


HANCOCK

QUITCLAIM DEED WITH COVENANT

KNOW ALL MEN BY THESE PRESENTS, That I, **ALGERNON B. REESE, III**, having an address of 78 Young's Mountain Road, Bar Harbor, Maine 04609, for consideration paid, **GRANT** to **ASTRI SAND BROOKS**, having an address of 32 Riverview Road, Hampden, Maine 04444, with **QUITCLAIM COVENANT**, a certain lot or parcel of land, together with the buildings and improvements thereon, situated in the Town of Bar Harbor, Hancock County, Maine, depicted as Lot 2A on the survey entitled "Final Plat Showing Division of Lot 2, Young's Mountain Subdivision" dated March 15, 1999, approved by the Town of Bar Harbor Planning Board on March 24, 1999, recorded on April 13, 1999 in File 29, No. 57 in the Hancock County Registry of Deeds, said Lot 2A being more particularly described in **EXHIBIT A** attached hereto and incorporated herein.

WITNESS my hand and seal this 19 day of December, 2006.



Algernon B. Reese, III

HANCOCK COUNTY

MAINE REAL ESTATE
TRANSFER TAX PAID

STATE OF NEW YORK
COUNTY OF Westchester

December 19th, 2006.

Personally appeared the above-named Algernon B. Reese, III
and acknowledged the above instrument to be his free act and deed.
Before me, ROY STRATTON TODD

Joy Stratton Todd
Notary Public

ROY STRATTON TODD
Printed Name of Notary

roy Stratton Todd
Notary Public, State of New York
Qualified in Delaware County No. 4663162
My Commission Expires Jan. 31, 19 2007

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EXHIBIT A

Deed from Algernon B. Reese, III
To
Astri Sand Brooks

A certain lot or parcel of land, together with the buildings and improvements thereon, situated on Norway Drive in Bar Harbor, Hancock County, Maine, and being Lot #2A of Young's Mountain Subdivision as shown on approved "Final Plat Showing Division of Lot 2, Young's Mountain Subdivision," recorded in File 29, No. 57 in the Hancock County Registry of Deeds, amending plans recorded in the Hancock County Registry of Deeds in File 27, No. 43 and File 27, No. 186, more particularly bounded and described as follows:

Beginning at an iron rod set in the ground in the northerly sideline of Norway Drive marking the southernmost point of Lot #2 shown on the survey plan recorded in File 27, No. 186 in the Hancock County Registry of Deeds; thence North thirty-three degrees thirty-three minutes thirty seconds West (N. 33° 33' 30" W.), but always following the northeasterly sideline of Norway Drive, four hundred sixty-two and seven tenths (462.7) feet to an angle point; thence North thirty-nine degrees fifty minutes thirty seconds West (N. 39° 50' 30" W.), but always following the northeasterly sideline of Norway Drive, one hundred forty-seven and two tenths (147.2) feet to a point at the southerly corner of land now or formerly of Roy W. McFarland et al.; thence North thirty-one degrees nineteen minutes zero seconds East (N. 31° 19' 00" E.) two hundred ninety-five (295) feet to an iron rod set in the ground; thence North thirty-nine degrees twenty-one minutes fifteen seconds East (N. 39° 21' 15" E.) one thousand five hundred two (1,502) feet to an iron rod driven into the ground; thence South eighty-nine degrees thirty minutes fifteen seconds East (S. 89° 30' 15" E.) four hundred fifty-four and three tenths (454.3) feet to an iron rod set in the ground; thence South thirty-eight degrees fifty-three minutes fifteen seconds East (S. 38° 53' 15" E.) three hundred three and five tenths (303.5) feet to an iron rod driven into the ground; thence South sixty-one degrees thirty-eight minutes forty-five seconds East (S. 61° 38' 45" E.) four hundred eighty-nine and one-tenth (489.1) feet to a point at the northernmost corner of Lot 3 depicted on the said survey recorded in File 29, No. 57; thence South forty-three

degrees thirty-one minutes fifteen seconds West (S. 43° 31. 15" W.), but always following the northwesterly sideline of said Lot 3, four hundred thirty-one and three tenths (431.3) feet to a point at the easterly corner of a fifty (50) feet wide right of way depicted on the survey recorded in File 29, No. 57; thence South twenty-three degrees forty-nine minutes zero seconds West (S. 23° 49' 00" W.), but always following the westerly sideline of said Lot 3 and the easterly sideline of said fifty (50) feet wide right of way, two hundred (200) feet to a point in the northeasterly sideline of Lot 1 and the westernmost corner of said Lot 3; thence North fifty-four degrees thirty-one minutes forty-five seconds West (N. 54° 31' 45" W.), but always following the northeasterly sideline of said Lot 1, four hundred seventy (470) feet, more or less, to an iron rod driven into the ground at the northernmost corner of said Lot 1; thence South forty-one degrees thirty-six minutes zero seconds West (S. 41° 36' 00" W.), but always following the northwesterly sideline of said Lot 1, sixteen hundred thirty-two and one tenth (1632.1) feet to the iron rod set in the ground at the point of beginning.

TOGETHER WITH the right, within the Development Area described in the Conservation Easement recorded in Book 2747, Page 562, to construct, maintain, alter, improve and replace one "residence" (defined in Paragraph 9.B of the Conservation Easement recorded in Book 2747, Page 562), together with additional accessory outbuildings and facilities "not for human habitation" (also defined in said Paragraph 9.B), (including septic waste disposal, fresh water supply, recreational facilities, and power and communication utilities), subject to the limitations set forth in said Conservation Easement.

TOGETHER WITH, as appurtenant to Lot 2A, to be used in common by the Grantees herein and by others who may now or hereafter acquire similar rights therein, their heirs and assigns, an open and unobstructed right of way easement for all purposes of a way including the installation, maintenance, repair and replacement of "utility services" as defined by Maine law in common with others which easement is appurtenant to and providing access to Lot 2 of Young's Mountain Subdivision from Eagle Lake Road over the 40' wide access right of way crossing Acadian Farm Condominium property as shown, in part, on Condominium Plan, dated as received by the Registry on April 25, 1989, recorded at the Hancock County Registry of Deeds in File 22, Nos. 141 and 141A, and over the northerly portion of the Condominium property as well as over the full width of the right of way crossing Lot 1 of Young's Mountain Subdivision to Lot 2 of the Subdivision as

the corrected right of way as shown and described in the amended Plan for Young's Mountain Subdivision recorded November 26, 1996, in File 277/No. 186, the 'Final Plat amending first record of Young's Mountain Subdivision, Eagle Lake Road, Bar Harbor, Maine' (hereinafter referred to as 'Amended Plan'). The specific changes to the previously described right of way crossing both the Condominium property and Lot 1 are set out in Amended Plan as 'Right of Way Curve Data' beginning at station 11+33.13 on the centerline of the right of way for Acadian Farm Condominium.

TOGETHER WITH, as appurtenant to Lot 2A, to be used in common with others, the full extent of all access and utility easement rights as reserved for the benefit of the above conveyed Lot 2 in Declaration of Acadian Farm Condominium recorded at the Hancock County Registry of Deeds in Book 1747, Page 534, and as reserved for the benefit of the above conveyed Lot 2 in deed from The Lyme Timber Company to Sharifah Deborah Sophia Johnston recorded at the Hancock County Registry of Deeds in Book 2501, Page 317.

The above-described Lot 2A is conveyed **SUBJECT TO** the fifty (50) feet wide right of way described as conveyed in the deed from Algernon B. Reese III to Patricia Jean Buccello et al. dated December 7, 1999 and recorded in Book 2896, Page 71 in said Registry of Deeds as follows:

"**TOGETHER WITH**, and as appurtenant to said Lot 3, to be used in common by the Grantor herein, the Grantee herein, and others who may now have or hereafter acquire similar rights, their respective heirs and assigns, a right of way for all purposes of a way, including 'utility services' as defined by Maine law, in, under, over and upon a fifty (50) feet wide right of way depicted as '50-FOOT WIDE RIGHT OF WAY APPURTENANT TO LOT #3, on the survey entitled "FINAL PLAT SHOWING DIVISION OF LOT 2, YOUNG'S MOUNTAIN SUBDIVISION" prepared by Plisga & Day, dated March 15, 1999 and recorded in File 29, No. 57; the easterly sideline of said right of way runs North twenty-three degrees forty-nine minutes East (N. 23° 49' E.) two hundred (200) feet from the southwesterly corner of Lot 3."

The above-described Lot 2A is conveyed **SUBJECT TO** the following:

1. Conservation Easement from Lyme Timber Company to Maine Coast Heritage Trust dated May 7, 1998 and recorded in Book 2747, Page 562;

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2. Restrictions, covenants and conditions et forth in deed from National Park Foundation to Acadian Farm Corporation dated April 30, 1986 and recorded in Book 1578, Page 114;

3. Rights and easements granted to Bangor Hydro-Electric Company and New England Telephone and Telegraph Company in an instrument dated October 20, 1988 and recorded in Book 1722, Page 303;

4. Restrictions, covenants and conditions set forth in Declaration of Acadian Farms Condominium dated April 20, 1989 and recorded in Book 1747, Page 534 as they may relate to Young's Mountain Subdivision;

5. Rights and easements granted to New England Telephone and Telegraph Company in an instrument dated June 22, 1988 and recorded in Book 1804, Page 464;

6. Rights and easements granted to Bangor Hydro-Electric Company in an instrument dated April 6, 1990 and recorded in Book 1808, Page 401;

7. Site Location Order dated May 17, 1990 and recorded in Book 1810, Page 620 as amended by Order dated January 9, 1991 and recorded in Book 1846, Page 128;

8. Rights of upper and lower riparian owners in and to the waters of Old Mill Brook and the natural-flow thereof;

9. Restrictions, covenants and conditions set forth in deed from Peoples Heritage Savings Bank (dated July 9, 1992 and recorded with Hancock County Registry of Deeds in Book 1975, Page 2, including the following:

[Grantee . . . will not permit the use of the premises hereby conveyed, or any part thereof, for . . . "lodging house" or "tourist home" as those terms are defined by the [Bar Harbor] zoning ordinance in effect as of [April 30, 1986], which covenant shall run with the land and shall inure to the benefit of all property owners in the Town of Bar Harbor owning property within one-half mile of the premises . . .

10. "Conditions of Approval" noted on said plan recorded in File 29, No. 57, to wit:

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(1) "All streets in this subdivision shall remain private streets to be maintained by the developer or the lot owners and shall not be accepted or maintained by the Town."

11. Rights, privileges, easements and covenants described as conveyed in the Easement Deed from Algernon B. Reese III to Bangor Hydro-Electric Company, dated March 12, 1999 and recorded in Book 2829, Page 246 in said Registry of Deeds;

12. Rights, privileges and easements described as conveyed in the Easement Deed from Algernon Reese to New England Telephone and Telegraph Company dated May 10, 1999 and recorded in Book 2862, Page 638.

Lot 2A is further conveyed **TOGETHER WITH** the benefit of the terms and provisions of the Land Use Agreement among Lyme Timber Company, Algernon Reese and Maine Coast Heritage Trust dated June 29, 1998 and recorded in Book 2770, Page 79 in said Registry of Deeds, and the benefit of the rights granted to Algernon Reese therein.

Reference is hereby made to the following:

1. Corrective Conservation Easement for Lot 1, Young's Mountain Subdivision dated June 17, 1998 and recorded in Book 2747, Page 586 in said Registry of Deeds;

2. Boundary Line Agreement dated June 17, 1998 and recorded in Book 2747, Page 577 in said Registry of Deeds;

3. Quitclaim Deed with Covenant from The Lyme Timber Company to Algernon B. Reese, III dated June 26, 1998 and recorded in Book 2747, Page 595 in said Registry of Deeds; and

4. Quitclaim Deed with Covenant from Algernon B. Reese, III to Patricia Jean Buccello and David Anthony Buccello dated December 7, 1999 and recorded in Book 2896, Page 71 in said Registry of Deeds.