

ATTORNEYS AT LAW

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June 10, 2019

By electronic mail only

Melanie Loyzim, Deputy Commissioner Maine Department of Environmental Protection 17 State House Station Augusta, ME 04333

> RE: Nordic Aquafarms, Inc.'s Site Location of Development Act Application and Natural Resources Development Act Application, DEP #L-28319-26-A-N/L-28319-TG-B-N/L-28319-\$E-C-N/L-28319-L6-D-N

Dear Deputy Commissioner Loyzim:

This letter is Nordic Aquafarms, Inc.'s ("NAF") response to Maine Department of Environmental Protection's (the "Department") letter dated May 29, 2019 which specifically requested submission of specific evidence regarding right, title and interest for NAF's proposed land based aquaculture facility in Belfast, Maine. Please incorporate this filing into the record for all of the NAF applications pending before the Department for review by the Board of Environmental Protection (i.e. including, but not limited to, NRPA, SLODA, MEPDES, and Minor New Source Air Emissions). We understand that this filing includes new material in support of a completeness determination by the Department and, accordingly, NAF has no objection to extension of the Department's deadline for accepting the application as complete for processing until June 14, 2019.

<u>Request 1:</u> November 14, 2018 Dorsky survey/plan and amendments/revisions (including those dated February 22, 2019) and the April 2, 2018 Good Deeds Survey.

NAF Response: Please see Exhibit A attached hereto which includes the latest iteration of the Dorsky survey including a list describing amendments thereto and the April 2, 2018 Good Deeds survey. The Dorsky survey was most recently amended to include additional information requested in your letter regarding the size, acreage, and dimensions of the Eckrote intertidal area.

<u>Request 2.</u> All deeds in the chain of conveyance from Harriet L. Hartley to Jeffrey R. Mabee/Judith B. Grace

<u>NAF Response</u>: Please see Exhibit B attached hereto, which includes the deeds and a chain of title summary regarding the chain of title for the Mabee/Grace parcel.

June 7, 2019 Page 2

Request 3. All deeds in the chain of conveyance from Harriet L. Hartley to Larry D. Theye/Betty Becker-Theye

NAF Response: Please see Exhibit C attached hereto, which includes the deeds and a chain of title summary regarding the chain of title for the Theye parcel.

<u>Request 4.</u> The surveys, deeds, and/or other basis for Ex. A to the Eckrote Easement Purchase and Sale Agreement (contained in Ex. 1 to Drummond Woodsum's May 17, 2019 letter to Brian Kavanah).

NAF Response: Please see Exhibit D attached hereto, which includes these deeds and a chain of title summary regarding the chain of title for the Eckrote parcel.

Request 5. The surveys, deeds, and/or other basis for the May 16, 2019 James A. Dorsky letter not already provided that relate to lots 32-38.

NAF Response: Surveyor Dorsky conducted independent research of the chains of title as reflected in his May 16, 2019 letter (a stamped copy of which is attached hereto as Exhibit E) and survey (which is attached hereto as Exhibit A). Exhibit F attached hereto includes a letter from Attorney David Kallin.

We appreciate the Department's patient review of NAF's permit applications. Please do not hesitate to let us know if you have further questions.

Sincerely, Joanna B. Tourangeau

JBT/cp

Enclosures

cc: Beth Callahan, Bureau of Land Resources Peggy Bensinger, AAG Scott Boak, AAG Carol DiBello, Bureau of Parks and Lands, Department of Agriculture, Conservation & Forestry



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E IP FLATS ATE GI VA UNE IRTY UNE KOVE OR EFERENCE F7 IFERENCE F1		**************************************	MOTTANEO YA JAKO LA UTAKO TAGTA JAKA A	NOTIANEOYN JAOS, JACTIATTAL LAAOTTIOGA E NAUROTAN SIKOS, JACTIATTAL CIAA JANU KWOT S SIKOS LAFOTTUL STORSOJE YO RAIHOTAH I NO	
			SHEFT THER LITTORAL ZONE & INTERTIDAL ZONE SURVEY	SCALE: 1" = 80' SCALE: 1" = 80' BRAWN BY: AW/AD STATE: MAINE DATE: NOVEMBER 14, 2018 CHECKEDBY: AD	
DF BELFAST NORTH 1813 CHAPTER 53	- AF	PSORIMITE UNITS OF UNITED LITORAL ZONE	CLIENT/FRUECT: NORDIC AQUAFARMS	LOCATION: NORTHPORT AVENUE TOWN: BELFAST COUNT: WALDO STATE MAINE	
LEONE		- Guiffe Halps of Undown able	Gartley Corsky and SURVEYING	[1] P.O. Box 1031 Camber, ME (14813-1031 x, (207) 236-3055 Toll Free 1-888-282-4365 FPO. Jos 1072 Damarcords, Maire 04543 Ph., (207) 790-3005	s opening some
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NOTES DOCUMENTS REFERENCED ON THIS PLAN ARE RECORDED IN THE WALDO COUNTY REGISTRY F DEEDS UNLESS OTHERWISS NOTED. NO SURVEYORS REPORT WAS REFERRED NO JOSERNEY ON THE REPORT WAS REFERRED NO JOSERNEY WILL MARK THE HISTORY OF THE CITY OF BELFAST, MARKE YOU LIME T. JOEDS RECORDED IN BOOK 44. RAGE 160, PARCELS 83.10.11 AND CORRESPONDING PLAN ENTITLED "MANNEH HIGHWAY COMMISSION RIGHT OF WAY MAP-STATE HIGHWAY 'D'. FEDERAL AID PROJECT ON SAGITY AFTER MAY 194.4. AND WAIDERED 14.31 INT HE RECORDS OF THE MARKE DEPARTMENT OF TRANSPORTATION MOTS AND THE UNTINH THE RIGHT OF WAY LIMITS WAS NOT INVESTIGATED. MAINE COORDINATE SYSTEM OF1983 EAST ZONE NADB3(2011)(EPOCH:2010.0000) U.S. SURVEY FEET ELEVATIONS- NAVD88 (GEOID12B) SCALE: 1"= 20' 0 20' 40' 60' SURVEY STANDARD THIS PLAN WAS PREPARED FROM INFORMATION OBTAINED BY A SURVEY CONFORMING SUBSTANTIALLY TO THE REQUIREMENTS OF TECHNICAL STANDARDS CONTAINED IN CHAPTER 90, PART 2, OF THE RULES OF THE BOARD OF LICCINGURE FOR PROFESSIONAL LAND SURVEYORS, EFFECTIVE APRIL 1, 2001. CLARK G. STAPLES Chel A NO. 2332 CLARK G. STAPLES, MAINE LICENSED PROFESSIONAL LAND SURVEYOR No. 2332 LEGEND HARDWOOD TREE 3/4 INCH DIAMETER REBAR WITH IDENTIFICATION CAP SET O MONUMENT FOUND AS LABELED GRANITE MONUMENT FOUND O SHRUB HIGHWAY MONUMENT FOUND →. TREE LINE WOOD POST FOUND ----- EDGE OF TRAVELED WAY Ø UTILITY POLE + UTILITY POLE ANCHOR +Q+ FIRE HYDRANT GUARDRAIL MAN HOLE STONE WALL SEWER MAN HOLE ---- OVERHEAD WIRES CATCH BASIN - - EDGE OF RIGHT OF WAY ORILLED WELL PROJECT BOUNDARY LINE -----
Q ----- PIPE CENTER LINE WETLAND AREA
 DEFINED BY OTHERS BOUNDARY LINE ----- W ----- WATER LINE BROOK/DITCH TOPOGRAPHIC SURVEY RICHARD & JANET ECKROTE 282 NORTHPORT AVENUE- BELFAST, MAINE FOR NORDIC AQUAFARMS SUSTAINABLE AQUACULTURE AND RANSOM Consulting Engineers and Scientists AWING HEE' GOOD DEEDS 18018-282 NP Ave LAND SURVEYING • DEED RESEARCH DATE: 10-15-2018 1 of 1 109 MAIN STREET BELFAST, ME 04915 (207) 338-5743 SCALE: 1"=20'

	EXHIBIT
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CHAIN OF TITLE TO JEFFREY R. MABEE and JUDITH B. GRACE parcel (Belfast Tax Map 29, Lot 38)

Eva T. Burd and Edwin D. Burd Warranty deed Book 343, Page 497 dated 3/3/1924

to

Arthur Hartley Warranty deed Book 386, Page 452 dated 8/27/1934 to

Genevieve E. Hargrave Quitclaim with covenant deed Book 386, Page 453 dated 8/27/1934

to

Arthur Hartley and Harriet L. Hartley, as joint tenants upon Arthur's death 2/10/1935, Harriet L. Hartley became sole owner

Harriet L. Hartley Warranty deed Book 474, Page 387 dated 1/25/1946 to William P. Butler and Pauline H. Butler as joint tenants Warranty deed Book 587, Page 100 dated 5/13/1961 to Ernest J. Bell and Marjorie M. Bell, as joint tenants OUTSALE 5/18/1964 to John and Catherine Grady

Book 621, Page 288 (this parcel is now owned by Theye, Map 29, Lot 37) Ernest J. Bell dies date unknown Marjorie (an un-remarried widow) conveys balance of land Warranty Deed Book 652, Page 116; dated 10/17/1966 to Willis C. Trainor and Virginia K. Trainor as joint tenants Warranty Deed Book 663, Page 98 dated 9/1/1967

to Snelling S. Robinson Dies testate, date unknown Executor's and Trustee's Deed Book 680, Page 688 dated 3/19/1970 to Winston C. Ferris Warranty Deed

Book 684, Page 688 dated 8/26/1970 to Andrew J. Gay and Judith Gay Warranty Deed Book 817, Page 291 d. 11/1/1983 to Christopher S. Smith and Heather O. Smith as joint tenants Christopher S. Smith Quitclaim Deed with Covenant Book 833, Page 153 dated 12/11/1984 to Heather O. Smith Warranty Deed Book 1221, Page 347; dated 5/31/1991 to Jeffrey R. Mabee and Judith B. Grace, as joint tenants

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Vol. 343.

REOD ALL MEN DY THESE PRESETS.

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mat we, Eve ?. Burd of Winchester in the State of Massachusette, widow of Bd.in D. Burd. tate of Lost Medford, decembed, and Edwin D. Burd of said Finchester, son and sole help at law and Edwin D. Burd in consideration of one dollar and other valuable considerations paid by Miner Dartley of Philadelphia in the State of Pennsylvania the receipt whereof we do hereby has ledge, do hereby give, grant, bargain, sell and convey, unto the said Arthur Hartley, bis tairs and assigns forever,

a certain lot or parcel of land situated in Belfast in the County of Walds and State of raise, bounded and described as follows, to with- Bounded mostherly by land of Adomiram Moody red land suppid by N. L. Wost, deceased, at the time of his decease; easterly by Penobscot Bey; scutherly by Little River and land of Belfast Water District and westerly by land conveyed by as to Milton B. Bills by deed recorded in Welde Registry of Deeds.

Excepting and reserving from the foregoing conveyance the two cottages and out-buildings therees, that are wood by Clarence Poor and by Miss Coullard.

This conversance being made subject to a right of way across the same of conversed to said Wilton D. Bills under said deed and subject to a certain lease given by us to Adeniras Moody which expires April 1, 1925 and subject to the rights of the public over the highway crossing the real estate. Also reserving the right to enter the buildings on said premises and remove therefrom all personal property belonging to us.

TO HAVE AND TO BOLD the aforegranted and bargained premises with all the privileges and appartenances thereof, to the said Arthur Hertley, his beirs and assigns, to his and their use and bahaof forever.

And we do Covenant with the said Grantes, his heirs and assigns, that we are lawfully seized in fee of the premises, that they are free of all inclustrances; that we have good right to coll and convey the same to the said Grantee to hold as aforesaid; and that we and our boirs shall and will Warrant and Dofend the same to the said Grantee, his beirs and assigns forvor, against the larful claims and domade of all persons.

18 BITWESS BEEKEOP, we the paid Edwin D. Burd and Eva T. Burd wife of the said joining in this deed as Granter, and relinquishing and conveying right by descent AD4 all other rights in the above described premises, have bereunte set our hands and seals this Wird day of March in the year of our Lord one thousand nine hundred and teenty four.

Signad, Sealed and Delivered in presence of Kate Bargent H. T. Coullard

TAR OF MASSACHUSETTR. Middlesex ee.

U. 6. :
DOC.
Si.2.?
85.00

Edwin D. Bard	
Sva T. Burd	

L. B.

L. R.

Personally appeared the above gamed Edwin D. Burd and acknowledged the above instrument to be his free act and deed. OG T. Jac

2. Price Wilson

Bafore mo.

Motory Public. My commission expires August 15, 1924

March 7, 1924.

ald a Beneived March 14, 1924, at 28., 50m., P. M. Louise Voyal. Deerded and exapered. Attest:

Escietor of Decds

3810-458

KNOW ALL MEN BY TRESS PRESENTS,

Vol. 386

That I. Arthur Hartley of Philadelphia in the State of Pennsylvania in consideration of one dollar and other valuable considerations paid by genevieve E.Hargrave of said Philadelphia the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said Genevieve E. Hargrave, her heirs and assigns forever,

A certain lot or parcel of land situated in Belfast in the County of Waldo and State of Maine, bounded and described as follows, to wit: Bounded northerly by land of Adoniran Moody and land owned by W. L. West, deseased, at the time of his desease; easterly by Penobecot Bay; southerly by Little River and land of Belfast Water District and westerly by land conveyed by Eva T. Burd and Edwin D. Burd to Milton B. Hills by deed recorded in Waldo Registry of Deeds.

This conveyance being made subject to the rights of the public over the highway crossing said real estate, and also subject to a certain mortgage given by me to The City National Bank of Belfast dated September 10, 1980, and recorded in Waldo Registry of Deeds, Book 367, Page 386.

Also excepting and reserving from the foregoing conveyance the softage and out-buildings thereon, owned by Clarence Poor.

TO HAVE AND TO HOLD the aforegranted and bargained premises with all the privileges and appurtemannes thereof, to the said Genevieve E: Hargrave her beirs and assigns, to her and their use and behoof forever.

And I do Covenant with the said Grantes, her heirs and essigns, that I am lawfully seized in fee of the premises, that they are free of all incumbrances; except said mortgage to said The City National Bank of Belfast that I have good right to sail and convey the same to the said Grantes to hold as aforesaid; and that I and my beirs shall and will Warrant and Defend the same to the said Grantes, her heirs and assigns forever, against the lawful claims and demands of all persons, except for said mortgage. D/S

IN WITHEOS WHEREOP, I the said Arthur Hartley and Harriet L. Hartley wife of the said Arthur Hartley joining in this deed as Grantor, and relinquishing and conveying her right by descent and all other rights in the above described premises, have hereunto set our hands and seals this twenty-seventh day of August in the year of our bord one thousand mine hundred and thirty-four.

Signed, Sealed and Delivered in presence of John R. Dunion to both U. S. DOC. STAMP \$6.00

Arthur Hartley L.S. Harrist L. Hartley L.S.

STATE OF MAINE, Waldo ss.

452

(9305)

August 38 1934.

Personally appeared the above named Arthur Hartley and acknowledged the above instrument to be his free not and deed.

Bareso: 20, ... John 2. Dunton

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Justice of the Peace.

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Walde ss. Received August 19, 1984, at Sh., 25m,, A. M.

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453

A CONTRACTOR OF A CONTRACT

Vol. 386

RNOW ALL MEN BY TREBE PRESERTS.

That I, Concvieve E. Hergreve of Philadelphia in the State of Penneylvania in somsideration of one dollar and other voluable considerations paid by Arthur Martley and Marriet L. Nortley. his wife, both of said Philadelphia the receipt whereof I do hereby asknowledge, do hereby remise, release, bargein, sell and convey, and forever quit-claim unto the said Arthur Rertley and Rerriet L. Rertley, his wife, and the survivor of thes as joint tenents and not so tenants in common, their heirs and assigns forever,

A certain lot or parcel of land situated in Belfest in the County of Weldo and State of Vaine, bounded and described as follows, to wit; Bounded northerly by land of Adoniran Hoody and land owned by W. L. West, deceased, at the time of his decesse; easterly by Penobecct Bay; southerly by Little River and land of Relfast Water District and westerly by land conveyed by Eve 7. Burd and Edwin D. Burd to Milton B. Hills by deed recorded in Waldo Registry of feeds.

This conveyance being made subject to exceptions, reservations rights of the public and Borigage as bet forth in deed of sold Arthur Furthey to me bearing even date herewith to be resorded herewith in Waldo Registry of feeds. Deing the same real estate conveyed to me by said deed of said Arthur Hartley.

TO HIVE AND TO HOLD the same, together with all the privileges and appurtenances thereunte belonging, to the said Arthur Hertley and Parriet E. Rartley and the eurvivor of them is joint Sohanoy and Got as tenents in compon, their boirs and assigns forever.

And I do Covenant with the said Grantess, their heirs and assigns, that I will Warrant and forever refend the province to them the said Grentess, their beirs and assigns forever, against the lewful claims and desends of all persons claiming by, through, or under me.

IN MITNERS MEEREOF, I the sold Genevieve 2. Hargrave, have bereunte our bands and seals this tworis-seventh day of August in the year of our Lord one thousand nime hundred and thirtyfour.

Signed, Sealed and Delivered in presence of John R. Funton



Genevieve E. Eargrave L. 8. L.A.

STATE OF MAINE, WALDA BS.

August 26 1954. Personally appeared the above maned Consvieve E. Hargrave and asknowledged the shows instanmont to be her free sot and deed.

> John R. Dunton Before st.

> > Justice of the Peace.

Waldo ss. Received August 29, 1954, at 9b., 25m in Royal. Becarded and compared. Attest;

Regiotor of Docan.

(9308)

KNOV ALL MEN BY TEESE FRESENTS.

That I, George Perker Cook of Belfast in the County of Valdo and State of Maine in evesideration of one dollar and other valuable considerations paid by William W. Diskey of Deanwills in said County and State the receipt wherear I do hereby stanowledge, do hereby remise, release, bargain, sell and convey, and forever quit-claim white the cold williso W. Diekey, his heirs and assigns forever.

A certain lot or parcel of land with the buildings thereon, situated in the sity of Belfast, and bounded and described as follows, to wit: Beginning at the intersection of the south line of land formerly of the late Daniel Hinds, with the easterly line of Worthport Avenue; thence easterly on said Hinds southerly line, sighteen rods (18) to stake and stones;

		7762 Vol. 474	387) <u>*</u>	
		Know all Sten by these Presents, That		1	
				1	
		I, Harriet L. Hartleyof Philadelphia in the County of Philadelphia and Common- wealth of Pennsylvania, widow			
		in consideration of one dollars and other valuable considerations paid by William P.			
	1 55	Butler and Pauline H. Butler both of Natick in the County of Middlesex and Common- wealth of Massachusetts, hushand and wife the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey unto the said			
		the receipt whereof 1 do hereby acknowledge, do hereby grve, grant, bargain, sell and convey unto the said William P. Butler and Pauline H. Butler as joint tenants, and not #s tenants in # Common, to them and their heire and assigns, and the heirs and assigns of the sur-			
2		viver of them forever,			
		A certain lot or parcel of land with the buildings thereon situated in Belfast			
		in the County of Waldo and State of Maine on the easterly side of the Atlantic			
		Highway and bounded and described as follows, to wit: Northerly by land of Fred		19 ⁴ 10	
1	1	R. Poor; easterly by Penobacot Eay; southerly by Little River and westerly by the		t	
		Atlantic Highway, so-called.		н () Да	
		Being a portion of the premises conveyed to Arthur Hartley and myself, in			
		joint tenancy, by Genevieve E. Hargrave by deed dated August 27 1934 and recorded			
		in Waldo Registry of Deeds, Book 386, Fage 453			
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		Go Rape and to Hold the aforegranted and bargained premises, with all the privileges and appurtenances thereof, to	29.00 29.00		Í
		the said William P. Butler and Pauline H. Butler and the survivor of them, as joiny tenants, and not as tenants in common, to them and their heirs and assigns, and			
		the heirs and assigns of the survivor of them, to them and	1		
		as afore said, their use and behood forever. And I do covenant with the said grantee 8,	a - -	4	
		heirs and assigns, that I am lawfully seized in fee of the premises; that they are free of all incumbrances;	l.	Į.	
		that I have good right to sell and convey the same to the said Grantees to hold as aforesaid; and that I and my heirs shall and will warrant and defend the same to the said of the survivor of them			
		Grantees, the heirs and assigns forever, against the lawful claims and demands of all persons.			
844) 8		In Witness Whereaf, I the said Harriet L. Hartley	•	4	ĺ
i .	Į		• 	14	
		have hereunto set the twenty-second day of September in the year of our Lord	: !	* •	
		one thousand nine hundred and fifty.	q		
		H. R. Stone DOC. Harriet L. Hartley L.S.		94	
		STAMP	-	1	
		\$ 11.00	1		
	l	State of Maine, Waldo es. September 25, 1950. Permath append	4 4 1		
		the above named Harriet L. Hartley and acknowledged the foregoing instrument to be ner free act and deed		3	
		Before me, H. R. Stone Notary Public.	1 (1-145) ar		
and the second		Received September 30, 1950, at 10 o'clock 50 m. A. M., and recorded according to the original.	1		
9. 1.				····	

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WALDO COUNTY REGISTRY

587 ##100



P.02

Know All Ken by These Presents,

we, William P. Butler and Pauline B. Botler, husband and wife, both of Belfast in the County of Waldo and State of Maine,

in consideration of one dollar and other valuable considerations,

paid by Brnest J. Bell and Marjorie N. Bell, husband and wife, both of Medway in the County of Norfolk and Commonwealth of Massachusetts

the receipt whereof do hereby acknowledge, do hereby give. grant. birgain, sell and converg unto the said

Broest J. Bell and Marjorie M. Bell

as joint tenants and not as tenants in common, their heirs and assigns, and to the survivor of them and the heirs and assigns of the survivor of them forever.

A certain lot or parcel of land together with the buildings thereon situated in Belfast in the County of Waldo and State of Maine on the easterly side of the Atlantic Highway and being bounded and described as follows, to wit >-Northerly by land of Fred R. Poor; easterly by Fenobscot Bay; coutherly by Little River; and westerly by the Arlantic Highway, so-celled.

/ Seing the same premises conveyed to us by Harrist L. Hartley by her deed of warranty dated September 22,1950, recorded in Waldo Registry of Deeds, Book 474, Page 387.

To have sud to hold the aforegranted and bargained premises with all the privileges and appurtenences thereof, to the said

Ernest J. Bell and Marjorie N. Bell

as joint temants and not as temants in common, their heirs and assigns, and to the survivor of them and the heirs and assigns of the surviver of them, to their own use and behoef forevar. And we do communit with the said Grantees, as aforesaid, that we are lawfully seized in fem of the premises, that they are free of all encombrances; subject to pro rate share of current taxes assessed as of April 1,1961 which said pro rate share of current taxes the Grantees by acceptance of this deed assume and agree to pay;

that we have good right to sell and convey the same to the said Grantees to hold as aforesaid; and that we and our heirs shall and will Warrant and Befreit the same to the said Grantees, their heirs and assigns and the survivor of them, and the heirs and assigns of the survivor of them forever. against the lawful claims and demands of all persons, except aforesaid taxes in William F. Batler and Pauline H. Butler,

MAY-10-2019 12:46 WALDO COUNTY REGISTRY 2073386360 P.03 BHOR DO / PAGELUL being husbano and wife, and mutually **XBOO** * 35¢×× BOKKA WHAT'S joining in this deed as Grantors, and OUT right by descent and all other relinquishing and conveying our rights in the above described premises, have hereunto set hand⁸ and seal ⁸this ^{thirteenth} May day of in the year of our Lord one thousand nine hundred and sixty-one. Signed, Benled und Belimered Willion 52 Pro his al A May 13, 1961 Stair of Sainr.Valdo 55. -----Personally appeared the above named William F. Butler and acknowledged te formed instrument to be hí s free act and depd. Before **#** Justice the Poons Notary Public. 19.61 at. 3. . H., . 45. M., P., ... M., and **Begistry of Deeds** 1961 recorded in Rock ... 587 ... Page ... 100. Marranty Deed š FROM THE OFFICE OF Ernest J. Bell et ux. Hilling -P. Butler et Ney .13. Attest O Walson M. Mark JOINT TENANCY LONING SHORT & NARMO POPTLAND, MAINE Eaton & Gless Belfast, Maine From Waldo ... 86. - **A** Received May...15 ÷ Bhate of Maine. : : . Dated Contrast Contrast

621 PAGE 288 Know all Men by these Presents,

Chai we, <u>Ernest J. Bell and Marjorie N. Bell</u>, husband and wife, both of Belfast in the County of Waldo and State of Maine

in consideration of One Dollar and other valuable considerations

paid by John Joseph Grady and Catherine E. Grady, husband and wife, both of Northport in said County and State

the receipt whereof we do hereby acknowledge, do hereby give, grant, hargain, sell and convey. unto the said

John Joseph Grady and Catherine E. Grady

as joint tenants and not as tenants in common, their heirs and assigns, and to the survivor of them and the heirs and assigns of the survivor of them forever.

A certain lot or parcel of land situated in Belfast in the County of Waldo and State of Maine, commencing at a point on the southeasterly right-of-way line of U. S. No. 1 at a concrete culvert; thence southwesterly along said right-of-way line one hundred eighty-seven (187) feet to a point six (6) feet, more or less, northwesterly of an iron pin; thence South 48° 20' East one hundred thirty-eight (138) feet, more or less, to an iron pin and continuing on the same course thirty-nime (39) feet, more or less, to the high water mark of Penobscot Bay; thence turning and running northeasterly along said high water mark three hundred thirty-three (333) feet, more or less, to an iron pipe; thence turning and running generally northwesterly and following the gully that marks the line between land of Ernest J. Bell and Marjorie N.Bell, and land of Fred R. Poor, to the point of beginning.

MEANING AND INTENDING TO CONVEY a part of the parcel of land conveyed to us by William P. Butler et ux by their deed dated May 13, 1961 and recorded in Waldo County Registry of Deeds in Book 587, Page 100.

To have and in hold the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said

John Joseph Grady and Catherine E.Grady

as joint tenants and not as tenants in common, their heirs and assigns, and to the survivor of them and the heirs and assigns of the survivor of them, to their own use and behoof forever. And we do communit with the said Grantees, as aforesaid that we are lawfully seized in fee of the premises, that they are free of all encumbrances;

۲۰۰۶ کارل ۲۰۰۶ کارل	State of filiation. Waldo BE. May //. 19 64. Personally appeared the above named Ernest J. Bell and Marjorie N. Boll and acknowledged the foregoing instrument to be their fore act and deed. Children Before me. District Control the Person. District Milling Name Notary Public. 19 61. Imatice of the Person. District Milling Imatice of the Person. Notary Public. Imatice of the Person. Imatice of the Person. Imatice of the Person. Notary Public. Imatice of the Person. Notary Public. Imatice of the Person. Imatice of the Person. Imatice of the Person. Imatice of the Person. Imatice of the Person. Imatice of the Person. Imate of the Person. Ima	
	Ennest of 13ell. Handres M. Bell Handres M. Bell Handr	
	whith a boom because in this deed as Grantors, and mutually relinquishing and conveying our right by descent and all other for ights in the above described premises, have hereunto set our hands and seals this eighteenth day of May in the year of our Lord one thousand nine hundred and sixty-four.	
	that we have good right to sell and convertine same 289 to the said Grantees to hold as aforesaid; and that we and our heirs shall and will Marrant and Brfrnd the same to the said Grantees, their heirs and assigns and the survivor of them, and the heirs and assigns of the survivor of them forever, against the lawful claims and demands of all persons. In Mitness Marrof, we the said Ernest J. Bell and Marjorie N.Bell	

52 PAGE 110))	· · · ·	and the particular of the second	
-		(506)		2
	Know all	Men hy th	iese Preser	its,
That 1	, Marjorie Bell,	an unremarrie	i widow, of Bel:	fast in t
Connty o	f Waldo and State	of Maine		
		· · ·		
in consi	deration of One D	ollar and oth	er valuable con	sideratio
paid by	Willis C. Train	or and Virgin	a K. Trainor, I	usband a
wife, bo	th of Falls Churc	h in the Coun	ty of Fairfax a	nd State
Virginia		·		
the rece	ipt whereof I	do he	reby acknowledge), do her
give, grant	, burgain, sell und cous	y, unto the sa	ia Willis C.	Trainor a
Virginia	K. Trainor	x -		
as joint	tenants and not a	s tenents in c	ommon. their bei	Irs and
	and to the surviv	•	the neirs and a	ISATÈNS d
the surv	ivor of them forev	/or.		
A certai	n lot or parcel o	of land; toget	ner with the bu	ildings
			aldo and State	

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land; together with the buildings thereon e County of Waldo and State of Maine, on the easterly side of the Atlantic Highway and being bounded and described as follows, to wit: Northerly by land of Fred R. Poor; Easterly by Penobscot Bay; Southerly by Little River; and Westerly by the Atlantic Highway, so-called, MEANING AND INTENDING TO CONVEY the same premises as conveyed to Ernest J. Bell et ux by William P. Butler et ux by deed dated May 13, 1961, recorded in Waldo Registry of Deeds in Book 587, Page 100.

EXCEPTING AND RESERVING a certain lut or parcel of land conveyed to John Joseph Grady et ux by Ernest J. Bell and Marjorie N. Bell, by deed dated May 18, 1964, recorded in said Registry in Book 621, Page 288, bounded and described as follows, to wit: Commencing at a point on the southeasterly right-of-way line of U. S. No. 1 at a concrete culvert; thence southwesterly along said right-of-way line 187 feet to a point six feet, more or less, northwesterly of an iron pin; thence South 48 degrees, 20 minutes Bast 138 feet, more or less, to an iron pin and continuing on the same course 39 feet, more or less, to the high water mark of Penobscot Bay; thence turning and

block 652 MALE 17 running northeasterly along said high water mark 333 feet, more or less, to an iron pipe; thence turning and running generally northwesterly and following the gully that marks the line between land of Ernest J. Bell and Marjorie N. Bell and the land of Fred R. Poor, to the point of beginning.

Estaneand is held the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said

Willis C. Trainor and Virginia K. Trainor as joint tenants and not as tenants in common, their heirs and assigns, and to the survivor of them and the heirs and assigns of the survivor of them, to their own use and behoof forever. And I do covenant with the said Grantees, as aforesaid, that I am lawfully seized in fee of the premises, that they are free of all encumbrances;

that I have good right to sell and convey the same to the said Grantees to hold as aforesaid; and that I and my heirs shall and will Warrant and Befend the same to the said Grantees, their heirs and assigns and the survivor of them, and the heirs and assigns of the survivor of them forever, against the lawful claims and demands of all persons. In Witness Whyrrof. I, the said Marjorie Bell

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MAA 1. Ka sa kay nama **menangkanya menenenenenenenenenenen kataka**n dikana**kan katakan kat Katakan katakan** rightschundrenstrenterentendenderenteren have hereunte Bet ŋу hand and seal this seventeenth day of October in the year of our Lord one thousand nine hundred and sixty-six. 1 Stgned. Bealed and Belivered 172 tu presence of Smally al. Ind see Marjoin Bell. October 17, State of Status, WALDO 10 L · 11 66 Personally appeared the above named Marjorie Bell and acknowledged the foregoing instrument to be her free act and deed. Before me, Gudlinfu Jahu Justice of the Peace. mere Protect & some bute of Malon. 10 H. 25 M. ind October 12 GRIDLEY W. TARBELLI ATTORNEY AT LAW BELFAST, MAINE uarranty Deer FROM THE OFFICE OF WILLIS C. TRAINOR October 17, JOINT TENANCY Waldo MARJORIE BELL 652 Fina 7 IJ Ę Ĭ S \$



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569 n= 98 Know all Men by these Presents,

paid by <u>Snelling 5. Robinson</u> of Northport in the County of Waldo and State of Maine,

the receipt whereof we ____ do hereby acknowledge, da hereby give, grant, hergain, will and councy, unto the said

<u>Shelling S. Robinson, his</u> a certain lot or percel of land, together with the buildings thereon situated in Belfast in the County of Waldo and State of Maine, on the easterly side of the Atlantic Highway and being bounded and described as follows, to wit: Northerly by land of Fred R. Poor; Easterly by Penobscot Bay; Southerly by Little River; and Westerly by the Atlantic Highway, so-called.

EXCEPTING AND RESERVING a certain lot or parcel of land conveyed to John Joseph Grady et ux by Ernest J. Bell and Marjorie N. Bell by deed dated May 18,1964, recorded in Waldo Registry of Deeds in Book 621, Fage 288, bounded and described as follows, to wit: Commencing at a point on the southeasterly right-of-way line of U. S. No. 1 at a concrete culvert; thence southwesterly along said right-of-way line 187 feet to a point six feet, more or less, northwesterly of an iron pin; thence South 48 degrees, 20 minutes East 138 feet, more or less, to an iron pin and continuing on the same course 39 feet, more or less, to the high water mark of Fenobscot Bay; thence turning and running northeasterly along said high water mark 333 feet, more or less, to an iron pipe; thence turning and running generally northwesterly and following the gully that marks the line between land of Ernest J.Bell and Marjorie N. Bell and the land of Fred R. Poor, to the point of beginning. The granted and conveyed premises being the same conveyed to us by Marjorie N. Bell by her deed dated October 17,1966, recorded in Waldo Registry of Deeds in Book 652, Page 116.

On Have and to Hold the aforegranted and bargained presises with all the privileges and appurtenances thereof to the said

- heirs and assigns, to his and their use and behoof forever. AuD/do COVENANT with the said Grantes , his heirs

____ Snelling S. Robinson, his

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	and assigns, that we are lawfully seized in fee of the promises that they are free of all ensumbraness: Subject to pro rate share of 200 603 600 current taxes assessed as of April 1,1967 which said pro rate share of current taxes, the Grantee, by acceptance of this deed assumes and agrees to pay; that we have good right to sell and couvey the same to the said	
	Grantes to hold as aforesaid; and that we and our heirs shall and will WARRANT and DEFEND the same to the said Grantes . his heirs and assigns forever, against the lawful claims and demands of all persons.	
	In Mitness Mherenf, _we, _ the saidVillis C. Trainor and Virginia K. Trainor, being husband and wife, and mutually joining in this deed as Granter % and relinquishing and conveying our right by descent and all other rights in the above described	
	premises, have hereunto set our hand s and seal sthis_first day of September in the year of our Lord one thousand nine hundred and sixty-seven.	
	ta presente ol <u>Gr. et. Jakob</u> <u>4 6000</u> September 2, 1967.	
	Waldo Personally appeared the above named <u>Willis C. Trainor</u> instrument to be his free ast and deed. Before Be, <u>Dutketty Unlots</u> Justice of the Peace.	
	From From A. Reiner of us. T. T. T. T. T. T. T. T. T. T	
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		Į	and the second
			On have and to bulk the above-granted premises unto the said 1944
			Vinston C. Perris,
			and his heirs and assigns forever. And we, the said Evelys " Finders Bobinson and Continental Illinois Sational Bank and Trust Company of Chicago, Executors
			in our 'said capacity, do 'hereby covenant to and with the said '
			Minston C. Forris, his heirs and assigns, that
À	•	ŧ.	us are the lawful executors of the last will and
	. I		testament of the said inelling 3. Hobinson ; that we
	- 1 g		have power under said will to sell as aforesaid; and that in making '
			this conveyance, us have in all respects, doted in pursuance of
	: *		the authority granted in and by the said last will and testament.
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			(🚔 🗍 Nov. Jamen of F.3.8.5 11 🚍 3
		1.1	
			In Linness Liberrof, us the said Evelys Manders Robinson and Continental Illinois Mational Bank and Trust Company of Chicago
			in our soid capacity of executor
			as aforesaid have hereunto set our hand ; and seals .
			this 2 19th day of March in the year of our
			Lord one thousand nine hundred and seventy.
	· · ·		. Signed Orabing Continental Illinois Sational Bank and
			ATTEST ATTEST ACTOR Secretary
	l f		Cache F. Robinson
	· ·		August and a second
	[`}	
	÷.		nanna 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1.
	` [Write of Storme. (
	1.1		Then personally appeared the above named Evelyn Flanders Robinson
	· · ·		and acknowledged the above instrument to be her free act and deed
	1		in her said especity.
			Bafore no.
	1		
	l	912	of Maine, Valde us. Registry of Dosde Justice of the Poster
		Ressi	wed March 27. 1970at 2 H., 40 M., P.N., Notary Jublis
		N K	Attest: 10000 - Transit Festing

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20.11111	all Men by the	ee presents,			
Uhat I, Winston	C. Ferris of Belfast, C	ounty of Waldo and State			
ve ne					
in consideration of	one dollar and other	valuable considerations,			
paid by Andrew J. : St. Louis, State o		h of St. Louis, County of			
the receipt whereof	1 17 - An banata				
•	I dd neren; and reaury, unto the said	y acknowledge, do hereby			
Andrew J. Gay and					
		-	4		
as joint tenants on	d not as tenants in comp	oon, their heirs and	ĺ		
buildings thereon,	dertain lot or parcel of situated in Belfast, C and described as follow	f land together with the ounty of Waldo and State s, to wilk			
Northerly by land - Southerly by Littl so-called.	of Fred R. Poor; Easte a River and Westerly by	Ely by Penobscot Bay; the Atlantic Highway,			
conveyed to John J N. Bell by deed da Registry of Deeds	ted May 18, 1964 and re	nes" J. Boll and Marjorie corded in the Waldo Count , bounded and described	¥		
right of way line (te culvert; thence south	-		
(187) feet to a point	nt six (6) feet, more o	r less, northweaterly of ne hundred thirty-eight			
(138) feet, more o	r less, to an iron pin-	and continuing on the r less, to the high water		:	
mark of Penobscot	Bay; thence turning an	d running northeasterly thirty-three (333) feet,	Ę į		
more or less, to a	n iron piper thence tu	rning and running general t marks the line between	ly		
land of Ernest J. R. Poor, to the po	Bell and Marjorie N. Be	11, and the land of Fred			
Together with all (our right, title and in	terest in and to that A high and low water mark			
commonly designate	d as the flats.				
conveyed to me by : National Bank and '	Evelyn Flanders Robinson Trust Company of Chicago	convey the same premises n and Continental Illingi o, executors u/w/o 19, 1970, recorded in	•		
	try of Deeds, Book 680.		•		
,	· · ·	•			
	• .				

WALDO COUNTY REGISTRY

P.05

In have and to hold the aforegranted and bargeined promines with all the privileges and appurtenances thereof, to the said Andrew J. Gay and Judith Gay

as joint tenants and not as tenants in common, their heirs and assigns, to their own use and behoof ferever.

And y do covernant with the sold Grantees, as aferesaid, that I am lewfully seized in fee of the premises, that they are free of all encumbrances;

that I have good right to sell and convey the same to the said Grantees to hold as aferopaid; and that T heirs shall and will Marrant and Defend the same to the and mγ said Grantees, their heirs and assigns spainst the inwful claims and demands of all persons.

In Witness Whereof. 1 . the said Winston C. Ferris,

and Irene Ferris.

of the said Winston C. Ferrie. wife

joining in this doed as Grantor , and relinquishing and conveying her right by descent and all other rights in the above described premises, have hereunts set our hand sand avals this twenty-sixth day of August in the year of our Lord one thousand nine hundred and seventy. Figneb, Bealed and Delinered

alai.

in presence of

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STATE OF MAINE THE STREET ** str era tyreen of 2 5 7. 2 RUSSI fazalise 9/8/70 ¥. C.

ttate al Maine, Waldo Personally appeared the above named

Last, Winston C. Ferris the foregoing instrument to be

and acknowledged

free not and deed.

August 26, 1870

State of Uning, Waldo as. Registry of BURAF. Repeived Sontember 8 19 70at 11 H., 00 N., A. V. Jackan nd recording in hyok 681 Page 688 Attout Junter Commente Peristor Thet an of the Notary Public.

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BOOK 817 PAGE 291

KNOW ALL MEN BY THESE PRESENTS, THAT we, ANDREW J. GAY, of Belfast in the County of Waldo and State of Maine, whose mailing address is The Battery, Belfast, Maine 04915, and JUDITH GAY of Castine in the County of Hancock and State of Maine, whose mailing address is Castine, Maine 04421.

in consideration of one dollar and other valuable considerations,

44:59

paid by CHRISTOPHER S. SMITH and HEATHER O. SMITH, both of Strong in the County of Franklin and State of Maine, whose mailing address is Main Street, Strong, Maine 04983,

the receipt whereof we do hereby acknowledge, do hereby GIVE, GRANT, BARGAIN, SELL, AND CONVEY, unto Christopher S. Smith and Heather O. Smith as joint tenants and not as tenants in common, to them and their heirs and assigns and the heirs and assigns of the survivor forever,

a certain lot or parcel of land together with the buildings thereon situated in Belfast in the County of Waldo and State of Maine, bounded and described in a warranty deed from Winston C. Ferris to Andrew J. Gay and Judith Gay dated August 26, 1970, and recorded in the Waldo County Registry of Deeds in Book 684, Page 688, as follows, to wit:

"Northerly by land of Fred R. Poor; Easterly by Penobscot Bay; Southerly by Little River and Westerly by the Atlantic Highway, so-called.

EXCEPTING therefrom, however, a certain lot or parcel of land conveyed to John Joseph Grady et ux by Ernest J. Bell and Marjorie N. Bell by deed dated May 18, 1964 and recorded in the Waldo County Registry of Deeds in Book 621 at Page 288, bounded and described as follows, to wit: Commencing at a point on the southeasterly right of way line of U. S. #1 at a concrete culvert; thence southwesterly along said right of way line, one hundred eighty-seven (187) feet to a point six (6) feet, more or less, northwesterly of an iron pin; thence South 48°20' east one hundred thirty-eight (138) feet, more or less, to an iron pin and continuing on the same course thirty-nine (39) feet, more or less, to the high water mark of Penobscot Bay; thence turning and running northeasterly along said high water mark three hundred thirty-three (333) feet, more or less, to an iron pipe; thence turning and running generally northwesterly and following the gully that marks the line between land of Ernest J. Bell and Marjorie N. Bell, and the land of Fred R. Poor, to the point of beginning.

Fred R. Poor, to the point of beginning. Together with all our right, title and interest in and to that portion of the premises which lies between high and low water mark, commonly designated as the flats.

It is meant and intended to describe and convey the same premises conveyed to me by Evelyn Flanders Robinson and Continental Illinois National Bank and Trust Company of Chicago, executors u/w/o Snelling S. Robinson, by deed dated March 19, 1970, recorded in Waldo County Registry of Deeds, Book 680, Page 688."

It is meant and intended to describe and convey the same premises conveyed to Andrew J. Gay and Judith Gay from Winston C. Ferris by warranty deed dated August 26, 1970, and recorded in the Waldo County Registry of Deeds in Book 684, Page 688, on September 8, 1970.

TO HAVE AND TO HOLD the aforegranted and bargained premises with all the privileges and appurtenances thereof to the said Christopher S. Smith and Heather O. Smith as joint tenants and not as tenants in common, to them and their heirs and assigns and the heirs and assigns of the survivor forever.

AND we do COVENANT with the said Grantees, their heirs and assigns, that we are lawfully seized in fee of the premises that they are free of all

.

. BUOK 817 ALGE 292 encumbrances; that we have good right to sell and convey the same to the said Grantees to hold as aforesaid; and that we and our heirs shall and will WARRANT and DEFEND the same to the said Grantees, their heirs and assigns forever, against the lawful claims and demands of all persons. IN WITNESS WHEREOF, we, the said Andrew J. Gay and Judith Gay, an unremarried divorced woman, and Jeanine Brown Gay, wife of the said Andrew J. Gay, and mutually joining in this deed as Grantor, and relinquishing and conveying all rights by descent and all other rights in the above described premises, have hereunto set our hands and seals this first day of November in the year of our Lord one thousand nine hundred and eighty-three. SIGNED, SEALED, AND DELIVERED m 2 Leaner ou Jeanine Brown Gay, Andrew J. Gay wife of the sai STATE OF MAINE WALDO, SS. Morabes 1 , 1983 Personally appeared the above named Andrew J. Gay and acknowledged the above instrument to be his free act and deed. Before me, Notary Public Cherry 110 FOM/mb/cfh 6659

COOK 833 PAGE 153

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No Transfer Tax Pak

Know all Men by these Presents,

OUITCLAIM DEED With Covenant

Chat I, CHRISTOPHER S. SMITH, of Belfast, County of Waldo, State of Maine,

in consideration of One dollar and other valuable considerations

paid by HEATHER O. SMITH of Belfast, County of Waldo, State of Maine,

whose mailing address is Northport Avenue, Belfast, ME 04915

the receipt whereof I do hereby acknowledge, do hereby remise, release, bargain, sell and couvery, and forever quittelaim unto the said HEATHER O. SMITH, her

heirs and assigns forever,

a certain lot or parcel of land together with the buildings thereon situated in BELFAST in the County of Waldo and State of Maine, bounded and described in 1970 as follows, to wit:

"Northerly by land of Fred R. Poor; Easterly by Penobscot Bay; Southerly by Little River and Westerly by the Atlantic Highway, so-called.

EXCEPTING therefrom, however, a certain lot or parcel of land conveyed to John Joseph Grady et ux by Ernest J. Bell and Marjorie N. Bell by deed dated May 18, 1964 and recorded in the Waldo County Registry of Deeds in Book 621 at Page 288, bounded and described as follows, to wit: Commencing at a point on the southeasterly right of way line of U.S. #1 at a concrete culvert: thence southwesterly along said right of way line, one hundred eighty-seven (187) feet to a point six (6) feet, more or less, northwesterly of an iron pin; thence South 48°20' east one hundred thirty-eight (138) feet, more or less, to an iron pin and continuing on the same course thirty-nine (39) feet, more or less, to the high water mark of Penobscot Bay; thence turning and running northeasterly along said high water mark three hundred thirty-three (333) feet, more or less, to an iron thence turning and running generally northwesterly and pipe; following the gully that marks the line between land of Ernest J. Bell and Marjorie N. Bell, and the land of Fred R. Poor, to the point of beginning.

Together with all our right, title and interest in and to that portion of the premises which lies between high and low water mark, commonly designated as the flats.

It is meant and intended to describe and convey the same premises conveyed to me by Evelyn Flanders Robinson and Continental Illinois National Bank and Trust Company of Chicago, executors u/w/o Snelling S. Robinson, by deed dated March 19, 1970, recorded in Waldo County Registry of Deeds, Book 680, Page 688."

MEANING AND INTENDING TO CONVEY and hereby conveying the same premises described in a deed from Andrew J. Gay and Judith Gay to Christopher S. Smith and Heather O. Smith as dated November 1, 1983 and recorded in the Waldo County Registry of Deeds in Book 817, Page 291.

SUBJECT, however, to two mortgages described as follows: a first mortgage from Christopher S. Smith and Heather O. Smith to

833 PAGE 154 COCK Kingfield Savings Bank as dated November 1, 1983 and recorded in the Waldo County Registry of Deeds in Book 817, Page 293; and a second mortgage from Christopher S. Smith and Heather O. Smith to Andrew J. Gay and Judith Gay as dated November 1, 1983 and recorded in the Waldo County Registry of Deeds in Book 817, Page 298. ۰. ניואל אליינו .: 1.114 • 1.0

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	BOOK 833 PAGE 155
	To have and to hold the same, together with all the privileges and appurtenances
	thereunto belonging, to the said HEATHER O. SMITH, her
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	heirs and assigns forever.
	And I do concrant with the said Grantee , her heirs and assigns, that
	I shall and will murrant and defend the premises to the said Grantee , her heirs and
	assigns forever, against the lawful claims and demands of all persons claiming by, through, or under me.
	In Witness Whereof, I , the said CHRISTOPHER S. SMITH
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	XDENTEXNY MEXICOLEXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
-	xatexxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx
i ·	month of December . A.D. 1984.
	Bigued, Sealed and Delivered
	in presence of
-	Mustin Jeleone Urfle
3	CHRISTOFHER S. SMITH
н.	· · · · · · · · · · · · · · · · · · ·
	State of Minine, County of Waldo ss. December 11, 1984.
- 1	Then personally appeared the above named Christopher S. Smith
	and acknowledged the foregoing instrument to be his free act and deed.
	Before me,
	7587 Martin Louis
	State of Maine, Weldo sa, Registry of Deods Recting D. C. 12:0.84 at 11,55 M.A.
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WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, THAT I, HEATHER O. SMITH of Belfast in the County of Waldo and State of Maine, whose mailing address is 1.78 Northport Avenue, Belfast, Maine 04915,

in consideration of one dollar and other valuable considerations,

paid by JEFFREY R. MABEE and JUDITH B. GRACE, both of Belfast in the County of Waldo and State of Maine, whose mailing address is R. F. D. \$1, Box 1321, Belfast, Maine 04915,

the receipt whereof I do hereby acknowledge, do hereby GIVE, GRANT, BARGAIN, SELL, AND CONVEY, unto Jeffrey R. Mabee and Judith B. Grace as joint tenants and not as tenants in common, their heirs and assigns forever.

a certain lot or parcel of land together with the buildings thereon situated in Belfast in the County of Waldo and State of Maine, bounded and described in a warranty deed from Winston C. Ferris to Andrew J. Gay and Judith Gay dated August 26, 1970, and recorded in the Waldo County Registry of Deeds in Book 684, Page 688, as follows, to wit:

"Northerly by land of Fred R. Poor; Easterly by Perobscot Bay; Southerly by Little River and Westerly by the Atlantic Highway, so-called.

EXCEPTING therefrom, however, a certain lot or parcel of land conveyed to John Joseph Grady et ux by Exnest J. Bell and Marjorie N. Bell by deed dated May 18, 1964 and recorded in the Waldo County Registry of Deeds in Book 621 at Page 288, bounded and described as follows, to wit: Commencing at a point on the southeasterly right of way line of U. S. #1 at a concrete culvert; thence southwesterly along said right of way line, one hundred eighty-seven (187) feet to a point six (6) feet, wore line, one hundred eighty-seven (187) feet to a point six (6) feet, more or less, northwesterly of an iron pin; thence South 48°20' east one hundred thirty-eight (138) feet, more or less, to an iron pin and continuing on the same course thirty-nine (39) feet, more or less, to the high water mark of Penobscot Bay; thence turning and running northeasterly along said high water mark three hundred thirty-three (333) feet, more or less, to an iron pipe; thence turning and running generally northwesterly and following the gully that marks the line between land of Ernest J. Bell and Marjorie N. Bell, and the land of Fred R. Poor, to the point of begimning. Together with all our right, title and interest in and to that portion of the premises which lies between high and low water mark, commonly designated as the flats.

or the premises which lies between high and low water mark, couldn'y designated as the flats. It is meant and intended to describe and convey the same premises conveyed to me by Evelyn Flanders Robinson and Continental Illinois National Bank and Trust Company of Chicago, executors u/w/o Snelling S. Robinson, by deed dated March 19, 1970, recorded in Waldo County Registry of Deeds, Book 680, Page 688."

It is meant and intended to describe and convey the same premises conveyed to Christopher S. Smith and Heather O. Smith from Andrew J. Gay and Judith Gay by warranty deed dated November 1, 1983, and recorded in the Waldo County Registry of Deeds in Book 817, Page 291.

For further title reference, see deed from Christopher S. Smith to Heather O. Smith dated December 11, 1984, and recorded in the Waldo County Registry of Deeds in Book 833, Page 153, on December 12, 1984.

TO HAVE AND TO HOLD the aforegranted and bargained premises with all the privileges and appurtenances thereof to the said Jeffrey R. Mabee and Judith B. Grace as joint tenants and not as tenants in common, their heirs and assigns forever.

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Meine Real Estate Transfer Tax Pibl

are on compating or appeting of BK1221 PG348 AND I do (DVENANT with the said Grantees, their heirs and assigns, that I am lawfully seized in fee of the premises; that they are free of all encumbrances; that I have good right to sell and convey the same to the said Grantees to hold as aforesaid; and that I and my heirs shall and will WARRANT and DEFEND the same to the said Grantees, their heirs and assigns forever, against the lawful claims and demands of all persons. IN WITNESS WHEREOF, I, the seid Heather O. Smith, have heremato set my hand and seal this fifteenth day of May in the year of our Lord one thousand nine hundred and ninety-one. SIGNED, SEALED, AND DELIVERED STATE OF MAINE , 1991 May 31 WALDO, SS. Personally appeared the above named Heather 0. Smith and acknowledged the above instrument to be her free act and deed. Before me Notary Public. A . PETER Notary Public: Please Print Name; CFH/Smith FQM/cfh Í A My Commission Expla 1-15-1934. RECEIVED WALDO SS. 1991 JUH-7 PH 1:47 ATTEST: Delnis Auge REGISTER OF NEEDS

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CHAIN OF TITLE TO LARRY D. THEYE and BETTY BECKER-THEYE parcel (Belfast Tax Map 29, Lot 37)

Eva T. Burd and Edwin D. Burd Warranty deed Book 343, Page 497 dated 3/3/1924

to Arthur Hartley Warranty deed Book 386, Page 452 dated 8/27/1934 to

Genevieve E. Hargrave Ouitclaim with covenant deed Book 386, Page 453 dated 8/27/1934 to

Arthur Hartley and Harriet L. Hartley, as joint tenants upon Arthur's death 2/10/1935, Harriet L. Hartley became sole owner

> Harriet L. Hartley Warranty deed Book 452, Page 205 dated 1/25/1946 to William P. Butler and Pauline H. Butler as joint tenants Warranty deed

> > Book 587, Page 100 dated 5/13/1961

to

Ernest J. Bell and Marjorie M. Bell, as joint tenants Warranty deed

Book 621, Page 288; dated 05/18/1964

to

John Joseph Grady and Catherine E. Grady, as joint tenants John J. Grady and Catherine E. Grady Warranty deed Book 826, Page 3; dated 07/02/1984

to

 $\frac{1}{2}$ to Howard A. Mordue and Patricia A. Mordue, $\frac{1}{2}$ to

Patricia A Mordue and Howard W. Mordue,

Trustees of the Howard W. Mordue Trustees of the Patricia A. Mordue Revocable Revocable Living Trust dated 7/22/1983

Living Trust dated 7/22/1983

Warranty Deed

Book 1303, Page 184; dated 6/29/1992

To

Larry D. Theye and Better Becker-Theye, as joint tenants

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WALDO COUNTY REGISTRY

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Vol. 848.

XXOV ALL MXV BY TEXSX PRESENTS.

mat me, fva 2, Burd of Fipherster in the State of Massachustia, widne of Edwin D. Burd. take of West Medford, deceased, and Edmin D. Burd of said Minchester, con and sole heir at iam ef soid Edwig D. Burd in consideration of one dollar and other valuable considerations paid by astany Martley of Philudelphia in the State of Pennsylvania the receipt whereof we do hereby minerisdge, do bereby give, grant, bargain, sell and convey, unto the said Arthur Harting, his teire and assigns forever,

a certain lot or parcel of land situated in Belfast in the County of Waldo and State of mine, bounded and described as follows, to site - Bounded northerly by land of Adoptran Woody and land owned by W. L. Went, decembed, at the time of his decrease; easterly by Penebecot Bay; amthority by Little fiver and land of Belfart Water District and westerly by land conveyed by to Milton B. Bills by deed recorded in Walde Registry of Deeds.

Encepting and reserving from the foregoing conveyance the two cottages and out-buildings abereon, that are owned by Clarence Poor and by Mise Coullard.

This supressnat being wade subject to a right of ear screes the same as conveyed to said milter p. Bills under said deed and subject to a certain least given by us to Adomiran Moody which expires April 1, 1925 and subject to the rights of the public over the highest prossing anid peal estate. Also reserving the right to enter the buildings on said premises and renove therefrom all personal property belonging to us.

20 BAVE AND 10 BIOLD the storegranted bengind premium with all the privileges and appartemandes thereof, to the said dethur Hartley, his heirs and designs, to his and their was and baboot forever.

and we do Covenant with the said Grantes, his beirs and assigns, that we are lawfully estand in fee of the premiess, that they are free of all incumbrances; that se have good right to sell and convey the same to the said Graptes to bold as aforesaid; and that we and our boirs shall and will Warrant and Defend the same to the said Grantes, his heirs and assigns farever, against the lawful plains and demade of all persons.

IS SITARES MERROF, we the said forin D. Burd and Eva Y. Burd site of the said joining in this dead as Granter, and reliquishing and conveying right by descent and all asher rights in the above described presises, have becousts set our hands and seals this Whird day of March in the year of our Lord one thousand mine hundred and twenty-four.

Signed, Sealed and Delivered U. 6. in presence of DOC. Kale Sergent **8** E. T. Coullard 15.00 TATE OF MASSACHUSETTE, WIGGLEDER SP. March 7, 1924.

de l	R,	D.	Bord	£.	в.
¥.	Ţ.	B	urd	Ļ.	9,

Begieter of Deeds

Personally appeared the above named Edwin D. Burd and acknowledged the above instruments

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to be at a tree ast and deed. Ballore ME.

SOT Lake.

Pries	#11som

Notary Publis. Ny commission expires August 15, 1924

Sensived March 14, 1924, at Sh., SDm., P. W. Source (mal. Deerded and sompared. Attests

386-45

Vol. 386

{9305}

452

KNOV ALL NEN BY THESE PRESENTS,

That I. Arthur Hartley of Philadelphia in the State of Pennsylvania in consideration of one dollar and other valuable considerations paid by genevieve E. Hargrave of said Philadelphia the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said genevieve E. Hargrave, her heirs and assigns forever,

A certain lot or parcel of land situated in Belfast in the County of Waldo and State of Maine, bounded and described as follows, to wit: Bounded northerly by land of Adoniran Moody and land owned by W. L. West, decessed, at the time of his decesse; easterly by Penobecot Bay; southerly by Little River and land of Belfast Water District and westerly by land conveyed by Eva T. Burd and Edwin D. Burd to Wilton B. Hills by deed recorded in Waldo Registry of Deces.

This conveyance being made subject to the rights of the public over the highway arcssing said real estate, and also subject to a certain mortgage given by me to The City National Bank of Belfast dated September 10, 1980, and recorded in Waldo Registry of Deeds, Book 367, Page 286.

Also excepting and reserving from the foregoing conveyance the sottage and out-buildings thereon, owned by Clarence Poor.

TO HAVE AND TO HOLD the aforegranted and bargained prepiess with all the privileges and appurtenances thereof, to the said Genevieve E. Hargrave her beirs and assigns, to her and their use and behoof forever.

And I do Covenant with the said Grantes, her heirs and assigns, that I am lawfully seized in fee of the presises, that they are free of all incumbrances; except said mortgage to said The City National Bank of Belfast that I have good right to sail and convey the same to the said Grantes to hold as aforesaid; and that I and my beirs shall and will Warrant and Defend the same to the said Grantes, her heirs and assigns forever, against the lawful claims and demands of all persons, except for said mortgage. D/5

IN WITNESS WHEREOP, I the said Arthur Hartley and Harriet L. Eartley wife of the said Arthur Hartley joining in this deed as Granter, and relinquishing and sonveying her right by descent and all other rights in the above described premises, have hereunto set our hands and seals this twenty-seventh day of August in the year of our Lord one thousand nine hundred and thirty-four.

Signed, Sealed and Delivered in presence of John R. Dunion to both U. S. DOC. STAMP \$6.00

Non

Arthur Bartley L.S. Repriet L. Bartley L.S.

STATE OF MAINE, Waldo ss.

A A STATE TO ANTENDER

August 28 1934.

Personally appeared the above manes Arthur Hartley and soknowledged the above instrument to be his free not and deed.

ζ.

Befere:me, ...John 2. Dunton

Justice of the Peace.

. . .

Walde ss. Reseived August 29, 1934, at Sh., 25mA, A. M.

Sec. 22

. Resorded and compared. Attests

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Vol. 386

Control Column Mill Ber Aven W

(9306)

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κασα μού μες στ τπτός γαροσστά,

That I, Generieve E, Mergrave of Philadelphin in the Hists of Pennsylvanis in Schulderstion of one dollar and other valuable considerations paid by Arthur Martley and Marriet L. Hertley, his wife, both of said Philadelphis the receipt whereof I do hereby acknowledge, do hereby remise, release, bargein, sell and convey, and forever quit-claim unto the maid Arthur Hertley and Harriet L. Martley, his wife, and the survivar of them as joint tenants and not an tenants in common, their and assigns forever,

A cortain lot ar parcel of land situated in Bolfset in the County of Waldo and State of Walne, bounded and described as follows, to wit: Bounded northerly by land of Adoniran Noody and land owned by W. L. West, decembed, at the time of his despace; satterly by Panoboot Bay; woutherly by Little River and land of Belfact Water District and westerly by land conveyed by Eva T. Burd and Fowim D. Burd to Milton B. Hills by deed recorded in Waldo Registry of reeds.

This conveyance being made subject to exceptions, reservations rights of the public and mortgage as met forth in dead of soid Arthur Fortluy to me bearing even date herewith to be remorded herewith in Waldo Registry of Peeds. Deing the same real estate conveyed to me by said deed of said Arthur Hartley.

TO RIVE AND TO HOLD the same, together with all the privileges and appurtemandes therewile belonging, to the said Arthur Herbley and Perrisi E. Hartley and the survivor of them in joint' temanoy and hot as temants in gong-on, their tairs and mesigns forever.

And I do Govenant with the said Grantwom, their beirs and assigns, that I will Warrant and forever refend the provises to them the said Grantaes, their beirs and essigns forever, against the lewful plains and decouds of all porsons plaining by, through, or under me.

IN MITHESS MERREF, I the sold Generieve B. Hargrave, have hereunts our bands and seals this twenty-seventh day of Juguet in the year of our Lord one thousand nine hundred and thirtyfour.

Signed, Sealed and Delivered in presence of John R. Funion



Genevieve B. Margrave L.S. L.S.

STATE OF MAINE, Walds #8. August 28 1934.

Personally appeared the above hanged Consvinue 2. Surgrave and asknowledged the shows instrument to be her free not and deed.

Before ze, John R. Dunton

Justice of the Peaces

Waldo sa. Received August 99, 1034, at 95., 35: Recorded and compared. Attest:

Register of Doods.

(9308)

19 N.

- KNON JIL MRN PY/TERBR PARSETS

That I, Guarge Perker Coak at belfast in the County of Waldo and State of Mains in eensiduration of one dollar and other valuable couniderations Sold by William W. Dickey of Sepville in suid County and State the receipt wherear I do hereby seknowledge, do hereby reuise, release, bargain, sell and convey, and forever quit-claim unto the sold William W. Dickey, his here and assigns forever,

A certain lot or parcel of land with the buildings thereon, situated in the city of Solfast, and bounded and described as follows, to wit: Beginning at the intersection of the south line of land formerly of the late Daniel Hinds, with the sasterly line of Watthport Avanue; thence easterly on soid Hinds youtherly line, sighteen rods [18] to size and stones;

Abria

P.02 8-27-34

386.453

	I, Harriet L. Martleyd wealth of Pennsylvania, wid in consideration of one dollars and Butler and Pauline H. But. where and Fauline H. But. where and the second second william P. Butler and Pauli common, to them and their H viver of them forever, A certain lot or pared in the County of Waldo and Highway and bounded and de R. Poor; easterly by Penob Atlantic Highway, so-called Being a portion of the joint tenancy, by Geneview in Waldo Registry of Deeds	Now and other valuable co er both of Natick in paland and wife hereby acknowledge, do he hereby acknowledge, do he hereby acknowledge, do he hereby acknowledge, do hereby acknowledge, do he	the County of Ph maiderations pa in the County of rebygive, grant, bargain int tenants, and and the heirs an buildings there the easterly aid to wit: Northe by Little River to Arthur Hartl ed dated August	iladelphia and Cos id by William P. Middlesex and Common, selland convey unto the i in ot >s tenants in id sesigns of the inon situated in Be: the of the Atlantia erly by land of Fro r and westerly by	aon- mid n sur- lfast ed the	
	I, Harriet L. Hartley wealth of Pennsylvania, wid in consideration of one dollars ar Butler and Pauline H. But. wealth of Massachusetts, h the receipt whereof I do William P. Butler and Paul common, to them and their h vivor of them forever, A certain lot or parce in the County of Waldo and Highway and bounded and de R. Poor; easterly by Penob Atlantic Highway, so-called Feing a portion of the joint tenancy, by Geneviev	of Philadelphia in t low and other valuable co r both of Natick in pathand and wife hereby acknowledge, do he hereby acknowledge, do here and an and an and here and assigns, s el of land with the State of Maine on t soribed as follows, scot Bay; southerly i. e premises conveyed e E. Hargrave by dee	the County of Ph maiderations pa in the County of rebygive, grant, bargain int tenants, and and the heirs an buildings there the easterly aid to wit: Northe by Little River to Arthur Hartl ed dated August	iladelphia and Cos id by William P. Middlesex and Common, selland convey unto the i in ot >s tenants in id sesigns of the inon situated in Be: the of the Atlantia erly by land of Fro r and westerly by	aon- mid n sur- lfast ed the	
	in consideration of One dollars an Butler and Pauline H. But. Wealth of Massachusetta, h the receipt whercol I common, to them and their H vivor of them forever, A certain lot or parce in the County of Waldo and Highway and bounded and der R. Poor; easterly by Penob Atlantic Highway, so-called Peing a portion of the joint tenancy, by Geneviev	nd other valuable co er both of Natick in hereby acknowledge, do here hereby acknowledge, do here ine H. Butler as join heirs and assigns, a sel of land with the State of Naine on the soribed as follows, soot Bay; southerly d. e premises conveyed as E. Hargrave by dealer	the County of reby give, grant, bargain int tenants, and and the heirs an buildings there the easterly aid to wit: Northe by Little River to Arthur Hartl ed dated August	Middlesex and Common, sell and convey unto the sell not restrements in the not restrements in a sesigns of the sell con situated in Be: he of the Atlantis erly by land of Fre- r and westerly by resterly by re- ley and myself, in	ad Bur- If act the	
	Butler and Pauline H. Butler wealth of Massachusetts, h the receipt whereof I do William P. Butler and Pauli common, to them and their I vivor of them forever, A certain lot or parce in the County of Waldo and Highway and bounded and de R. Poor; easterly by Penob Atlantic Highway, so-called Feing a portion of the joint tenancy, by Geneviev	er both of Natick in nahand and wife incredu atknowledge, do he ne H. Butler as joi leirs and assigns, s el of land with the State of Maine on t soribed as follows, scot Bay; southerly 1. e premises conveyed e E. Hargrave by dea	the County of reby give, grant, bargain int tenants, and and the heirs an buildings there the easterly aid to wit: Northe by Little River to Arthur Hartl ed dated August	Middlesex and Common, sell and convey unto the sell not restrements in the not restrements in a sesigns of the sell con situated in Be: he of the Atlantis erly by land of Fre- r and westerly by resterly by re- ley and myself, in	ad Bur- If act the	「「「「「」」」」、「「」」、「」」、「」」、「」」、「」」、「」、「」、」、「」、「
	A certain lot or parce in the County of Waldo and Highway and bounded and de R. Poor; easterly by Penob Atlantic Highway, so-called Being a portion of the joint tenancy, by Geneviev	eire and assigns, a el of land with the State of Maine on t soribed as follows, scot Bay; southerly d. e premises conveyed e E. Hargrave by dea	buildings there the easterly sid to wit: Northe by Little River to Arthur Hartl ed dated August	ion situated in Be to set of the Atlantic orly by land of Fro or and westerly by the ley and myself, in	ed the	
	<pre>common, to them and their h vivor of them forever,</pre>	eirs and assigns, a el of land with the State of Maine on t scribed as follows, scot Bay; southerly d. e premises conveyed e E. Hargrave by dee	nd the heirs an buildings there the easterly sid to wit: Northe by Little River to Arthur Hartl ed dated August	id sesigns of the solution situated in Be: non situated in Be: he of the Atlantia erly by land of Fro r and westerly by the ley and myself, in	ed the	
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	in the County of Waldo and Highway and bounded and der R. Poor; easterly by Penob Atlantic Highway, so-called Being a portion of the joint tenancy, by Geneviev	State of Maine on t soribed as follows, scot Bay; southerly d. e premises conveyed e E. Hargrave by dee	the easterly sid to wit: Northe by Little River to Arthur Hartl ed dated August	e of the Atlantis rly by land of Fro r and westerly by r ley and myself, in	ed the	
	Highway and bounded and de R. Poor; easterly by Penob Atlantic Highway, so-called Being a portion of the joint tenancy, by Geneviev	scribed as follows, scot Eay; southerly d. e premises conveyed e E. Hargrave by dep	to wit: Northe by Little River to Arthur Hartl ed dated August	erly by land of Front and westerly by the start of the set of the	the 1	
	Atlantic Highway, 60-called Being a portion of the joint tenancy, by Geneviev	l. 9 premises conveyed 9 E. Hargrave by dea	to Arthur Hartl ed dated August	ley and myself, in	ar, an ann an	
	Being a portion of the joint tenancy, by Geneviev	e premises conveyed e E. Hargrave by dec	ed dated August		1	
	joint tenancy, by Geneviev	e E. Hargrave by dec	ed dated August		1	
			-	27 1934 and recor	ded	
	in Waldo Registry of Deeds	, Book 386, Faze 45	3		न्त्रम् प्राप्त का स्थान	
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	Es Rave and to Rold the afore					
	the said William P. Butler tenants, and not as tenant	s in common, to the	m and their heil	ivor of them, as j rs and assigns, an	oin y ' d	Å
	the heirs and assigns of t	their use and behoof fo	_	covenant with the said gran	itee B.	
	as aforespid, heirs and assigns, that T	am lawfully seized in fee o		-	:	
	that I have good right to set to hold as aforesaid; and that I and			it and defend the same to th		
		of the eur the heirs and assigns fores	ATAON OF ALLEN		s ²	
	In Witness Whereof, I the	/		·		
1					•	R.
	imy hand and scal	this twenty-second	day of Sentember	have hereum in the year of our		د. مراجع تعرف
	one thousand nine hundred and III	ty.				
	Signed, Seeled and Delivered in press H. R. Stone	••• • U. S. DOC.	Harri	et L. Hartley 1		
		STAMP		-	1.	
		\$				
	Binte of finine. Waldo se		September 25,	1950. Person A	souther !	
	the above named Harriet L. He and acknowledged the	rtiey foregoing instrument	to be nor f	free act and deed	J .	
	Before me, H. R. Stone Received September	Notary Public.	WEC M A M and	recorded according to the or		

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P.02

er 587 40 100 Know All Men by These Presents. we, William P. Butler and Pauline E. Butler, husband and wife, both of

(506)

Belfast in the County of Waldo and State of Maine,

in consideration of one dollar and other valuable considerations,

paid by Brnest J. Bell and Marjorie N. Bell, husband and wife, both of Medway in the County of Norfolk and Commonwealth of Massachusetts

the receipt whereof do hereby acknowledge, do hereby wė. give, grant, bargain, sell and convey unto the said

Ernest J. Bell and Marjorie R. Bell

as joint tenants and not as tenants in common, their heirs and essigns, and to the survivor of them and the heirs and assigns of the survivor of them forever.

A certain lot or parcel of land together with the buildings thereon situated in Belfast in the County of Waldo and State of Maine on the easterly side of the Atlantic Highway and being bounded and described as follows, to wit :-Northerly by land of Fred R. Poor; easterly by Penobscot Bay; southerly by Little River; and westerly by the Atlantic Highway, so-called.

/ Being the same premises conveyed to us by Harriet L. Hartley by her deed of warranty dated September 22,1950, recorded in Waldo Registry of Deeds, Book. 474, Page 387.

To have and to hold the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said

Ernest J. Bell and Marjorie N. Bell

as joint tenants and not as tenants in common, their heirs and assigns, and to the survivor of them and the heirs and assigns of the surviver of them, to their own use and behoof forever. do copposed with the said Grantees, as aforesaid, that And ve we are lawfully seized in fee of the premises, that they are free of all encumbrances; subject to pro rata share of current taxes assessed as of April 1,1961 which said pro tata share of current taxes the Grantees by acceptance of this deed assume and agree to pay;

have good right to sell and convey the same that we to the said Grantees to hold as aforesaid; and that heirs shall and will Warrant and Heirnd the same to the and ουτ said Grantees, their heirs and assigns and the survivor of them, and the heirs and assigns of the survivor of them forever. against the lewful claims and domands of all persons, except aforesaid taxes the said William P. Butler and Pauline H. Butler, In Witness Mhereof, we
MAY-10-2015	2273386360 Detog husbano and vife, and setually Aug Aug <td< th=""><th>P. 03</th></td<>	P. 03
	Härtranty Aren Jount Tenancy From From TD Ernese J. Bell et ur. Dated Nay 13, 19.61 With of Maine. Waldo sa. Besistry of Deeth Waldo sa. Besistry of Deeth Reeived Xay. 15 M., P., M., and recorded in Rook. 587, Page 200 Attent M., Lyall, Recorded in Rook. 587, Page 200 Attent M., Lyall, Recorded in Rook. 587, Page 200 Attent M., Lyall, Belfast, Meine Lanke shore Anausi	

x 641 PAGE 288 Know all Men by these Presents.

That we, Ernest J. Bell and Marjorie N. Bell, husband and wife, both of Belfast in the County of Waldo and State of Maine

in consideration of One Dollar and other valuable considerations

paid by John Joseph Grady and Catherine E. Grady, husband and wife, both of Northport in said County and State

the receipt whereof we do hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said

John Joseph Grady and Catherine E. Grady

as joint tenants and not as tenants in common, their heirs and assigns, and to the survivor of them and the heirs and assigns of the survivor of them forever.

A certain lot or parcel of land situated in Belfast in the County of Waldo and State of Maine, commencing at a point on the southeasterly right-of-way line of U. S. No. 1 at a concrete culvert; thence southwesterly along said right-of-way line one hundred eighty-seven (187) feet to a point six (6) feet, more or less, northwesterly of an iron pin; thence South 48° 20° Kast one hundred thirty-eight (138) feet, more or less, to an iron pin and continuing on the same course thirty-nine (39) feet, more or less, to the high water mark of Penobscot Bay; thence turning and running northeasterly along said high water mark three hundred thirty-three (333) feet, more or less, to an iron pipe; thence turning and running generally northwesterly and following the gully that marks the line between land of Ernest J. Bell and Marjorie N.Bell, and land of Fred R. Poor, to the point of beginning.

MEANING AND INTENDING TO CONVEY a part of the parcel of land conveyed to us by William P. Butler et ux by their deed dated May 13, 1961 and recorded in Waldo County Registry of Deeds in Book 587, Page 100.

To have and in hold the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said

John Joseph Grady and Catherine E.Grady

as joint tenants and not as tonants in common, their heirs and assigns, and to the survivor of them and the heirs and assigns of the survivor of them, to their own use and behoof forever. And we do rommunt with the said Grantees, as aforesaid that we are lawfully seized in fee of the premises, that they are free of all encumbrances;

have good right to sell and converget ho 21 me PAGE 289 that WO to the said Grantees to hold as aforesaid; and that 149 heirs shall and will Warrant and Defend the same to the and our said Grantees, their heirs and assigns and the survivor of them, and the heirs and assigns of the survivor of them forever, against the lawful claims and demands of all persons. In Witness Wherevf, we the said Ernest J. Bell and Marjorie N.Bell Xaffanthisanonaxiat MUTCHER joining in this deed as Grantors, and mutually relinquishing and conveying our right by descent and all other rights in the above described premises, have hereunto set our hands and seals this eighteenth day of May in the year of our Lord one thousand nine hundred and sixty-four. - Ernest & Bell Marjones N. Bel May 18, 19 64. State of Maine. Waldo BA. Personally appeared the above named Ernest J. Bell and Marjorie N. Bell and acknowledged the foregoing instrument to be their free act and deed. Before me, Inote a. of the Notary Public. 5 3 ss. Registry of Deeds. - M., A. M., and , 19. 6 , Page 288 Harranty Deed Ë Chiman JOINT TENANCY THEST J. BELL ET UX 团 FROM THE OFFICE GRIDLEY W. TARBELL ATTORNEY AT LAW BELFAST, MAINE SHORT & NARMON, LAW TOAN JOSTPH GRADY May 21 PORTLAND, WAINE 564.3 From Å 621 Janane May 18, State of Matue. recorded in Book Н., valdo Received Dated Attest

BOOK 826 PAGE 3

11

WARRANTY DEED

BOOK PIGE

3993

Maine Reel Extete Transfer Tex Paid"

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KNOW ALL MEN BY THESE PRESENTS, that we, JOHN J. GRADY and CATHERINE E. GRADY, both of Belfast, County of Waldo, State of Maine; in consideration. of one dollar and other valuable considerations paid by HOWARD W. MORDUE and PATRICIA A. MORDUE, Trustees of the HOWARD W. MORDUE REVOCABLE LIVING TRUST dated July 22, 1983, as Amended, or their Successors in Trust; and PATRICIA A. MORDUE and HOWARD W. MORDUE, Trustees of the PATRICIA A. MORDUE REVOCABLE LIVING TRUST dated July 26, 1983, as Amended, or their Successors in Trust, both of St. Simons Island, County of Brunswick, State of Georgia; the receipt whereof we do hereby acknowledge, do hereby give, grant, bargain, sell, and convey an undivided one-half interest unto HOWARD A. MORDUE and PATRICIA A. MORDUE, Trustees of the HOWARD W. MORDUE REVOCABLE LIVING TRUST dated July 22, 1983, as Amended, or their Successors in Trust; and an undivided one-half interest unto PATRICIA A. MORDUE and HOWARD W. MORDUE, Trustees of the PATRICIA A. MORDUE REVOCABLE LIVING TRUST dated July 26, 1983, as Amended, or their Successors in Trust, a certain lot or parcel of land situated in BELFAST, County of Waldo, State of Maine, more particularly bounded and described in 1964 as follows, to wit:

"A certain lot or parcel of land situated in Belfast in the County of Waldo and State of Maine, commencing at a point on the southeasterly right-of-way line of U. S. No. 1 at a concrete culvert; thence southwesterly along said right-of-way line one hundred eighty-seven (187) feet to a point six (6) feet, more or less, northwesterly of an iron pin; thence South 48° 20' East one hundred thirty-eight (138) feet, more or less, to an iron pin and continuing on the same course thirty-nine (39) feet, more or less, to the high water mark of Penobscot Bay; thence turning and running northeasterly along said high water mark three hundred thirty-three (333) feet, more or less, to an iron pipe; thence turning and running generally northwesterly and following the gully that marks the line between land of Ernest J. Bell and Marjorie N. Bell, and land of Fred R. Poor, to the point of beginning."

MEANING AND INTENDING TO CONVEY and hereby conveying the same premises as described in the warranty deed from Ernest J. Bell and Marjorie N. Bell to John Joseph Grady and Catherine E. Grady as dated May 18, 1964, and recorded in the Waldo County Registry of Deeds in Book 621, Page 288.

TO HAVE AND TO HOLD the aforegranted and bargained premises, with all the privileges and appurtenances thereof, to the said HOWARD W. MORDUE and PATRICIA A. MORDUE, Trustees of the HOWARD W. MORDUE REVOCABLE LIVING TRUST dated July 22, 1983, as Amended, or their Successors in Trust; and PATRICIA A. MORDUE and HOWARD W. MORDUE, Trustees of the PATRICIA A. MORDUE and HOWARD W. MORDUE, Trustees of the PATRICIA A. MORDUE REVOCABLE LIVING TRUST dated July 26, 1983, as Amended, or their Successors in Trust; to them and their use and behoof forever, and we do covenant with the said Grantees, their heirs and assigns, that we are lawfully seized in fee of the premises, that they are free of all encumbrances, that we have good right to sell and convey the same to the said Grantees to hold as aforesaid; and that we and our heirs shall and will warrant and defend the same to the said Grantees, their heirs and assigns forever, against the lawful claims and demands of all persons.

- 1 -

BOOK 826 PAGE

4

IN WITNESS WHEREOF, we, the said JOHN J. GRADY and CATHERINE E. CRADY, being husband and wife and mutually joining in this deed as Grantors, and relinquishing and conveying all rights by descent and all other rights in the above-described premises, have hereunto set our hands and seals on this second day of July, 1984.

SIGNED, SEALED, AND DELIVERED

IN THE PRESENCE OF

Witness

STATE OF MAINE Waldo, SS.

W. Brown

Notary Public please print full

July 2, 1984

Before me

Not My

ANY CON

name here.

Then personally appeared the above-named John J. Grady and Cathering R. Grady and acknowledged the foregoing instrument to be their free oct and deed

- 2 -

State of Maine, Waldo sa. Registry of Doods Received July 319 84 at 2 H 50 M Ρ. ...M and recorded in Book 826 Page Attest: Allana . Register

ak1303 PG184

WARRANTY DEED 06737

We, HOWARD W. MORDUE, and PATRICIA A. MORDUE, TRUSTEES OF HOWARD W. MORDUE REVOCABLE LIVING TRUST and PATRICIA MORDUE and HOWARD W. MORDUE, AS TRUSTEE OF PATRICIA A. MORDUE REVOCABLE LIVING TRUST, for valuable consideration paid, grant to LARRY D. THEYE and BETTY BECKER-THEYE, husband and wife, whose mailing address is 14 Skyline Drive, Kearney, NE 69847, as Joint Temants, with Warranty Covenants, a certain lot or parcel of land together with the buildings situated thereon, located in BELFAST, Maldo County, Maine, more particularly bounded and described in 1964 as follows, to wit:

"A certain lot or parcel of land situated in Belfast in the County of Waldo and State of Maine, commencing at a point on the southeasterly right-of-way line of U.S. No. 1 at a concrete culvert; thence southwesterly along said right-of-way line one hundred eighty-seven (187) feet to a point six (6) feet, more or less, northwesterly of an iron pin; thence South 48°20' East one hundred thirty-eight (138) feet, more or less, to an iron pin and continuing on the same course thirty-nine (39) feet, more or less, to the high water mark of Penobscot Bay; thence turning and running northeasterly along said high water mark three hundred thirty-three (333) feet, more or less, to an iron pipe; thence turning and running generally northwesterly and following the gully that marks the line between land of Ernest J. Bell and Marjorie N. Bell, and land of Fred R. Foor to the point of beginning."

Meaning and intending to convey and hereby conveying the same premises described in a deed from John J. Grady, et ux to Howard W. Mordue and Patricia A. Mordue, Trustees of the Howard W. Mordue Revocable Living Trust, dated July 22, 1983, as Amended, or their Successors in Trust; and Patricia A. Mordue and Howard W. Mordue, Trustees of the Patricia A. Mordue Revocable Living Trust, dated July 26, 1983, as Amended, or their Successors in Trust, dated July 26, 1983, as Amended, or their Successors in Trust, dated July 2, 1984, and recorded in the Waldo County Registry of Deeds in Book 826, Page 3.

WITNESS our hands and seals this 29 day of June, 1992

MARY L. CRANKSHAW

the Patricia A. Mordue Revocable Living Trust Patricia A. Mordue, Trustee of Patricia A. Mordue, Trustee of Patricia A. Mordue

MARY L. CRONKSHAW

STATE OF MICHIGAN COUNTY OF SENILAD 88.

...

June 29 1992

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Revocable Living Trust and the Howard W. Mordue **Revocable Living Trust**

62

Howard Wi Mordue, Trustee of Howard W., Mordue Revocable Living Trust and

Personally appeared the above named Howard W. Mordue and Patricia A. Mordue, Trustees of the Patricia A. Mordue Revogable Living Trust and the Howard W. Mordue Revogable Living Trust and acknowledged the foregoing instrument to be their free act and deed.

Before me, Shula Loope Print/type Notary name Sheila Loope-SHERA LOOPE ... ۰. RECEIVED WALDO SS. Notary Public. Sanitac Connty. Michigan 1962 JUH 30 PH 3:36 My Center the Cyclics May 23, 1094 ATTEST Delnis Asse REDISTER OF DEEDS ï

JOHN L GARYER, P.A. ATTORNEYS AT LAW FOOT OF THE SCHURF ACHURCH STREET MELFAST, MAINS GADIS

Sami Estata Transfer Tax Paid

	EXHIBIT
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CHAIN OF TITLE TO RICHARD ECKROTE and JANET ECKROTE parcel (Belfast Tax Map 29, Lot 36)

Eva T. Burd and Edwin D. Burd Warranty deed Book 343, Page 497 dated 3/3/1924 to Arthur Hartley Warranty deed Book 386, Page 452 dated 8/27/1934 to Genevieve E. Hargrave Quitclaim with covenant deed Book 386, Page 453 dated 8/27/1934 to Arthur Hartley and Harriet L. Hartley, as joint tenants upon Arthur's death 2/10/1935, Harriet L. Hartley became sole owner

Harriet L. Hartley Warranty Deed Book 452, Page 205; dated 1-25-1946 to Fred R. Poor Frederic R. Poor Warranty Deed Book 691, Page 44; dated 7/29/1971 to

Harriet L. Hartley Warranty Deed Book 438, Page 497; dated 11/7/1946 to Sam M. Cassida Warranty Deed Book 608, Page 290; dated 4/17/1963 to Douglas I. Tozier and Marion Tozier Warranty Deed Book 717, Page 341; dated 8/28/1974 to William O. Poor and Phyllis J. Poor, as joint tenants Quitclaim with covenant deed Book 724, Page 413; dated 6/18/1975 to Douglas I. Tozier and Marion Tozier, as joint tenants Corrective Warranty deed Book 724, page 415; dated 7/8/1975 to William O. Poor & Phyllis J. Poor, joint tenants OUTSALE of parcel on Route 1 (no shore frontage) Warranty Deed Book 752, Page 242; dated 3/27/1978

Frederick C. Kelly and Priscilla Bryant Kelly, as joint tenants (corrective) Quitclaim with covenant Book 957, Page 306; d.05/01/1987 to William O. Poor and Phyllis J. Poor BALANCE OF LAND Quitclaim Deed Book 1228, Page 346; dated 7/1/1991 to Phyllis J. Poor Died testate 06/30/2012 Certificate and Abstract Book 3666, Page 42 R. Kenneth Lindell & Barbara Gray, named Personal Co-Representatives Deed of Sale by Personal Representative Book 3697, Page 4; dated 10/15/2012 to Richard and Janet Eckrote, as joint tenants

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		a in the State of Pennsylvania th			
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gatherly by L	1553e River and	land of Belfast Water District .	and westerly by land convey	d by	
M to Milton B	. Bill& by deed	recorded in Walde Registry of D	ieda 👘		
Excepting	and reserving i	from the foregoing conveysnoe the	teo cottages and out-built	singe	
thereon, that a	are wand by Cli	arence Poor and by Miss Coullard	1		
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therefron all	MEPSOLAL Droper	ty belonging to us.			
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		said Arthur Harvley, his heirs a			
and behoof for	-				
		the said Grantes, his beirs and a	seigns, that we are lawful	19	
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		described premises, have hereve		i	
		r of our Lord one thousand mine i		. i	
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, Kat	e Bargent	57:222	Edwin D. Bard	L. B.	
11.	T. Coullard	15,00_	Sva T. Burd	L. S.	

TATE OF MASSACEUSETTS, Middlesex ss.

MATCH 7, 1924.

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Personally appeared the above named Schin D. Burd and asknowledged the above instrument

f. Price Wilson

to be his free as and dead. OF SHE Bafore mt.

Motory Public. My commission expires August 15, 1924

ligister of Deeds

Bolds po: Becelved March 14, 1924, av 20., 50m., P. M. Louise Final. Beaurded and compared. Attest:

TOTAL P.02

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(9305)

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KNOW ALL NEW BY THESE PRESENTS,

Vol. 386

. That I. Arthur Hartley of Philadelphia in the State of Pennsylvania in consideration of one dollar and other valueble considerations paid by genevieve E. Hargrave of said Philadelphis the receipt whereof I do hereby acknowledge, do hereby give, grant, bargein, sell and convey, unto the said Genevieve E. Hargrave, her beirs and assigns forever,

A cortain lot or percel of land situated in Belfast in the County of Waldo and State of Maine, bounded and described as follows, to with Bounded northerly by land of Adoniran Moody and land owned by W. L. West, deseased, at the time of his decease; easterly by Penchecot Bay; southerly by Little River and land of Belfast Water District and westerly by land conveyed by Eve T. Burd and Edwin D. Burd to Milton B. Hills by deed resorded in Waldo Registry of Deeda.

This conveyance being mude subject to the rights of the public over the highway erossing said real estate, and also subject to a certain mortgage given by me to The City National Bank of Belfast dated September 10, 1930, and recorded in Waldo Registry of Deeds, Book 367, Page 286.

Also excepting and reserving from the foregoing conveyance the cottage and eut-buildings thereon, owned by Clarence Poor.

TO HAVE AND TO HOLD the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said genevieve E: Hargrave her beirs and assigns, to her and their use and behoof forever.

And I do Covenant with the said Grantes, her heirs and assigns, that I am lawfully seised in fee of the presides, that they are free of all incumbrances; except said mortgage to said The City Mational Bank of Belfast that I have good right to sell and convey the same to the said Grantes to hold as aforesaid; and that I and my heirs shall and will Warrant and Defend the same to the said Grantee, her beirs and assigns forever, against the lawful claims 1.14 and demands of all persons, except for said mortgage. 1/5

IN WITNESS WHEREOP, I the said Arthur Hartley and Harrist L. Hartley wife of the said Arthur Hartley joining in this deed as Granter, and relinquishing and conveying her right by descent and all other rights in the above described premises, have hereunto set our hands and seals this twenty-seventh day of August in the year of our Lord one thousand nine hundred and thirty-four.

Signed, Seeled and Delivered in presence of John R. Dunton to both

the store of the s

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U. S. DOC. STAMP \$6.00

Arthur Martley LiBi Harriet L. Martley L.S.

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10 S. 199

STATE OF MAINE, Waldo se. August 28 1934. Personally appeared the above named Arthur Hartley and seknowledged the above instrument

1**6 a c a c a c**

to be his free att and deed.

32. 24

John R. Dunten Justice of the Peace.

Walde as. Received August 20, 1984, at 9h., 35m, A. K. - Fryal Bagister of Doods, Resorded and sompared. Attoite

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Vol. 386

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That I. OPDEVIEVE E. Reggare of Philadelphia in the State of Pennaylvania in sensideration at one dollar and other valuable considerations paid by Arthur Martley and Marriat L. Nartley, his wife, both of said Philadelphia the ressipt whereof I do hereby asknowledge, do hereby remise, release, bargain, sell and donvey, and forever quit-claim unto the said Arthur Hartley and Harrist L. Hartley, his wife, and the survivor of them as joint tenents and not as tanaats in domann, their heirs and assigns forever,

A cortain lot or parcel of land situated in Belfest in the County of Welde and State of Weine, bounded and described as follows, to wit: Bounded northerly by land of Adobiran Needy and land owned by W. L. West, decessed, at the time of his decesse; sectorly by Panchedot Hay; woutherly by Little River and land of Belfest Water District and westerly by land conveyed by Eve T. Burd and Emerim D. Burd to Milton B. Hills by deed memoried in Welde Registry of Peeds.

This conveyence being made aubject to exceptions, reservations rights of the public and Martgage as Got forth in deed of soid Arthur Furthey is me bearing even date herewith to be reworded herewith in Waldo Registry of Pesds. Deing the same real estate ponyage to me by said deed of said Arthur Hartiey.

TO RIVE AND TO HOLD the same, together with and the privileges and appurtementes thereunte balonging, to the maid Arthur Mertley and Perrist D. Hartley and the survivor of them in joint' Semanay and not as tements in compon, their bairs and setigns forever.

And I do Govenant with the said Crantwes, their beirs and essigns, that ; will Warrant and forever refend the presides to thus the said Grantees, their beirs and essigns forever, against the lewful slaims and descends of all porsons claiming by, through, or under me.

IN MISMENS BERREGF, I the spid Generieve E. Hergreve, have bereunts <u>our</u> bands and seals this twenty-seventh day of fuguet in the year of our Lord one thousand nime hundred and thirtyfour.

Bigned, Sealed and Colivered In presence of John R. Funion



Genevieve E. Hargravê L.S. L.S.

STATE OF MAINE, Walds ap.

August 28 1934.

Personally appeared the above manual Constitute 2. Hergrave and extractledged the abave instrument to be her free sot and deed.

Before ze. John R. Dunton

JEASING OF the Peage.

Valdo ss. Received August 28, 1034, at Sb., 35m. Recorded and compared, Attests

Register of Deeds.

(9308)

That I, George Parker Coak of belfast in the Sounty of Waldo and State of Malme in eensideration of one dollar and other valuable considerations paid by William W. Diskey of Swamville in said County and Biats the receipt whereaf I do hereby asknowledge, do hereby Pesise, release, bargain, sail and convey, and forever quit-claim unto the said William W. Diskey, his heirs and assigns forever.

A seriain lot or parcel of land with the buildings thereon, aituated in the oity of Belfast, and bounded and described as follows, to wit: Deginning at the intersection of the south line of land formerly of the late Dahiel Hinds, with the excitorly line of Worthport Avenue; thence easterly on soid Hinds acutaryly line, sighteen rods (18) to stake and stones;

452-200

Vol. 452

Christine Decker by Maurice L. Decker by deed dated May 6, 1914, recorded in Waldo Registry of Deeds, Book 313, Page 365; conveying to Mabel Thomas by said deeds an undivided one-third interest in said real estate and the entire interest of the said minors, to all of which deeds and the records thereof reference may be had for a more complete description.

Meaning and intending to convey the maps premiers as conveyed to John F; Fitzgorald by Mabel Thomas by her deed dated January 5, 1938, recorded in Waldo Registry of Damis, Book 405, Page 151; and conveying the same premises as deeded to Robert H. Karns by Alexander R; Gillmor by Quit-claim Deed dated December 27, 1945 and recorded in Waldo County Registry of Deeds, Book 441, Page 120.

TO HAVE AND TO HOLD the aforegraphed and bargained premises with all the privileges and appurtenances thereof, to the said Fred O. Dodge, aforesaid, his heirs and assigns, to his and their use and behoof forever.

And I do Govenant with the said Grantee, his reirs and assigns, that I am lawfully seized in fee of the premises that they are free of all incumbrances; that I have wood right to sell and convey the same to the said Grantee to hold as aforesaid; and that I and my heirs shall and will Warrant and Defend the same to the said Grantee, his heirs and assigns forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, I the said Robert H. Karns and Thelma A. Karns wife of the said Robert H. Karns joining in this deed as Grantor, and relinquishing and conveying her right by descent and all other rights in the above described premises, have hereunto set our hands and seals this sixth day of August in the year of our Lord one thousand nine hundred and forty-six.

Signed, Scaled and pelivered in presence of Hillard H. Buzzell

Linwood H. Robertson

DOC. STAMP
\$1.10

Robert H. Karns L.S. Thelma A Karns L.S.

August 6 1946.

Hillard H. Buzzel:

STATE OF MAINE, WALGO 8

Personally appeared the above named Robert H. Karns and acknowledged the foregoing instrument to be his free set and deed.

Before me.

Justice of the Perce

Received August 6, 1946, at 11h., 55m., A. M.

4450

KNOW ALL MEN BY THESE PRESENTS;

That I, Harriet L. Hartley of Philadelphia in the Commonwealth of Pennsylvania, single woman in consideration of one dollar and other valuable considerations paid by Fred R. Poor of Belfast in the County of Waldo and State of Maine the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said Fred R. Poor, his heirs and assigns forever.

A certain lot or parcel of land situated in Belfast in the County of Waldo and State of Maine, bounded and described as follows, viz: Beginning at the head of a gully in the center of a concrete culvert which is on or near the Southerly bound of the Atlantic Highway; thence Southeasterly following the bottom of the gully 275 ft. more or less to an iron bolt in the mouth of a brook; thence Easterly and Northeasterly along high water mark of Penobscot Bay 410 ft. more or less to a stake at the outlet of a gully; thence Northerly up the bottom. of the said gully 100 ft.; thence West 507 ft. to the center of a gully on or near the Scutherly bound of the Atlantic Highway; thence Westerly along the Southerly bound of said highway 206 ft. to the point of berinning. Said lot contains 2.23 acres, more or less. Being a portion of the premises conveyed by Genevieve E. Hargrave to Arthur and Harriet L. Hartley by deed dated August 27, 1934 and recorded in Waldo Registry of Deeds, Book 356, Page 453.

Vol. 452

TO HAVE AND TO HOLD the aforegranted and bargained premises with all the privileges and appurtenences thereof, to the said Fred R. Poor, his heirs and assigns, to his and their use and behoof forever.

And I do Covenant with the said Grantee, his beirs and assigns, that I am lawfully seized in fee of the premises, that they are free of all incumbrances; that I have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that I and my heirs shall and will Warrant and Defend the same to the said Grantee, his heirs and assigns forever, against the lawful claims and demands of all persons.

The lot or parcel of land herein described is conveyed to Fred R. Poor with the understanding it is to be used for residential purposes only, that no business for profit is to be conducted there unless agreed to by Harriet L. Hartley, her heirs or Assigns.

IN WITNESS THEREOF, I the said Harriet L. Hartley have hereunto set my hand and seal this trenty-fifth day of January in the year of our Lord one thousand nine hundred and forty-six.

Signed, Sealed and Delivered in presence of

John B. McGann Samuel U. Levin STATE OF PERSSYLVANIA

City and County of Philadelphia



Harriet L. Hartley L.S.

June 19 - 1946.

Personally appeared the above named Harrist L. Hartley and acknowled, ed the above in-

struments to be her free act and deed.

C M

Before me. Samuel U. Levin Notary Public My Commission expires 3/19/1947

IN THE COURTS OF COMMON PLEAS OF PHILADELPHIA COUNTY

STATE OF PENNSYLVANIA County of Philadelphia,

I, Meredith Hanna, Prothonotary of the Gourts of Common ss.) Pleas of said county, which are Courts of Record having a com-mon snal, being the officer authorized by the laws of the State of Pennsylvania to make the following Certificate, acting by My Deputy, John J. Hoerr.

do Certify, That Samuel U. Levin Esquire, whose name is subscribed to the certificate of the acknowledgment of the annexed instrument and thereon written, was at the time of such acknowledgment a Notary Public for the written, was at the time of such acknowledgment a Notary Public for the Commonwealth of Pennsylvania, residing in the County Aforesaid, duly commissioned and qualified to administer oaths and affirmations and to take acknowledgments and proofs of Deeds or Convryances for lands, tene-ments and hereditaments to be recorded in said State of Pennsylvania, and to all whose acts, as such, full faith and credit are and ought to be given as well in Courts of Judicature as elsewhere; and that I am well acquainted with the handwriting of the said Notary Public and verily believe the sim-ture thereto is penuine, and I further certify that the said instrument is executed and acknowledged in conformity with the laws of the State of Penns executed and acknowledged in conformity with the laws of the State of Penn sylvania.

By Avania. The impression of the seal of the Notary Public is not required by law to be filed in this office. IN TESTIMONY WHAREOF, I have hereunto set my hand and affixed the seal of shid Court, this 19th day of June in the year of our Lord one thousand nine hu drad forty-six (1946) Heredith Hana, Prothonotary Hereived August 6,1946, at 12M., 1940. Durants Absentia, Becundum Legem.

A CONTRACTOR OF THE OWNER OF THE

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691-44 1-28.11 7-39.71 4. NUCK 691 MCE 4. 2807 DEED **A R R A N T T** I, FREDERIC R. POCR, of Belfast, Walds County, Haine, an unremarried widower, for consideration paid, grant to WILLIAN D. POOR . and PHYLLIS J. POOR, husband and wife, both of Northport, Suffolk County, New York, as joint tenants, with Warranty Covenants, a certain lot or parcel of land, together with the buildings thereon, situated . in said BELFIST and more particularly bounded and described as follows: to wit: Beginning at the head of a gully in the center of a concrete culvert which is on or near the southerly bound concrete culvert which is on or near the Boutherly cound of the Atlantic Highway, so-called; thenes southenterly following the bottom of the gully along the morthemsterly bound of land of Jonoph Grady two hundred seventy-five (275) feet, more or less, to a point in the mouth of a brook; thence chuterly and morthemizerly ming high-water proof then a date if y and northedetery itong algameter wirk of Penebaset hay four hundred ten (410) feet, more or leas, to a point at the cullet of a guily; then as aprtherly up the bottom of said guily, along the westerly bound of land of Douglas forier, one hundred (160) feet; then a west along the line of said forier five hundred seven (507) fest to the center of a gully on or near the southerly bound of the Atlantic Highway: thence westerly along the southerly bound of soid highway; two hundred six (206) fect to the point of beginning. Said let contains two and twenty-three hundredths (2-23) acres, more or less. Heaning and intending to convey and hereby conveying the same premined described in a deed from Marriet L. Hartley to coid Frederic R. Poor, under the name of Fred R. Pour, dated Junuary 25, 1946, and recorded in Weldo County Registry of Deede in Book 452, Page 205. Hitness my hand and seal this twenty-eighth day of July one thousand mine hundred and peventy-one. Signed, Sealed and Delivered in presence of M. Thil fore 0 State of Maine County of Waldo, 55. July 29, 1971 ねる Then personally appeared the above-named Frederic R. Poor acknowledged the foregoing instrument to be his free sot and deed. Before me. ģ. 7 2807 Cinto Justice. tary Public ROGER 7. SLAKE Registry of Dieda Elate of Maine. ₹.ldo ATTOCHET AT LAW Redaived มีบไ 197 -44 ná ressrésé **£**1 Rid A\$\$9#\$! 5



BK: 717 PG: 341

and 717 FACE 342 We have and to hold the aforegranted and bargained premises with all 7 the privileges and appurtenances thereof, to the said William O. Poor and Phyllis J. Poor as joint tenants and not as tenants in common, their heirs and $^{\mathbb{N}}$ assigns, to their own use and behoof forever. And ! we do revenued with the said Grantees, as aforesaid, that we are lawfully seized in fee of the premises, that they are free of all encumbrances; reserving, nevertheless, the right to use and occupy the premises until the first day of October, 1974; have good right to sell and convey the same that we to the said Grantees to hold as aforesaid; and that VA our heirs shall and will Warrant and Defend the same to the and said Grantees, their heirs and assigns sgeinet the lawful claims and demands of all persons. in Witness Whrreof. we, the said Douglas I. Tozier and Marion Tozier, being husband and wife and mutually and a 201223 joining in this deed as Grantors, and relinquishing and conveying Our right by descent and all other rights in the above described premises, have hereunto set our [hands and seals this twenty-eighth day of August in the year of our Lord one thousand mine hundred and seventy-four. 1.1 Signed, Bealed and Delivered in presence of anhar 4DIT ٠,٠ ٢. Blate of fliaine. Waldo August 25 18 74 Personally appeared the above named Douglas I. Tozier and acknowledged the foregoing instrument to be his free act and deed. Sec. 4160 -Before me, State of Mainey Wolds at Replacy of Doods 1 onken - August 29 19 74411 R.15R. Justice of Åπ Hotary Public. ad is begi 717 1000 341 • • • •

Sec.

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BK: 717 PG: 342



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A SAMP and 724 mpt 414 111 . appurtenances thereunto belonging, to the said ... - £1 (it ... Douglas I. Tozier and Marion Tozier ÷ as joint tenants and not as tenants in cosmon, their beirs and ъV Ι. assigns, to their own use and behoof forever. Anh WO do ' revenant with the said Grantees, their heirs and Assigns, and the survivor of them and the heirs and assigns of the survivor of thes, that W8 shall and will Barrant and Forever Briend the same to the said Grantses, their heirs and assigns against the lawful slaims and demands of all persons claiming by, through of under US. In Witness Wheread, we the said William O Poor and Phyllis J. Poor, 11 • being husband and wife, and mutually 4 111 Tils THE REAL PROPERTY AND A REAL PROPERTY A REAL PROPERTY AND A REAL PROPERTY AND A REAL P joining in this dood as Grantors, and relinquishing and conveying our right by descent and all other rights in the above described premises, have hereunte set our hands and seal 6 this twenty-fourth day of April in the year of our Lord one thousand size hundred and seventy-five. ۰. **张驭税排除**线。 ٠. t ain ٠. NEW JERSEY, 93 VE 14 State stratum, County of JULLINGTON 7 1# 75 64. / • : Personally appeared the above named William O. Poor and Phyllis J. - 1 Poor and acknowledged the foregoing instrument to be their free act and deed Before me. . ams HOTARY PUBLIC BURGER STAR <u>ii</u> 7 Ξ, My Commission expires Ly Commission Laples Oct. 27, 1906 479 Publie. 3425 . Mug ٠. d ال (Notarial Seal) July 15 1111014 724 413 .

(506)

3426 Know all Men by these Presents.

Wint We, Douglas I. Tozier and Marion Tozier, both of Belfast, in the County of Waldo and State of Maine, whose mailing address is Northport, Maine, Belfast, Maine 04915

in consideration of one dollar and other valuable considerations,

paid by William O. Poor and Phyllis J. Poor, both of Belfast, in the County of Waldo and State of Maine,

the receipt whereof

do hereby acknowledge, do hereby

give, grant, bargain, sell and convey, unto the said

William O. Poor and Phyllis J. Poor,

as joint tenants and not as tenants in common, their heirs and

assigns forever, a certain let or parcel of land together with the buildings thereon situate in Belfast in the County of Waldo and State of Maine more particularly bounded and described as follows, to wit:

Beginning at an iron pin driven into the ground in the easterly bound of the road leading from Northport to Belfast, commonly known and designated as U. S. Route #1 in the southerly bound of land to be retained by the within Grantors; thence South $57^{\circ}04''$ 05''' east by and along the southerly bound of land of the within Grantors one hundred sixty and five tenths (160.5) feet to an iron pin driven into the ground; thence turning and running South 84° 23' 54'' East ninety-six and five tenths (96.5) feet to an iron pin driven into the ground at land to be retained by the within Grantors; thence turning and running South 26° 23' 45'' East by land to be retained by the within Grantors two hundred five and one tenth (205.1) feet to an iron pipe driven into the ground; thence turning and running South 89° 48' West upon a line delineated by iron pipes driven into the ground five hundred (500) feet, more or less, by and along the northerly bound of other land of the within Grantees to the headwall of a culvert passing beneath the aforementioned U. S. Route #1; thence turning and running in a course of North 32° 20' 15" East by and along the easterly bound of the aforementioned Route #1 three hundred fifty (350) feet, more or less, to the iron pin at the point of beginning.

Being a portion of the same premises conveyed to these Grantors by deed of Sam M. Cassida, et ux. dated April 17, 1963, recorded in Waldo County Registry of Deeds, Book 608, Page 290.

This deed is given to correct an error in the description in a deed given by the within Grantors to William O. Poor, et ux. dated August 28, 1974, recorded in Waldo County Registry of Deeds, Book 717, Page 341.

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BOAL 7	24 PACE 416	
	Us have and to hold the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said William O. Poor and Phyllis J. Poor,	
	as joint temants and not as temants in common, their heirs and assigns, to their own use and behoof forever. And we do covenant with the said Grantees, as aforesaid, that we are lawfully seized in fee of the promises, that they are free of all encumbrances;	
	that we have good right to sell and convey the same to the said Grantees to hold as aforesaid; and that we and our heirs shall and will Barrant and Driend the same to the said Grantees, their heirs and assigns equinst the lawful claims and	
	demands of all persons. In Mitness Mherrof. We the said Dougles I. Tozier and Marion Tozier	
	being husband and wife, and mutually, TENS SUDD EL Thermonic	
	joining in this deed as Grantors, and relinquishing and conveying our right by descent and all other rights in the above described premises, have hereunto set our hands and seals this twenty-fourth day of April	
	in the year of our Lord one thousand nine hundred and seventy-five. Bigned, Braisd and Britsered in presence of Helencharker (EDDT.) Doughs Ligier (E	
	Marion Tozier	
	State of Maine, County of Waldo, ss. July 8 19 75 Personally appeared the above named Douglas I. Tozier and acknowledged	
HE	the Foregoing instrument to be his free act and deed. OTARY 5: 3426 Before me, Wello of Main, Wido at Registry of Deets WB sectore July 15, 275, 3 H 30, P. Helen A. Lanker.	

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BBOX 752 FACE 242

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Know all Men by these Presents,

UNIT We, WILLIAM O. POOR and PHYLLIS J. POOR, husband and wife, both of Willingboro, County of Burlington and State of New Jersey

in consideration of one dollar and other valuable considerations

paid by PREDERICK C. KELLY and PRISCILLA B. KELLY, husband and wife, both of Northport, County of Waldo and State of Maine

and whose mailing address is RFD, Bolfast, Maine 04915

the receipt whereof we do hereby acknowledge, do hereby

give, grant, bargain, sell and convey, unto the said

Frederick C. Kelly and Priscilla B. Kelly

as joint tenants and not as tenants in common, their heirs and assigns, and to the survivor of them and the heirs and assigns of the survivor of them manigums forever, manobimizations around a substants

A certain lot or parcel of land, together with the buildings thereon, situate in BELFAST, County of Waldo and State of Maine and more particularly bounded and described as follows, to wit:

Beginning at an iron pin driven into the ground on the easterly bound of the road leading from Northport to Belfast, commonly known and designated as U. S. Route #1 in the southerly bound of land now or formerly of Douglas Tozier et ux; thence South $57^{\circ}04'05"$ East by and along the southerly bound of land of the said Tozier one hundred sixty and five tenths (160.5) feet to an iron pin driven into the ground; thence turning and running South $40^{\circ}23'54"$ East pipetweiv and five tenths (96 5) foot to ap iron East ninety-six and five tenths (96.5) feet to an iron 84° 23 ' 54" Tozier; thence turning and running South 26°23'45" East by land to be retained by the said Tozier, two hundred five and one tenth (205.1) feet to an iron pipe driven into the ground, which said iron pipe marks generally southeasterly corner of land described in a deed from Douglas I. Tozier et ux to William O. Poor et ux, dated April 24, 1975 and recorded in the Waldo County Registry of Deeds in Book 724, Page 415, which said point is also the generally northeasterly corner of land described in a deed from Frederic R. Poor to William O. Poor et ux, dated July 28, 1971 and recorded in said Registry in Book 691, Page 44; thence by the same course South 26°23'45" East along generally easterly bound of land conveyed by Frederic R. Poor to William O. Poor et ux by deed aforesaid one hundred (100) feet, more or less, to an iron stake driven into the ground on the shore of Penobscot Bay; thence westerly and southwesterly by the shore of Penobscot Bay, one hundred and twenty-five (125) feet, more or less, to an iron stake driven into the ground; thence at a bearing calculated to be North 43° West by land of the Grantors, one hundred fifty-five (155) feet, more or less, to a point on the generally southerly line of land conveyed by Tozier to Poor by deed aforesaid; thence by the same course calculated to be North 43° West by land of the Grantors, two hundred and ninety-five (295) feet, more or less, to an iron stake driven into the ground on the generally easterly bound of U. S. Route #1 aforesaid; thence North 32°20'15" East by and along the easterly bound of the aforesaid Route #1, seventyfive (75) feet, more or less, to the point of beginning.

MEANING AND INTENDING TO CONVEY and hereby conveying a portion of the premises described in two deeds as follows, to wit: One from Douglas I. Tozier and Marion Tozier to us, William O. Poor and Phyllis J. Poor, dated April 24, 1975 and recorded in the Waldo County Registry of Deeds in Book 724, Page 415; and one from Frederic R. Poor to

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	us, William recorded in	O. Poor and said Regist:	Phyllis J. ry in Book	. Poor, c 691, Pag	dated J ge 44.	uly 28,	1971	752 F	AGE 2	43
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		We have and to hold the aforegranted and bargained premises, with all
		the privileges and appurtenances thereof, to the said
	ļ	Frederick C. Kelly and Priscilla B. Kelly
		as joint tenants and not as tenants in common, their heirs and assigns, and to the survivor of them and the heirs and assigns of the survivor of them assigns, to their own use and behoof forever.
		And we do communi with the said Grantees, as aforesaid, that
		we are lawfully seized in fee of the premises, that they
		are free of all encumbrances; subject to the prorata share of real estate taxes assessed against the premises as of April 1, 1978, which said share the Grantees by their acceptance of this deed assume and agree to pay
1		that we have good right to sell and convey the same
		to the said Grantees to hold as aforesaid; and that we
i		and our heirs shall and will Warrant and Befend the same to the
		said Grantees, their heirs and assignaxagainas: where and assigns a said Grantees, their heirs and assigns
		of the survivor of them forever, against the lawful claims and demands of all persons.
		In Witness Wherrof, we the said William C. Poor and Phyllis J. Poor, being husband and wife, and mutually,
		807mit
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		wither and and a second s
		joining in this dood as Grantors, and
		relinguishing and conveying all rights by descent and all other
		rights in the above described premises, have hereunto set our
		hands and seals this thirteenth day of March
		in the year of our Lord one thousand nine hundred and seventy-eight.
		Signed, Sealed and Delivered
		in preseure of
		Shuldon W Clark William O. Poor +1
		Muldon W Clark " Phulling Poor
		Phy1/15 U. Poor
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		State of flames WALDON DE. "11/27. 19 78
		Personally appeared the above named William O. Poor and
		Dhullin T. Door
.		Phyllis J. Poor and acknowledged
		the foregoing instrument to be their free act and deed.
~	14	
State of	i Mola J	A Welde a Randary of Deeds
Kecalve	BC	Book 752 Bres 242 Notary Public.

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	QUITCLAIM DEED With Covenant
	02959 Know all Men by these Presents,
	Üηματ WILLIAN O. POOR and PNYLLIS J. POOR of Willingboro, County of Burlington, State of New Jersey
	inconsideration of one dollar and other valuable consideration
	paid by FREDFRICK C. KELLY and PRISCILLA BRYANT KELLY of Northport, County of Walde, State of Maine
	whose mailing address is Northport Avenue Naine 04915
tt Paid	the receipt when of we do hereby acknowledge, do hereby remise, relevate, bargain, sell and contrep, and forever quitriaim unto the said Frederick C. Kelly and Priscilla
No Transfer Tax Paid	Brit ditt fun frig, und lotever iguntanut unterne sam frederick er keily Bryant Kelly
No Tra	
	their helfs and assigns forever, All land in Belfast northeasterly of a certain line bounded and described as follows:
	Boginning at an iron pin in the easterly bound of U.S. Route #1 which seld iron pin marks a corner of land conveyed to Frederick C, Kelly and Priscilla Bryant Kelly in Book 752, Page 242 and marking the corner of land of William O. Poor and Phyllis J. Poor; thence South 35° 56' 50" East four hundred fifty-four and two tenths (454.2) feet to an iron pin; thence continuing on the same course nineteen (19) feet more or less, to the high water mark of Penobscot Ray. Said line being the southwesterly line of land conveyed to Frederick C. Kelly and Priscilla Bryant Kelly by William O. Poor and Phyllis J. Poor by deed dated April 3, 1978 in which said line was described in said deed as having a "bearing calculated to be North 43° West."
	The purpose of this deed is to correct and permanently establish the south- westerly line of the Frederick C. Kelly and Priscilla Bryant Kelly parcel and the northeasterly line of land of William O. Poor and Phyllis J. Poor.
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TO HAVE AND to HOLD the same, together with all the privileges and appurtenances thereunto belonging, to the said Frederick C. Kelly and Priscilla Bryant Kelly

their heirs and assigns forever.

And we do concentrate with the said Granices, their heirs and assigns, that they shall and will marrant and defend the premises to the said Granice s, their heirs and assigns forever, against the lawful claims and demands of all persons claiming by, through, or under

Ve

XXXXX

In Witness Whereof.

the said William O. Poor and Phyllis J. Poor

hundrandex be manager

JUNNIGEVENNER AS Grantor s, and relinquishing and conveying all rights by descent and all other rights in the above described premises, have hereunto set their hands and scale this day of the

month of Inan , A.D. 1987 . Digued, Beales and Belivered hi presence of

Ser U. J. Herry

Philipan D. 1505-Philipan D. Poor Phylipis J. Poor Phylipis J. Poor

, 1987 -

State of Musiue, County of Waldo so. May

Then personally appeared the above named William O. Poor and Phyllis J. Poor

an attorney at law of the State of New Jaraey admitted to practice November 30, 1971 and remain in good standing. and acknowledged the foregoing lastrument to be their free set and deed.

	Before me,	
RECUVED WALDD COUNTY REGISTER OF DEEDS	T	Barth
1907 1147 11 8: 10	THOMAS AN ATTOR	J. SCATTERGOODAltorney at Law NEX AT LAW OR R. R
PAGE 304 ATTEST KANDINAED.	• • •	
Authentic Dep	:	

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le la séte	557 Mae 506		:	5-7-84
	02960	QUITCLA With Co		
	K	now all Men b	y these Presents.	
	That	FREDERICK C, KELLY and I County of Waldo, State (PRISCILLA BRYANT KELLY of Northport, of Maine	
	in consideration of	one dollar and other ve	luable consideration	
-	paid by WILLIAM State of	O. POOR and PHYLLIS J. F New Jersey	POOR of Willingboro, County of Burl	ington,
No Transfer Tax Paid	whose mailing addre	ssis 282 Club House Dr Willingbora, NJ O		
No Tra	the receipt whereof	ve do hereby se	knowledge, do hereby remise, reisupe, bur	nain
			esaid William O. Poor and Phyllis J.	
	their heir	s and assigns forever,		
	All land in Belf. follows:	ast southwesterly of a c	ertain line bounded and described a	15
	pin marks a corn Kelly in Book 75: and Phyllis J. P. two tenths (454.; nineteen (19) fer line being the me Priscilla Bryant April 3, 1978 in	er of land conveyed to 2 2, Page 242 and marking oor; thence South 35° 5(2) feet to an iron pin; et more or less, to the ortheasterly line of lar Kelly by William O. Poo	y bound of U.S. Route #1 which said rederick C. Kelly and Priscilla Bry the corner of land of William O. Po "50" East four hundred fifty-four thence continuing on the same cours high water mark of Penobscot Bay. d conveyed to Frederick C. Kelly an or and Phyllis J. Poor by deed dated wribed in said deed as having a "be	ant or and Said d
and the second	easterly line of	the Frederick C. Kelly	nd permanently establish the north- and Priscilla Bryant Kelly parcel a m C. Poor and Phyllis J. Poor.	
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Line 537 Page 307

To have and to hold the same, together with all the privileges and appurtenances thereunto belonging, to the sold William O. Poor and Phyllis J. Poor

their heirs and assigns forever.

And do concurnt with the said Grantees, their heirs and assigns, that we we shall and will murrant and defend the premises to the said Orantees . their heirs and assigns forever, against the lawful claims and demands of all persons claiming by, through, or under them

In Witness Whereof.

Frequerick C. Kelly and , the said Priscilla Bryant Kelly

VIDENHAL TUTE NOUNK XND

NUMERAL BY MERENEWAS Grantor s , and relinquishing and conveying all rights by descent and all other rights in the above described premises, have hereunto set their hands and seals this day of the First month of Alary , A.D. 19 87 .

XXX

Bigued, Bealed and Delivered in presence of

..........

State of Maine, County of Valdo Then personally appeared the above named Frederick C. Kelly and Priscilla Bryant

and acknowledged the foregoing instrument to be their

free act and deed.

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Before me,

WALDO COUNTY REGISTEN OF DEEDS

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BOCK PAGE

Notary Public Attorney at Law

May 1 ,19 87.

Kelly

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QUITCLAIM DEED

A 4. C. 17 - 4413 * . . 1 3 44 314

KNOW ALL MEN BY THESE PRESENTS

That William O. Poor and Phyllis J. Poor of the Town of Belfast, County of Waldo and State of Maine, for consideration paid, release to the said Phyllis J. Poor of Belfast, Maine, a certain lot or parcel of land with the buildings thereon situated in the Town of Belfast, County of Waldo and State of Maine, bounded and described as follows:

Beginning at the head of a gully in the center of a concrete culvert which is on or near the southerly bound of the Atlantic Highway, so-called; thence southerly bound of the Atlantic Highway, so-called; thence southerly following the bottom of the gully along the northeasterly bound of land of Joseph Grady two hundred seventy-five (275) feet, more or less, to a point in the mouth of a brock; thence easterly and northeasterly along high-water mark of Penobscot Bay four hundred ten (410) feet, more or less, to a point at the outlet of a gully; thence northerly up the bottom of said gully, along the westerly bound of land of Douglas Tozier, one hundred (100) feet; thence west along the line of said Tozier five hundred seven (507) feet to the center of a gully on or near the southerly bound of the Atlantic Highway; thence westerly along the southerly bound of said highway two hundred six (206) feat to the point of beginning. Said lot contains two and twenty-three hundredths (2.23) acres, more or less.

Reference may be had to a deed from Frederic R. Poor to William O. Foor and Phyllis J. Poor dated July 28, 1971 and recorded in the Waldo County Registry of Deeds at Book 691, Page 44.

Also conveying the property described in a deed from Douglas I. Torier et ux. to William O. Poor et ux. dated July 8, 1975 and recorded in said Registry at Book 724, Page 415, excepting therefrom the property described in a deed from William O. Poor et ux. to Frederick C. Kelly et ux. dated March 13, 1978 and recorded in said Registry at Book 752, Page 242.

Reference also may be had to reciprocal deeds between Frederick C. Kelly et ux. and William O. Poor et ux. recorded in the Waldo County Registry of Deeds at Book 957, Page 306 establishing the common boundary.

pur hands and seals this 1st day of , 1991,

No Transfer Tear Pair

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N-121 (Rev. 9-16-81)

STATE OF MAINE

(SEAL OF COURT) PROBATE COURT

WALDO County

Estate of <u>PHYLLIS J. POOR</u> Deceased

Belfast, Maine Location of Court DOCKET 2012-0155

CERTIFICATE AND ABSTRACT

To the Register of Deeds of _____ WALDO ____ County.

An estate has been opened in this court for the above named decedent. The following facts apply to this estate according to the probated will or the petition or application upon which an appointment was made or both.

	Date of decedent's death	June 30, 2012
1.	Did decedent leave a will?	<u>X</u> YES <u>NO</u>
2.	If item one is YES, the will was probated	FORMALLY_X_INFORMALLY
3.	If item one is YES, date of most recent probate of the will was	July 10, 2012
4.	If item 2 is answered FORMALLY, was there a previous informal probate of the same will?	YESNO
5.	If the will was previously probated informally, was that informal probate certified to the Register of Deeds of the county to which this certificate is directed?	YESNO
6.	Has a petition for elective share been filed? (If YES, attach copy.)	YES <u>X</u> NO
7.	Has a personal representative been appointed?	<u>_X_YES</u> NO
8.	If item 7 is YES, date of appointment was	July 10, 2012
9.	If item 7 is YES, appointment was	FORMAL X_INFORMAL

10. If item 7 is YES, give name and address of personal co-representatives.

R. Kenneth Lindell & One Cumberland Place, Suite 204 Bangor, ME 04401 Legal: 137 Old Belfast Rd. Frankfort, Maine 04438

Barbara Gray 4624 Candura Drive Dayton, OH 45415



N-121 (Rev. 9-16-81) Page 2 of 3 43

11. Insert here a true copy of so much of decedent's will as devises real estate, if any. In addition, if a more complete description of the real estate involved appears on the petition or application upon which the appointment was made, add that description below the provisions of the will. Label any such description: *"DESCRIPTION OF REAL ESTATE FROM APPLICATION OR PETITION". Also, in every case where information is available, list each municipality and county in which decedent owned real estate.

*See Copy of Will attached

*Waldo County: Belfast

Doc‡ 6502 Bk: 3666 Pg: 44

LAST WILL AND TESTAMENT

RECEIVED JUL 102012

OF

PHYLLIS J. POOR

I, PHYLLIS J. POOR, residing in the Town of Belfast, County of Waldo, State of Maine, being of lawful age and of sound and disposing mind, memory and judgment do make, publish and declare this to be my Last Will and Testament, hereby revoking all previous wills and codicils heretofore made by me.

ARTICLE I – PERSONAL REPRESENTATIVES

I hereby appoint my friend, BARBARA GRAY, of Dayton, Ohio, and friend and financial advisor, R. KENNETH LINDELL, of Belfast, Maine, as my Personal Representatives.

I direct that no bond be required for the faithful performance of their duties as such Personal Representatives.

My Personal Representatives shall have full power and authority to sell, either at public or private sale, or to exchange, lease, pledge, or mortgage, in such a manner and on such terms as they deem advisable, any or all property, real or personal, in my estate, and to execute all instruments necessary or proper for these purposes; to compromise claims in favor of or against my estate on such terms as they deem advisable; to make distribution of property in kind, to employ investment counsel, custodians, brokers, agents, and attorneys, to retain any securities or other property owned by me, and shall have all other powers, rights and responsibilities of Personal Representatives under Maine Law.

ARTICLE II – PAYMENT OF DEBTS & EXPENSES

I direct that my Personal Representative, above named, pay all my just debts, except those debts secured by a mortgage, and all funeral and administration expenses incidental to the settlement of my estate as soon after my death as may be convenient.

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ARTICLE III – PAYMENT OF TAXES

I direct my Personal Representative, above named, to pay all estate, succession and inheritance taxes, which may be payable upon or in respect of any property constituting part of my estate for tax purposes, out of my residuary estate. Same shall be considered as an expense of the administration thereof, with no right of reimbursement from any recipient or beneficiary of any such property.

ARTICLE IV – TANGIBLE PERSONAL PROPERTY

I may leave a written memorandum, either in my handwriting or signed by me, stating how I wish to dispose of certain items of tangible personal property. In that event, I give and bequeath such items of tangible personal property in accordance with such memorandum. In making such bequests, I authorize my Personal Representative to incur reasonable expenses for storing, packing and shipping the same. Any bequests made in such memorandum to people deceased at the time of my death shall revert to my residuary estate.

ARTICLE V – DISTRIBUTION OF MY ANTIQUES

I hereby give and bequeath my antiques to the PENOBSCOT MARINE MUSEUM, in Searsport, Maine, the MAINE STATE MUSEUM in Augusta, Maine, ELLSWORTH HISTORICAL SOCIETY, Ellsworth, Maine and the BELFAST HISTORICAL SOCIETY & MUSEUM of Belfast, Maine. I may leave a separate memorandum naming both (a) other beneficiaries and (b) what antiques shall be distributed to which beneficiary, and I direct my Personal Representatives to make such distributions as I have directed. Otherwise, I grant my Personal Representatives the full discretion to decide which antiques shall be distributed to the above beneficiaries.

<u>ARTICLE VI – TRUST FOR MY SON, FREDERIC J. POOR</u>

I give, devise and bequeath one-third of my residuary estate to my son, FREDERIC J. POOR, IN TRUST, to be administered and distributed as follows:

1. The Purpose of this Trust.

The purpose of this trust is to supplement, but not to supplant, whatever benefits and services my son may from time to time be eligible to receive by reason of age, disability, or other factors, from federal, state, local governmental and charitable sources. I have established this trust with the recognition that governmental and charitable programs, in themselves, contain many gaps that, if unaddressed, will greatly reduce the possibility of my son maintaining himself as independently as possible and having the capacity to meet his future needs for residential, personal, and other non-medical services. It is, therefore, my intent and direction that the Trustees use the principal and income of the trust to provide my son with those benefits and services, and only those benefits and services, that, in my Trustees' judgment, are not otherwise available to my son from other sources as or when needed for his welfare, while at the same time I desire that the trust be used in ways that will best enable my son to lead as normal, comfortable, and fulfilling a life as possible.

2. Income and Principal Distributions in My Trustees' Discretion

My Trustees shall apply to or for the benefit of my son as much of the net income and principal of his trust share as my Trustees, in their sole and absolute discretion, deem necessary or advisable for my son's special needs that are not otherwise provided by governmental financial assistance and benefits, or by the providers of services.

The Trustees are directed to conserve and accumulate the trust estate to the extent feasible, due to the unforeseeability of my son's future needs. However, accumulation or use of the trust is to be determined solely on the basis of my son's needs, without regard to the interests of the remainder beneficiaries.

If my son is not receiving governmental financial assistance and benefits, my Trustees may, in their sole and absolute discretion, distribute said income and principal to or on behalf of my son's health, education and maintenance. Any net income not

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distributed shall be accumulated and added to principal.

3. **Distributions for Special Needs**

"Special needs" refer to the requisites for maintaining the good health, safety, and welfare of my son when, in the discretion of my Trustees, such requisites are not being provided by any public agency, office, or department of any state or of the United States.

"Special needs" shall also include, but not be limited to, medical and dental expenses, annual independent checkups, clothing and equipment, programs of training, education, treatment and rehabilitation, private residential care, transportation (including vehicle purchase), maintenance, insurance, and essential dietary needs. "Special needs" may include spending money; additional food; clothing; electronic equipment such as radios, VCRs and DVDs, television sets, computer equipment; camping; vacations; athletic contests; movies and trips.

Supplemental Nature of the Trust 4.

My Trustees shall have no obligation to expend trust assets for such needs, but if my Trustees, in their sole discretion, decide to expend trust assets, under no circumstances should any amounts be paid to, or reimbursed to, the federal government, any state, or any governmental agency for any purpose, including for the care, support, and maintenance of my son.

Because my son may be or is dependent on the support and aid of others, my Trustees may (if possible), in the exercise of their best judgment and fiduciary duty, seek support and maintenance for my son from all available public resources including, but not limited to, Social Security Administration benefits, Supplemental Security Income (SSI), U.S. Civil Service Commission benefits, Medicaid, and Federal Social Security Disability Insurance (SSDI), and any other comparable programs, state, federal, or local.

If necessary, my Trustees may seek appropriate authority to collect, expend, and account for separately all such governmental assistance benefits, but shall not commingle them with these trust assets. In addition, in making distributions for my son's special needs, my Trustees shall take into consideration the applicable resource limitations of the public assistance programs for which he is eligible.

No part of the trust share set aside for my son shall be used to supplant or replace public assistance benefits of any state or federal agency which has a legal responsibility to serve persons with illnesses or handicaps which are the same as or similar to his disorders.

5. Protection of the Trust Property

No interest in the principal or income of the trust share set aside for my son shall be anticipated, assigned, or encumbered, or shall be subject to any creditor's claim or to legal process, prior to its actual receipt by my son. My son is specifically prohibited from any right to receive, demand, secure, give, assign, transfer, mortgage, borrow against, or will any trust assets or income.

It is my intention to conserve and maintain this trust share for my son's special needs. Therefore, no part of this trust share, neither principal nor undistributed net income, shall be subject to the claims of voluntary or involuntary creditors for the provisions of care and services, including residential care, by any public entity, office, department, or agency of any state or government agency, or of the federal government of the United States.

In determining whether the existence of the trust share has the effect of rendering my son ineligible to receive any governmental assistance benefits, my Trustees are hereby granted full and complete discretion to initiate administrative or judicial proceedings for the purpose of determining such eligibility. All costs related thereto, including reasonable attorney's fees, shall be a proper charge to this trust share.

6. Early Termination of the Trust

Upon the death of my son, any remaining income and principal shall be distributed to any non-profit agencies or organizations
that have contributed to the care and treatment of my son, said agencies and organizations chosen by my Trustees, in their sole discretion.

7. Trustees.

I hereby appoint R. KENNETH LINDELL as my Trustee for Personal Matters, and I appoint BANGOR SAVINGS BANK, of Bangor, Maine, as Trustee for Administrative Matters, acting together for the benefit of my son. If R. Kenneth Lindell is not able or willing to act as the Personal Matters Trustee, he may appoint his successor. If he is not able to, or does not appoint his successor, the Administrative Matters Trustee shall appoint his successor.

My Administrative Trustee shall have sole authority and responsibility for all matters <u>other than</u> decisions regarding distributions to my son, and decisions regarding the acquisition and disposition of assets for my son's use and care. Administrative matters include, but are not limited to, tax matters, investments, bookkeeping, but no authority to decide distributions as set forth above in subsections 2 and 3 of this Article.

My Personal Trustee shall have sole authority and responsibility for all matters regarding distributions to my son or, and decisions regarding the acquisition and disposition of assets for his use and well-being.

My Personal Trustee's decision to acquire an asset for my son's use, or to make a distribution, shall take priority over my Administrative Trustee's authority to invest trust assets.

My Personal Trustee shall have the power to remove said Administrative Trustee, but must first replace said Administrative Trustee with another Administrative Trustee who is a corporate fiduciary.

<u>ARTICLE VII – TRUSTS FOR MY GRANDCHILDREN</u>

I direct my Personal Trustee to distribute one-third of my residuary estate to my

Doc‡ 6502 Bk: 3666 Ps: 50

Trustees, hereinafter named, for the establishment of separate trusts for the benefit of my then living grandchildren. Said separate trusts shall be administered and distributed as follows:

1. The Purpose of These Trusts.

The purpose of these trusts is to benefit each grandchild when they are over the age of 50 and moving into their retirement years.

2. Income Distributions in My Trustees' Discretion

My Trustees may apply to or for the benefit of a grandchild as much of the net income of his or her trust share as my Trustees, in their sole and absolute discretion, deem necessary or advisable for a grandchild's education and health needs.

3. Principal Distributions to my Grandchildren

When a grandchild reaches 50 years of age, and is not disabled as defined in this Will, my Trustees shall distribute to said grandchild the remaining principal and income in his or her trust share, outright and free from trust.

4. On the Death of a Grandchild

Upon the death of a grandchild prior to the full distribution of his or her trust share, any remaining income and principal shall be distributed to a grandchild's descendants, *per stirpes*, outright and free from trust. However, if a descendant is under the age of twenty-five (25) years, said trust share shall be held in trust under the same terms and conditions as above stated for my grandchildren, and distributed outright when said beneficiary turns age 25 and is not disabled as defined in this Will. If a grandchild dies not leaving any descendants, his/her share shall be distributed to my remaining grandchildren, *per stirpes*.

If at my death I have no living grandchildren, this share of my estate shall be distributed to the charities named in the following Article.

5. Trustees.

.

I hereby appoint R. KENNETH LINDELL as the Trustee for Personal Matters, and I appoint BANGOR SAVINGS BANK, of Bangor, Maine, as Trustee for Administrative Matters, acting together for the benefit of my grandchildren. If R. Kenneth Lindell is not able or willing to act as the Personal Matters Trustee, he may appoint his successor. If he is not able to, or does not appoint his successor, the Administrative Matters Trustee shall appoint his successor.

My Administrative Trustee shall have sole authority and responsibility for all matters <u>other than</u> decisions regarding distributions to or on behalf of said beneficiaries. Administrative matters include, but are not limited to, tax matters, investments, bookkeeping, but no authority to decide distributions as set forth above in subsection 2 and 3 of this Article.

My Personal Trustee shall have sole authority and responsibility for all matters regarding distributions to said beneficiaries and decisions regarding the acquisition and disposition of assets for said beneficiaries.

My Personal Trustee's decision to acquire an asset, or to make a distribution, shall take priority over my Administrative Trustee's authority to invest trust assets.

My Personal Trustee shall have the power to remove said Administrative Trustee, but must first replace said Administrative Trustee with another Administrative Trustee who is a corporate fiduciary.

<u>ARTICLE VIII – DISTRIBUTIONS TO CHARITIES</u>

I give, devise and bequeath the balance of my estate, in equal shares, to the following named charities, and as well as to those additional charities my Personal Representatives shall choose, in their sole discretion, as long as said charities are ones with the following primary focuses: (a) historical preservation; (b) diabetes; (c) helping the disabled and/or elderly; (d) respite care and daycare for Alzheimers victims, and (d) museums. The named charities are as follows:

Doc# 6502 Bk: 3666 Ps: 52

- 1. The Belfast, Maine YMCA for exercise programs for the elderly, and to build a swimming pool.
- 2. The Waldo County Hospital, in Belfast, Maine.
- 3. The Belfast Historical Society.
- 4. The Ellsworth Historical Society.

ARTICLE IX – EXCLUDED BENEFICIARIES

I have purposely and intentionally excluded from my Will my children, DANIEL A. POOR and JANET E. ECKROTE, as I and my deceased husband have provided for them during my lifetime and as well have provided for them with annuities payable upon my death.

<u>ARTICLE X – TRUSTEE PROVISIONS</u>

<u>A. Bond and Powers</u>. I direct that no bond be required for my Trustees faithful performance as trustee or successor trustee. The trustees and successor trustees shall have all of the discretionary powers granted Trustees under the Maine Uniform Probate Code, 18-A MRSA §7-401, et seq.

<u>**B.**</u> Successor trustees. If there is only one remaining Trustee, that Trustee shall have the right to appoint a successor Trustee or Trustees by an instrument in writing, such appointment to take effect upon the death, resignation, or incapacity of the appointing Trustee.

C. <u>Appointment of co-trustees</u>. The Trustees may appoint an individual, bank trust department, or trust company as a co-trustee. The Trustees may desire to exercise such authority if administrative duties become burdensome for the then acting trustee(s). A co-trustee so named shall serve only as long as the Trustee or Trustees who appointed such co-trustee. Such co-trustee shall not become a successor trustee upon the death, resignation, or disability of the Trustee who appointed such co-trustee, unless such co-trustee is elected as successor Trustee pursuant to this Article. **D.** Powers and Liabilities of Successor Trustees. Any successor Trustee, whether corporate or individual, shall have all of the rights, powers, and privileges, and be subject to all of the obligations and duties, both discretionary and ministerial, as given to the original Trustees. Any successor Trustee shall be subject to any restrictions imposed on the original Trustees. No successor Trustee shall in any way be responsible for any act or omission to act on the part of any previous Trustees.

.....

<u>E. Delegation among the Trustees</u>. Any Trustee may delegate to any other Trustee the power to exercise any or all powers granted my Trustees herein, including those that are discretionary, if allowed by law. My delegating Trustee may revoke any such delegation at will. The delegation of any such power, as well as the revocation of any such delegation, shall be evidenced by an instrument in writing executed by the delegating Trustee.

As long as any such delegation is in effect, any of the delegated powers may be exercised by the Trustee or Trustees receiving such delegation with the same force and effect as if the delegating Trustee had personally joined in the exercise of such power.

For purposes of this section, a delegation with regard to the management of a particular investment account may be indicated by the signature of the delegating Trustee on appropriate signature authorization forms. The signature authorization forms shall satisfy the requirement of "an instrument in writing" under this section. The Trustee's signature authorizing another Trustee to act alone (through signature authority) on any investment account shall constitute that Trustee's concurrence and joinder with all actions taken regarding said account unless and until the signature authorization form is changed or the financial institution is expressly notified in writing of a Trustee's withdrawal or concurrence.

<u>F. Fees to Personal Representatives and Trustees</u>. My Personal Representatives and Trustees shall be entitled to fair and reasonable compensation for the services rendered as fiduciaries. The amount of compensation shall be an amount equal to the customary and prevailing charges for services of a similar nature during the same period of time and in the same geographic locale. My Personal Representatives and Trustees shall be reimbursed for the reasonable costs and expenses incurred in connection with their fiduciary duties under this Will. Doct 6502 Bk: 3666 Ps: 54

<u>G. My Trustees' Responsibility to Make Information Available to</u> <u>Beneficiaries</u>. My Trustees shall report, at least annually, to the beneficiaries then eligible to receive mandatory or discretionary distributions of net income from the various trusts created in this Will all of the receipts, disbursements, and distributions occurring during the reporting period along with a complete statement of the trust property.

The trust's books and records along with all trust documentation shall be available and open at all reasonable times to the inspection of the trust beneficiaries and their representatives. My Trustees shall not be required to furnish trust records or documentation to any individual, corporation, or other entity that is not a beneficiary, does not have the express written approval of a beneficiary, or is not requesting such pursuant to a court order.

<u>H. Termination of Trust</u>. If my Trustees shall determine, in their sole and absolute discretion, that any trust created under this Will has become uneconomical to administer due to the high cost of administration relative to the value of the trust property, my Trustees may terminate such trust or trusts and distribute the trust property, including any accrued but undistributed net income outright and free from trust to the beneficiaries of the trust.

ARTICLE XI - ADMINISTRATIVE MATTERS

<u>A. Distribution of Income and Principal</u>. In determining whether to make discretionary distributions of principal or income permitted under this Will, my trustees may, but need not, take into account the income and assets available otherwise than pursuant to this Will to support any person to whom the distribution might be made. My trustees may make any discretionary distribution of income or principal authorized under this Will utterly without regard to the effect of the distribution on the interest of any remainder beneficiary of the trust from which the distribution is made.

<u>B. Protection of a Beneficiary's Interest</u>. The interest of each beneficiary in the income or principal of any trust established under this Will shall not be subject to attachment or capable of anticipation or alienation, whether voluntary or involuntary.

<u>C. No Duty to Inquire</u>. No person who deals with any Fiduciary named in or pursuant to this Will shall have any duty to investigate the authority of the

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Fiduciary to enter into any transaction or to ascertain whether assets paid or transferred to the Fiduciary are properly applied.

D. Exculpation of Fiduciaries. The judgment of any Fiduciary named in or pursuant to this Will as to any matter left to the Fiduciary's discretion shall be absolutely final and shall not result in any liability for the Fiduciary unless it is shown that the Fiduciary acted in bad faith or with reckless disregard of the Fiduciary's duties. No Fiduciary serving under this Will shall be held personally liable or subject to surcharge for any decision the Fiduciary made or for any action the Fiduciary took or failed to take, as long as the Fiduciary acted in good faith and without a reckless disregard of the Fiduciary's duties. No Fiduciary shall incur any personal liability for any action taken or not taken by any Co-Fiduciary or for any action taken or not taken by any predecessor Fiduciary.

<u>E. Contest Clause</u>. If any person, including a beneficiary, shall in any manner, directly or indirectly, attempt to contest or oppose the validity of this Will, then in such event such person shall forfeit his or her share, cease to have any right or interest in my estate, and shall be deemed to have predeceased me.

<u>F. Definition of Disability</u>. Any beneficiary may be treated as disabled, incompetent, or legally incapacitated if:

The beneficiary has been declared or adjudicated as such by a court of competent jurisdiction, or

A guardian, conservator, or other personal representative of such beneficiary's person or estate has been appointed by a court of competent jurisdiction, or

The beneficiary has been certified as such in writing by at least two licensed physicians, or

The beneficiary has disappeared or is absent for unexplained reasons, or the beneficiary is being detained under duress where the beneficiary is unable to effectively manage his or her property or financial affairs.

The beneficiary suffers from a drug, alcohol, chemical, gambling or other dependency addiction, as certified in writing by my Trustees and at least one licensed physician.

12

Doc‡ 6502 Bk‡ 3666 Pg‡ 56

<u>G. Definition of Education</u>. As used in this Will, "education" shall include:

Any course of study or instruction at an accredited college or university granting undergraduate or graduate degrees.

Any course of study or instruction at any institution for specialized, vocational, or professional training.

Any curriculum offered by any institution that is recognized for purposes of receiving financial assistance from any state or federal agency or program.

Any course of study or instruction which may be useful in preparing a beneficiary for any vocation consistent with the beneficiary's abilities and interests.

Distributions for education may include tuition, fees, books, supplies, living expenses, travel, and spending money to the extent that they are reasonable.

<u>H. Survival</u>. Where it is required by this Will that any person shall have survived me, that requirement means that the person shall have survived me by at least thirty days.

IN WITNESS WHEREOF, I have hereunder set my hand this 21st day of January, 2005.

hylis J. Poor

The foregoing Will was signed, sealed, published and declared by the Testatrix, PHYLLIS J. POOR, as and for her Last Will and Testament, in the presence of us, who, in her presence, at her request, and in the presence of each

Doc‡ 6502 Bk: 3666 Ps: 57

other, all being present at the same time, have hereunto subscribed our names as witnesses.

BRIANA O'HALLORAN 546 Airline Road Amherst, ME 04605

ROBERTA S. KORILOFF

20 Oak Street Ellsworth, ME 04605

State of Maine County of Hancock, ss.

We, BRIANA O'HALLORAN and ROBERTA S. KURILOFF, who have subscribed our names as witnesses to the foregoing Will, being duly sworn, do hereby declare to the undersigned authority that the Testatrix, PHYLLIS J. POOR, signed and executed this instrument before us as her Last Will and Testament and that she had signed willingly, and that she executed it as her free and voluntary act for the purposes herein expressed; and that each of the witnesses, in the presence and hearing of the Testatrix, signed as witnesses and that to the best of our knowledge and belief, the Testatrix was at the time 18 years of age or older, of sound mind and under no undue constraint or influence.

ROBERTA S'KURLOFF

Subscribed and sworn to before me this 21st day of January, 2005.

Mynda Wierenga Notary Public

MYBNA WIERENGA Notary Public, Maine My Commission Francisca August 12, 2006

N-121 (Rev. 9-16-81) Page 3 of 3

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12.

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Doct 3666 Ps:

Following is a list of <u>Heirs</u> or of all persons who are or may be <u>Devisees</u> of real estate. (List heirs only when there is no probated will. If there is a probated will, list devisees of real estate.)

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R. Kenneth Lindell, Trustee Bangor Savings Bank, Trustee Waldo County (Belfast) YMCA Waldo County General Hospital Belfast Historical Society Ellsworth Historical Society

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13. I certify that the foregoing statements are accurate so far as they may be determined from the will or the petition or application upon which the appointment was made.

WALDO SS: RECEIVED

Jul 12,2012 at 09:56A ATTEST: Deloris Pase REGISTER OF DEEDS

July 10, 2012 Dated:

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BHUNK W. PLEULLI. Register of Probate Sharon W. Peavey

Sce 18-A M.R.S.A. §1-504.

DEED OF SALE BY PERSONAL REPRESENTATIVE (Testate) Maine Statutory Short Form

Know All Persons by these Presents that R. KENNETH LINDELL, of Bangor, County of Penobscot, State of Maine, and BARBARA GRAY of Dayton, Ohio, duly appointed and acting co-personal representatives of the ESTATE OF PHYLLIS J. POOR, deceased testate, as shown by the probate records of the County of Waldo, State of Maine, and having given notice to each person succeeding to an interest in the real property described below at least ten (10) days prior to the sale, by the power conferred by the Probate Code, and every other power, for consideration paid, grants to RICHARD ECKROTE and JANET ECKROTE as joint tenants, and not as tenants in common, of Lincoln Park, New Jersey, and whose mailing address is 42 Grandview Avenue, Lincoln Park, NJ 07035,

That certain lot or parcel of land, together with buildings and improvements thereon, situated in the City of BELFAST, County of Waldo, State of Maine, more particularly bounded and described in Schedule A, attached hereto and made a part hereof.

15th day of October Witness my hand and seal this 2012.

Signed, Sealed and Delivered in the presence of

Estate of Phyllis J. Poor

By: R. Kenneth Lindell Co-Personal Representative

By: Barbara Gray Co-Personal Representative

Doc‡ 10188 Bk: 3697 Pg:

State of Maine, County of Waldo

October 15, 2012

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Then personally appeared the above named R. Kenneth Lindell in his said capacity and acknowledged the foregoing instrument to be his free act and deed.

Before me Notary Public 99 1200 **C**.

Printed Name My Commission Expires |-/-2ulle

LW/ch RE-Belfast-Poor to Eckrote dos

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SCHEDULE A

A certain lot or parcel of land, together with buildings thereon, situated in the City of Belfast, County of Waldo, State of Maine, more particularly bounded and described as follows:

Beginning at a 5/8" capped rebar set on the southeasterly line of Northport Ave. (U.S. Route One), in the center of a concrete culvert crossing said Northport Avenue, said rod marking the northwesterly corner of land now or formerly of Larry Theye and Betty Becker-Theye (reference Waldo County Registry of Deeds Book 1303, Page 184);

Thence N 31° 10' 24" E along said Northport Avenue a distance of four hundred eightyone and three hundredths (481.03) feet to a 5/8" capped rebar set in the southwesterly corner of land now or formerly of Lyndon Morgan (for reference see deed recorded in the Waldo County Registry of Deeds in Book 1804, Page 307, parcel #1);

Thence S 39° 49' 26" E along land of said Morgan a distance of four hundred twenty-eight and ninety-seven hundredths (428.97) feet to an iron rod found;

Thence continuing S 39° 49' 26" E along land of said Morgan a distance of twenty-four (24) feet, more or less, to the high water mark of Penobscot Bay;

Thence generally southwesterly along said Bay a distance of four hundred twenty-five (425) feet, more or less, to a 5/8" capped rebar set in the end of a ditch marking land now or formerly of Larry Theye and Betty Becker-Theye, said rebar being located S 70° 54' 45" W a distance of three hundred twenty-two and ninety-one hundredths (322.91) feet from the last mentioned iron rod found and S 83° 52' 14" E a distance of two hundred nineteen and eighty-three (219.83) feet from the rebar at the point of beginning.

Thence northwesterly along the bottom of a ditch marking land now or formerly of Larry Theye and Betty Becker-Theye a distance of two hundred fifty (250) feet, more or less, to the point of beginning, containing 2.8 acres, more or less.

Meaning and intending to convey and hereby conveying the same premises described in a deed from William O. Poor to Phyllis J. Poor, dated July 1, 1991, recorded in the Waldo County Registry of Deeds in Book 1228, Page 346, and premises conveyed to said Phyllis and William Poor by deed from Frederick C. and Priscilla B. Kelly by deed recorded in said Registry in Book 957, Page 306. For further reference see deeds to William and Phyllis Poor from Frederick Poor recorded in Book 691, Page 44, and from Douglas and Marion Tozier recorded in Book 724, Page 415.

The description above is based on a survey entitled "Boundary Survey of the Property of Phyllis J. Poor Estate" dated August 31, 2012, oriented to magnetic north, August, 2012, by Good Deeds, Inc.

ALSO releasing all right, title and interest to any land located between the northeasterly bound of the premises above described and land now or formerly of Lyndon Morgan as described in Waldo County Registry of Deeds Book 1804, Page 307_{WALDO SS: RECEIVED}

LW/ch RE-Schedule A-Poor-Northport Avenue

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Oct 15,2012 at 10:36A ATTEST: Deloris Pase REGISTER OF DEEDS

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May 16, 2019

Erik Heim President, Nordic Aquafarms Via email @: <u>erik.heim@nordicaquafarms.com</u>

RE: Ownership of Intertidal Zone in front of Eckrote Property Northport Avenue, Belfast, Maine

Dear Mr. Heim:

I am writing this letter to you at the request of David Kallin, Esq. of Drummond Woodsum. The purpose of this letter is to address a conclusion made by another surveyor, Donald R. Richards, PLS of Richards, Cranston & Chapman, LLC, in a letter to David Losee, Esq. dated April 30, 2019 that the intertidal zone in front of the Eckrote property is owned by Jeffrey R. Mabee and Judith B. Grace. I disagree with Mr. Richards' conclusion.

The property in Belfast along the shore of Penobscot Bay from the Little River northerly for more than 1,600 feet (this would end more than four current-day parcels northerly of the Eckrote property) was owned in 1946 by Harriet L. Hartley.

The first parcel that Hartley conveyed along this shoreline included the shore frontage now owned by the Eckrotes (Tax Map 29, Lot 36) and Lyndon G. Morgan (Tax Map 29, Lot 35) and was described in a deed to Fred R. Poor dated January 25, 1946 and recorded in Book 452, Page 205 of the Waldo County Registry of Deeds. Mr. Richards interprets this deed as severing the intertidal zone or flats from the upland. Mr. Richards concludes that Hartley retained the flats in front of the upland she conveyed to Poor.

The series of conveyances thereafter, do not support the conclusion that the intertidal zone would convey to the predecessors in interest of Mabee/Grace. The second parcel that Hartley conveyed along this shoreline included the shore frontage now owned by Helmers (Tax Map 29, Lot 34), Kent (Tax Map 29, Lot 33), Giles (Tax Map 29, Lot 32) and a small amount beyond Giles northerly line. This second parcel was described in a deed to Sam M. Cassida dated October 25, 1946 and recorded in Book 438, Page 497 of the Waldo County Registry of Deeds. This deed from Hartley to Cassida clearly conveyed the flats with the upland by stating "*Also conveying whatever right, title or interest I may have in and to the land between high and low water marks of Penobscot Bay in front of the above described lot*". This conveyance created a boundary line across the flats between the flats northerly of this line that were conveyed to Cassida and the flats southerly of this line that Hartley would have still owned in front of Poor (now Eckrote and Morgan) and southerly to the Little River.

The third parcel that Hartley conveyed along this shoreline included the shore frontage now owned by Theye (Tax Map 29, Lot 37) and Mabee/Grace (Tax Map 29, Lot 38). This third parcel was described in a deed to William P. Butler and Pauline H. Butler dated September 22, 1950 and recorded in Book 474, Page 387 of the Waldo County Registry of Deeds. This deed from Hartley to the Butlers described the land being conveyed as "*Northerly by land of Fred R. Poor: easterly by Penobscot Bay; southerly by Little River and westerly by the Atlantic Highway, so-called*". Mr. Richards concluded that this description "*necessarily includes the shore and the flats in front of the Eckrote property and northerly to the extent of the Fred R. Poor tract*". I disagree. The call to be bounded by Penobscot Bay does cause the conveyance to include the flats with the upland. However, I believe that the northerly limit of the flats that were conveyed to the Butlers should be determined by applying what is known as the Colonial Method, which would create another boundary line across the flats, as happened in the Cassida deed. The westerly or landward end of this boundary line is at the common corner between the land conveyed to Poor and the land conveyed to the Butlers at the high water mark. This would be a boundary line between flats owned by the Butlers to the south and land retained by Hartley to the north.

The description in the deed to the Butlers is what is sometimes referred to as an "abutters description". It is not a "metes and bounds" description that would include measurements around the property. In an abutters description the boundaries are described by calling for the adjoining property owners or monuments around the perimeter of the property being described. If Harriet Hartley had intended to convey to the Butlers the flats in front of the land she had conveyed to Fred R. Poor, the abutters description would have also stated *Northerly by land of Sam M. Cassida* since Cassida was a northerly abutter to Hartley's remaining flats.

It is common for deeds conveying land along the shore, even when the language in the description clearly includes the flats, to not specify what portion of the flats is being conveyed. When the description fails to clearly describe the boundaries of the flats being conveyed, Maine courts have long held that the method for determining those limits, or the direction of the property line from high to low water, is the Colonial Method.¹ Since the abutters description from Hartley to the Butlers does not call for Cassida as a northerly abutter, it reads like a deed describing the upland portion being conveyed along with a call to the Bay, which would include the flats in front of that upland, but that does not clearly describe the limits of the flats being conveyed. Again, this is a common method of describing shorefront properties without defining the direction of the property line being created across the flats.

Ernest J. and Marjorie N. Bell, successors in title to the Butlers, conveyed what is now the Theye property to John and Catherine Grady in 1964 (Book 621, Page 288) without the flats. The Bells then conveyed their remaining property to Willis C. and Virginia K. Trainor in 1966 (Book 652, Page 116) by using the same abutters description that had been used in the Hartley to Butler deed and then excepted what they had conveyed to the Gradys in 1964. This same language has been carried forward to the deed to Jeffrey R. Mabee and Judith B. Grace (Book 1221, Page 347) resulting in Mabee and Grace owning the flats in front of their upland property and the flats in front of the Theye's upland property.

¹ Emerson v. Taylor, 9 Me. 42 (1832); Portsmouth Harbor, Land & Hotel Co. v. Swift, 82 A. 542, 109 Me. 17

I should also point out that, separate from a record title issue, the Eckrotes may have an adverse possession claim to the intertidal zone in front of their property. I have been told, but have not independently verified, that one the Eckrotes is a grandchild of Frederick Poor. It appears that the Eckrote property has been in the same family since the conveyance from Harriet Hartley. There is a plaque on the house near the shore that says "The Eckrote House, Est. 1949" suggesting the age of the house. There are two sets of steps leading to the shore from the upland near the house. One set is a combination of stone and wood. The other is a set of stone steps. Both sets of steps appear to have been there a long time. Your legal counsel will be able to help you review this information along with their own research to help determine the status of the actual ownership of the intertidal zone in front of the Eckrote property.

Sincerely,

Gartley & Dorsky Engineering & Surveying, Inc.

James A. Dorsky, PLS Senior Vice President

Cc: David M. Kallin, Esq. Drummond Woodsum



CHAIN OF TITLE TO LYNDON W. MORGAN parcel (Belfast Tax Map 29, Lot 35)

Eva T. Burd and Edwin D. Burd Warranty deed Book 343, Page 497 dated 3/3/1924 to Arthur Hartley Warranty deed Book 386, Page 452 dated 8/27/1934 to Genevieve E. Hargrave Quitclaim with covenant deed Book 386, Page 453 dated 8/27/1934 to Arthur Hartley and Harriet L. Hartley, as joint tenants upon Arthur's death 2/10/1935, Harriet L. Hartley became sole owner

Harriet L. Hartley Warranty Deed Book 452, Page 205; dated 1-25-1946 to Fred R. Poor Frederic R. Poor Warranty Deed Book 691, Page 44; dated 7/29/1971 to

Harriet L. Hartley Warranty Deed Book 438, Page 497; dated 11/7/1946 to Sam M. Cassida Warranty Deed Book 608, Page 290; dated 4/17/1963 to Douglas I. Tozier and Marion Tozier Warranty Deed Book 717, Page 341; dated 8/28/1974 to is J. Poor, as joint tenants

William O. Poor and Phyllis J. Poor, as joint tenants Quitclaim with covenant deed Book 724, Page 413; dated 6/18/1975

to

Douglas I. Tozier and Marion Tozier, as joint tenants

Corrective Warranty deed Book 724, page 415; dated 7/8/1975 to William O. Poor & Phyllis J. Poor, jt tenants Warranty Deed Book 752, Page 242; dated 3/27/1978 to

Frederick C. Kelly and Priscilla Bryant Kelly, as joint tenants Exchange of deeds to shore up boundary Quitclaim with covenant – Book 957, Page 304; dated 5/4/1987 (Poor to Kelly) Quitclaim with covenant – Book 957, Page 306; dated 5/1/1987 (Kelly to Poor) Frederick C. Kelly and Priscilla Bryant Kelly, as joint tenants Warranty deed Book 957, page 85; dated 5/1/1987 То Lyndon Morgan and Cathy Morgan Warranty Deed Book 1180, Page 281; dated 9/11/1990 to Cathy G. Morgan Warranty deed Book 1804, Page 307; dated 7/9/1998 to Lyndon W. Morgan

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to mell and convey the same to the said (rentse to bold as atoresaid; a	nd shat we and our		
birs shall and still Warrant and Defend	to the said Grantes, b	is beirs and essigns		
berry shall and will Warrant and Dufend to forever, against the lawful plains and do	made of all persons.			
IN RITRERS DECKSOF, we use said fdw	a D. Burd and Rva T. Burd wife	of the wald		
joining in this deed as Grantor, and	relinquishing and conveying	right by desount and		
all other rights in the above described ;			ł	
third day of March in the year of our ion			í	
Bigned, Basled and Delivered		•		
in presence of	U, 6.		i	
Kale Bargent	200. 57772	IN D. Burd L. B.	ļ	
8. T. Coullard	115,00	a T. Burg i. S.	į	
TATE OF MASSACHUSETTE, MLGGLODEX 65.	Warth 7, 1924.			
Personally appeared the above named	Edwin D. Burd and soknowledged	the above instrument		
10 be bie free act and dead.		. –	1	
SET Before mt.	t. Price Wilson	•	•]	
	Hotery Public		•	
the second se	Wy completion expires A	gant 15, 1924	1	
Balds ms; Redesved March 14, 1924, at B		•	i ;	
. Dovrásá azá scuparsá, Attasti	Konice Voyalo,	••••••	1 1	
	.	Begister of Detds	1	
	E		ł	

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KNOWALL KEN BY THESE PRESENTS, That I. Arthur Hartley of Philadelphia in the State of Pennsylvania in consideration of one dollar and other valuable considerations paid by genevieve E. Hargrave of said Philadelphia the receipt whereof I do hereby acknowledge, do hereby give, grant, bargein, sell and convey, unto the said Genevieve R. Hargrave, her heirs and assigns forever,

Vol. 386

A certain lot or parcel of land situated in Belfast in the County of Waldo and State of Maine, bounded and described as follows, to wit: Bounded northerly by land of Adonirah Moody and land owned by W. L. West, deceased, at the time of his desease; easterly by Penobecot Bey; southerly by Little River and land of Belfast Water District and westerly by land conveyed by Eva T. Burd and Edwin D. Burd to Milton B. Hills by deed recorded in Waldo Registry of Deeds.

This conveyance being made subject to the rights of the public over the highway crossing said real estate, and also subject to a certain mortgage given by me to The City National Bank of Belfast dated September 10, 1980, and recorded in Waldo Registry of Deeds, Book 307, Fage 886.

Also excepting and reserving from the foregoing conveyance the cottage and out-buildings thereon, owned by Clarence Poor.

TO HAVE AND TO HOLD the aforegranted and bargained premises with all the privileges and appurtemances thereof, to the said Genevieve E: Hargrave her beins and assigns, to her and their use and behoof forever.

And I do Govenant with the said Grantee, her heirs and eweighs, that I am inwfully evised in fee of the premises, that they are free of all incumbrances; except said mortgage to said the City National Bank of Belfast that I have good right to sail and sonvey the same to the said Grantee to hold as aforesaid; and that I and my beirs shall and will Warrant and Defend the same to the said Grantee, her heirs end samigns forever, against the lawful claims and demands of all persons, except for said mortgage. 2015

IN WITNESS WHEREOP, I the said Arthur Hartley and Harrist L. Hartley wife of the said Arthur Hartley joining in this deed as Granter, and relinquishing and conveying her right by descent and all other rights in the above described presises, have hereunto set our hands and seels this twenty-seventh day of August in the year of our Lord one thousand nine hundred and thirty-four.

Signed, Sealed and Felivered in presence of John R. Dunian to both

U. S.	
DOC. Stamp	
\$5.00	· · ·

Arthur Martley L.S. Marriet L. Martley L.S.

STATE OF MAINE, Walds ss.

🐐 - Starket I.

والمرجع توجعه مترقي يسمور ومور

August 28 1934.

Personally appeared the above haned Arthur Hartley and asknowledged the above instrument to be his free ast and deed.

efere:me, John R. Dunten

Justice of the Peace.

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Walde ee. Received August 89, 1984, at Oh., 35m., A. M.

Resorded and sompared. Attails

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P.02 8:27-34 8:29:34

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386.453

(9300)

KNOW ALL WED BY THPOR PRESENTS.

That I. Consvieve E. Mergrave of Philadelphia in the State of Penneylvania in sonsideration of one dollar and other valuable considerations paid by Arthur Bartley and Rerriet L. Heriley, his wife, both of said Philsdelphia the receipt whereof I do hereby asknowledge, do hereby remise, release, bargain, sall and convoy, and forever quit-slaim unto the said Arthur Hartley and Rarriet L. Rartley, his wife, and the survivor of them as joint tenants and mot as tenants in common, their heirs and assigns forever,

Vol. 386

A cortein lot or percel of land situated in Belfest in the County of Weldo and State of Vaine, bounded and described as follows, to wit: Bounded mortherly by land of Adomiras Boody and land owned by W. L. West, decreased, at the time of his dessess; sectorly by Penchecot Bay; woutherly by Little River and land of Belfast Water District and westerly by land conveyed by Eve T. Burd and Edwin D. Burd to Milton B. Hills by deed yecorded in Waldo Register of Peede.

This conveyance being made subject to exceptions, reservations rights of the public and wortgage as sot forth in dead of seld Arthur Furtley to me bearing even date herswith to be reworded herewith in Waldo Registry of Pesde. Deing the same real estate conveyed to me by said deed of said Arthur Hartley.

TO HIVE AND TO HOLD the same, together with all the privileges and appurtenances thereunte belonging, to the said Arthur Mertley and Perriet E. Hartley and the survivor of them in joint' Semanoy and not me tensints in conson, their beirs and mesigns forever.

And I do Covenant with the said Grantwey, their heirs and easigns, that I will Warrant and forever pefend the presides to them the said Grentess, their beirs and essigns forever, against the lewful cloims and desends of all porsons cleiming by, through, or under me.

IN MITNENS MERROF, I the said Generateve E. Hargrave, have bereunte dur hands and seals this imprivativest day of sugget in the year of our Lord one thousand nine hundred and thirtyfour.

Bigned, Sealed and Colivered in presence of John R. Tunion



Sanavieve E. Bargrave L. 8. L. S.

STATE OF MAINE, Wolds ss.

August 36 1934.

Personally appeared the above mened Genevieve 2. Surgrave and asknowledged the phove instanment to be her free sot and didd.

Before se, John R. Duntes

Justice of the Pease.

Waldo sa. Received August 29, 1934, at 9b. Reported and concerso. Attests

Rastator of Boods.

(9308)

XXON ALL MEN BY PAER PRESENTS,

That I, Sworgs Parker Cook of Belfast in the Sounty of Waldo and State of Maine in consideration of one dollar and other valuable some iderations paid by William W. Diskey of Swamwills in said County and Blats the receipt wherear I do mereby saknowledge, do hereby faulse, release, bargain, sell and convey, and forever quityslaim unto the suid William W. Diskey, his heirs and assigns forever,

A cortain let or parcel of land with the buildings thereon, situated in the city of Belfast, and bounded and desaribed as follows, to with Beginning at the intermention of the south line of land formerly of the late Duniel Hinds, with the wasterly line of Worthport Avenus; thenes easterly on said Sinds southerly line, eighteen rode [18] to state and stones;

Vol. 452

Christine Decker by Maurice L. Decker by deed dated May 5, 1914, recorded in Waldo Refistry of Deeds, Book 313, Page 365; conveying to Mabel Thomas by said deeds an undivided one-third interest in said real estate and the entire interest of the suid minors, to all of which deeds and the records thereof reference may be had for a more complete description.

Meaning and intending to convey the mame premises as conveyed to John F. Fitzgerald by Mabel Thomas by her deed dated January 5, 1955, renorded in Waldo Hegistry of Deeds, Book 405, Page 151; and conveying the same premises as deeded to Robert H. Karns by Alexander R. Gillmor by Quit-claim Doud dated December 27, 1945 and recorded in Waldo County Registry of Deeds, Book 441, Page 120.

TO HAVE AND TO HOLD the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said Fred O. Dodge, aforesaid, his heirs and assigns, to his and their use and behoof forever.

And I do Covenant with the said Grantee, his reirs and assigns, that I am lawfully seized in fee of the premises that they are tree of all incumbrances; that I have wood right to sell and convey the same to the said Grantee to hold as aforesaid; and that I and my heirs shall and will Warrant and Defend the same to the said Grantee, his heirs and assigns forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, I the said Robert H. Karns and Thelma A. Karns wife of the said Robert H. Karns joining in this deed as Grantor, and relinquishing and conveying her right by descent and all other rights in the above described premises, have hereunto set our hands and seals this sixth day of August in the year of our Lord one thousand nine hundred and forty-six.

STAMP

\$1.10

Signed, Scaled and Delivered in presence of Hillard H. Buzzell Linwood H. Robertson

Robert H. Karns L.S. Thelma A Karns L.S.

205

STATE OF MAINE, Waldo / ss,

August 6 1946.

Personally appeared the above named Robert H. Karns and soknowledged the foregoing instrument to be his free sot and deed.

> Before me, Killard H. Buzzell Justice of the Prace

Received August 6, 1946, at 11h., 55m., A. M.

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KNOW ALL MEN BY THESE PRESENTS.

That I, Harriet L. Hartley of Philadelphia in the Commonwealth of Pennsylvania, single woman in consideration of one dollar and other valuable considerations paid by Fred H. Pocr of Belfast in the County of Waldo and State of Maine the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said Fred R. Pocr, his heirs and assigns forever,

A certain lot or parcel of land situated in Belfast in the County of Waldo and State of Maine, bounded and described as follows, viz: Beginning at the head of a gully in the

Vol. 452

conter of a concrete culvert which is on or near the Southerly bound of the Atlantic Highway: thence Southeasterly following the bottom of the gully 275 ft, more or less to an iron bolt in the mouth of a brook; thence Easterly and Northeasterly along high water mark of Penobscot Eay 410 ft, more or less to a stake at the cutlet of a gully; thence Northerly up the bottom of the said gully 100 ft.; thence West 507 ft. to the center of a gully on or near the Southerly bound of the Atlantic Highway; thence Westerly along the Southerly bound of said highway 206 ft. to the point of berinning. Said lot contains 2.23 acres, more or less, Being a portion of the premises conveyed by Genevieve E. Hargrave to Arthur and Harriet L. Hartley by deed dated Aurust 27, 1994 and recorded in Waldo Registry of Deeds, Book 386, Page 453.

TO HAVE AND TO HOLD the accregranted and bargained premises with all the privileges and appurtenances thereof, to the said Fred R. Poor, his heirs and assigns, to his and their use and behoof forever.

And I do Covenant with the said Grantee, his heirs and assigns, that I am lawfully seized in fee of the premises, that they are free of all incumbrances; that I have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that I and my heirs shall and vill Warrant and Defend the same to the said Grantee, his heirs and assigns forever, against the lawful claims and demands of all persons.

The lot or percel of land herein described is conveyed to Fred R. Poor with the understanding it is to be used for residential purposes only, that no business for profit is to be conducted there unless agreed to by Harriet L. Hartley, her heirs or Assigns.

IN WITNESS THEREOF, I the said Harriet L. Hartley have hereunto set my hand and seal this trenty-fifth day of January in the year of our Lord one thousand nine hundred and forty-six.

Signed, Sealed and Delivered in presence of

John B. McCann Samuel U. Levin STATE OF PERNSYLVANIA Gity and County of Philadelphia



Harriet L. Hartley L.S.

June 19 -

1946.

Personally appeared the above named Harriet L. Hartley and acknowled ed the above in-

strument to be her free act and deed.

C 54 A

Before me, Samuel U. Levin Notary Public My Commission expires 3/19/1947

IN THE COURTS OF COMMON PLEAS OF PHILADELPHIA COUNTY

STATE OF PENNSYLVANIA) I, Meredith Hanna, Prothonotary of the Courts of Common Sounty of Philadelphia, ss.) Pleas of said county, which are Courts of Record having a com-mon scal, being the officer authorized by the laws of the State of Pennsylvania to make the following Certificate, acting by my Deputy, John J. Hoerr.

do Certify, That Samuel U. Levin Esquire, whose name is subscribed to the certificate of the acknowledgment of the annexed instrument and thereon written, was at the time of such acknowledgment a Notary Public for the Commonwealth of Pennsylvania, residing in the County aforesaid, duly commissioned and qualified to administer oaths and affirmations and to take acknowledgments and proofs of Dreds or Conveyances for lands, tene-ments and hereditaments to be recorded in said State of Pennsylvania, and to all whose acts, as such, full faith and credit are and ought to be given, as well in Courts of Judicature as elsewhere; and that I am well acquainted with the handwriting of the said Notary Public and verily believe the signature thereto is genuine, and I further certify that the said instrument is executed and acknowledged in conformity with the laws of the State of Pennthe signasylvania.

The impression of the seal of the Notary Public is not required by law

to be filed in this office. IN TESTIKONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court, this 19th day of June in the year of our Lord one thousand nine hu fred forty-pix (1946) Meredith Hanna, Prothenotary Deputy Prothenotary heceived August 6,1946, at 120., D. Heerr Durante Absentia, Secundum Legem.

10000

د مرو دورد رود د **جرو در د**

Vol. 418

1 6961)

REOFALL MER BY TRESE PREBEETS, That I, Charles E. Reens of Bangor, County of Penadsoot and State of Wains, having required the amount secured by a ovriain mortgage good dated April 16, 1943 given by Forts A. fodge recorded in Walco Registry of Deeds, Vol. 634 Page 10 do hereby discharge the same in full.

Signed and Sealed this fifth day of February 1947. Witness.

Cornelius J. O'Leary

The state of the second

Charles E. Keens L.S.

Penobauot #4. February 5, 3047. Personally appeared Charles E. Levas and acknowledged the above discharge to Befors me. be his free act and deed.

Cormelius J. O'Lears Justion of the Peace.

Redeived Pebruary 21, 1947, at 3h., P./K.

(5966) TROWALL KEN BY TREBE PREBERTS.

That I, Harriet L. Bartley of Philadelphia in the Commonwealth of Penneyl-Vania, Simile woman in condideration of one dollar and either valueble conditorstions paid by San M. Casside of Belfast in the County of Waldo and State of Maine the rescipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey, upto the said Ban M. Cassida, his heirs and assigns forever,

A certain lat or percel of land situated in said Belfast, bounded and described as failens: Beginning at an iron bolt on the southerly bound of the Atlastic Highway and at the southwest corner of land of Samuel Cussida; thends south 81" 51' mast along the southerly bound of land of east Cassida 887 ft. to an iron bolt on the top of the bank of Penebsoot Bay; thence continuing same course 12 " .. more or less to high pater mark of said Bay; thends southwesterly and westerly slong high water mark of said Bay 650 ft, more or less to a stake at the mouth of a guily on the southeast corner of land of Pred R. Poor; taxade mortherly up the bettom of the guily 100 ft, along land of said Poor; thence west along land of said Peer 507 fs, to the sealer of a gully on the southerly bound of the Atlantic Highway mear the and of a culvert; thence northeasterly along the soutcarry bound of said Highway 311 ft, to the paint of beginning. Said lot contains 5.55 acres more or loss. Also conveying wantever right, title or interest I may have in and to the land between high and lew water marks of Penobsoot Bay in front of the above described let. Being a portion of the precises conveyed by Gamevieve E. Hargrave to Arthur and Harriet L. Hartley by deed dated August 27, 1934, recorded in Walds Registry of Dueds, Book 300, Page 453. Courses given in the above description are by magnetic meridian as observed by J. H. Nunsan, C. E. Detober 5, 1945.

TO HAVE AND TO HOLD the aforegrapted and bargained premises with all the primliges and appurtenences thereof, to the said fam M. Cassida, his being and apsigns, to bis and their use and behood forever.

And I do Covenant with the said Grantes, his hears and essigns, that I am lamfully seized in fee of the premises, that they are free of all incumbrances; that I have good right to soil and derivey the same to the said Grantes to hold as sforedaid; and that I and my hairs shall and will Warrant and Defend the same to the said Oraniss, his beirs and assigns forever, against the latful plains and demands of all persons.

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P.03

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TOTAL P.03

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Vol. 438

IN WITHESS WHERSON, I the said Rarrist L. Bartley, have beroupte set my hand and seal this teenty-fifth day of October in the year of our Lord one thousand size hundred and forty-siz, U. S Figned, Fealed and Delivered Inde in presence of ISTAMP Sarsh Pogel Harrist L. Hertley L.C. 2,20 CONNONTEALTH OF PERSEYLVANIA **8**. 1946 Personally appeared the above manual Harrist L. Hartley and acknowledged the above Anatrument to be her free ant and cood. Before me. Samuel U. Levin

> Notary Public Ny Commission expires 3/19/1947

IN THE GUERTS OF COMMON PLEAS OF PHILAFELPHIA COUNTY

STATE OF PEUNSYLVANIA) I, Meredits Hanne, Prothemotary of County of Philanelphia, ss.) the Courts of Lormon Pleas of said scunty. which are Courts of Record having a compon seal, being the afficer authorized by the laws of the State of Pennsylvania to make the following Certificate miting by so Sepuly, John J. moerr, do Certify, That Security, Levin Espuire, phose name is subsoribed to the certificate of the acknowledgement of the accessed instrument and thereon written, was at invitize of such something and a sotary Public for the Commonwealth of Pennsylvania, redicing in the County aforesaid, duly commisstoned an qualified to administer outor and effirmations and to take auknowleducents and proofs of feeds or Conveyanges for lands, tenuments and peruditaments to be recorded in said State of Pennsylvania, and to all emple auts, as such, full faith and predit are and ought to be given, as well in Courts of Judidature as elsewners; and that I am well appualated with the handwriting of the said Botary Public and varily believe the signature thereto is genuine, and I furtiour partiry that the said instrument is executed and cornerledged in conferm ity with the laws of the State of Pennsylvania.

The impression of the seal of the Netary Public is not required by law to be filed in this office.

IN TESTIMONY WHEREOP, I have noreunte set my hand and affined the Seal of said Court, this 7th day of November in the year of our Lord one thousand nime number d forty-six (1948)

Mersdith Raams, Prothogetary.

By John J. Hoers

Deputy Protnenotary Furante Absentia, Sesundum Legem.

Redeived February 24, 1947, at 102., 152., 2. M.

(5872)

BTATE OF MAINE

WAL DO, SS:

January 10th, 1947.

1, Rose Et. Germain, of Bangor in the County of Fennbeoot, attorney of rebord for Marman Maroia, in an action against ii. C. McCorrison & Son, Inc., which said action is dated the Sth day of December, 1946, and returnable to the Superior Court at its April Term. 1947, held at Beifast in said County of Walds, is shing action an attachment of real estate of said defendant was asde on said real estate in Ewownber, 1946, hereby verify that I acknowledge the discharge

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Knam All Men by These Uresents.

Chai we, SAM M. CASSIDA (sometimes known as Samuel M. Cassida) and RUTH W.

CASSIDA, both of Belfast, Waldo County, Maine,

in consideration of one dollar and other valuable considerations

paid by DOUGLAS I. TOZIER and MARION R. TOZIER, both of Chevy Chase, Montgomery County, Maryland,

the receipt whereas we do have by acknowledge, do hereby give, grant, imputs. self and canney unto the said DOGGLAS I. TOZIER and MARION R. TOZIER to hold as joint tenants according to the principles of joint tenancy and not as tenants in common, their

heirs and assigns forever, Englishingtopropropringing all our

land and buildings situated on the southeasterly side of U. S. Houte #1, mmd / in Belfast, Waldo County, Maine, and /more particularly described of record as follows:

> A certain lot or parcel of land, together with buildings thereon, bounded on the north by land now or formerly owned by William K. MacNeil and by land now or formerly of Frank R. Wiggin; on the east by the shore of Penobscot Bay; on the south by land formerly of Edwin Burd; and on the west by the said U. S. Route #1; meaning and intending to describe the premises which were conveyed by Frederic R. Poor to Samuel M. Cassida and Ruth W. Cassida by his warranty deed dated October 20, 1937, and recorded in Waldo County Registry of Deeds, Book 407, Page 411; excepting and reserving therefrom a small triangular shaped parcel of land described as follows: HECHNING in the northerly line of the above described premises and at the high water mark of Penobscot Bay; thence southwesterly along the said high water mark of Penobscot Bay forty-eight (10) feet to a stake; thence northwesterly minety (90) feet to a point in the northerly line of the above described previses and near the corner of the Dickey barn, so called; thence easterly or northeasterly along the said northerly line to the point of beginning:

Also another lot or percel of land, together with any buildings thereon described as follows: BECINNING at an iron bolt on the southerly bound of U. S. Route #1 (otherwise known as the Atlantic Highway) and at the southwesterly corner of the above described premises; thence south \$1°51' east along the said southerly bound of above described premises eight hundred and eighty-seren (887) feet to an iron bolt on top of the bank of Penobecot Bay; thence continuing the same course twelve (12) feet, more or less, to the high water mark of Penobecot Bay; thence continuing the same course twelve (12) feet, more or less, to the high water mark of Penobecot Bay; thence and fifty (650) feet, more or less, to a stake at the mouth of a gully on the southeast corner of land now or formarly of Fred R. For; thence northerly up the bottom of the said gully one hundred (100) feet along line of land of said Poor; thence westerly along the line of land of said Poor five hundred and seven (507) feet to the center of a gully on the southerly bound of the soid U. S. Route #1 near the shot of a culvert; thence northeasterly along the southerly bound of

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JUN-05-2019 17:38 And we do that 1/8 and wife, and -

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302CCE2000412E

the said U. S. Route #1 three hundred and eleven (311) rates 608 #467 291 to the point of beginning; the said lot containing 5.55 scres, more or less; meaning and intending to describe the premises which were conveyed by Herriet L. Hertley to Sam M. Cassida by her warranty deed dated October 25, 1946, and recorded in Waldo County Registry of Deods, Book 438, Page 497;

Also all our right, title or interest in and to the land between high and low water marks of Penobscot Bay in front of the above described premises.

Torether also with all contents and furnishings of cottages situated on the above-described pre-mises and all equipment and supplies there situsted which pertain to the motel business conducted thereon.





Es have and to haid the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said DOUGLAS I. TOZIER and MARION R. TOZIER to hold as joint tenants according to the principles of joint tenancy and not as tenants in common, their

heirs and assigns, to them and their use and behoof forever.

commant with the said Grantess , their heirs and assigns, lawfully seized in fee of the premises, that they are that we are free of all incumbrances; except 1963 real estate taxes assessed by the City of Belfast which taxes are to be prorated between the parties as of the date of this instruments

have good right to sell and convey the same to the said Grantees to hold as aforesaid; and that we and όų Γ heirs shall and will Marrant and Briend the same to the said Grantees , their heirs and assigns forever, against the lawful claims and demands of all persons.

in Wilness Wirrenf. We the said SAM M. CASSIDA and RUTH W. CASSIDA, husband

and a second
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WALDO	COUNTY	REGISTRY
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BACK 60	ising in this deed as Grantors, and relinquishing and conveying all right by descent and all other rights in the above described premises, have hereunte set our hands and seals this seventeenth day of April in the year of our Lord one thousand nine hundred and sixty-three. Signed, Scaled and Belimered in presents of Affrical (to bill) Rutt. W. Cacoida
	State of Agine. Waldo, m. April 17, 1963. Porsonally appeared the above named Sam M. Cassids and Ruth W. Cassids and acknowledged the foregoing instrument to be their free act and deed. Before me. Moil Mildle Suprise Sector Sector Botary Public
	BUN R. CASSIDA and ROTH W. CASSIDA NO DODULAS I. TOZIER and MARION R. TOZIER Duad

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NUL 691 ML 44

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WARRANTY DEED

I, FREDERIC R. POCR, of Belfast, Waldo County, Maine, an unremarried widower, for consideration paid, grant to MILLIAM O. POOR and PHYLLIS J. POOR, husband and wife, both of Northport, Suffolk County, New York, as joint tenants, with Warranty Covenants, a certain let or parcel of land, together with the buildings thereon, situated in said BELFAST and more particularly bounded and described as follows, to wit:

Beginning at the head of a gully in the center of a concrete culvert which is on or near the noutherly bound of the Atlantic Highway, so-called; thence southerny bound of the Atlantic Highway, so-called; thence southerner following the bottom of the gully along the northeusterly bound of land of Joneph Grady two hundred seventy-five (275) feet, more or less, to a point in the mouth of a brook; thence enderly nod northeusterly along high-water mark of Penebacot Bay four hundred ten (410) feet, more or less, to a point at the outlet of a gully; thence mortherly up the bottom of said gully, along the westerly bound of land of Douglas Tozier, one hundred (160) feet; thence west along the line of said Tozier five hundred seven (507) feet to the center of a gully on or near the noutherly bound of the Atlantic Highway; thence westerly along the southerly bound of said highway two hundred cix (206) feet to the point of beginning. Said lot contains two and twenty-three hundredths (2.23) acres, more or less.

Heaning and intending to convey and hereby conveying the same premises described in a deed from Harrict L. Hartley to said Frederic R. Poor, under the name of Fred R. Pour, dated January 25, 1946, and recorded in Waldo County Registry of Deeds in Book 452, Fage 205.

Witness my hand and seal this twenty-eighth day of July one

thousand mine hundred and seventy-one.

Signed, Sealed and Delivered in presence of rederic O J. Shill Alace YSONE State of Maine County of Waldo, 85. July 29, 1971 73. Then personally appeared the above-named Frederic R. Poor ad acknowledged the foregoing instrument to be his free not and deed. Before me. 0 • 2807 LAFY Public Justics ROGER P. BLAKE as. Registry of Dieds 1971at My Commission Expires De State of Maine, Waldo ATTOCHET AT LAW Issaired. ากา 4 20 1100 E sojne Dedisa, 107E and recorded in Beok 691 Page ᇳ A110511 Ret £



BK: 717 PG: 341

abor 717 FACE 342 We have and to hold the aforegranted and bargained premises with all ÷ the privileges and appurtenances thereof, to the said William O. Poor and Phyllis J. Poor as joint tenants and not as tenants in common, their heirs and Sassigns, to their own use and behoof forever. we do cournant with the said Grantees, as aforesaid, that And lawfully seized in fee of the premises, that they WA ATA are free of all encumbrances; reserving, nevertheless, the right to use and occupy the premises until the first day of October, 1974; have good right to sell and convey the same that we to the said Grantees to hold as aforesaid; and that we our heirs shall and will Warrant and Defend the same to the and said Grantees, their heirs and assigns against the lawful claims and demands of all persons. in Witness Whereof, we, the said Douglas I. Tozier and Marion Tozier, being husband and wife and mutually xaade 201223 joining in this deed as Grantors, and relinquishing and conveying Our right by descent and all other rights in the above described premises, have hersunto set our hands and seals this twenty-eighth day of August in the year of our Lord one thousand mine hundred and seventy-four. Signed, Bealed und Delivered 1 A in presence of · ... 4 Personally appeared the above named Douglas I. Tozier and acknowledged the foregoing instrument to be his free act and deed. 4160 - 5.00 Before Be, H.c. Jonker is of Maine, Waldo in Registry of Doods August 29 17 74411 R. 15 R. A. Justice of the Peace. Hotary Public. ad in best 727 1000 342

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	(mo. sors) 3425 Know All Men by Uhrse Presents. Uhai We, William O. Poor and Phyllis J. Poor both of Selfest, in the County of Weldo and State of Meine, in consideration of one dollar and other valuable considerations,	4-34 95 1-15-75
	3425 Know All Ren by Whese Presents. That We, William O. Poor and Phyllis J. Poor both of Selfest, in the County of Waldo and State of Maine,	M+16 - 113 ;
	3425 Know All Ren by Whese Presents. That We, William O. Poor and Phyllis J. Poor both of Selfest, in the County of Waldo and State of Maine,	
	3425 Know All Ren by Whese Presents. That We, William O. Poor and Phyllis J. Poor both of Selfest, in the County of Waldo and State of Maine,	
	That We, William O. Poor and Phyllis J. Poor both of Relfast, in the County of Waldo and State of Maine,	
	the County of Waldo and State of Maine,	
	in consideration of one dollar and other valuable considerations,	
	In consideration of One dollar and other valuable considerations,	. 🛛
· {		
	paid by Douglas I. Tozler and Marion Tozlar, both of Bolfast, in	
·	the County of Waldo and State of Haine,	
.	the requipt whereas we do hereby acknowledge, do hereby rinks,	
	release, bargain, acil and poursy, and forever quit-claim unto the said	
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	as joint tunants and not as taxants in common, their hoirs and	
	essions forever, a certain let or parcel of land, together with the buildings thereon situate in Belfast in the County of Waldo and State of Maine more particularly bounded and described as follows, to wit:	
	Beginning at an iron pin driven into the ground in the easterly bound of the road leading from Northport to Belfast, commonly known and designated as U. S. Route al in the southarly bound of land to be retained by Douglas I. Toxier, et ux.; thence South 57° 04' 05" East by and along the southerly bound of land of said Douglas I. Toxier, et ux. one hundred sixty and five tenths (160.5)	
	feet to an iron pin driven into the ground; thence turning and running South 84 23 54" East ninety-six and flue tenths (96.5) feet to an iron pin driven into the ground at land to be retained by the within Tozier; thence turning and running Spath 25 23 45" East by land to be retained by the within Tozier two hundred flue and one tenth (205.1) feet to an iron pipe driven into the ground; thence turning and running South 39"85" West upon a line delineated by iron pipes driven into the ground five hundred (500) feet, more or less, by and along the northerly bound of other land of the said Tozier to the headwall of a culvert passing beneath the afore- montioned U. S. Route \$1; thence turning and running in a course of N. rth 32" 20' 15" East by and along the ensterly bound of the aforementioned Route \$1 four hundred accenty-six (476) feet, more or less, to the iron pin at the point of boginning.	
	Boing all and the same premises conveyed by dead of Douglas 1.Tozier, et ux. to William O. Poor, et ux. dated August 28, 1974, recorded in Waldo County Registry of Daeds, Book 717, Page 341.	
	The purpose of this deed is to facilitate the correction of an error in the aforementioned deed to the within Grantors, the Grantess herein having executed simultaneously with this instrument a new deed correcting said error.	
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and a		
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1 . 1, 1, 1 : - time . and 724 mit 414 rs1 / # . appurtenances thereunto belonging, to the said 1 10 · E · Douglas I. Tozier and Marion Tozier ż ψ¹ . • as joint tenants and not as tenants in common, their beirs and ۱. ۱ assigns, to their own use and behoof forever. And we do represent with the said Grantees, their heirs and - - I ÷ assigns, and the survivor of them and the heirs and assigns of the survivor of them, that We shall and will Barrant and Former Brind the same to the said Grantses, their heirs and assigns against the 5 lawful slaims and demands of all persons claiming by, through of ٠ under us. In Witness Mherred, we the said William O Poor and Phyllis J. Poor, li ş ۰. being husband and wife, and mutually л 221 **** į 1. i joining in this dood as Granters, and ł Pelinquishing and conveying our right by descent and all other rights in the above described promises, have hereupte set our : hands and seal 5 this twenty-fourth day of April in the year of our Lord one thousand size hundred and seventy-five. ••• 建苯基苯基苯基 网络米米米米 机械化学术学术 **.**... 装装装装装 ; N. 74 1 -1 \mathcal{O} • : NEW JERSEY, BURLINGTON JUNE 191 ł State stylene, County of 19 75 Personally appeared the above mamed William O. Poor and Phyllis J. . • 1 Toor and acknowledged the foregoing instrument to be their free act and deed, Before st. (ł 1 : ' cm My Comission exp (Festing music fine on 27, Mot in Public 3425 Juliu, 1* (Noterial Seal) -75-3 x 30 x P. M July 15 : WUNN'S 724 Jalania To al . , 2



1.54 IN 724 au 416 1.2 , Gs have sub to hold the aforegranted and bargained premises with all the privileges and appurtonances thereof, to the said ί. 3**.**34 William O. Poor and Phyllis J. Poor, as joint temants and not as temants in common, their heirs and assigns, to their own use and behoof forever. Anh. de sevenant with the said Grantees, as aforessid, that W/A lawfully soized in fee of the promises, that they we are are free of all encumbrances; that have good right to sell and convey the same to the said Grantees to hold as aforespid; and that we. and our heirs shell and will Warrant and Defend the same to the sold Grantees, their heirs and assigns against the lavful claims and demands of all persons. ţ £** 1 In Mitness Wherent, we the said Douglas I. Tozier and Marion Tozier being husband and wife, and mutually, XXXX ut those ide 100 joining in this deed as Granters, and relinquishing and conveying our right by descent and all other rights in the above described premises, have hereunto get our hands and seals this twenty-fourth day of April in the year of our Lord one thousand mine hundred and seventy-five. Signed, Bruled and Beiluered in presence of Clarke (6057.) Dough Y • . . . State of Maine, County of Waldo, 19 75 July 8 S.S., Personally appeared the above named Douglas I. Tozier and soknowledged Toregoing instrument to be his free act and deed. Before me, 3426 Helm Sanker. UB. July 15 2 Botary Public.
BACK 752 FACE 242

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Know all Men by these Presents.

Uliui we, WILLIAM O. POOR and PHYLLIS J. POOR, husband and wife, both of Willingboro, County of Burlington and State of New Jersey

in consideration of one dollar and other valuable considerations

paid by PREDERICK C. KELLY and PRISCILLA B. KELLY, husband and wife, both of Northport, County of Waldo and State of Maine

and whose mailing address is RFD, Bolfast, Maine 04915

the receipt whereof we do hereby acknowledge, do hereby

give, grant, bargain, sell and convey, unto the said

Frederick C. Kelly and Priscilla B. Kelly

as joint tenants and not as tenants in common, their heirs and assigns, and to the survivor of them and the heirs and assigns of the survivor of them maxignes forever, mapping and the heirs and assigns of the survivor of them

A certain lot or parcel of land, together with the buildings thereon, situate in BELFAST, County of Waldo and State of Maine and more particularly bounded and described as follows, to wit:

Beginning at an iron pin driven into the ground on the easterly bound of the road leading from Northport to Belfast, commonly known and designated as U. S. Route #1 in the southerly bound of land now or formerly of Douglas Tozier et ux; thence South $57^{0}04'05"$ East by and along the southerly bound of land of the said Tozier one hundred sixty and five tenths (160.5) feet to an iron pin driven into the ground; thence turning and running South 84'23'54" East ninety-six and five tenths (96.5) feet to an iron pin driven into the ground at land to be retained by the said Tozier; thence turning and running South 26'23'45" East by land to be retained by the said Tozier, two hundred five and one tenth (205.1) feet to an iron pipe driven into the ground, which said iron pipe marks generally southeasterly corner of land described in a deed from Douglas I. Tozier et ux to William O. Poor et ux, dated April 24, 1975 and recorded in the Waldo County Registry of Deeds in Book 724, Page 415, which said point is also the generally northeasterly corner of land described in a deed from Frederic R. Poor to William O. Poor et ux, dated July 28, 1971 and recorded in said Registry in Book 691, Page 44; thence by the same course South 26'23'45" East along generally easterly bound of land conveyed by Frederic R. Poor to William O. Poor et ux by deed aforesaid one hundred (100) feet, more or less, to an iron stake driven into the ground on the shore of Penobscot Bay; one hundred and twenty-five (125) feet, more or less, to an iron stake driven into the ground; thence at a bearing calculated to be North 43' West by land of the Grantors, one hundred fifty-five (155) feet, more or less, to a point on the generally southerly line of land conveyed by Tozier to Poor by deed aforesaid; thence by the same course calculated to be North 43' West by land of the Grantors, two hundred and ninety-five (295) feet, more or less, to an iron stake driven into the ground on the generally easterly bound of U. S. Route #1 aforesaid; thence North

MEANING AND INTENDING TO CONVEY and hereby conveying a portion of the premises described in two deeds as follows, to wit: One from Douglas I. Tozier and Marion Tozier to us, William O. Poor and Phyllis J. Poor, dated April 24, 1975 and recorded in the Waldo County Registry of Deeds in Book 724, Page 415; and one from Frederic R. Poor to us, William O. Poor and Phyllis J. Poor, dated July 28, 1971 and Phyl P43 recorded in said Registry in Book 691, Page 44.

BBC 75	2. FACE 244
	We have and to hold the aforegranted and bargained premises, with all the privileges and appurtenances thereof, to the said
	Frederick C. Kelly and Priscilla B. Kelly
	as joint tenants and not as tenants in common, their heirs and assigns, and to the survivor of them and the heirs and assigns of the survivor of them messigns , to their own use and behoof forever.
	And we do concusut with the said Grantees, as aforesaid, that
	we are lawfully seized in fee of the premises, that they
	are free of all encumbrances; subject to the prorata share of real estate taxes assessed against the premises as of April 1, 1978, which said share the Grantees by their acceptance of this deed assume and agree to pay
	that we have good right to sell and convey the same
	to the said Grantees to hold as aforesaid; and that we and our heirs shall and will Warrant and Defend the same to the
	said Grantees, their heirs and assignaxagainet the same the same to the
	demonds of xallx persons, and the survivor of them, and the heirs and assigns of the survivor of them forever, against the lawful claims and demands of all persons.
	In Witness Whereof, we the said William O. Poor and Phyllis J. Poor, being husband and wife, and mutually,
	and:
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	wither xardoddexaadde
	joining in this deed as Grantors, and
	relinquishing and conveying all rights by descent and all other
	rights in the above described premises, have hereunto set our
	hands and seals this thirteenth day of March
	in the year of our Lord one thousand nine hundred and seventy-eight.
	Signed, Sealed and Belivered
	in presence of William O. Free Loom
	Stuldon WC lath William O. Poory
	- Juldan W Clark Phylling Paor
	4
	State of States WALDON 15. 11/0200 27 19 78
	Personally appeared the above named william O. Poor and
	Phyllis J. Poor and Acknowledged
	the foregoing instrument to be in their free act and deed.
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DOOK 826 PAGE 429

4269

 "Maine Real Estate Transfer Tax Paid"

That we, DOUGLAS I. TOZIER and MARION R. TOZIER, both of Northport,

WARRANTY DEED Joint Tenancy Know all Men by these Presents,

County of Waldo, State of Maine,

in consideration of one dollar and other valuable considerations

paid by FREDERICK C. KELLY and PRISCILLA BRYANT KELLY, both of Belfast, County of Waldo. State of Maine.

whose mailing address is P.O. Box 353, Belfast, Maine 04915,

the receipt whereof we do hereby acknowledge, do hereby give, grant. bargain, sell and ronvey unto the said Frederick C. Kelly and Priscilla Bryant Kelly

as joint tenants and not as tenants in common, their heirs and assigns forever, a certain lot or parcel of land situate in BELFAST, County of Waldo, State of Maine, more particularly bounded and described as follows, to wit:

BEGINNING at a point in the general southeasterly bound of the Atlantic Highway also commonly known and designated as U.S. Route No. 1, said point being the northwesterly corner of property conveyed to Frederick C. Kelly and Priscilla Bryant Kelly by deed of William 0. Poor, et ux as recorded in the Waldo County Registry of Deeds in Book 752, Page 242; thence generally southeasterly along said Kelly's bound one hundred and sixty and five tenths (160.5) feet to a point marked for a corner; thence more easterly as said boundary of Kelly runs ninety-six and five tenths (96.5) feet to a corner in the generally westerly bound of land now or formerly of Phyliss H. Burbank as recorded in said Registry in Book 757, Page 46; thence generally northerly one hundred sixty (160) feet, more or less, to the general southerly bound of Tozier Street, so-called; thence generally northwesterly in the southerly bound of Tozier Street one hundred and seventy (170) feet, more or less, to the general easterly bound of the Atlantic Highway also commonly known as U.S. Route No. 1; thence southwesterly along said highway's generally southeasterly bound one hundred and ten (110) feet, more or less, to the place of beginning.

MEANING AND INTENDING TO CONVEX and hereby conveying a parcel of land said to contain .65 acres, more or less, and being designated on the City of Belfast Tax Maps as Map U-1, Lot 9D and being a portion of the premises conveyed to Douglas I. Tozier and Marion R. Tozier by deed of Sam Cassida as recorded in the Waldo County Registry of Deeds in Book 608, Page 290, dated April 17, 1984.

	BOOK 8	26 PBF 430
l I		the aforegranted and bargained premises, with all the privileges
		and appurtenances thereof, to the said Frederick C. Kelly and Priscilla Bryant Kelly
		as joint tenants and not as tenants in common, their heirs and assigns, to their own use and behoof forever.
		And we do cournant with the said Grantees, their heirs and assigns, that we
		lawfully seized in fee of the premises, that they are free of all encumbrances
		;
		that we have good right to sell and convey the same to the said Grantees to hold as aforesaid;
		and that we and our heirs shall and will warrant and defend the same to the said
		Grantees, their heirs and assigns forever, against the lawful claims and demands of all persons.
		In Witness Whereof, we thesaid Douglas I. Tozier and
		Marion R. Tozier, being husband and wife and mutually
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		insepand militratications int
		AREAD CONTRACTOR AND AREA
		inizia in this deal of Company, and all an initian and any mine all sinks he dealers and all other sinks to the
ļ		joining in this deed as Grantors, and relinquishing and conveying all rights by descent and all other rights to the
	-	above described premises, have hereunto set our hands and seals this 2774 day
•	~~~	of the month of Verne , A.D. 1984.
		Bigurd, Sealed and Belivered
		in presence of
		Attention of the straight of t
		Douglas I. Tozier
		Marion R. Tozier
		······
		·····
1		State of Maine. County of Waldo, BE. Tune 2919 84.
	5	Then personally appeared the above named Douglas I. Tozier and Marion R. Tozier
		a o b is o li
		and acknowledged the foregoing instrument to be their free act and deed.
-		and acknowledged the foregoing instrument to be the 1π free act and deed. Before me,
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	QUITCLAIM DEED With Covenant
	02959
	Know all Men by these Presents,
	Uhat WILLIAM O. POOR and PHYLLIS J. POOR of Willingboro, County of Burlington, State of New Jersey
	in consideration of one dollar and other valuable consideration
	paid by FREDFRICK C. KELLY and PRISCILLA BRYANT KELLY of Northport, County of Walde, State of Maine
	whose mailing address is Northport Avenue Maine 04915
	the receipt wherlof we do hereby acknowledge, do hereby reutise, release, bargain, sell and routiey, and forever quitclaim unto the said Frederick C. Kelly and Priscilla
「「「「「」」」」「「「」」」」」」」」」」」」」」」」」」」」」」」」」	Bryant Kelly
	their heirs and assigns forever,
	All land in Belfast northeasterly of a certain line bounded and described as follows:
	Beginning at an iron pin in the easterly bound of U.S. Route #1 which said iron pin marks a corner of land conveyed to Frederick C. Kelly and Priscilla Bryant Kelly in Book 752, Page 242 and marking the corner of land of William O. Poor and Phyllis J. Poor; thence South 35° 56' 50" East four hundred fifty-four and two tenths (454.2) feet to an iron pin; thence continuing on the same course nineteen (19) feet more or less, to the high water mark of Penobscot Bay. Said line being the southwesterly line of land conveyed to Frederick C. Kelly and Priscilla Bryant Kelly by William O. Poor and Phyllis J. Poor by deed dated April 3, 1978 in which said line was described in said deed as having a "bearing calculated to be North 43° West."
	The purpose of this deed is to correct and permanently establish the south- westerly line of the Frederick C. Kelly and Priscilla Bryant Kelly parcel and the northeasterly line of land of William O. Poor and Phyllis J. Poor.
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	10 the same, together with all the privileges and appurtenances . ederick C. Kelly and Priscilla Bryant Kelly
thelr heirs and assigns forever	r.
And we do m	inemant with the said Grantees, their heirs and assigns, that
they shall and will marrant	and defend the premises to the said Grantee s, their heirs and
signs forever, against the lawful claims	s and demands of all persons claiming by, through, or under
In Witness Where	af, we ,thesaid William O. Poor and Phyllis J. Poor
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unhand.miles be universe	
INNEEDINK AND AS Grantor s, and r	clinquishing and conveying all rights by descent and all other rights in the
oove described premises, have hereu	into set their hands and seals this day of the
ŶD-	into set their hands and seals this 4th day of the 1987.
-	1987 .
with of May , A.D.	1987 .
onth of May, A.D. : Bigned, Bealed and Beliver in presence of	1987. ed Afflan 0.1505
onth of May, A.D. : Bigned, Bealed and Beliver in presence of	1987. ed William O. 150-
onth of May, A.D. Bigmed, Gealed and Deliver in presence of BUL U.A. J. HERAL	1987. ed William Q. 1505 Voltam Q. 1505 Phyllia J. Poor
onth of May, A.D. Bigned, Geater and Beliver in presence of Sout Ma. A. Nava.	1987. ed William O. 1501 Niliam O. Poor Phyllia J. Poor Phyllis J. Poor
onth of May, A.D. Bigurd, Gealed and Deliver in presence of BUL MA. A. HURA	1987. ed Dijam O. 1505 Dijam O. Poor Phyllis J. Poor
onth of May, A.D. Bigned, Geaters and Beliver in presence of But Ma. A. NEWA	1987. ed Dijam O. 1505 Dijam O. Poor Phyllis J. Poor
onth of May, A.D. Bigned, Geater and Beliver in presence of BUL U.A. J. NEWAN	1987. ed Dijam O. 1505 Dijam O. Poor Phyllis J. Poor
onth of May, A.D. Bigned, Geatro and Beliver in presence of BUL U.A. J. NUM	1987. ed Dijam O. 1505 Dijam O. Poor Phyllis J. Poor
onth of May, A.D. Bigned, Gealed and Delivere in presence of M. U.A. A. NUMA Brate of Muine, County of	1987. ed William O. 1505 Voltam O. Poor Phylips J. Poor
onth of May, A.D. Bigurd, Beatro and Beliver in presence of fall MA. J. NEWAY Biate of Maine, County of Then personally appeared the ab attorney at law of the vember 30, 1971 and rem	1987. ed Wilda M. J.
onth of May, A.D. Bigurd, Beatro and Beliver in presence of SMU MA, J. NUMA Brate of Maine, County of Then personally appeared the ab attorney at law of the vember 30, 1971 and rem d acknowledged the foregoing instrum	1987. ed Wilda M. J.
onth of May, A.D. Bigmed, Beatro and Belivered in presence of SAU MA.A. NEAN Brate of filmine, County of Then personally appeared the ab attorney at law of the vember 30, 1971 and rem d acknowledged the foregoing instrum RECEIVED WALDO COUNTY	Waldo SS. May A ,1987. Phyllia D. Poor Phyllis J. Poor Phyllis J. Poor Phyllis J. Poor Phyllis J. Poor Phyllis J. Poor State of New Jersey admitted to practice main in good standing. New York State of New Jersey admitted to practice main in good standing.
biund, Grain and Beliver in presence of SMU MA. J. NEMA But MA. J. NEMA But mf filaine, County of Then personally appeared the ab attorney at law of the vember 30, 1971 and rem d acknowledged the foregoing instrum	Waldo S. May 4, 1987. Notary Public Market S. May 4, 1987. Second State of New Jersey admitted to practice wain in good standing. Second State of New Jersey admitted to practice Second State of New Jersey admitted to practice

Know all Men by these presents, That FREDERICK C. KELLY and PRISCILLA BRYANT KELLY of Northport, County of Waldo, State of Maine in consideration of one dollar and other valuable consideration paid by WILLIAM O. POOR and PHYLLIS J. POOR of Willingboro, County of Burlingt State of New Jersey whose mailing address is 282 Club House Drive Willingboro, NJ 08046 the receipt whereof we do hereby acknowledge, do hereby remise, release, barguin, sell and couvery, and forever quitclaim unto the said William O. Poor and Phyllis J. Poor their heirs and assigns forever, All land in Belfast southwesterly of a certain line bounded and described as follows: Deginning at an iron pin in the easterly bound of U.S. Route #1 which said iron pin marks a corner of land conveyed to Frederick C. Kelly and Priscilla Bryant kelly in Book 752, Page 242 and marking the corner of land of William O. Poor and Phyllis J. Poor thence South 35° 56' S0" East four hundred fifty-four and to then the (454,2) feet to an iron pin, thence contining on the same curse nineteen (19) feet more or less, to the high water mark of Penobscot Bay. Said line being the northensterly line of land conveyed to Frederick C. Kelly and Priscilla Bryant Kelly in Book 752, Page 242 and marking the corner of land four bilis J. Poor bar or pins, to the ping the northensterly line of land conveyed to Frederick C. Kelly and Priscilla Bryant Kelly by William O. Poor and Phyllis J. Poor; thence South 35° 56' S0" East four hundred fifty-four and principar bar ping the lay by William O. Poor and Phyllis J. Poor by deed dated		QUITCLAIM DEED With Covenant
County of Waldo, State of Maine in consideration of one dollar and other valuable consideration paid by WILLIAM O. POOR and PHYLLIS J. POOR of Willingboro, County of Burlingt State of New Jersey whose mailing address is 282 Club House Drive Willingboro, NJ 08046 the receipt whereof we do hereby acknowledge, do hereby remise, release, barguin, sell and souvery, and forever quitrialim unto the soid William O. Poor and Phyllis J. Po their heirs and assigns forever, All land in Belfast southwesterly of a certain line bounded and described as follows: Beginning at an iron pin in the easterly bound of U.S. Route #1 which said iron pin marks a corner of land conveyed to Frederick C. Kelly and Priscilla Bryant Kelly in Book 752, Page 242 and marking the corner of land of William O. Poor and Phyllis J. Poor; thence South 35° 56' S0" East four hundred fifty-four and two tenths (454.2) feet to an iron pin, thence continuing on the same course nincteen (19) feet more or less, to the high water mark of Penobscot Bay. Said line being the northensterly line of land conveyed to Frederick C. Kelly and Priscilla Bryant Kelly by William O. Poor and Phyllis J. Poor by deed dated April 3, 1978 in which said line was described in said deed as having a "bearin calculated to be North 43° West." The purpose of this deed is to correct and permanently establish the north- menterly line of the Frederick C. Kelly and Priscilla Bryant Kelly parcel and		02960 With Covenant Know all Men by these Presents,
<pre>paid by WILLJAM 0. POOR and PHYLLIS J. POOR of Willingboro, County of Burlingt State of New Jersey</pre> whose mailing address is 282 Club House Drive Willingboro, NJ 08046 the receipt whereof we do hereby acknowledge, do hereby remise, release, barguin sell and couver, and forever quitclalm unto the said William O. Poor and Phyllis J. Po their heirs and assigns forever, All land in Belfast southwesterly of a certain line bounded and described as follows: Beginning at an iron pin in the easterly bound of U.S. Route #1 which said iron in marks a corner of land conveyed to Frederick C. Kelly and Priscilla Bryant Kelly in Book 752, Page 242 and marking the corner of land of William 0. Poor and Phyllis J. Poor; thence South 35° 50° 50° East four hundred fifty-four and two tenths (454.2) feet to an iron pin; thence continuing on the same course nineteen (19) feet more or less, to the high water mark of Penobscot Bay. Sail In being the northensterly line of and conveyed to Frederick C. Kelly and Priscilla Bryant Kelly by William O. Poor and Phyllis J. Poor by deed dated April 3, 1978 in which said line was described in said deed as having a "bearti calculated to be North 43° West."		Ohut FREDERICK C. KELLY and PRISCILLA BRYANT KELLY of Northport, County of Waldo, State of Maine
State of New Jersey Whose mailing address is 282 Club House Drive Willingboro, NJ 08046 the receipt whereof we do hereby acknowledge, do hereby remise, release, barguin sell and source, and forever quitrialm unto the said William O. Poor and Phyllis J. Po their heirs and assigns forever, All land in Belfast southwesterly of a certain line bounded and described as follows: Beginning at an iron pin in the easterly bound of U.S. Route #1 which said iron pin marks a corner of land conveyed to Frederick C. Kelly and Priscilla Bryant Kelly in Book 752, Page 242 and marking the corner of land fwilliam O. Poor and Phyllis J. Poor; thence South 35° 56' 50" East four hundred fifty-four and two tenths (454.2) feet to an iron pin; thence continuing on the same course nineteen (19) feet more or leas, to the high water mark of Penobscot Bay. Said line being the northeasterly line of land conveyed to Frederick C. Kelly and Priscilla Bryant Kelly by William O. Poor and Phyllis J. Poor by deed dated April 3, 1978 in which said line was described in said deed as having a "bearir calculated to be North 43° West." The purpose of this deed is to correct and permanently establish the northeasterly line of the Frederick C. Kelly and Priscilla Bryant Kelly parcel and		in consideration of one dollar and other valuable consideration
<pre>the reccipt whereof we do hereby acknowledge, do hereby remise, refrage, burguin, sell and rouver, and forever quitriaim unto the said William O. Poor and Phyllis J. Po their heirs and assigns forever, All land in Belfast southwesterly of a certain line bounded and described as follows: Beginning at an iron pin in the easterly bound of U.S. Route #1 which said iron pin marks a corner of land conveyed to Frederick C. Kelly and Priscilla Bryant Kelly in Book 752, Page 242 and marking the corner of land of William O. Poor and Phyllis J. Poor; thence South 35° 56' 50" East four hundred fifty-four and two tenths (454.2) feet to an iron pin; thence continuing on the same course nineteen (19) feet more or less, to the high water mark of Penobscot Bay. Said line being the northeasterly line of land conveyed to Frederick C. Kelly and Priscilla Bryant Kelly by William O. Poor and Phyllis J. Poor by deed dated April 3, 1978 in which said line was described in said deed as having a "bearin calculated to be North 43° West." The purpose of this deed is to correct and permanently establish the north- easterly line of the Frederick C. Kelly and Priscilla Bryant Kelly parcel and</pre>	9	paid by WILLIAM O. POOR and PHYLLIS J. POOR of Willingboro, County of Burlingt State of New Jersey
 the receipt whereof we do hereby acknowledge, do hereby remise, refrage, burguin, sell and rouvey, and forever quitrialm unto the said William O. Poor and Phyllis J. Poot their heirs and assigns forever. All land in Belfast southwesterly of a certain line bounded and described as follows: Beginning at an iron pin in the easterly bound of U.S. Route #1 which said iron pin marks a corner of land conveyed to Frederick C. Kelly and Priscilla Bryant Kelly in Book 752, Page 242 and marking the corner of land of William O. Poor and Phyllis J. Poor; thence South 35° 56' 50" East four hundred fifty-four and two tenths (454.2) feet to an iron pin; thence continuing on the same course nineteen (19) feet more or less, to the high water mark of Penobscot Bay. Said line being the northeasterly line of land conveyed to Frederick C. Kelly and Priscilla Bryant Kelly by William O. Poor and Phyllis J. Poor by deed dated April 3, 1978 in which said line was described in said deed as having a "bearing calculated to be North 43° West." 	Fransfer Tax Pai	
<pre>their heirs and assigns forever, All land in Belfast southwesterly of a certain line bounded and described as follows: Beginning at an iron pin in the easterly bound of U.S. Route #1 which said iron pin marks a corner of land conveyed to Frederick C. Kelly and Priscilla Bryant Kelly in Book 752, Page 242 and marking the corner of land of William O. Poor and Phyllis J. Poor; thence South 35° 56' 50" East four hundred fifty-four and two tenths (454.2) feet to an iron pin; thence continuing on the same course nineteen (19) feet more or less, to the high water mark of Penobscot Bay. Said line being the northeasterly line of land conveyed to Frederick C. Kelly and Priscilla Bryant Kelly by William O. Poor and Phyllis J. Poor by deed dated April 3, 1978 in which said line was described in said deed as having a "bearin calculated to be North 43° West." The purpose of this deed is to correct and permanently establish the north- easterly line of the Frederick C. Kelly and Priscilla Bryant Kelly parcel and</pre>	No	the receipt whereof we do hereby acknowledge, do hereby rentise, reirase, barguin ,
All land in Belfast southwesterly of a certain line bounded and described as follows: Beginning at an iron pin in the easterly bound of U.S. Route #1 which said iron pin marks a corner of land conveyed to Frederick C. Kelly and Priscilla Bryant Kelly in Book 752, Page 242 and marking the corner of land of William O. Poor and Phyllis J. Poor; thence South 35° 56' 50" East four hundred fifty-four and two tenths (454.2) feet to an iron pin; thence continuing on the same course nineteen (19) feet more or less, to the high water mark of Penobscot Bay. Said line being the northeasterly line of land conveyed to Frederick C. Kelly and Priscilla Bryant Kelly by William O. Poor and Phyllis J. Poor by deed dated April 3, 1978 in which said line was described in said deed as having a "bearin calculated to be North 43° West."		sell and souvey, and forever quitslaim unto the said William O. Poor and Phyllis J. Poo
follows: Beginning at an iron pin in the easterly bound of U.S. Route #1 which said iron pin marks a corner of land conveyed to Frederick C. Kelly and Priscilla Bryant Kelly in Book 752, Page 242 and marking the corner of land of William O. Poor and Phyllis J. Poor; thence South 35° 56' 50" East four hundred fifty-four and two tenths (454.2) feet to an iron pin; thence continuing on the same course nineteen (19) feet more or less, to the high water mark of Penobscot Bay. Said line being the northeasterly line of land conveyed to Frederick C. Kelly and Priscilla Bryant Kelly by William O. Poor and Phyllis J. Poor by deed dated April 3, 1978 in which said line was described in said deed as having a "bearin calculated to be North 43° West." The purpose of this deed is to correct and permanently establish the north- easterly line of the Frederick C. Kelly and Priscilla Bryant Kelly parcel and		their heirs and assigns forever,
pin marks a corner of land conveyed to Frederick C. Kelly and Priscilla Bryant Kelly in Book 752, Page 242 and marking the corner of land of William O. Poor and Phyllis J. Poor; thence South 35° 56' 50" East four hundred fifty-four and two tenths (454.2) feet to an iron pin; thence continuing on the same course nineteen (19) feet more or less, to the high water mark of Penobscot Bay. Said line being the northeasterly line of land conveyed to Frederick C. Kelly and Priscilla Bryant Kelly by William O. Poor and Phyllis J. Poor by deed dated April 3, 1978 in which said line was described in said deed as having a "bearin calculated to be North 43° West." The purpose of this deed is to correct and permanently establish the north- easterly line of the Frederick C. Kelly and Priscilla Bryant Kelly parcel and		
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		easterly line of the Frederick C. Kelly and Priscilla Bryant Kelly parcel and

	Eles 557 page 307
To have and to hold the same, to thereunto belonging, to the solid William O. Poor	ogether with all the privileges and appurtenances and Phyllis J. Poor
their heirs and assigns forever.	
And we do concurn with the	e said Grantees, their heirs and assigns, that
we shall and will warrant and defend the	e premises to the said Grantees , their heirs and
assigns forever, against the lawful claims and demands o	f all persons claiming by, through, or under them
In Witness Whereof, vo	the said Frederick C. Kelly and
	Priscilla Bryant Kelly
30 M	d
intrimula way be and	
Internet Andra Constant	
	t
above described premises, have bereunto set their	a conveying all rights by descent and all other rights in the hands and seals this First day of the
month of Alay, A.D. 1987.	
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Bigurd, Bealed and Delivered	
in presente bi	
in presence of	Enederick C. Kelly
	Frederick C. Kelly
	Frederick C. Kelly Frederick C, Kelly Princilla Biyart Helly Priscilla Bryant Kelly
	Frederick C. Kelly Frederick C. Kelly Minacilla, Esty Helly Priscilla Bryant Kelly
	Frederick C. Kelly Frederick C. Kelly Priscilla Bryant Kelly
	Frederick C. Kelly Frederick C. Kelly Priscilla Bryant Kelly
	Frederick C. Kelly Frederick C. Kelly Priscilla Bryant Kelly
	Frederick C. Kelly Frederick G. Kelly Friscilla Bryant Kelly Bs. May 1, 1987.
Biute of Maine, County of Waldo	Frederick C. Kelly Frederick C. Kelly Friscilla Bryant Kelly May 1, 19 87. rederick C. Kelly and Priscilla Bryant Kelly
Blute of Maine, County of Waldo Then personally appeared the above named Fr	rederick C. Kelly and Priscilla Bryant Kelly
Biute of Maine, County of Waldo Then personally appeared the above named Fr	rederick C. Kelly and Priscilla Bryant Kelly Lr free act and deed.
Bute of Maine, County of Waldo Then personally appeared the above named Fr and acknowledged the foregoing instrument to be thei Before	rederick C. Kelly and Priscilla Bryant Kelly Ir free act and deed. e me,
Bute of Maine, County of Woldo Then personally appeared the above named Fr and acknowledged the foregoing instrument to be the i Hefore RECEIVED WALDO COUNTY REGISTER OF DEEDS	rederick C. Kelly and Priscilla Bryant Kelly Lr free act and deed.
Bute of filator, County of Waldo Then personally appeared the above named Fr and acknowledged the foregoing instrument to be the f BECEIVED RECEIVED MADO COUNTY RECEIVED 1907 MAY -7 AM 8: 10	rederick C. Kelly and Priscilla Bryant Kelly Ir free act and deed. e me, <i>Ualerie. J.: Mfoody</i>
Bute of Maine, County of Woldo Then personally appeared the above named Fr and acknowledged the foregoing instrument to be the i Hefore RECEIVED WALDO COUNTY REGISTER OF DEEDS	rederick C. Kelly and Priscilla Bryant Kelly Ir free act and deed. e me, Valence J. Mirochy Notary Public Notary Public Margine J. Margane allow

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	WARRANT Joint T			
	02860 Know all Men h		ita.	
	A	l alere Measure	• • • •	
	Uhat FREDERICK C. KELLY and PR County of Waldo, State of		th of Northport,	
	in consideration of one dollar and other va	luable consideration		
	paid by LYNDON MORGAN and CATHY MORGAN o	E Belfast, County of Wa	ldo, State of Maine	
	whose mailing address is 37 Congress Street Belfast, Maine 04	015		
5	the receipt whercof we do hereby ack	nowledge, do hereby Ilve,	grant, bargalu, sell and	
u Tex Poin	cunrey unto the said Lyndon Morgan and Cat	hy Morgan		
ansfe	their heirs and assigns forever,			
l Estato Tr	A certain lot or parcel of land togethe in BELFAST, County of Waldo and State o and described as follows, to wit:			·
"bird Tanafer Tax Piate	ux; thence South 57° 04' 05" East by and the said Tozier one hundred sixty and fi driven into the ground; thence turning a ninety-six and five tenths (96.5) feet at the line of land to be conveyed to t second parcel herein described; thence East by land formerly held by the said ' (205.1) feet to an irod pipe driven inti- the generally southeasterly corner of la Tozier et ux to William O. Poor et ux, dated Registry in Book 691, Page 44; thence b along generally easterly bound of land 0. Poor et ux by deed aforesaid one hund stake driven into the ground on the shor southwesterly by the shore of Penobscot feet, more or less, to a point on the sho So' 50" East from an iron pin; thence fi 56' 50" West nincteen (19) feet, more or continuing on same course and in the Nor hundred fifty-four and two tenths (454.2 ground on the generally easterly bound of 38° 43' 10" East by and along the easter seventy-five (75) feet, more or less, to	commonly known and des now or formerly of Dou i along the southerly b ive tenths (160.5) feet and running South 34° 2 to an iron pin driven i te Grantees herein, whi turning and running Sou ozier, two hundred fiv to the ground which said and described in a deed lated April 24, 1975 an '24, Page 415, which said and described in a deed July 28, 1971 and reco the same course South conveyed by Frederick R lied (100) feet, more o te of Penobscot Bay; the Bay, one hundred and the ore which is on a course of less, to said iron pin theasterly line of lam () feet to an iron stake of the source of the afores by bound of the afores of the point of beginning	ignated as U.S. glas Tozier et ound of land of to an iron pin 3' 54" East nto the ground ch land is the th 26° 23' 45" e and one tenth iron pipe marks from Douglas I. d recorded in the id point is also from Frederick rded in said 26° 23' 45" East . Poor to William r less, to an iron ence westerly and wenty-five (125) se of South 35° nore North 35° no; thence d of Poor four e driven into the said; thence North hid Route #1, 8.	
	MEANING AND INTENDING TO CONVEY and here described in a Warranty Deed from Willig Frederick C. Kelly and Priscil's Bryant Waldo County Registry of Deeds in Book 7	m O. Poor and Phyllis . Kelly recorded April 3, 52, Page 242.	J. Poor to , 1978 in the	
	Also conveying a certain lot or parcel of Waldo, State of Mnine, more particularly wit:	bounded and described	as follows, to	
	"BEGINNING at a point in the general sou also commonly known and designated as U.			

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BOOK

957 FIGE 86 northwesterly corner of property conveyed to Frederick C. Kelly and Priscilla Bryant Kelly by deed of Douglas I. Tozier, et ux as recorded in the Waldo County Registry of Deeds in Book 752, Page 242; thence generally southeasterly along said Kelly's bound one hundred and sixty and five tenths (160.5) feet to a point marked for a corner; thence more easterly as said boundary of Kelly runs ninety-six and five tenths (96.5) feet to a corner in the generally vesterly bound of land new or formerly of Phyllis II. Burbank as recorded in said Registry in Book 757, Page 46; thence generally northerly one hundred sixty (160) feet, more or less, to the general southerly bound of Tozier Street, so-called; thence generally northwesterly in the southerly bound of Tozier Street one hundred and Seventy (170) feet, more or less, to the general easterly bound of the Atlantic Highway also commonly known as U.S. Route No. 1; thence southwesterly along said highway's generally southeasterly bound one hundred and ten (110) feet, more or less, to the place of beginning."

MEANING AND INTENDING TO CONVEY and hereby conveying the same premises as described in a Warranty Deed from Douglas I. Tozier and Marion R. Tozier to Frederick C. Kelly and Priscilla Bryant Kelly and recorded in the Waldo County Registry of Deeds in Book 826 at Page 429.

The first parcel described herein is subject to an exchange of deeds by and between Frederick C. and Priscilla B. Kelly and William O. and Phyllis J. Poor, which exchange of deeds clarifies the southwesterly boundary of the first parcel described herein; said deeds to be recorded in The Waldo County Registry of Deeds.

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To have and to hold the aforegramed and bargained premises, with all the privileges and appurtenances thereof, to the said Lyndon Morgan and Cathy Morgan as joint tenants and not as tenants in common, their heirs and assigns, to them and their use and behoof forever. Aud we do communit with the said Grantee. their heirs and assigns, that we bre lawfully seized in fee of the premises, that they are free of all encumbrances
that we have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that we and our heirs shall and will wurrant and defend the same to the said Grantees their heirs and assigns forever, against the lawful claims and demands of all persons.
Ju Witness Wherenf, we , the said Frederick C. Kelly and Priscilla Bryant Kelly
XKKK
XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
day of the month of May , A.D. 1987. Bigued, Seuled and Delincred tu presence of Frederick C. Kelly Priscilla Bryant Kelly
State of Muine, County of Waldo BB: May 1, 1987.
Bluft at indine, County of Waldo BB. May 1, 1987. Then personally appeared the above named Frederick C. Kelly and Priscilla Bryant Kelly
and acknowledged the foregoing instrument to be their free act and deed.
 Before me. RECEIVED WALDU COURTY REGISTER OF DEEDS 1987 HAY -4 PH 2: 38 SOCK 957 PAGE 85 ATTEST. PLANE REG. PAGE 85 PAGE 85 PAGE 85 PAGE 85 PAGE 85 PAGE 85 PAGE 957 PAGE 85 PAGE 957 PAGE 957 PAGE 85 PAGE 957 PAGE 957

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	Know All Men By These Presents 180 PG281 That LYNDON W. MORGAN, of Belfast, Waldo County, Maine,
	07910
	in consideration of one dollar and other valuable consideration,
	paid by CATHY G. MORGAN, of Belfast aforesaid,
	the receipt whereof I do hereby acknowledge, do hereby give, grant, burgain, sell and convey unto the said CATHY G. MORGAN, her heirs and assigns forever, an undivided
	one-half (1/2) interest in and to: xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx
No Transfer Tex Paid	
No Tra	
	and an and the second

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all the privileges and appurtena	
all the privileges and appurtene	d the aforegranted and bargained premises will
	moes thereof to the said CATHY G. MORGAN, her
· heirs and assigns, to thom	and their use and behaof forever.
And I do COVEN.	INT with the said Grantee , her heirs
and assigns, that I am	lawfully solved in foo of the premises that they
are free of all enoumbranees:	
that 1 have good right to	o sell and convey the same to the said Grantee – to
hold as aforesald; and that	I and my hoirs shall and will WARRANT
and DEFEND the same to the sal	ld Grantes , hor heirs and assigns forever,
against the lawful claims and de	smands of all persons.
In Witness Mhereof,) I, the said LYNDON W. MORGAN,
·	
jonningsink klein is soon firm koor r	xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx
Эүх маковихааа хик эхинх хүүнх х	mxkkannnkaneterskikkasperninks, have hereunto eet
my hand and seal this	· // ±/
my hand and scal this day of Sep-Lember	n 기소스 In the year of our Lord one thousand nine
• • • • • • • • • • • • • • • • • • • •	
day of September	
day of Sep Lember hundred and ninety.	
day of Sep Lember hundred and ninety, Bigned, Benied and Belivered	
day of Sep Lember hundred and ninety, Bigned, Benied and Belivered	
day of Sep Lember hundred and ninety, Bigned, Benied and Belivered	
day of Sep Lember hundred and ninety, Bigned, Benied and Belivered	
day of Sep Lember hundred and ninety, Bigned, Benied and Belivered	
day of Sep Lember hundred and ninety, Bigned, Benled and Belivered	
day of See Lember hundred and ninety. Bigned, Benled and Belivered in presence of R. B. 12 Blate of Maine, Knox } ps.	in the year of our Lord one thousand nine
day of See Lember hundred and ninety. Bigned, Benled and Belivered in presence of R. B. 12 Blate of Maine, Knox } ps.	in the year of our Lord one thousand nine
day of See Lember hundred and ninety. Bigned, Benled and Belivered in presence of R. B. 12 Blate of Maine, Knox } ps.	in the year of our Lord one thousand nine
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day of See Lember hundred and ninety. Bigned, Benied and Belivered R. B. 12 Bin presence of R. 12 Bin presence of R. 12 Bin pr	in the year of our Lord one thousand nine
day of Serlember hundred and ninety. Bigned, Bealed and Brivered in presence of R. A.IL Blaie of Maine, Knox } us. Personally nstrument to be his free act	in the year of our Lord one thousand nine Sub
day of Serlember hundred and ninety. Bigned, Bealed and Brivered in presence of R. A.IL Blaie of Maine, Knox } us. Personally nstrument to be his free act	in the year of our Lord one thousand nine Sub

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EXHIBIT A

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two certain lots or parcels of land, together with the buildings thereon, situate in Belfast, County of Waldo and State of Maine, and more particularly bounded and described as follows, to wit:

PARCEL ONE: BEGINNING at an iron pin driven into the ground on the easterly bound of the road leading from Northport to Belfast, commonly known and designated as U. S. Route 1, in the southerly bound of land now or formerly of Douglas Tozier, et ux; thence South 57'04'05" East by and along the southerly bound of land of said Tozier one hundred sixty and five-tenths (160.5) feet to an iron pin driven into the ground; thence turning and running South 84'23'54" East ninety-six and five-tenths (96.5) feet to an iron pin driven into the ground at the line of land of Lyndon Norgan and Cathy Morgan, now or formerly, which land is the second parcel herein described; thence turning and running South 26'23'45" East by land formerly held by said Tozier, two hundred five and one-tenth (205.1) feet to an iron pipe driven into the ground which said iron pipe marks the generally southeasterly corner of land described in a deed from Douglas I. Tozier, et ux, to William O. Poor, et ux, dated April 24, 1975, and recorded in the Waldo County Registry of Deeds in Book 724, Page 415, which said point is also the generally northeasterly corner of land described in a deed from Frederick R. Poor to William O. Poor, et ux, dated July 28, 1971, and recorded in said Registry in Bock 691, Page 44; thence by same course South 26'23'45" East along generally easterly bound of land conveyed by Frederick R. Poor to William O. Poor, et ux, by deed aforesaid one hundred (100) feet, more or less, to an iron stake driven into the ground on the shore of Penobscot Bay; thence westerly and southwesterly by the shore of Penobscot Bay; thence westerly and southwesterly by the shore of Penobscot Bay; thence which is on a course of South 35'56'50" East from an iron pin; thence from said point on the shore North 35'56'50" West nineteen (19) feet, more or less, to a point on the shore which is on a course of South 35'56'50" East from an iron pin; thence from said point on the shore North 35'56'50" East fiven into the ground on the shore North 35'36'10" Kes

<u>PARCEL TWO</u>: BEGINNING at a point in the general southeasterly bound of the Atlantic Highway also commonly known and designated as U. S. Route 1, said point being the northwesterly corner of property conveyed to Frederick C. Kelly and Priscilla Bryant Kelly by deed of Douglas I. Tozier, et ux, as recorded in the Waldo County Registry of Deeds in Book 752, Page 242; thence generally southeasterly along said Kelly's bound one hundred sixty and five-tenths (160.5) feet to a point marked for a corner; thence more easterly as said boundary of Kelly runs ninety-six and five-tenths (96.5) feet to a corner in the generally westerly bound of land now or formerly of Phyllis H. Burbank as recorded in said Registry in Book 757, Page 46; thence generally northerly one hundred sixty (160) feet, more or less, to the general southerly bound of Tozier Street, so-called;

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thence generally northwesterly in the southerly bound of Tozier Street one hundred seventy (170) feet, more or less, to the general easterly bound of the Atlantic Highway also commonly known as U. S. Route 1; thence southwesterly along said highway's generally southeasterly bound one hundred ten (110) feet, more or less, to the place of beginning.

MEANING AND INTENDING to describe and to convey herein the same premises conveyed by deed of Frederick C. Kelly and Priscilla Bryant Kelly to Lyndon Morgan and Cathy Morgan, dated May 1, 1987, and recorded at the Waldo County Registry of Deeds in Book 957, Page 85.

The purpose of the within conveyance is to vest sold ownership of the above-described premises in the within Grantee, Cathy G. Morgan.

RECEIVED WALDO COUNTY REGISTER OF DEEOS 1990 SEP 12 AH 10: 52

DK 1180 PG 281 ATTEST: Delico Page REGISTER

07719

WARRANTY DEED Know all Nen by These Presents

That I, CATHY G. MORGAN, of Belfast, Waldo County, Maine, in consideration of One Dollar and other valuable consideration paid by LYNDON W. MORGAN, of Belfast, Waldo County, Maine, whose mailing address is 1 Tozier Street, Belfast, Maine, the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey unto the said LYNDON W. MORGAN, his heirs and assigns forever,

See Schedule A attached hereto

TO HAVE AND TO HOLD the aforegranted and bargained premises with all the privileges and appurtenances thereof to the said LYNDON W. MORGAN, his heirs and assigns, to them and their use and behoof forever.

AND I do COVENANT with the said Grantee, his heirs and assigns, that I are lawfully seized in fee of the premises; that they are free of all encumbrances; that I have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that I and my heirs shall and will warrant and defend the same to the said Grantee, his heirs and assigns forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, I, the said CATHY G. MORGAN have hereunto set my hand and seal this 9th day of July, 1998.

Signed, Sealed and Delivered in the Presence of:

The Witness

STATE OF MAINE County of Knox, ss.

No Transfer Tax Paid

Mon CATHY G. MORGAN

Dated: July 9, 1998

Personally appeared before me the above-named CATHY G. MORGAN and acknowledged the above instrument to be her free act and deed.

14:14

A.C. Notary Public

RICHARD A. MCKITTRICK NOTARY PUBLIC MAINE MY COMMISSION EXPIRES JULY 9, 2002

(type or print name of Notary)

BK 804 PG308

SCHEDULE A Legal Description

Parcels Conveyed by Cathy G. Morgan to Lyndon W. Norgan

Two certain lots or parcels of land, together with the buildings thereon, situated in Belfast, County of Waldo, State of Maine, and more particularly bounded and described as follows, to wit:

<u>PARCEL ONE</u>: BEGINNING at an iron pin driven into the ground on the easterly bound of the road leading from Northport to Belfast, commonly known and designated as U. S. Route 1, in the southerly bound of land now or formerly of Douglas Tozier, et us; thence South 57'04'05" East by and along the southerly bound of land of said Tozier one hundred sixty and five-tenths (160.5) feet to an iron pin driven into the ground; thence turning and running South 84'23'54" East ninety-six and five-tenths (96.5) feet to an iron pin driven into the ground at the line of land of Lyndon Morgan and Cathy Morgan, now or formerly, which land is the second parcel herein described; thence turning and running South 26'23'45" East by land formerly held by said Tozier, two hundred five and one-tenth (205.1) feet to an iron pipe driven into the ground which said iron pipe marks the generally southeasterly corner of land described in a deed from Douglas I. Tozier, et ux, to William O. Poor, et ux, dated April 24, 1975, and recorded in the Waldo County Registry of Deeds in Book 724, Page 415, which said point is also the generally northeasterly corner of land described in a deed from Frederick R. Poor to William O. Poor, et ux, dated July 28, 1971, and recorded in said Registry in Book 691, Page 44; thence by same course South 26'23'45" East along generally easterly bound of land conveyed by Frederick R. Poor to William O. Poor, et ux, by deed aforesaid one hundred (100) feet, more or less, to an iron stake driven into the ground on the shore of Penobscot Bay one hundred twenty-five (125) feet, more or less, to a point on the shore which is on a course of South 35'56'50" East from an iron pin; thence from said point on the shore North 35'56'50" West inneteen (19) feet, more or less, to said iron pin; thence continuing on same course and in the northeasterly line of land of said Poor four hundred fifty-four and two-tenths (454.2) feet to an iron stake driven into the ground on the generally easterly bound of U. S. Route 1 aforesaid; thenc

<u>PARCEL TWO</u>: BEGINNING at a point in the general southeasterly bound of the Atlantic Highway also commonly known and designated as U. S. Route 1, said point being the northwesterly corner of property conveyed to Frederick C. Kelly and Priscilla Bryant Kelly by deed of Douglas I. Tozier, et ux, as recorded in the Waldo County Registry of Deeds in Book 752, Page 242; thence generally southeasterly along said Kelly's bound one hundred sixty and five-

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tenths (160.5) feet to a point marked for a corner; thence more easterly as said boundary of Kelly runs ninety-six and five-tenths (96.5) feet to a corner in the generally westerly bound of land now or formerly of Phyllis H. Burbank as recorded in said Registry in Book 757, Page 46; thence generally northerly one hundred sixty (160) feet, more or less, to the general southerly bound of Tozier Street, so-called; thence generally northwesterly in the southerly bound of Tozier Street one hundred seventy (170) feet, more or less, to the general easterly bound of the Atlantic Highway also commonly known as U. S. Route 1; thence southwesterly along said highway's generally southeasterly bound one hundred ten (110) feet, more or less, to the place of beginning.

۰.

The first parcel described herein is subject to an exchange of deeds by and between Frederick C. and Priscilla B. Kelly and William O. and Phyllis J. Poor, which exchange of deeds clarifies the southwesterly boundary of the first parcel described herein; which deeds are dated May 4, 1987 and May 1, 1987, recorded at the Waldo County Registry of Deeds in Book 957, Page 304, and Book 957, Page 306.

Reference is made to deed of Frederick C. Kelly and Priscilla Bryant Kelly to Lyndon Morgan and Cathy Morgan, dated May 1, 1987, recorded at the Waldo County Registry of Deeds in Book 957, Page 85.

MEANING AND INTENDING to describe and to convey herein the same premises conveyed by deed of Lyndon W. Morgan to Cathy G. Morgan, dated September 11, 1990, recorded at the Waldo County Registry of Deeds in Book 1180, Page 281.

The purpose of the within conveyance is to vest sole ownership of the above-described premises in the within Grantee, Lyndon W. Morgan.

> RECEIVED WALDO SS. 1998 JUL 16 AH 10: 08

ATTEST: Delnis Page REGISTER OF DEEDS

C:\WP51\DEEDS\MORGAN.2/070898kd



David M. Kallin Admitted in ME

abbies' 207 dkalimwow

84 Marginal Way, Suite 600 Portland, Maine 04101-2480 207.772.1941 Main 207.772.3627 Fax

June 10, 2019

Melanie Loyzim, Deputy Commissioner Maine Department of Environmental Protection 17 State House Station Augusta, ME 04333

Carol DiBello, Submerged Lands Coordinator Submerged Lands Program, Bureau of Parks and Lands Maine Department of Agriculture, Conservation and Forestry 22 State House Station Augusta, ME 04333

ATTORNEYS AT LAW

RE: Nordic Aquafarms, Inc.'s Site Location of Development Act Application and Natural Resources Development Act Application, DEP #L-28319-26-A-N/L-28319-TG-B-N/L-28319-4E-C-N/L-28319-L6-D-N, Minor New Source and MEPDES Applications and Bureau of Parks and Lands Submerged Land Lease Application

Dear Deputy Commissioner Loyzim and Coordinator DiBello:

At the request of the Department of Environmental Protection, this letter responds to right, title, and interest issues in the intertidal zone raised with regard to the above referenced applications of Nordic Aquafarms, Inc. ("NAF").

Here, NAF's administrative standing is being challenged under opponents' interpretation of two aspects of a deed to Fred R. Poor dated January 25, 1946 and recorded in Book 452, Page 205 of the Waldo County Registry of Deeds. The first is an alleged severance of the intertidal zone from the upland, and the second is an alleged private restrictive covenant contained in that deed. Even if the Department could look to a prior deed from 1946 as part of its standing analysis, which it cannot do, *see Britton I*, 2009 ME 60, ¶ 6 & n.3, neither issue impacts NAF's administrative standing.

Unobjected to submissions by Upstream Watch and Maine Lobstering Union include a letter from the surveyor Don Richards that concedes that the 2012 deed to the Eckrotes creates "color of title" to the intertidal zone through its use of a monument "along said Bay." As explained below, under the Right, Title and Interest standard, this color of title definitively establishes sufficient right, title, and interest for administrative standing, even if that "color of

title" were later determined in a Court action to be, in Mr. Richards' words, "only a semblance of title based on a defective description."

Moreover, as explained below, I disagree with Mr. Richards' conclusions that the 1946 deed to Fred Poor unambiguously excluded the intertidal zone, and that even if it had, I disagree that the chain of title to Jeffrey R. Mabee and Judith B. Grace that was bounded "northerly by land of Fred R. Poor" could be read to describe the intertidal zone in front of the land formerly owned by Fred R. Poor.

1. The Right, Title and Interest Standard is a Low Bar

The administrative standard for sufficient right, title, and interest differs dramatically from an actual determination of property rights. The mere possibility (such as the arguments created here by project opponents) that applicants do not have the actual rights to use the property as they seek, and that any approval might later be revoked, does not deprive applicants of administrative standing or defeat a showing of sufficient right title and interest. *Southridge Corp. v. Bd. of Envtl. Prot.*, 655 A.2d 345, 348 (Me. 1995). This is in part because it "is an elementary principle of administrative law that an agency has only those powers expressly conferred by statute or such as arise therefrom by necessary implication to allow the agency to carry out the powers accorded them" and is "not the proper forum to determine existing property rights" in a contested strip of land. *Rockland Plaza Realty Corp. v. LaVerdiere's Enterprises, Inc.*, 531 A.2d 1272, 1273–74 (Me. 1987).

Put simply, sufficient right, title, and interest does not mean quiet title. In *Southridge* the Law Court reversed a lower court's determination that the applicant lacked sufficient title, right, or interest. *Id.* The applicant was seeking authorizations relating to land that it had no deeded-interest in, but on which the applicant had installed a septic system. *Id.* The septic system had been in place for some time and thus, the applicant had an adverse possession claim to the property. *Id.* The Law Court "fully acknowledge[d]" that the applicant may not prevail in the adverse possession claim, in which case, his permit might be revoked. *Id.* That possibility however, "neither deprives [the applicant] and those he represents of their current interest in the land nor their administrative standing." *Id.*

Likewise, an applicant need not have unrestricted rights in the property at issue in order to establish right, title, and interest. *Picker v. State Dep't of Envtl. Prot.*, No. CIV.A. AP-01-75, 2002 WL 1023629, at *2 (Me. Super. Apr. 6, 2002) (holding that the Department's conclusion that the applicant lacked sufficient title, right, or interest for a NRPA permit was legal error not withstanding that opponents of the project "have the right to seek an injunction of petitioner's activity if in violation of the restrictive covenant" mandating that "a 75 foot buffer strip be maintained from the mean high tide line of the Cove in lots 16, 17, 18, 19, and 20").

NAF's applications contain documentation of legally protected rights to use the entirety of lands subject to those applications that goes far beyond that required by the right, title, and interest standard. NAF's option to purchase an easement from the Eckrotes is sufficient to establish administrative standing: both the Law Court and the Superior Court have recognized that an option to purchase an easement confers sufficient right title and interest for administrative

review. *Murray v. Inhabitants of the Town of Lincolnville*, 462 A.2d 40, 43 (Me. 1983); *Nangle v Town of Windham*, No. CUMSC-AP-15-0040, 2016 WL 1706549, at *5 (Me.Super. Feb. 23, 2016) (collecting cases). The *Nangle* Court contains a thorough discussion of administrative standing generally. Furthermore, even if the Eckrotes intertidal and upland parcels were historically severed (which they were not, as discussed below), NAF obtained direct ownership of any severed intertidal as is also discussed further below.

2. Title to the Intertidal Zone in Front of the Eckrotes

Though, as discussed above, the Department lacks the statutory authority to adjudicate the meaning of the deed to Fred R. Poor dated January 25, 1946 and recorded in Book 452, Page 205 of the Waldo County Registry of Deeds, the opposition's premise that that deed unambiguously severs the flats from the upland is wrong. The deed is not unambiguous.

The seaward boundary of that deed is not described by reference to a single monument. Instead, the two side lot lines terminate in points where a river or gully arguably meet the ocean itself. The seaward boundary of the deed requires analysis of three operative calls as follows:

Thence Southeasterly following the bottom of the gully 275 ft. more or less to an iron bolt in the mouth of a brook; thence Easterly and Northeasterly along high water mark of Penobscot Bay 410 ft. more or less to a stake at the outlet of a gully; thence Northerly up the bottom of said gully 100 ft.

Unlike a deed that unambiguously runs side lot lines "to the high water mark of Penobscot Bay, thence along the high water mark of Penobscot Bay," which would plainly set the boundary monument as "the highwater mark of Penobscot Bay," the seaward bound in the Poor deed actually runs as a line between two monuments: "an iron bolt in the mouth of a brook" and "a stake at the outlet of a gully." Because the "mouth of a brook" and the "outlet of a gully" are both points where those watercourses arguable intersect with the ocean itself, it is not possible to conclude that the four corners of the deed unambiguously demonstrate an intent to sever the flats from the upland. Absent such unambiguous intent, the presumption under the Colonial Ordinance would convey the flats together with the upland. The principle of extending a line to where it intersects with the ocean itself was recognized by the Law Court with regard to streets. Stetson v. City of Bangor, 60 Me. 313, 317 (1872) (Although "strictly measured they do not extend beyond high-water mark on the plan" the Court held that "it was the intention to make a direct and unbroken connection between the street and the river at all times of the tide."). This same reasoning would apply to the side lots lines running to the "mouth of a brook" and "outlet of a gully," which would presume that the brook at its mouth and the gully at its outlet make a connection to the Bay "at all times of the tide," and the Court often applies similar interpretative constructs to roads and watercourses. Inhabitants of Warren v. Inhabitants of Thomaston, 75 Me. 329, 332 (1883).

The measurement of 410 feet in the 1946 deed is plainly made "along high water mark of Penobscot Bay," but, as in *Stetson*, the high water mark does not unambiguously serve as a boundary monument. In other words, where the side lot lines terminate at the ocean (and are not limited to the highwater mark) then the measurement "along high water mark of Penobscot Bay

410 ft. more or less" is simply a convenient place to measure, and does not create an unambiguous severance of the flats from the upland. *Snow v. Mt. Desert Island Real Estate Co.*, 84 Me. 14, 24 A. 429, 430 (1891) (if even one side lot line extends to the water, the presumption is that the flats pass with the upland); *Snyder v. Haagen*, 679 A.2d 510, 515 (Me. 1996). The 2012 Good Deeds survey likewise supports the conclusion that the highwater mark was used for measurement, but not as a boundary. That survey depicts landward abutters of the Eckrotes, but does not identify the intertidal zone as separately owned. Instead it labels the Eckrotes' property as abutting "Penobscot Bay."

It is my understanding that neither the iron bolt nor the wooden stake referenced in the 1946 deed can be located on the face of the earth. Locating these monument on the face of the earth could have provided some evidence that could be used by a Court in the resolution of any latent ambiguity in the deed, but it is not an analysis that can be undertaken by the Department. Moreover, even if one or both of the stake and iron ring were located, the reference to the natural monuments of the "mouth of the brook" and the "outlet of the gully" could still control over the location of those artificial monuments. *See Baptist Youth Camp v. Robinson*, 1998 ME 175, ¶¶ 5-10, 714 A.2d 809, 811. *Baptist Youth Camp* presented a case regarding a deed reference to a stake in the "mouth of Ohio Stream." There, the natural location of where the stream empties into Lake Pennamaquon was held to control over the artificial monument of a stake that could be easily moved or lost. Accordingly, it was proper for the trial court to recognize the unreliability of the monuments named in the original deed description, and place "more reliance on the geographic boundaries of the stream and the lake." *Id.* ¶10.

The plain meaning of the word "mouth" is "that part of a stream where its waters are discharged." See Webster's Comprehensive Dictionary of the English Language (1998 Edition). Thus, by definition, the mouth of a stream joins the ocean where the stream's waters are discharged. Several Court cases support the interpretation that the mouth of a brook is a natural monument where that brook meets the bay. See e.g. Eaton v. Town of Wells, 2000 ME 176, ¶ 8, 760 A.2d 232, 237 (Discussing "Wells Harbor" and "the mouth of the Webhannet River" as adjacent waterbodies marking the northerly bounds of an easement); Baptist Youth Camp v. Robinson, 1998 ME 175, ¶ 5-10, 714 A.2d 809, 811; State v. Ruvido, 137 Me. 102, 15 A.2d 293, 296 (1940) (discussing state jurisdiction and quoting a treatise that "mouths of rivers of any State where the tide ebbs" are "portions of the sea"); Hamor v. Bar Harbor Water Co., 92 Me. 364, 42 A. 790 (1899) (the reporter of decisions describes a "mill situated at the mouth of Duck Brook" as located "below the high-tide mark of Frenchman's Bay"); Haight v. Hamor, 83 Me. 453, 22 A. 369, 370 (1891) (a deed call that draws a line with "four rods of land" between the line and a brook, and then crosses a brook "at right angles to the brook, and following the same to its mouth" is shown on a plan to describe a locus parcel where the mouth of the river joins Frenchman's Bay); Spring v. Russell, 7 Me. 273, 293 (1831) (quoting legislative authorization to "open and cut a navigable canal" to "communicate with the sea, at the mouth of said river."); Winthrop v. Curtis, 3 Me. 110, 111 (1824) (discussing a boundary line between the Kennebec and Pejepscot proprietors as beginning at "the mouth of Cathance river, which empties itself into Merry-meeting-bay.").

Even if a severance of the intertidal zone as a matter of record-title occurred in 1946, the uninterrupted possession of the intertidal zone by the owners of the upland property since that

time would be sufficient to reunite that title in the upland owners (here the Eckrotes), and even the mere possibility that that may have occurred is sufficient to establish administrative standing. *Southridge Corp. v. Bd. of Envtl. Prot.*, 655 A.2d 345, 348 (Me. 1995); *accord Dunton v. Parker*, 97 Me. 461, 54 A. 1115, 1119 (1903) (similar holding for statutory standing under the Wharves and Weirs Act.) The opposition's unobjected to submissions also include a second letter from Surveyor Richards discussing the difficulty of establishing a general adverse possession claim. Here, the adverse possession claim would be relative to the Mabee/Grace claims. This claim is very straightforward given that the Mabee/Grace's statements that they did not believe that they owned the Eckrote's intertidal for 25 years. *See* Attachment A hereto.

Finally, even if a severance of the intertidal zone as a matter of record-title occurred in 1946, for the reasons explained in the letter of Surveyor James A. Dorsky, PLS, the result would be that that intertidal zone would have been retained by the heirs of Harriet Hartley, not conveyed to the Butlers by an abutters description bounded on the north by the land of Fred Poor. Because Fred Poor's line to the north intersects with the high tide line, the Colonial Method would operate as a matter of law to extend that line from the highwater mark to the low water mark. Emerson v. Taylor, 9 Me. 42 (1832); Portsmouth Harbor, Land & Hotel Co. v. Swift, 109 Me. 17, 82 A. 542 (1912). NAF obtained release deeds (attached hereto as Attachment B) from heirs of Hartley in order to ensure absolute certainty regarding right, title and interest. Notwithstanding these attached release deeds, NAF recognizes the Eckrotes' and the Morgans' current ownership of the intertidal zone based on its interpretation of the record title that there was no severance in the 1946 deed to Poor, and its belief that any severance would since have been reunited by exclusive possession since that time. NAF views claims to the contrary as creating potential liability for slander of title in the Morgans do not own their intertidal lands in fee. Therefore, NAF wishes to make clear that the submission of the surveys and release deeds showing a potential ownership interest of the intertidal zone in NAF are submitted at the Department's request for the purposes of addressing right, title and interest issues, and not for the purpose of claiming ownership of any portion of the intertidal zone adverse to the Eckrotes or the Morgans.

3. A Private Covenant Cannot Deprive an Applicant of RTI

The Law Court has held that the existence of a private covenant cannot destroy administrative standing. *Our Way Enterprises, Inc. v. Town of Wells*, 535 A.2d 442, 444 (Me.1988). This same line of cases also observes that, because the Department is not a grantee of any private restrictive covenant, the Department cannot take private covenants into account when acting pursuant to its delegated authority under a statute enacted through the Legislature's police-power. *See Lakes Environmental Association v. Town of Naples*, 486 A.2d 91, 96 n. 1 (Me.1984); *Whiting v. Seavey*, 159 Me. 61, 68, 188 A.2d 276, 280 (1963). This line of cases led the Law Court to observe that "it is settled law in Maine" that legislative enactments and private covenants are separate realms of land use control and that neither directly influences the interpretation of the other. *Bennett v. Tracy*, 1999 ME 165, ¶ 11, 740 A.2d 571, 574. Likewise, the Law Court has cautioned that it is reversible error to apply statutory standards to disputes between abutters regarding riparian rights over the intertidal zone. *Britton v. Donnell*, 2011 ME 16, ¶ 4, 12 A.3d 39, 41 (*Britton II*). Under the reasoning in the above cases, the Department

cannot take into account any aspect of a private restrictive covenant that appeared in a singled deed in 1946, and was never assigned to the Department (or anyone else) to enforce.

Sincerely,

David M. Kallin



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Thursday, May 16, 2019 9:42 AM

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For the past 25 years, we have owned the shorefront property directly across Route 1 from the Belfast Water District where Nordic Aquafarms is now hoping to build their salmon farm. We were recently informed by the legal team of Upstream Watch that we also owned the intertidal zone in front of the three neighboring properties, which we did not know. A former owner of our house had sold off the neighboring lots in the 1940s, specifically excluding the intertidal zones in those deeds, retaining those with her property. This meant that the intertidal zone in front of the Eckrote property, which NAF was claiming title, right and interest to in their application to the Bureaus of Parks and Lands, is land that in our deed shows the title, right and interest to be ours.

When this information became public, Nordic Aquafarms made the following statement on its Facebook page ... "[Upstream Watch has] revealed that some shoreline owners do not own their intertidal, which may be an unpleasant surprise to some owners. We withheld our surveys when we became aware of this situation some months back --- it was not our role to reveal such sensitive information to community and owners."

It would be much more than an "unpleasant surprise" to us if we were to learn in the future that NAF had put their pipes over land they knew was ours without getting legal consent from us.

NAF is saying that it knew about our ownership when they submitted their application to the Bureau of Parks and Lands to lay their pipes across this intertidal zone. In fact, Carol DiBello, the Submerged Land Coordinator for the State Bureau of Parks and Lands, gave tentative approval to the application until Upstream Watch submitted the surveys and deeds that were factual. Carol DiBello has subsequently asked NAF to provide proof of title, right and interest, which they do not have.

In her Free Press interview with reporter Ethan Andrews, Marianne Naess of NAF said, "It would have been nice if they (meaning us) talked to us first. We have an open door policy." We think it would have been nice (and the ethical thing to do) if NAF had talked with us, some months back, when their surveys showed them that we owned the land where they planned to lay their pipes. Instead, they went ahead with their plans and made application to the Bureau of Parks and Lands as if they had owner consent to cross that land.

This treatment feels disrespectful to us and not what we would expect from a business that wants to be a good neighbor.

Jeffrey Mabee and Judith Grace, Belfast

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	EXHIBIT	
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RELEASE DEED

KNOW ALL BY THESE PRESENTS, that having a mailing address in care of fermion organized under the laws of Delaware and having a mailing address c/o Erik Heim, Oraveien 2, 1630 Gamle Fredrikstad, Norway, all of the Grantor's right, title and interest in and to certain lands in Belfast, Waldo County, Maine, being more particularly described in a deed from Genevieve E. Hargrave to Arthur Hartley and Harriet L. Hartley dated August 27, 1934 and recorded in the Waldo County Registry of Deeds in Book 386, Page 453.

Meaning and intending to convey, and hereby conveying any and all right, title and interest which I may hold in and to said lands by virtue of

being an heir at law of Harriet A. Hartley, who died in

Harriet A. Hartley obtained sole title to the subject premises by virtue of being the surviving joint tenant of land conveyed to her and Arthur Hartley by that deed referenced hereinabove. TO HAVE AND TO HOLD the same, together with all privileges and appurtenances thereto belonging, unto the said Nordic Aquafarms Inc..

	In witnes	ss whereof, th	ne said	has hereunto set	hand and seal this
15	day of _	April	, 2019.		
On the	is, the	15_day of	<u>,</u> 2019, bef	ore	
the un	dersigned	l officer, pers	onally appeared	known	to
me (o	r satisfact	orily proven)	to be the person whose	name is subscribed	to the within
instru	ment, and	lacknowledg	ed that executed the	same for the purpose	es therein contained.
	In witne	ess whereof, I	hereunto set my hand a	and official seals.	



RELEASE DEED

KNOW ALL BY THESE PRESENTS, that having a mailing address in care of formation received, RELEASES to NORDIC AQUAFARMS INC. ,

a corporation organized under the laws of Delaware and having a mailing address c/o Erik Heim, Oraveien 2, 1630 Gamle Fredrikstad, Norway, all of the Grantor's right, title and interest in and to certain lands in Belfast, Waldo County, Maine, being more particularly described in a deed from Genevieve E. Hargrave to Arthur Hartley and Harriet L. Hartley dated August 27, 1934 and recorded in the Waldo County Registry of Deeds in Book 386, Page 453.

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In witness whereof, the said because of the set the
On this, the $23^{\prime\prime}$ day of $Apric$, 2019, before me
the undersigned officer, personally appeared second second second known to
me (or satisfactorily proven) to be the person whose name is subscribed to the
within instrument, and acknowledged that executed the same for the purposes therein
contained.

In witness whereof, I hereunto set my hand and official seals.



RELEASE DEED

KNOW ALL BY THESE PRESENTS, that having a mailing address of ("Grantor"), for consideration received, RELEASES to NORDIC AQUAFARMS INC., a corporation organized under the laws of Delaware and having a mailing address c/o Erik Heim, Oraveien 2, 1630 Gamle Fredrikstad, Norway, all of the Grantor's right, title and interest in and to certain lands in Belfast, Waldo County, Maine, being more particularly described in a deed from Genevieve E. Hargrave to Arthur Hartley and Harriet L. Hartley dated August 27, 1934 and recorded in the Waldo County Registry of Deeds in Book 386, Page 453.

Meaning and intending to convey, and hereby conveying any and all right, title and interest which I may hold in and to said lands by virtue of being the

being an heir at law of Harriet A. Hartley, who died in

of being the surviving joint tenant of land conveyed to her and Arthur Hartley by that deed referenced hereinabove.

TO HAVE AND TO HOLD the same, together with all privileges and appurtenances thereto belonging, unto the said Nordic Aquafarms Inc..

	In witness whereof, the said	has hereunto set and hand and seal this
361	$\frac{\partial 1}{\partial 1}$ day of <u>sharen</u> , 2019.	
On th	nis, the <u>26th</u> day of <u>march</u> , 2019,	before me
the u	ndersigned officer, personally appeared	known to me (or
satis	factorily proven) to be the person whose nam	e is subscribed to the within instrument,
and a	acknowledged that secuted the same for t	he purposes therein contained.

In witness whereof, I hereunto set my hand and official seals.



RELEASE DEED

KNOW ALL BY THESE PRESENTS, that Exception of the second se
("Grantor"), for
consideration received, RELEASES to NORDIC AQUAFARMS INC., a corporation
organized under the laws of Delaware and having a mailing address of 511 Congress Street,
Suite 500, Portland, ME 04101, all of the Grantor's right, title and interest in and to certain
lands in Belfast, Waldo County, Maine, being more particularly described in a deed from
Genevieve E. Hargrave to Arthur Hartley and Harriet L. Hartley dated August 27, 1934 and
recorded in the Waldo County Registry of Deeds in Book 386. Page 453

Meaning and intending to convey, and hereby conveying any and all right, title and interest which I may hold in and to said lands by virtue of being (



devisee of Harriet A. Hartley, who died in

. Harriet A. Hartley obtained sole title to the subject premises by

virtue of being the surviving joint tenant of land conveyed to her and Arthur Hartley by that deed referenced hereinabove.

TO HAVE AND TO HOLD the same, together with all privileges and appurtenances thereto belonging, unto the said Nordic Aquafarms Inc..

	In witness whereof, the said	has hereunto set	hand and seal this
On t	his, the 14^{m} day of May, 2019, bef	ore me,	
the u	undersigned officer, personally appeared	, known t	to
me (or satisfactorily proven) to be the person whose	e name is subscribed	to the
with	in instrument, and acknowledged that see exect	uted the same as	free act and deed and
for t	he purposes therein contained.		

In witness whereof, I hereunto set my hand and official seals.



RELEASE DEED

KNOW ALL BY THESE PRESENTS, that having a mailing address of formation of the formation of

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virtue of being the surviving joint tenant of land conveyed to her and Arthur Hartley by that deed referenced hereinabove.

TO HAVE AND TO HOLD the same, together with all privileges and appurtenances thereto belonging, unto the said Nordic Aquafarms Inc..

In witness whereof, the said	hereunto set	hand and seal
this 14^{+h} day of $MA4$, 2019.		
-		
On this, the $\underline{14}$ day of \underline{May} , 2019, before me,		,
the undersigned officer, personally appeared	, known t	to
me (or satisfactorily proven) to be the person whose name i	s subscribed to t	he
within instrument, and acknowledged that executed the	same as see free	act and deed and
for the purposes therein contained.		
In witness whereof, I hereunto set my hand and official	cial seals.	