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WARRANTY DEED

Carl F. Spang of Wellesley, Massachusetts, hereinafter called the Grantor, which term shall be deemed to include his administrators, executors, heirs, assigns and devisees, for consideration paid, grants to the Town of Durham in Strafford County, New Hampshire, hereinafter called the Grantee, which term shall be deemed to include its successors and assigns, a tract of land in Durham, New Hampshire, with the dam and improvements thereon and certain rights associated therewith bounded and described as follows:

Beginning on the southerly side of Wiswell Road in the Town of Durham at a concrete bound set in the ground which is 257 feet easterly from the east bank of the Lamprey River and is on the easterly side of a roadway leading southerly from Wiswell Road; thence south  $4^{\circ} 6'$  west 383.5 feet to a stake and stones in the northerly line of a 135 foot right of way formerly owned by New Hampshire Electric Company, and now owned by Public Service Company of New Hampshire, which stake and stones are located 16 feet easterly of a bench mark in a ledge on a course of north  $82^{\circ} 0'$  east; thence south  $71^{\circ} 12'$  west 152.2 feet to a stake and stones which is 12 feet more or less easterly from the top of the bank of the Lamprey River; thence on the same course 107 feet more or less to the thread of the Lamprey River; thence upstream by the thread of the Lamprey River turning toward the west to a point which is located 303 feet more or less on a course north  $62^{\circ} 37'$  west running from a stake and stones at the southwest corner of the land hereby conveyed; thence on said course westerly a distance of 90 feet more or less to the easterly end of a stone wall terminating at the top of the westerly bank of the Lamprey River; thence along a stone wall which runs approximately north  $62^{\circ} 37'$  west 213 feet to a stake and stones in the stone wall at the southwesterly corner of the land hereby conveyed; thence north  $5^{\circ} 14'$  east 312.2 feet to a stake and stones in the southerly line of Wiswell Road; thence south  $79^{\circ} 0'$  east 175 feet to the west bank of the Lamprey River; thence south  $83^{\circ} 0'$  east 110 feet along the southerly line of Wiswell Road to the east bank of the Lamprey River; thence south

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85° 35' east 257 feet along the southerly line of Wiswell Road to the concrete bound at the point of beginning; together with all rights of flowage, water rights and other rights owned by Carl F. Spang in connection with the dam on the above-described tract of land which were acquired by him by deed of New Hampshire Electric Company.

The land hereby conveyed is a portion of the lands acquired by Carl F. Spang by deed of New Hampshire Electric Company dated September 23, 1955, recorded in Strafford County Registry of Deeds, Book 652, Page 58.

There is excepted and reserved to the Grantor the perpetual right and easement to use the dirt roadway leading from the southerly side of Wiswell Road southerly along the east side of the River as a means of access to and from other land of the Grantor lying southerly of the land hereby conveyed on the east side of the Lamprey River; provided, however, that the Grantee shall have no obligation to maintain said roadway nor to plow it. The Grantee shall have the right, however, to relocate said roadway upon the land hereby conveyed on the easterly side of the Lamprey River at its expense and in the event of such relocation, the Grantor shall have the same rights of passway. ✓

There is also excepted and reserved to the Grantor the right to use the land hereby conveyed on the west side of the Lamprey River for the purpose of access to pond formed by the dam, together with the right to construct and maintain a dock not over 25 feet long and 5 feet wide running along the bank and adjacent thereto for boating and bathing.

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Ruth Patterson Spang, wife of the Grantor, releases to the Grantee all rights of dower and homestead and other interests therein.

Witness our hands and seals this 29<sup>th</sup> day of November 1955.

Carl F. Spang

Frank W. Gaja

Ruth Patterson Spang

Russell M. Galt

Commonwealth of Massachusetts  
SS

November 29, 1965

Personally appeared Carl F. Spang and Ruth Patterson, Spang and  
acknowledged the foregoing instrument to be their voluntary acts and deeds.  
Before me,

William A. P. F.  
Notary Public

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C11. 104-11-04-939161

The Commonwealth of Massachusetts

KEVIN H. WHITE

Secretary of the Commonwealth

W 004249

Boston, December 9, 1965

I hereby certify, That at the date of the attestation hereto annexed

William A. P. F.

whose name is signed to the attached certificate of acknowledgment, proof or affidavit, was at the time of taking such acknowledgment, proof or affidavit, a NOTARY PUBLIC for the said Commonwealth duly commissioned and sworn; that he acts and attestations as such, full faith and credit are and ought to be given in and out of court; that as such Notary Public he was by law authorized to take the same, to take depositions, to administer oaths and take acknowledgments of deeds or conveyances of lands, tenements or hereditaments and other instruments throughout the Commonwealth to be recorded according to law; that I have compared his signature to the annexed attestation with the original on file in this office, and verily believe it to be genuine. I further certify that the impressions of the seals of Notaries Public are not required by law to be filed in this office.

In testimony of which, I have hereunto affixed the  
Great Seal of the Commonwealth  
the date above written.

Kevin H. White

KEVIN H. WHITE  
Secretary of the Commonwealth



RECEIVED 8:30 A.M. DEC 13, 1965

EXAMINED BY James F. Wickert  
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REGISTER