

The within conveyance is a transfer to a New Hampshire Township and pursuant to RSA 78-B:2(I) it is exempt from the New Hampshire Real Estate Transfer Tax

DEED OF CONSERVATION RESTRICTIONS

KNOW ALL MEN BY THESE PRESENTS, that THE NATURE CONSERVANCY, a nonprofit corporation organized under the laws of the District of Columbia and having its principal office at 4245 North Fairfax Drive, Arlington, County of Arlington, Commonwealth of Virginia 22203, and having a New Hampshire Field Office at 22 Bridge Street, 4th Floor, Concord, New Hampshire 03301 ("Grantor"), for consideration paid, grants to THE TOWN OF DURHAM, a municipality with its principal place of business at 15 Newmarket Road, Durham, NH 03824 ("Grantee"), the CONSERVATION RESTRICTIONS described herein with respect to a certain parcel of land situated in the Town of Durham, County of Strafford, State of New Hampshire containing 64.28 acres, more or less, more particularly described in Exhibit A attached hereto and made a part hereof (the "Property"). Otherwise meaning and intending to describe the same premises conveyed to Grantor by Warranty Deed of the Estate of Roland D. Beaudette, Sr. and Jennylyn Beaudette dated August 24, 2011, recorded in Book 3948, Page 893.

The conservation restrictions conveyed hereby are as follows, which restrictions shall run with the land and be enforceable as permanent conservation restrictions, as defined in NH RSA 477:45-47, for the benefit of The Town of Durham and its successors and assigns:

The following activities shall be prohibited:

1. the manipulation of water levels and filling or dredging of wetlands, except to restore the Property to its natural condition, to construct permitted roads and trails, and for conservation and wildlife habitat management purposes;
2. (i) the placement or construction of new structures, unless such structures are used solely for conservation, wildlife habitat management and/or outdoor education purposes and are consistent with the purposes stated below (specifically including the right to construct a new gravel or other pervious substrate parking area adjacent to Bennett Road), and (ii) the use of any existing structures other than for wildlife habitat management, outdoor recreation and education purposes;
3. the placement or construction of docks or boat launches;
4. the building of trails, except for conservation, wildlife habitat management, outdoor recreation and education purposes; and

- 5. the building of roads, except for conservation, wildlife habitat management or outdoor education purposes.

The restrictions set forth herein serve the following purposes:

- 1. Assuring that the Property will be retained in perpetuity in its scenic, natural cover, wetland and open space condition;
- 2. Protecting and conserving the native biological diversity of the Great Bay watershed, including any rare plants and animals, exemplary natural communities, wetlands, waterfowl and migratory bird habitat, and other significant wildlife habitats on the Property; and
- 3. Protecting and conserving the wetlands, forest, and field/scrub-shrub lands of which the Property consists and of the wildlife habitat thereon.

By conveying this Deed of Conservation Restrictions the Grantor agrees to maintain the Property in its open and undeveloped state and to protect all threatened, rare or endangered species or natural communities found on the Property. The conservation restrictions set forth herein shall burden the Property in perpetuity and shall be binding upon the Grantor and its successors and assigns.

This conveyance is subject to all easements, restrictions, rights, and encumbrances of record and to any facts, rights, interests, or claims that are not shown by the public records.

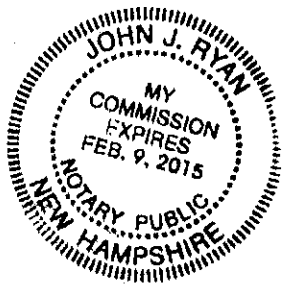
Executed this 24th day of August, 2011.

THE NATURE CONSERVANCY

By: [Signature]
Duane Hyde, Director of Protection
New Hampshire Chapter

STATE OF NEW HAMPSHIRE
COUNTY OF STRAFFORD, ss.

On this 24 day of Aug, 2011, before me personally appeared Duane Hyde, Director of Protection for the New Hampshire Chapter of The Nature Conservancy, 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 as his free act and deed for the purposes therein contained.



Before me,
[Signature]
Notary Public/Justice of the Peace
Name:
My Commission Expires:

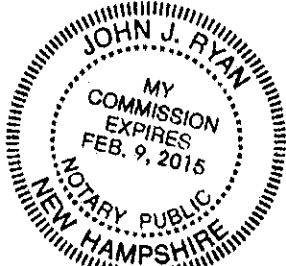
ACCEPTED BY THE TOWN OF DURHAM:

By: [Signature]
Name: Todd Selig
Title: Durham Town Manager
Duly Authorized

Date: 8/24/11

STATE OF NEW HAMPSHIRE
COUNTY OF STRAFFORD, ss.

On this 24 day of Aug, 2011, before me personally appeared Todd Selig, Town Manager of the Town of Durham, 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 as his free act and deed for the purposes therein contained.



Before me,

[Signature]
Notary Public/Justice of the Peace
Name:
My Commission Expires:

ACCEPTED BY THE TOWN OF DURHAM CONSERVATION COMMISSION:

By: [Signature]
Name: Ann Welsh
Title: Chair, Durham Conservation Commission
Duly Authorized

Date: 8/24/2011

STATE OF NEW HAMPSHIRE
COUNTY OF STRAFFORD, ss.

On this 24 day of Aug, 2011, before me personally appeared Ann Welsh, Chair of the Durham Conservation Commission, known to me, or satisfactorily proven, to be the person whose name is subscribed to the foregoing instrument, and acknowledged that she executed the same as his free act and deed for the purposes therein contained.

Before me,

[Signature]
Notary Public/Justice of the Peace
Name: Lorrie Pitt
My Commission Expires: 4/21/16
LORRIE L. PITT, Notary Public
Justice of the Peace
My Commission Expires March 16, 2016

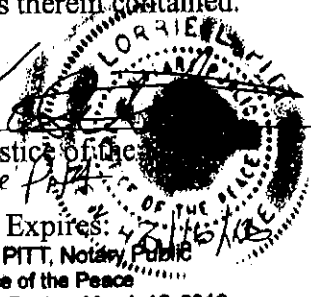


EXHIBIT A
Property Description

A certain lot or parcel of land situated in the Town of Durham, County of Strafford, State of New Hampshire, on the westerly side of the State of New Hampshire Route 108, so-called, the northerly side of Moat Road, so-called, and the southerly side of Bennett Road, so-called, also being shown as **Lot 6-1** on a plat entitled "Conservation Subdivision Plat, Tax Map 15, Lot 6, The Nature Conservancy, Route 108, Bennett Road, & Moat Road, Durham, NH", Prepared by Jones & Beach Engineers, Inc., dated July 28, 2011, to be recorded at the Strafford County Registry of Deeds (the "Plan"), and being more particularly bounded and described as follows:

Beginning at an iron rod set, on the westerly sideline of said State of New Hampshire Route 108, so-called, being the southeasterly corner of land now or formerly of the Heirs of Roland D. Beaudette, Sr.;

Thence **S12°51'17"W**, along the westerly sideline of said, State of New Hampshire Route 108, so-called, a distance of **152.65 feet**, to an iron rod set;

Thence **Southerly**, continuing along said, State of New Hampshire Route 108, so-called, on a curve to the left having a radius of **2897.48 feet**, and a length of **56.77 feet**, to an iron rod set;

Thence **Southerly**, continuing along said, State of New Hampshire Route 108, so-called, on a curve to the left having a radius of **2897.48 feet**, and a length of **372.23 feet**, to an iron rod set;

Thence **S04°22'17"W**, along the westerly sideline of said, State of New Hampshire Route 108, so-called, a distance of **448.80 feet**, to an iron rod set;

Thence **Southerly**, along the said State of New Hampshire Route 108, so-called, on a curve to the right having a radius of **1876.86 feet** and a length of **616.93 feet**, to an iron rod set;

Thence **S23°12'17"W**, along the westerly sideline of said, State of New Hampshire Route 108, a distance of **522.70 feet**, to an iron rod set;

Thence **Southerly**, along said State of New Hampshire Route 108, on a curve to the left having a radius of **1465.39 feet**, and a length of **329.08 feet**, to an iron rod set;

Thence **S10°20'17"W**, along the westerly sideline of said, State of New Hampshire Route 108, a distance of **290.30 feet**, to an iron rod set;

Thence along State of New Hampshire Route 108, on a curve to the right having a radius of **683.20 feet**, and a length of **130.25 feet**, to an iron rod set, on the northerly sideline of Moat Road;

Thence **N38°11'05"W**, along the northerly sideline of Moat Road, along the remnants of a barb wire fence a distance of **553.32 feet**, to an iron rod set;

Thence **N26°16'02"W**, along the northerly sideline of Moat Road, a distance of **212.92 feet**, to a

drill hole set at the end of a stonewall;

Thence **N25°11'04"W**, along the northerly sideline of Moat Road, along a stonewall, a distance of **30.83 feet**, to a drill hole set in a stonewall;

Thence **N20°07'23"W**, along the northerly sideline of Moat Road, along a stonewall, a distance of **47.93 feet**, to a drill hole set in a stonewall;

Thence **N23°36'46"W**, along the northerly sideline of Moat Road, along a stonewall, a distance of **98.82 feet**, to a drill hole set in a stonewall;

Thence **N22°21'19"W**, along the northerly sideline of Moat Road, along a stonewall, a distance of **91.90 feet**, to a drill hole set in a stonewall;

Thence **N28°45'11"W**, along the northerly sideline of Moat Road, along a stonewall, a distance of **39.63 feet**, to a drill hole set in a stonewall;

Thence **N23°50'49"W**, along the northerly sideline of Moat Road, along a stonewall, a distance of **38.36 feet**, to a drill hole set in a stonewall;

Thence **N32°04'03"W**, along the northerly sideline of Moat Road, along a stonewall, a distance of **106.81 feet**, to a drill hole set in a stonewall;

Thence **N28°55'12"W**, along the northerly sideline of Moat Road, along a stonewall, a distance of **47.62 feet**, to a drill hole set at the end of a stonewall;

Thence **N34°45'40"W**, along the northerly sideline of Moat Road, a distance of **9.82 feet**, to a drill hole set at the end of a stonewall;

Thence **N31°31'38"W**, along the northerly sideline of Moat Road, along a stonewall, a distance of **129.42 feet**, to a drill hole set in a stonewall;

Thence **N40°48'45"W**, along the northerly sideline of Moat Road, along a stonewall, a distance of **24.39 feet**, to a drill hole set in a stonewall;

Thence **N46°54'16"W**, along the northerly sideline of Moat Road, along a stonewall, a distance of **59.42 feet**, to a drill hole set in a stonewall;

Thence **N41°48'50"W**, along the northerly sideline of Moat Road, along a stonewall, a distance of **29.78 feet**, to a drill hole set in a stonewall;

Thence **N51°00'52"W**, along the northerly sideline of Moat Road, a distance of **54.47 feet**, to a drill hole set in a stonewall;

Thence **N48°33'51"W**, along the northerly sideline of Moat Road, along a stonewall, a distance of **91.23 feet**, to a drill hole set at the end of a stonewall;

Thence **N54°45'06"W**, along the northerly sideline of Moat Road a distance of **9.50 feet**, to a drill hole set at the end of a stonewall;

Thence **N41°53'23"W**, along the northerly sideline of Moat Road, along a stonewall, a distance of **38.40 feet**, to a drill hole set in a stonewall;

Thence **N38°46'06"W**, along the northerly sideline of Moat Road, along a stonewall, a distance of **62.84 feet**, to a drill hole set in a stonewall;

Thence **N33°48'57"W**, along the northerly sideline of Moat Road, along a stonewall, a distance of **37.50 feet**, to a drill hole set in a stonewall;

Thence **N24°32'17"W**, along the northerly sideline of Moat Road, along a stonewall, a distance of **18.82 feet**, to a drill hole set at the end of a stonewall;

Thence **N19°26'46"W**, along the easterly sideline of Moat Road, along a stonewall, a distance of **19.97 feet**, to a drill hole set at the end of a stonewall;

Thence **N13°42'16"W**, along the easterly sideline of Moat Road, along a stonewall, a distance of **28.54 feet**, to a drill hole set in a stonewall;

Thence **N11°22'56"W**, along the easterly sideline of Moat Road, along a stonewall, a distance of **24.53 feet**, to a drill hole set in a stonewall;

Thence **N08°42'10"W**, along the easterly sideline of Moat Road, along a stonewall, a distance of **19.55 feet**, to a drill hole set in a stonewall;

Thence **N04°57'13"W**, along the easterly sideline of Moat Road, along a stonewall, a distance of **34.54 feet**, to a drill hole set in a stonewall;

Thence **N03°02'30"W**, along the easterly sideline of Moat Road, along a stonewall, a distance of **58.62 feet**, to a drill hole set at the end of a stonewall;

Thence **N03°31'45"E**, along the easterly sideline of Moat Road, along a stonewall, a distance of **19.05 feet**, to a drill hole set at the end of a stonewall;

Thence **N04°53'10"E**, along the easterly sideline of Moat Road a distance of **164.15 feet**, to a drill hole set at the end of a stonewall;

Thence **N11°41'20"E**, along the easterly sideline of Moat Road, along a stonewall, a distance of **42.90 feet**, to a drill hole set in a stonewall;

Thence **N24°21'35"E**, along the easterly sideline of Moat Road, along a stonewall, a distance of **65.09 feet**, to a drill hole set in a stonewall;

Thence **N32°21'37"E**, along the northeasterly sideline of Moat Road, along a stonewall, a distance of **36.59 feet**, to a drill hole set in a stonewall;

Thence **N41°40'29"E**, along the northeasterly sideline of, Moat Road, along a stonewall, a distance of **109.39 feet**, to a drill hole set in a stonewall;

Thence **N40°24'06"E**, along the northeasterly sideline of, Moat Road, along a stonewall, a distance of **51.86 feet**, to a drill hole set in a stonewall;

Thence **N43°54'54"E**, along the northeasterly sideline of, Moat Road, along a stonewall, a distance of **51.88 feet**, to a drill hole set in a stonewall on the southerly sideline of Bennett road, so-called;

Thence **N56°21'33"E**, along the southerly sideline of Bennett Road, along a stonewall, a distance of **24.62 feet**, to a drill hole set in a stonewall;

Thence **N51°39'31"E**, along the southerly sideline of Bennett Road, along a stonewall, a distance of **103.78 feet**, to a drill hole set in a stonewall;

Thence **N51°03'52"E**, along the southerly sideline of Bennett Road, along a stonewall, a distance of **72.19 feet**, to a drill hole set at the end of a stonewall;

Thence **N56°08'21"E**, along the southerly sideline of Bennett Road, along a stonewall, a distance of **25.77 feet**, to a drill hole set at the end of a stonewall;

Thence **N49°39'11"E**, along the southerly sideline of Bennett Road, along a stonewall, a distance of **102.93 feet**, to a drill hole set in a stonewall;

Thence **N58°40'06"E**, along the southerly sideline of Bennett Road, along a stonewall, a distance of **14.15 feet**, to a drill hole set in a stonewall;

Thence **N51°16'40"E**, along the southerly sideline of Bennett Road, along a stonewall, a distance of **35.51 feet**, to a drill hole set in a stonewall;

Thence **N49°10'02"E**, along the southerly sideline of Bennett Road, along a stonewall, a distance of **77.18 feet**, to a drill hole set in a stonewall;

Thence **N60°17'44"E**, along the southerly sideline of Bennett Road, along a stonewall, a distance of **10.26 feet**, to a drill hole set in a stonewall;

Thence **N46°20'13"E**, along the southerly sideline of Bennett Road, along a stonewall, a distance of **27.57 feet**, to a drill hole set in a stonewall;

Thence **N60°33'22"E**, along the southerly sideline of Bennett Road, along a stonewall, a distance of **15.51 feet**, to a drill set in a stonewall;

Thence **N47°31'41"E**, along the southerly sideline of Bennett Road, along a stonewall, a distance of **40.10 feet**, to a drill hole set at the end of a stonewall;

Thence **N46°19'04"E**, along the southerly sideline of Bennett Road, along a stonewall, a distance of **13.44 feet**, to a drill hole set at the end of a stonewall;

Thence **N46°42'35"E**, along the southerly sideline of Bennett Road, along a stonewall, a distance of **33.93 feet**, to a drill hole set in a stonewall;

Thence **N38°32'09"E**, along the southerly sideline of Bennett Road, along a stonewall, a distance of **41.80 feet**, to a drill hole set in a stonewall;

Thence **N41°16'00"E**, along the southerly sideline of Bennett Road, along a stonewall, a distance of **43.53 feet**, to a drill hole set in a stonewall;

Thence **N40°42'20"E**, along the southerly sideline of Bennett Road, along a stonewall, a distance of **50.74 feet**, to a drill hole set in a stonewall;

Thence **N40°45'52"E**, along the southerly sideline of Bennett Road, along a stonewall, a distance of **74.21 feet**, to a drill hole set in a stonewall;

Thence **N42°21'32"E**, along the southerly sideline of Bennett Road, along a stonewall, a distance of **69.56 feet**, to a drill hole set in a stonewall;

Thence **N41°26'03"E**, along the southerly sideline of Bennett Road, along a stonewall, a distance of **38.75 feet**, to a drill hole set in a stonewall;

Thence **N43°03'20"E**, along the southerly sideline of Bennett Road, along a stonewall, a distance of **62.21 feet**, to a drill hole set at the end of a stonewall;

Thence **N38°34'53"E**, along the southerly sideline of Bennett Road, along a stonewall, a distance of **12.99 feet**, to a drill hole set at the end of a stonewall;

Thence **N46°19'18"E**, along the southerly sideline of Bennett Road, along a stonewall, a distance of **88.33 feet**, to a drill hole set at the end of a stonewall;

Thence **N36°28'38"E**, along the southerly sideline of Bennett Road, along a stonewall, a distance of **10.72 feet**, to a drill hole set at the end of a stonewall;

Thence **N41°35'50"E**, along the southerly sideline of Bennett Road, along a stonewall, a distance of **93.87 feet**, to an iron rod set at the westerly corner of land of the Heirs of Roland D. Beaudette, Sr., being the remaining land area as shown on said plan;

Thence **S56°42'18"E**, along land of the Heirs of Roland D. Beaudette, Sr., a distance of **289.81 feet**, to an iron rod set;

Thence **N88°24'16"E**, along land of the Heirs of Roland D. Beaudette, Sr., a distance of **404.54 feet**, to the **point of beginning**;

Containing 2,800,000 square feet, or 64.2791 acres.

