

#3-2-6

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That I, EDWARD H. STOLWORTHY, Executor of the Estate of Marion J. Stolworthy, of Durham, County of Strafford and State of New Hampshire, for consideration paid, grant to EDWARD H. STOLWORTHY of 20 Bagdad Road, Durham, County of Strafford and State of New Hampshire, with WARRANTY covenants:

"A certain tract of land situated in said Durham, bounded and described as follows; viz: Beginning at the center of a concrete marker set in the ground, said marker being the Southwesterly corner of land now owned by E. Howard and Marion J. Stolworthy, said concrete marker being on the line of a division between the land of said Stolworthys and the land of one Edward Getchell and being about two hundred (200) feet in a Southeasterly direction from the Southerly side of Bagdad Road so-called, in said Town of Durham, running from said concrete marker North 46°54' East along the land now owned by said Stolworthys, a distance of one hundred and no tenths (100.0) feet to the center of a concrete marker, as shown on a plan of the land herein described, said concrete marker being the Southeasterly corner of the land now owned by said Stolworthys; thence turning South 87°28' East and running along the Southerly side of a lot belonging to said grantor a distance of fifty-five and two tenths (55.2) feet to an iron pipe set in the ground at the Southeasterly corner of said lot, as shown on the plan, said iron pipe being the Southwesterly corner of a lot belonging to Harold C. Grinnell and Alice Grinnell; thence continuing in a straight line South 87°28' East along the Southerly side of said lot, a distance of fifty-seven and eight tenths (57.8) feet to an iron pipe set in the ground at the Southeasterly corner of said lot, said iron pipe being the Southwesterly corner of another lot owned by said grantor; thence continuing in a straight line South 87°28' East along the Southerly side of the other lot of said grantor, a distance of fifty-nine and nine tenths (59.9) feet to an iron pipe set in the ground, said iron pipe being the Southwesterly corner of the land now owned by one William Hartwell; thence turning South 64°33' East and running along the Southwesterly side of the land of said Hartwell, a distance of fifty-nine and two tenths (59.2) feet to an iron pipe set in the ground, said iron pipe being the Northwesterly corner of the land now owned by one Harold M. Mayo, said iron pipe being about two hundred (200) feet from Bagdad Road, so-called; thence turning South 26°40' East and running in a straight line along the Southwesterly side of the land now owned by said Mayo, and along a wire fence now in place, to a drill hole in a large stone, in the line of a stone wall, said drill hole being on the line of said Mayo property, and being the most Easterly bound of the property herein described, as shown on the plan; thence turning in a Southwesterly direction and running in a straight line along said stone wall and along the Northerly side of a right of way to this land and to other lands of said grantor; a distance of three hundred and five and five tenths (305.5) feet to an iron pipe set in the ground in the line of said stone wall, said iron pipe being the most Southerly corner of the land herein described, as shown on the plan, said iron pipe being the Southeasterly corner of the land now owned by

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said Getchell; thence turning North 25°03' West and running along the land of said Getchell, a distance of four hundred and ninety and eight tenths (490.8) feet to the point of beginning. All bearings shown are magnetic, the Magnetic Declination at the time of this survey being 15 3/4° West of the True Meridian: the land heretofore described as shown on a plan contains a calculated area of one hundred and twenty-eight thousand, five hundred and forty-nine (128,549) square feet or two and ninety-five hundredths (2.95) acres, more or less, together with the right to use in common with others for the passage to and from the land above described to the Bagdad Road, for any and all purposes, and by any and all methods, a right of way forty feet wide which extends from said Bagdad Road across the land deeded by Edith H. McNutt to Harold Merrill Mayo and Anna Claflin Mayo, which deed is recorded in Strafford County Records Book 433, Page 79, a description of a portion of said right of way being contained in said deed. This right of way continues from the land of said Mayo in a Westerly direction along the full length and adjacent to the Southerly boundary of the above described property, so that the above grantee may have access to said right of way from any point on the Southerly side line of the above described property.

The said grantor further grants and conveys the right to deposit the effluent of a septic tank on said above described premises into the brook or water-course flowing across the above described property on to other land of the said grantor.

This conveyance is made subject to all rights which Edward L. Getchell, Edward H. Stolworthy and Marion J. Stolworthy Harold C. Grinnell and Alice Grinnell, William H. Hartwell and Arthur P. Stewart have to maintain, repair and relay sewer pipes on the above described property and to make use of the septic tank on the above described property in accordance with rights given them by Edith H. McNutt.

This conveyance is made subject to the right of the Durham Spring Water Co. to maintain through said premises its line of water pipes, together with the right to enter, relay and repair the same.

NEVERTHELESS there is reserved and excepted out of this conveyance the right and privilege to said Edith H. McNutt and her heirs and assigns to maintain, repair and relay sewer pipes across the above described property extending from lot No. 3 and Lot No. 5 to the septic tank on said property above described, together with the right to drain sewers from said lots numbered 3 and 5 into the septic tank on said property, upon the condition that the owners of said lots shall at all times contribute towards the expense of all repairs, cleaning and servicing incurred by reason of keeping said septic tank in good condition, and shall contribute towards the expense incurred by any damage which may be occasioned by the use of said Septic tank, such contributions to be apportioned so that the owner of each house that drains into said tank shall pay an equal amount with every other house which drains into said tank."

Meaning and intending to describe and convey land in Durham, New Hampshire being the same parcel conveyed by Edith H. McNutt to Marion J. Stolworthy by deed dated

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July 31, 1937, recorded in Strafford County Registry of Deeds at Book 479, Page 146.

These premises do not constitute homestead property.

Witness my hand this 25 day of September 1985.

Witness:

Edward H. Stolworthy
Edward H. Stolworthy, Executor
of the Estate of Marion J.
Stolworthy

STATE OF NEW HAMPSHIRE
STRAFFORD, SS.

25th The foregoing instrument was acknowledged before me this day of September, 1985 by Edward H. Stolworthy, Executor of the Estate of Marion J. Stolworthy.

Frank R. Bryant
Notary Public/Justice of the Peace
My Commission Expires: 1/6/86