

1974 FEB 15 PM 4.09

STRAFFORD COUNTY
Register of Deeds

KNOW ALL MEN BY THESE PRESENTS:

THAT The Town of Durham, a corporation existing by virtue of the Laws of the State of New Hampshire and having its principal place in said Durham, in the County of Strafford and State of New Hampshire, by its Selectmen, James C. Chamberlin, Alden L. Winn, Malcolm J. Chase, Owen B. Durgin and Lawrence W. O'Connell, for consideration paid, grant to Richard P. Barker and Julia S. Barker of 8 Hawthorn Road, Dover, County of Strafford and State of New Hampshire, as joint tenants with rights of survivorship, with WARRANTY covenants:

A certain tract or parcel of land with the buildings thereon situate on the southerly side of Piscataqua Road in Durham, County of Strafford and State of New Hampshire, being Lot B1 as shown on plan entitled, "Plan of Lots B1 and B2 for Town of Durham (Erna Jackson), Durham, N. H., dated October, 1973, by G. L. Davis & Associates, " a copy of which is recorded in the Strafford County Registry of Deeds, Pocket #1, Folder #4, as Plan #45, bounded and described as follows:

Beginning at a point at the Northeasterly corner of other land of the grantor and at the Northwesterly corner of the premises herein conveyed and running N 84° 00' E a distance of one hundred ninety (190.0) feet along Piscataqua Road to a point; thence turning and running N 88° 02' E a distance of two hundred thirty-five and three-tenths (235.3) feet along said Piscataqua Road to a point; thence turning and running in a general Southeasterly direction a distance of eighty-five (85.0) feet to a point; thence turning and running S 25° 00' W a distance of one hundred eighty (180.0) feet to a point; thence turning and running N 80° 00' W a distance of one hundred (100.0) feet to a point; thence turning and running S 63° 00' W a distance of one hundred ten (110.0) feet to a point; thence turning and running N 49° 00' W three hundred five (305.0) feet to the point of beginning.

Containing Approximately 1.625 acres.

Excepting and reserving to the Rockingham Light and Power Company, their successors and assigns forever, a right-of-way to their poles and all rights and privileges set forth in deed of Arthur C. Hayes et als to Cicero F. Jackson dated November 1, 1911, and recorded in Strafford County Records, Book 363, Page 141, and a right of access to the State of New Hampshire set forth in deed of Cicero F. Jackson to the State of New Hampshire dated May 25, 1962, and recorded in Strafford County Records, Book 747, Page 280.

Subject, however, to the following Conditions and Restrictions which shall not be considered to be personal in nature but shall apply to and run with the herein-described premises:

- (1) No structure shall be constructed upon the above-described tract within fifty (50) feet of the shoreline boundary line.
- (2) No structure shall be constructed upon the above-described tract other than a single family dwelling and garage, and acceptable accessory buildings as permitted by the Zoning Ordinance.
- (3) Use of the above-described tract and any structures thereon shall be limited to a single family residential use.

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(4) No more than a single accessory apartment (as defined in the Town of Durham Zoning Ordinance) shall be permitted in said single family dwelling which shall be occupied by no more than two boarders or two tenants.

(5) No filling, dumping, dredging or excavation shall be permitted along the shoreline of the above-described tract in order to preserve the marsh character of the shorefront. Nothing herein shall limit the right of the owner to plant vegetation compatible with the marsh character of the shorefront and the placement of paths for the enjoyment of said property.

(6) In the event of the destruction of or damage to the present dwelling located upon the above-described tract resulting in the owner's decision to sell said property rather than rebuilding said house, the Town of Durham shall have an option to repurchase the above-described tract of land at either the same price offered by a bona fide purchaser or at a price established by a panel composed of three certified real estate appraisers; one appointed by the Town of Durham, the second appointed by the owner, and the third selected by the other two.

Refer to records of Clerk of Town of Durham for "Town of Durham, New Hampshire: Warrant for Special Meeting to be Held August 16, 1973," Article 3 and minutes of special meeting authorizing the Selectmen of the Town of Durham "...to subdivide and sell the buildings and any necessary land, not exceeding two acres, with appropriate protective easements to the River front."

Meaning and intending to convey a portion of the premises conveyed in deed of Erma A. Jackson to the Town of Durham dated September 6, 1973, and recorded in Strafford County Records at Book 933, Page 125.

WITNESS our hands and seals this 15th day of February, 1974.

Witness:

Luci S. Ewell THE TOWN OF DURHAM, BY ITS SELECTMEN
James C. Chamberlain James C. Chamberlain

Luci S. Ewell *Alden L. Winn*
Alden L. Winn

Luci S. Ewell *Malcolm J. Chase*
Malcolm J. Chase

Luci S. Ewell *Owen B. Durgin*
Owen B. Durgin

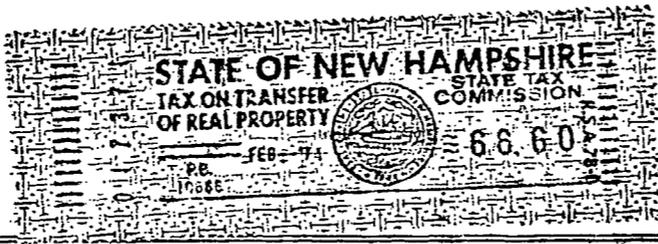
Luci S. Ewell *Lawrence W. O'Connell*
Lawrence W. O'Connell

STATE OF NEW HAMPSHIRE
Strafford, ss: February 15, 1974

Personally appeared James C. Chamberlain, Alden L. Winn, Malcolm J. Chase, Owen B. Durgin and Lawrence W. O'Connell, Selectmen of the Town of Durham, known to me, or satisfactorily proven, to be the persons whose names are subscribed to the foregoing instrument, and acknowledged that they executed the same for the purposes therein contained before me.

REGISTER OF DEEDS
STRAFFORD COUNTY

Justice of the Peace & Notary Public



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McGowan & Palmer