

QUITCLAIM DEED WITH COVENANT

MAINE REAL ESTATE
TRANSFER TAX PAID

BONNIE SAWYER, of Bangor, Penobscot County, State of Maine, for consideration paid, grants to INDIAN BROOK CORP., a Maine corporation with a place of business at Southwest Harbor, Hancock County, State of Maine, with Quitclaim Covenant, a certain lot or parcel of land, situated in Southwest Harbor, Hancock County, State of Maine, bounded and described in the deed from Edmund S. B. Gillespie to Bonnie Sawyer dated October 26, 1988, recorded in the Hancock County Registry of Deeds in Book 1722, Page 76, as set forth in Schedule A attached hereto:

The Grantee's mailing address is P.O. Box 692, Southwest Harbor, Maine 04679.

WITNESS my hand and seal this 20th day of August, 2000.

WITNESS:

Christopher Lary
CHRISTOPHER LARAY

Bonnie Sawyer
BONNIE SAWYER

STATE OF MAINE
COUNTY OF PENOBSCOT

August 22, 2000

Then personally appeared the above-named Bonnie Sawyer and acknowledged the foregoing instrument to be her free act and deed.

Before me,

Gail J. Joeckel
Name: Gail J. Joeckel
Notary Public
Maine Attorney-at-Law

SCHEDULE A

FIRST PARCEL: Commencing at an iron pin set in the Northerly line of the Fernald Point Road, so-called, in said Southwest Harbor, said iron pin marks the Southeasterly corner of a lot land formerly of Edwin A. Lawler; thence North thirty four degrees thirty minutes West (N 34° 30' W) along and by said Lawler's formerly East line four hundred twelve and five tenths (412.5) feet to an iron pin in said Lawler's Northeast corner; thence South fifty five degrees thirty four minutes West (S 54° 34' W) along said Lawler's North line one hundred thirty two (132) feet to an iron pin in said Lawler's Northwest corner and in the East line of a lot or parcel of land conveyed by this Grantor to John Longmaid by deed dated May 11, 1983 recorded in said Registry in Book 1463, Page 558; thence North thirty four degrees thirty minutes West (N 34° 30' W) one hundred twenty four and four tenths (124.4) feet along said Longmaid's East line to an iron pin in said Longmaid's Northeast corner; thence South sixty two degrees fifty eight minutes West (S 62° 58' W) along and by said Longmaid's North line one hundred ninety four and one tenth (194.1) feet to an iron pin set in the Easterly line of the Southwest Hillside Subdivision so-called; thence North twenty seven degrees two minutes West (N 27° 2' W) along and by said Subdivision's East line and the line of the land of this Grantor one thousand ninety five (1095) feet, more or less, to an iron pin marking the Northwest corner of lot herein conveyed; which also is the Northwest corner of the lot of land originally conveyed by Ben C. Worcester to Josephine B. Gillespie dated October 23, 1963 and recorded in the Hancock County Registry of Deeds in Book 920, Page 373; thence about North sixty two degrees East (N 62° E) along and by the South line of land now or formerly of said Ben C. Worcester seven hundred twenty (720) feet, more or less, to a granite post set in the ground, said granite post marks the Northeast corner of the lot herein conveyed and is in the line of land now or formerly of Virginia Young Wilbur; thence about South twenty eight degrees East (S 28° E) along and by the Westerly line of said Virginia Young Wilbur now or formerly (described in a deed recorded in said Registry in Book 729, Page 174) one thousand four hundred (1400) feet, more or less, to an iron pin set in the Northeast corner of land formerly of Allen Lawler; thence South forty two degrees three minutes West (S 42° 3' W) one hundred thirty two (132) feet along and by the North line of said Lawler to an iron pin; thence South twenty seven degrees two minutes East (S 27° 2' E) along and by the West line of said Lawler one hundred sixty five (165) feet, more or less, to an iron pin set in the

North line of said Fernald Point Road; thence generally Southwesterly along and by the Northerly line of said Fernald Point Road two hundred five (205) feet, more or less, to the point of beginning.

Meaning and intending to convey all and the same premises conveyed by said Ben C. Worcester to said Josephine Burke Gillespie by said deed recorded in said Registry in Book 920, Page 373 except the said parcel of land conveyed to John Longmaid in 1983.

The so-called Allen Lawler lot is described in a deed from William Lawler to Allen Lawler dated October 23, 1888 recorded in said Registry in Book 227, Page 531, and contains one-half acres, more or less; and the so-called Edwin A. Lawler lot is described in a deed from Elizabeth C. Lawler, et als, to Edwin A. Lawler by deed dated July 8, 1892 and recorded in said Registry in Book 265, Page 152 and contains two hundred square rods or one and a quarter acres, more or less.

This lot is conveyed subject to a scenic easement hereinafter described for the benefit of the land of this Grantor abutting the land herein conveyed to the Northwest, said scenic easement is as follows:

Grantor reserves to himself, his heirs and assigns, for the benefit of contiguous land retained by him a scenic easement over portions of the lot herein to be conveyed as more particularly described below.

Grantor grants a reciprocal scenic easement for the benefit of the Grantee herein, her heirs and assigns, for the benefit of the lot conveyed herein as more particularly described below.

The locus of the said scenic easement shall be the magnetic Southeastly quadrant of the point in the Westerly lot line of the lot herein to be conveyed three hundred fifty (350) feet Southerly of the Northwesterly corner of the said lot, more or less, at elevations one hundred eighty five (185) feet MSL and above.

The burden of the easement shall be reciprocal rights in the Grantor and Grantee, their heirs, and assigns to the effect or cause to be effected such management of obstructions to the scenic views as may naturally or artificially occur, including, but not limited to, thinning and topping of trees, placement of towers or other structures and so forth, within the scenic easement locus.

Together with a right of way for all purposes of a way from Route 102 at the top of Carroll's Hill to the Northerly lot line of the herein conveyed lot, said right of way is as described in the said deed of Ben C. Worcester to Josephine B. Gillespie dated October 23, 1963 and recorded in Book 920, Page 373.

SECOND PARCEL: A certain lot or parcel of land in said Southwest Harbor known as the "Flag Lot" and bounded and described in a deed from Lawrence S. Robinson et ux to this Grantor dated May 5, 1973 and recorded in said Registry in Book 1160, Page 101, as follows, viz:

"Beginning at a stone bound set in the ground on Easterly side line of land now or formerly owned by one Wislar; thence North seventy degrees East (N 70° E) twenty five (25) feet to an iron pipe driven in the ground at the Southwesterly corner of land now or formerly owned by Alfred Vine, but always following the Southerly line of said land now or formerly owned by Alfred Vine; thence continuing on last mentioned course North seventy degrees East (N 70° E) one hundred thirty three and two tenths (133.2) feet to an iron pipe driven in the ground; thence continuing on the last mentioned course North seventy degrees East (N 70° E) but always following the Southerly line of land now or formerly owned by Alfred Vine four (4) feet, more or less, to the Westerly line of a twenty four (24) foot wide right of way leading Northerly to Fernald Point Road; thence South fourteen degrees forty nine minutes East (S 14° 49' E) but always following the Westerly side line of said right of way fifty and four tenths (50.4) feet to a point which bears North sixty eight degrees thirty minutes East (N 68° 30' E) of and seven (7) feet distance from a stone bound set in the ground on the Northerly line of land now or formerly owned by Alfred Zantzinger; thence South sixty eight degrees thirty minutes West (S 68° 30' W) but always following the Northerly line of land now or formerly of Alfred Zantzinger seven (7) feet to the stone bound set in the ground; thence continuing on the last mentioned course South sixty eight degrees thirty minutes West (S 68° 30' W) but always following the Northerly line of said land now or formerly owned by Alfred Zantzinger, one hundred thirty nine and one tenth (139.1) feet to a stone bound set in the ground; thence North six degrees forty minutes West (N 6° 40' W) but always following the Easterly side line of said land (now or) formerly owned by Wislar, fifty two and three tenths (52.3) feet to the stone bound set in the ground at the point of beginning, containing 6,825 square feet, more or less.

The foregoing described premises are depicted on a survey dated July, 1971 and prepared by Robert Raynes, R.L.S., and captioned "Plans showing property in Southwest Harbor, Maine for Lawrence S. Robinson."

Excepting and reserving, however, a ten (10) foot wide right of way to be used as a foot path over the entire Northerly side line of the foregoing described "Second Lot". The Northerly side line of said ten (10) foot wide right of way being the Northerly side line of the aforesaid "Second Lot".

THIRD PARCEL: A strip of land twenty four (24) feet wide, situated in Southwest Harbor bounded and described as follows, viz:

Commencing at a stone bound set in the East line of said Alfred Vine referred to in the Second Parcel herein conveyed; thence South thirteen degrees fifty five minutes East (S 13° 55' E) along and by the land of said Alfred Vine and the land of said Mary G. Geist Zantzinger, now or formerly, four hundred (400) feet, more or less, to land of Alfred Zantzinger, et al, described in a deed recorded in said Registry in Book 1137, Page 259; thence about South eighty eight degrees thirty seven minutes East (S 88° 37' E) along the North line of said Zantzinger one hundred ten and eighty five one-hundredths (110.85) feet to a corner in said right of way; thence South sixty two degrees fifteen minutes East (S 62° 15' E) four hundred twenty three (423) feet, more or less, and along the Northeasterly line of said Alfred Zantzinger and another lot of land of Mary G. Geist Zantzinger to the high water mark of Somes Sound; thence continuing same course to low water mark of Somes Sound; thence generally Northeasterly along and by low water mark of Somes Sound twenty four (24) feet; thence North sixty two degrees fifty minutes West (N 62° 50' W) to high water mark of Somes Sound; thence continuing same course (N 62° 50' W) four hundred thirty (430) feet, more or less, to the point opposite the second corner in the strip of land herein conveyed; thence about North eighty eight degrees thirty seven minutes West (N 88° 37' W) eight five (85) feet, more or less, to a point opposite the first corner in the strip of land conveyed; thence North thirteen degrees fifty five minutes West (N 13° 55' W) to Fernald Point Road; (the last three calls being along land of John Tyssowski, now or formerly) thence Westerly along the South line of Fernald Point Road twenty four feet; thence South thirteen degrees fifty five minutes East (S 13° 55' E) to the stone bound at the point of beginning; being a strip of land twenty four (24) feet in width leading from said Fernald Point Road to the shore of Somes Sound; reserving, however, the right of the public in the shore and flats. and is for all purposes of a way.

FOURTH - GRANT OF RIGHT OF WAY: Together with a right of way for all purposes of a way to be used in common with others who have similar rights, a fifty (50) foot right of way leading from Fernald Point Road in said Southwest Harbor to a point where the centerline of the right of way herein conveyed meets the Northwest corner of the First Parcel herein conveyed one hundred seventy five (175) feet South of the iron pin at the Northwest corner of said First Parcel; said right of way herein conveyed is as said right of way now exists and is known as "Hilltop Road" and serves the Fernald Point (Southwest) Hillside Subdivision shown on a Plan recorded in Hancock County Registry of Deeds in Plan Book 18, Page 149.

Together with the right to lay and maintain conduits in the ground for the transportation of storm water, sanitary waste, electricity with the right to enter thereon for the purposes of maintaining the same.

FIFTH - CONVEYANCE OF RIGHT OF WAY: Together with an additional right of way twenty (20) feet in width as shown on said Plan recorded in said Registry in Plan Book 18, Page 149, leading generally Easterly from the Fourth Conveyance Right of Way to the Westerly line of the First Parcel of land herein conveyed and is situated between Lot "M" shown on said Plan and land retained by Grantor herein to the North, (Lot "N" and a lot known as the Walsh to the South); said right of way is for all purposes of a way.

HANCOCK COUNTY

H. Ret. L. Argay L.O.

HANCOCK COUNTY