

TRUSTEES' DEED

JAMES R. WHITTEMORE and MARY B. RICE-WHITTEMORE, Trustees under the James R. Whittemore Trust, U/A dated July 28, 1997, and any Amendments thereto, and Trustees under the Mary B. Rice-Whittemore Trust, U/A July 28, 1997, having a mailing address of 7 Whipple Farm Lane, Falmouth, ME 04105, by the power conferred by law, and every other power, in distribution of said Trust assets, GRANTS to RONALD W. POTT and E. JOY POTT, husband and wife, both having a mailing address of 12 Clover Lane, Malvern, PA 19355, as JOINT TENANTS, a certain lot or parcel of land, with any buildings thereon, situated in Castine, Hancock County, Maine, described in the attached Exhibit A and incorporated herein by reference.

WITNESS our hands and seals this 16th day of September, 2011.

James R. Whittemore
James R. Whittemore, Trustee

Mary B. Rice-Whittemore
Mary B. Rice-Whittemore, Trustee

STATE OF MAINE
HANCOCK, SS

September 16, 2011

Then personally appeared the above named JAMES R. WHITTEMORE and MARY B. RICE-WHITTEMORE. In their capacities as Trustees, and acknowledged the foregoing instrument to be their free act and deed.

Before me,

Eileen S. Best
Attorney at Law

Please print name of Notary

Eileen S. Best

MAINE REAL ESTATE
TRANSFER TAX PAID

EXHIBIT A

A certain lot or parcel of land, together with the improvement thereon, situated in Castine, Hancock County, Maine, bounded and described as follows:

Beginning at a No. 6 rebar set on the northerly side of Water Street, near the southwesterly corner of land now or formerly of land of John L. Clouse, IV Revocable Trust, et al., described in a deed recorded at the Hancock County Registry of Deeds in Book 2931, Page 232; thence North twenty-one degrees two minutes West (N. $21^{\circ} 02' W.$), along land of said Clouse, one hundred nineteen and five tenths (119.5) feet to a $\frac{3}{4}$ inch iron pipe found; thence North twenty-seven degrees fifty-five minutes West (N. $27^{\circ} 55' W.$), along land of said Clouse Trust, one hundred ninety-eight and zero tenths (198.0) feet to a No. 6 rebar set, in the southeasterly sideline of land now or formerly of the G. Barry McMennamin Qualified Personal Residence Trust, described in a deed recorded at the Registry in Book 2795, Page 542; thence South fifty-three degrees fifty-eight minutes West (S. $53^{\circ} 58' W.$) along land of said land of McMennamin Trust, sixty-two and two tenths (62.2) feet to two inch iron pipe found; thence South twenty-eight degrees nineteen minutes East (S. $28^{\circ} 19' E.$) along land now or formerly of Danielle V. Mutty, described in a deed recorded at the Registry in Book 2368, Page 52, fifty-nine and eight tenths (59.8) feet to a two inch iron pipe found; thence continuing the same course, South twenty-eight degrees nineteen minutes East (S. $28^{\circ} 19' E.$), along land of said Mutty, one hundred twenty-seven and zero tenths (127.0) feet to a $1\frac{1}{2}$ " iron pipe found; thence South fifty-six degrees forty-seven minutes West ($56^{\circ} 47' W.$), along land of said Mutty, forty-one and nine tenths (41.9) feet to an iron axle found; thence South nine degrees fifty-two minutes East (S. $9^{\circ} 52' E.$), twenty-seven and five tenths (27.5) feet along land now or formerly of Theodore Coladarci and Janet E. Spector, to a $\frac{3}{4}$ " iron rod found; thence South seventy-nine degrees four minutes West (S. $79^{\circ} 4' W.$), along land of Coladarci and Spector, nineteen and eight tenths (19.8) feet to a No. 6 rebar set and capped; thence South thirteen degrees twenty-three minutes East (S. $13^{\circ} 23' E.$), along land of said Coladarci and Spector, sixty and zero tenths (60.0) feet to a No. 6 rebar found below grade near the northerly sideline of Water Street; thence continuing the same course, South thirteen degrees twenty-three minutes East (S. $13^{\circ} 23' E.$), fifteen (15) feet, more or less, to the centerline of Water Street; thence in a generally easterly direction, but always following the centerline of Water Street, one hundred thirty-seven (137) feet, more or less, to a point; thence North twenty-one degrees two minutes West (N. $21^{\circ} 2' W.$), thirteen (13) feet, more or less, to the point of beginning. Containing 0.6 acre, more or less.

The above description was prepared in accordance with a survey plan "Boundary Survey of the James R. Whittemore & Mary B. Rice-Whittemore

Trusts property, 94 Water Street, Castine, Hancock County, Maine," dated February 2, 2010 and prepared by Sage Collins Surveying, Inc., Blue Hill, Maine.

All rebar's noted as "set and capped" are marked "Sage Collins, PLS 1200, Blue Hill, ME".

The above-described premises are conveyed subject to the rights of the public in that portion of the lot contained within the limits of Water Street.

The Grantors acquired title to the above-referenced property by virtue of the following deeds:

1. From Brian K. Barnard and Carole J. Barnard, dated September 9, 2002, recorded at the Hancock County Registry of Deeds in Book 3409, Page 136 and Page 139; and

2. From Marilyn S. McMennamin, Breeze Hobbs and Karen M. Benne, Trustees of the G. Barry McMennamin Qualified Personal Residence Trust, dated August 9, 2011, recorded at the Registry in Book 5665, Page 225.

Reference should also be made to a Boundary Line Agreement between James R. Whittemore and Mary B. Rice-Whittemore, Trustees, and Theodore Coladarci and Janet E. Spector, dated March 1, 2011, recorded at the Registry in Book 5589, Page 102.

The premise are conveyed subject to the following restrictive covenants (not conditions subsequent) which shall run with and be for the benefit of the other lands owned by G. Barry and Marilyn S. McMennamin, their heirs and assigns, as shown on a plan entitled "Preliminary Survey for G. Barry and Marilyn S. McMennamin, Castine, Hancock County, Maine" dated March 19, 1983, revised September 9, 1985, prepared by Sage Collins, RLS and recorded in Plan Book 19, No. 171, to wit:

1. Said premises shall be used for one-family residential purposes only and in no event shall the premises or any portion thereof be used for commercial or manufacturing purposes; provided, however, that this restriction shall not prohibit the lease of the premises for residential purposes, and shall not prohibit the use of a portion of the premises as an office or studio by a doctor, dentist, lawyer, architect, accountant or other professional person resident in the dwelling located upon said premises;

2. The premises shall contain only one single family dwelling and one garage; and such accessory buildings as suitable and customary, but not detrimental to a residential neighborhood;

3. The premises shall not be used for the off-street parking of any vehicles which are not owned by the owners or tenants of the premises or any guests who may be temporarily residing with them.

4. Any subdivision of said premises is prohibited, provided, however, that this provision shall not prohibit adjustments in any and all boundary lines between adjoining landowners;

5. No right of way or easement for any purposes, except an easement for underground wires and pipes, shall be given over the premises or any portion thereof.

These restrictive covenants shall run with the land and shall be binding upon the Grantees herein, their heirs and assigns forever, and shall be enforceable by and for the benefit of remaining land of G. Barry and Marilyn S. McMennamin, theirs heirs and assigns, as described above.