

Return to:
Town of Durham
8 Newmarket Road
Durham, NH 03824-2898
Attn: Town Administrator

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Catherine A. Berube
Register of Deeds, Strafford County

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that Oyster River Cooperative School District, a cooperative school district formed under RSA 195, with an address of 36 Coe Drive, Durham, New Hampshire 03824-2200, for consideration paid, grants to the Town of Durham, New Hampshire, a New Hampshire municipal corporation, with an address of 8 Newmarket Road, Durham, New Hampshire 03824-2898,

with warranty covenants the following described real estate:

Five certain vacant parcels of land situated on and off Orchard Drive, Durham, Strafford County, New Hampshire being more particularly bounded and described as follows:

PARCELS A, B, C and C-1

Four certain parcels of land situated on Orchard Drive, Durham, Strafford County being shown as Parcels A, B, C and C-1 on a plan of land entitled "Final Plan, Henry Bailey Stevens, Section No. 3, Valley Development, Durham, New Hampshire," said plan being recorded in the Strafford County Registry of Deeds as Pocket 011, Folder 043 Sheet 01 and said lots being more particularly bounded and described as follows:

Parcel A (New Lot A – 003/043/01):

Beginning on the southerly side line of Orchard Drive at the northerly corner of Lot B and running N 47° 18' E 147.9 feet by Orchard Drive, and continuing on a curve to the right with radius of 30 feet for a distance of 56.25 feet; thence running N 64° 44' E 50.0 feet by the temporary end of Orchard Drive; thence running N 29° 45' E about 330 feet by Lot 25; thence running southeasterly about 250 feet by center of Oyster River; thence running S 33° 47' W about 348 feet, continuing S 38° 40' W 119.6 feet by a stone wall and land of Raymond MacDonald; thence running N 45° 32' W 306.6 feet by Lot B to the point of beginning.

Excepting and reserving a strip of land 50 feet in width extending from Orchard Drive to land of Raymond MacDonald, the final location of said strip to be determined at a later date.

And subject to a temporary cul-de-sac at the end of Orchard Drive until such time as Orchard Drive is extended,

Being shown on Final Plan of Section No. 3, Valley Development, dated June, 1971, as revised November 18, 1971, and October 26, 1971.

For title reference see Warranty Deed dated February 8, 1972 recorded in the Strafford County Registry of Deeds, Book 900, Page 211.

Parcel B (Lot B – 003/043/01):

A certain tract or parcel of land situate on the Southerly side of Orchard Drive, so called, in the Town of Durham, County of Strafford and State of New Hampshire, and being shown as Lot B on a plan entitled "Henry Bailey Stevens, Section 3, Valley Development, Durham, New Hampshire", to be recorded, and bounded and described as follows:

Beginning at a steel stake set in the ground on the Southerly side of Orchard Drive and at the Northern most corner of Lot C and thence running S. 13° 45' E. by and along Lot C a distance of Five Hundred Fifty-three and Three Tenths (553.3) feet to a barbed wire fence and land now or formerly of MacDonald; then turning and running N. 35° 31' E. by and along said barbed wire fence, a stone wall and land of MacDonald a distance of Two Hundred Seventy-six and Six Tenths (276.6) feet; thence continuing N. 33° 39' E. by and along said stone wall and land of MacDonald a distance of Two Hundred Forty-one and Four Tenths (241.4) feet to the Southwesterly corner of Lot A; thence turning and running N. 45° 32' W. by and along said Lot A a distance of Three Hundred Six and Six Tenths (306.6) feet to Orchard Drive; thence turning and running S. 47° 18' W. by and along Orchard Drive a distance of Twenty (20) feet; thence continuing by and along Orchard Drive on a curve to the right with a radius of Three Hundred Fifty (350) feet a distance of Two Hundred Fifteen and Eighty-four Hundredths (215.84) feet to the point of beginning.

For title reference see Warranty Deed dated July 1, 1972 recorded in the Strafford County Registry of Deeds, Book 907, Page 479.

Parcel C (Lot C – 003/043/01):

A certain tract or parcel of land situate on the southerly side of Orchard Drive, so called, in the Town of Durham, County of Strafford and State of New Hampshire, and being known as Lot C on a plan entitled "Henry Bailey Stevens, Section No. 3, Valley Development, Durham, New Hampshire" to be recorded, and bounded and described as follows:

Beginning at a steel stake on the Southerly side of Orchard Drive at the Northwesterly corner of Lot B and running S. 30° 51 ½' W. a distance of Six Hundred Seventy-five and Two Tenths (675.2) feet to a stone wall; thence turning and running S. 84° 41' E. by and along said stone wall a distance of Two Hundred Twenty-two and Eight Tenths (222.8) feet; thence continuing S. 82° 05' E. a distance of One Hundred Ninety-three and Nine Tenths (193.9) feet to

the end of said stone wall; thence running and running N. 35° 31' E. by and along a barbed wire fence and land now or formerly of MacDonald a distance of One Hundred Ten (110.0) feet to the Southwesterly corner of Lot B; thence turning and running N. 13° 45' W. by and along said Lot B a distance of Five Hundred Fifty-three and Three Tenths (553.3) feet to Orchard Drive and the point of beginning.

For title reference see Warranty Deed dated July 1, 1973 recorded in the Strafford County Registry of Deeds, Book 929, Page 109.

Parcel C-1 (New Lot C-1 – 003/043/01):

Beginning on the southerly side line of Orchard Drive at the northerly corner of Lot C and running S 30° 51 ½' W 250 feet by Lot C; thence running N 02° 36' E 200.5 feet by other land of grantor; thence running easterly on a curve to the left with radius of 400 feet for a distance of 30 feet, and continuing N 82° 38' E 90 feet to the point of beginning.

Containing 0.271 acres.

As shown on Final Plan of Section No. 3, Valley Development, dated June, 1971, as revised November 18, 1971, and October 26, 1971.

For title reference see Warranty Deed dated February 8, 1972 recorded in the Strafford County Registry of Deeds, Book 900, Page 212.

MacDonald Parcel:

A certain tract or parcel of land situate in Durham, County of Strafford, State of New Hampshire, and being shown on Plan, Raymond F. and Elizabeth W. MacDonald, Hamel Land, Durham, NH, Grant L. Davis and Associates, Civil Engineers, and approved by the Durham Planning Board, March 1976, said parcel being bounded and described as follows:

BEGINNING at a concrete bound, being the common boundary between the northeasterly corner of the land of the University of New Hampshire land, now or formerly of Henry Bailey Stevens, and the northwesterly corner of the subject tract; thence turning and running N 80° 8' E along land of the University of New Hampshire, eighty-eight and seven-tenths (88.7) feet, to a point; thence running N 15° 14' E, one hundred seventy-seven and no-tenths (177.0) feet to a steel stake; thence turning and running easterly, one thousand fifteen (1,015) feet, more or less, along other land of MacDonald to a point; then turning and running northerly and northwesterly as shown on said Plan, one thousand one hundred fifty (1,150) feet, more or less, to a point at other land of Oyster River School District; thence turning and running S 38° 40' W along Oyster River land, eighty-two and twenty-eight hundredths (82.28) feet to a point; thence S 33° 39' W along Oyster River land, two hundred forty-one and four-tenths (241.4) feet to a point; thence S 35° 31' W along Oyster River land, three hundred eighty-six and six-tenths (386.6) feet to a point; thence N 82° 5' W along Oyster River land, one hundred ninety-three and nine-tenths (193.9) feet, to a point; thence N 84° 41' W along Oyster River land and land now or formerly of Stevens, three hundred twenty-two and eight-tenths (322.8) feet to a

concrete bound at land of the University of New Hampshire and the place of beginning. Said parcel containing fifteen (15) acres more or less.

The grantor reserves slope easements along the easterly side of said premises, in the event a street is built along said easterly side.

For title reference see Warranty Deed dated April 16, 1976 recorded in the Strafford County Registry of Deeds, Book 994, Page 197.

This conveyance was authorized by Article 5 the March 8, 2016 annual meeting of the Oyster River Cooperative School District and the January 16, 2019 and August 21, 2019 meetings of the Oyster River Cooperative School District Board.

This conveyance is exempt from the transfer tax under RSA 78-B:2(I).

The Property shall be maintained in perpetuity as open space with no industrial or commercial activities, except forestry that is performed, to the extent reasonably practicable, in accordance with the then-current scientifically-based practices recommended by the University of New Hampshire Cooperative Extension, USDA Natural Resources Conservation Service, or New Hampshire Department of Agriculture, Markets & Food. No structure or improvement shall be constructed or placed onto the Property, except for structures and improvements, which are necessary in the accomplishment of agriculture, forestry, conservation, habitat management, interpretive education, or public pedestrian, non-motorized access (including, but not limited to, walking, bicycling, x-country skiing) of the Property. Interpretative kiosks, a pedestrian bridge over the Oyster River, and a gravel parking area for those utilizing the property are expressly permitted, as is an access easement from Durham to the University of New Hampshire to allow for the traversing of the parcel for forestry management purposes. Any such uses shall be conducted in a manner that protects the quality of ground water and surface water resources on and under the Property.

Dated this 17th day of October, 2019.

OYSTER RIVER COOPERATIVE SCHOOL
DISTRICT
By:

Jane L. Keane
Witness

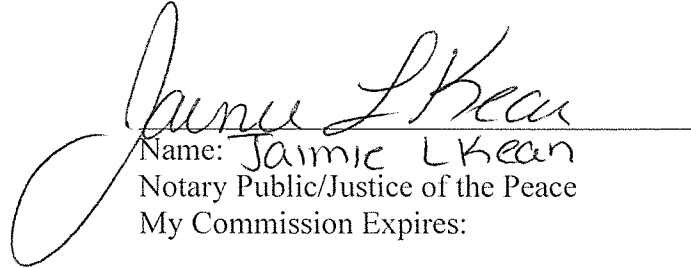
By: *Thomas Newkirk*
Name: Thomas Newkirk
Title: Chairperson
Duly authorized

STATE OF NEW HAMPSHIRE
COUNTY OF STRAFFORD

October 17, 2019

Personally appeared the above-named Thomas Newkirk in his capacity as Chairperson of the Oyster River Cooperative School District, known to me, or satisfactorily proven, to be the person whose name is subscribed to the foregoing instrument and acknowledged that he executed the same for the purposes therein contained, by and on behalf of said School District

Before me,


Name: Jamie L Kean
Notary Public/Justice of the Peace
My Commission Expires:

