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WARRANTY DEED

KENNETH E. MCAVEY and **PHYLLIS M. MCAVEY**, husband and wife, of RFD 3, Box 307, Bangor, Maine 04401 (Grantors), for consideration paid, grant, with warranty covenants, to **KENNETH E. MCAVEY** and **PHYLLIS M. MCAVEY** in their capacity as Co-Trustees of The McAvey Trust (Grantees), their successors and assigns forever certain parcels of land and improvements thereon described as follows:

Parcel 1: (Main residence, Hermon, Maine)

A certain lot or parcel of land together with the buildings thereon situate in Hermon, County of Penobscot, State of Maine, bounded and described as follows, to wit: Beginning at a point on the northerly side of the Crogan Road, so-called, which point of beginning is located four hundred forty-four (444) feet easterly from the intersection of said northerly line of said Crogan Road with the easterly line of Union Avenue Road or Union Street, so-called, as measured along the northerly line of said Crogan Road; thence northerly at right angles to said Crogan Road one hundred fifty (150) feet to a point; thence easterly and running parallel to the northerly side of said Crogan Road three hundred (300) feet to a point; thence southerly at right angles one hundred fifty (150) feet to the northerly side of said Crogan Road; thence westerly along the northerly side of said Crogan Road three hundred (300) feet to the point of beginning.

Meaning and intending hereby to convey the same premises as conveyed to Kenneth E. McAvey by James H. Sahler by deed dated October 15, 1959, and recorded in the Penobscot Registry of Deeds, in Vol. 1703, Page 106.

Parcel 2: (Main residence, Hermon, Maine - second purchase)

A certain lot or parcel of land situate in the Town of Hermon, County of Penobscot, State of Maine, more particularly described as follows:

Beginning at an iron bolt found on the northwesterly line of Crogan Road, so called, at the easterly-most corner of land described in a deed to Kenneth E. McAvey and Phyllis M. McAvey, recorded in Penobscot Registry of Deeds, Volume 2067, Page 236; thence North forty-two degrees, fifty-three minutes, forty-five seconds West (N 42-53-45 W) by and along the easterly line of said McAvey property, a distance of one hundred fifty and zero tenths feet (150.01) to an iron bolt found; thence South forty-eight degrees, fifty-four minutes, forty-five seconds West (S 48-54-45 W) by

and along the northerly line of said McAvey property, a distance of three hundred and one tenths feet (300.1') to an iron bolt found at the northwesterly corner of said McAvey's lot; thence North forty-three degrees, zero minutes, thirty seconds West (N 43-00-30 W) on a prolongation of the westerly line of said McAvey property a distance of one hundred and two tenths feet (100.2') to an iron rod set; thence North forty-eight degrees, fifty-six minutes, thirty seconds East (N 48-56-30 E) a distance of three hundred sixty and zero tenths feet (360.0') to an iron rod set; thence South forty-three degrees, zero minutes, thirty seconds East (S 43-00-30 E) a distance of two hundred fifty and zero tenths feet (250.0') to an iron rod set on the northerly line of Crogan Road; thence South forty-eight degrees, fifty-six minutes, thirty minutes West (S 48-56-30 W) by and along the northerly line of Crogan Road a distance of sixty and one tenths feet (60.1') to the point of beginning, enclosing 1.033 acres. Bearings referenced herein are calculated from a traverse oriented to magnetic north, August 1984, established for a survey of the within described lot by PLISGA & DAY, Land Surveyors. Any and all other rights easements, privileges and apurtenances belonging to the granted estate are hereby conveyed.

Meaning and intending hereby to convey the same premises as conveyed to Kenneth E. McAvey and Phyllis McAvey by James H. Sahler by deed dated April 10, 1985, and recorded in the Penobscot Registry of Deeds, in Vol. 3648, Page 297.

Parcel 3: (Main residence, Hermon, Maine - third parcel).

The premises situated in Hermon, Maine, and described as Lot #4 on the Final Subdivision Plan of Bryant Estates, prepared by Plisga & Day, dated July 13, 1989, and recorded in the Penobscot County Registry of Deeds as D252-89. This conveyance is made subject to the following restrictive covenants which are to run with the land and be binding on the Grantees, their heirs and assigns:

A. No building other than a single family dwelling house, together with the usual and appropriate outbuildings appurtenant to said use, shall be erected on said Lot.

B. All of said Lot shall be used only for purposes consistent with the use of the Lot as a single family dwelling. No commercial activity of any nature shall be conducted on any portion of the Lot.

C. No animals shall be permitted on the Lot, except typical domestic pets owned by the occupants for their personal pleasure.

D. No unregistered vehicles shall be maintained or stored on said Lot.

E. Satellite receiving stations and other antenna-like structures are to be located in the rear yard only.

F. The minimum residential building size on the Lot shall be one thousand two hundred (1,200) square feet, exclusive of outbuildings and basement (or, in the alternative: no residential structure shall be erected unless it shall have a fair market value upon completion of at least Eighty Thousand and no/100 (\$80,000.00) 1989 Dollars.

G. No mobile homes shall be placed on the Lot.

H. No structures of a temporary character, trailer, mobile home, basement, shed, shack and/or garage, shall be used at any time as a residence. Travel trailers or recreational camping equipment or vehicles may be stored on the Lot on a seasonal basis only.

Meaning and intending hereby to convey the same premises as conveyed to Kenneth E. McAvey and Phyllis McAvey by William C. Bryant and Darcel S. Bryant by deed dated June 3, 1992, and recorded in the Penobscot Registry of Deeds, in Vol. 5083, Page 183.

Parcel 4: (Burleigh Road, Bangor, Maine).

A certain lot or parcel of land with the buildings thereon, situate on the Burleigh Road in Bangor, said County of Penobscot, and bounded and described as follows, to wit: Beginning on the southerly side of said road at the northwesterly corner of the lot deeded to Edward F. Powers by Eugene C. Smith by deed dated May 22, 1894, recorded in Penobscot Registry of Deeds, Vol. 641, Page 236, at a stone wall; thence southerly by and along said wall fifty-seven (57) rods, more or less, to the rear line of the lot; thence westerly parallel with said road twelve (12) rods to the corner of the lot of land conveyed by Wilbur Hillman to James Harnish by deed dated August 1, 1904, and recorded in said Registry, Vol. 743, Page 413; thence northerly by the easterly line of said Harnish lot fifty-seven (57) rods, more or less, to the said Burleigh Road; thence easterly by said road twelve (12) rods to the point begun at.

Excepting and reserving from the above described premises a certain lot or parcel of land, with the buildings thereon, described in a deed dated June 9, 1949 conveying said lot "eighty (80) feet frontage on Burleigh Road and extending back from said road three hundred eighty (380) feet" to Robert V. Elliott, recorded in said Registry, Vol. 1305, Page 52.

Meaning and intending hereby to convey the same premises as conveyed to Kenneth E. McAvey by Ethel M. Elliott by deed

dated May 26, 1967, and recorded in the Penobscot Registry of Deeds, in Vol. 2105, Page 513.

Parcel 5: (Kelley Road, Glenburn, Maine).

A certain lot or parcel of land with the buildings thereon located in Glenburn. County of Penobscot, State of Maine, bounded and described as follows: Beginning at the southwest corner of Herbert T. Getchell lot on the easterly sideline of Kelley Road; thence turning S 4 deg. 0' W and running one hundred sixty-five (165) feet along the easterly sideline of Kelley Road to an iron pin; thence turning S 85 deg. 32' E and running three hundred seventy-eight and nine-tenths (378.9) feet to an iron pin; thence running N 35 deg. 31' W and running two hundred fifteen and four-tenths (215.4) feet to an iron pin set on the southerly line of Herbert T. Getchell; thence running N 85 deg. 32' W and running along the southerly line of Herbert T. Getchell two hundred forty-two and three tenths (242.3) feet to the point of beginning. Containing approximately 1.18 acres.

Meaning and intending hereby to convey the same premises as conveyed to Phyllis McAvey by Phyllis McAvey, Personal Representative of the Estate of Gwendolyn Hatch Robert by deed dated January 11, 1989, and recorded in the Penobscot Registry of Deeds, in Vol. 4378, Page 230.

Parcel 6: (2 camps on Branch Lake, Maine).

A certain lot or parcel of land together with the buildings thereon situated the westerly shore of Branch Pond in Ellsworth, Hancock County, Maine, bounded and described as follows: "Beginning at a point on the westerly shore of said Branch Pond at the southeasterly corner of land now owned or occupied by one Leland Footer; thence in a generally northwesterly direction along said Foster's southerly line, a distance of one hundred seventy-five (175) feet, more or less, to an iron stake driven into the ground at the southwesterly corner of said Foster's lot; thence in a generally southerly direction, a distance of three hundred (300) feet, more or less, to a certain other iron stake driven into the ground; thence in a generally easterly direction one hundred twenty-five feet, more or less, to a certain other iron stake driven into the ground on the westerly shore of said Branch Pond at a point opposite a blazed poplar tree; thence in a generally northerly direction, at all times following the westerly shore of said Branch Pond, to the point of beginning.

Also conveying to the Grantees herein all and the same rights with respect to the use of the rights of way made by deed of Eugene M. Dole, to Charles Inman et al. by deed recorded at the Hancock County Registry of Deeds on July 30, 1951 In Vol. 740, Page 271.

BK2642PG220

BK6341 PG165

Meaning and intending hereby to convey the same premises as conveyed to Kenneth E. McAvey and Phyllis McAvey by Mary Ann Mastrorio by deed dated July 16, 1993, and recorded in the Hancock Registry of Deeds, in Book 2129, Page 301.

Executed on this the 14 day of MARCH, 1997, by the undersigned Grantors.

Signed, sealed and delivered in the presence of:

T. Adams
Witness

Kenneth E. McAvey
KENNETH E. MCAVEY, Grantor

To Both
Witness

Phyllis M. McAvey
PHYLLIS M. MCAVEY, Grantor

STATE OF MAINE
PENOBSCOT, ss

MARCH 14, 1997

Personally appeared the above-named **KENNETH E. MCAVEY** and wife, **PHYLLIS M. MCAVEY**, and acknowledged that they executed the foregoing instrument as their free act and deed.

Before me,

Thatcher M. Adams Jr.
Notary Public/Attorney at Law
Print Name: THATCHER M. ADAMS, JR.

#30-1.McAvey.2txt

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REGISTER OF DEEDS
HANCOCK COUNTY SS.

Marilyn Adams

REGISTER

PENOBSCOT/SS RECEIVED

1997 MAR 14 P 3: 05

Susan F. Bulay
REGISTER

No Transfer Tax Paid

E/Ret
Thatcher Adams