELA M. NOLAN, Trustee of the Cunner Rock Trust with a mailing address of 24600 S. Tamiami Trail, Ste. 212 PMB, 305, Bonita Springs, FL 34134, the land situated in East Boothbay, Town of Boothbay, Lincoln County, Maine, more particularly bounded and described as follows:

BEGINNING at a $\frac{3}{4}$ " hex rod set at a point on the easterly side of Ocean Point Road at the northwesterly corner bound of the land of said Foster at a point labeled "B" on a plan prepared by McConnell & Associates entitled "Sketch Plan of Part of Property Belonging to Robert and Janet Foster dated November 27, 2012";

Thence S $56^{\circ} 02' 58''$ E a distance of 162.93 feet along land of John F. Feeser, III, now or formerly, to an iron rebar;

Thence S $56^{\circ} 05' 38''$ E a distance of 148.38 feet to an iron pipe labeled "C" on said plan and land of Zubkus Realty Inc. (Lot 1, Ocean Point Shores);

Thence S $55^{\circ} 44' 33''$ E a distance of 139.01 feet to an iron rebar;

Thence S $55^{\circ} 48' 23''$ E a distance of 199.72 feet to an iron rebar;

Thence S $55^{\circ} 49' 30''$ E a distance of 134.68 feet to an iron bolt labeled "D" on said plan, the last three courses being along land of said Zubkus Realty, Inc.;

Thence S $32^{\circ} 56' 08''$ W a distance of 100.04 feet by land of Nolan and passing through an old cemetery to an iron pipe labeled "E" on said plan;

Thence S $32^{\circ} 50' 19''$ W a distance of 212.56 feet by land of Nolan, now or formerly to an iron rod in the northeasterly edge of a gravel driveway labeled "F" on said plan;

Thence N $56^{\circ} 15' 23''$ W a distance of 103.47 feet to an iron rod set in the northeasterly edge of said gravel driveway labeled "Q" on said plan;

Thence N $56^{\circ} 17' 04''$ W a distance of 52.47 feet to an iron rod labeled "6" on said plan;

Thence $14^{\circ} 59' 40''$ E a distance of 159.59 feet to an iron pipe labeled "5" on said plan;

Thence following the curve having an arch length of 76.24 feet to an iron bar labeled "4" on said plan (straight line distance between the last mentioned monuments being 71.72 feet on a course

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N 24° 13' 53" W);

Thence N 55° 25' 46" W a distance of 328.48 feet to an iron bar labeled "3" on said plan;

Thence N 85° 04' 33" W a distance of 81.02 feet to an iron bar labeled "2" on said plan;

Thence N 75° 25' 36" W a distance of 60.32 feet to an iron bar labeled "1" on said plan;

Thence northeasterly along the easterly bound of Ocean Point Road to the corner bound of land of John F. Feeser, III now or formerly; thence S 56° 02' 58" E a distance of 9 feet more or less to the point of beginning; (the straight line between the last two mentioned iron monuments being 193.37 feet on a course N 14° 05' 19" E).

Containing 3.12 acres more or less.

Together with or excepting the land if any lying between Ocean Point Road and the land herein described so as to form a common boundary therewith.

SUBJECT, HOWEVER, to any rights of others in and to the old cemetery and in and to any access rights to said cemetery, the cemetery lot being shown partially on the northeasterly corner of the premises being conveyed.

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.

EXCEPTING AND RESERVING to the Grantors for the benefit of the 1.01 acre parcel of land described in a deed to these Grantors from Katie M. McFall, Trustee dated September 11, 2011 and recorded in Book 2733, Page 51 an easement for all purposes of ingress and over the existing roadway as shown on said plan and including the right to connect to the waterline currently crossing over the subject premises for access from the 1.01 acre lot to the Ocean Point Road. It is agreed that the waterline easement and right of way reserved in this deed is limited to and shall be used only for the benefit of one single family residence located on the 1.01 acre parcel.

Except for the reservations to allow access to the 1.01 acre lot and the waterline easement, the Grantors herein make no reservation of any right they may have to use any rights of way or easements, however acquired, over the subject premises for the benefit of their remaining land described in deed from E. Whitaker Tomlinson et ux dated December 1, 1994 and recorded in Book 2026, Page 351 and hereby release and waive any such other rights to use the premises being granted in this deed.

ALSO RELEASING all right, if any, which the Grantor may have to enforce a certain covenant and restriction in a deed from Evergreen Realty Trust to Pamela M. Nolan recorded in Book 4220, Page 80, to-wit: "There shall be no further subdivision of the property herein conveyed."

For title reference, see deed from E. Whitaker Tomlinson et ux dated December 1, 1994 and recorded in Book 2026, Page 351 in the Lincoln County Registry of Deeds.

Witness my hand and seal this 12 day of December, 2012

Brenda L. Blackman
Witness

Robert C. Foster, III
Robert C. Foster, III

Brenda L. Blackman
Witness

Janet P. Foster
Janet P. Foster

STATE OF MAINE
LINCOLN, SS

December 12, 2012

Personally appeared the above named Robert C. Foster, III and Janet P. Foster and acknowledged the forgoing as his/her free act deed.

Brenda L. Blackman
Notary Public/Attorney at Law

Printed Name: Brenda L. Blackman

BRENDA LEE BLACKMAN
Notary Public, Maine
My Commission Expires June 10, 2014

Received
LINCOLN COUNTY REGISTRY OF DEEDS
REBECCA S. WOTTON, REGISTER