

MEMORANDUM

To: Sharon

From: Jen

Date: January 10, 2020

Re: Michael J. Mulhern and Martha A. Mulhern / Property at 91 Bagdad Road,
Durham, New Hampshire

As you requested, I did some research on the Mulhern property at 91 Bagdad Road, in Durham, New Hampshire to determine the status of the fee interest in the land making up the fifty (50) foot reserved right of way (“ROW”) from the northerly side of Bagdad Road to the Mulhern parcel.

The base parcel was acquired by Francis D. Manock and Dorothy L. Manock (“Manock”) in 1953 by deed at Book 623, Page 426 {copy attached}, which consisted of three (3) parcels of land. It did not contain any rights of way or easements. A plan was prepared for Manock in 1974 being Pocket 8 Folder 3 Plan 21 {copy attached} that creates the ROW, depicted as “R/W Reserved 21,300 s.f.”. While it is not clear to me (without doing further search) that all three parcels are shown on the 1974 plan (I think parcels one and two maybe on the opposite side of Route 108), it is clear that the intention was to convey the ROW created with the parcel shown as “For Richard and Sally Tappan” on the 1974 plan. Refer to the section outlined in purple and the ROW in pink. The deed out to Richard and Sally Tappan (“Tappan”) at Book 947, Page 132 {copy attached} includes the area ROW and is subject to the reserved right of way to Manock. Notwithstanding that the ROW is included in the legal/metes & bounds description of the premises conveyed, the grantor (i.e. Manock) maintained the right, at their discretion, to convey the ROW to the Town for public use. This is where the confusion about the ownership of the ROW originates. It doesn’t make sense that Manock would convey the fee interest and then reserve right to dedicate the land to the Town. And on the flip side, they reserve a right of way to access their remaining parcel which would indicate that they intended to sell the fee interest.

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In 1986 a subdivision plan being Plan #28-90 {copy attached} is prepared for Tappan creating two lots. The ROW is shown as a parcel of land separate from the two parcels created. However, the ROW is conveyed out together with Lot 1 to Croasdale at Book 2852, Page 662 {copy attached}.

In 1997 a lot line adjustment plan being Plan #49-99 {copy attached} was prepared for Manock. The parcel shown as 10-8-6 on Plan 49-99, including the area of the ROW was conveyed to Michael and Martha Mulhern in 2005 by deed at Book 3178, Page 0099ⁱ {copy attached}, notwithstanding that the ROW had already been conveyed to Tappan in 1974, and then from Tappan to Croasdale in 2003.

In 2016 Croasdale conveys the property to Nieves at Book 4369, Page 791.

In 2018 a subdivision plan is prepared for Michael and Martha Mulhern recorded at Plans 116-086 {copy attached}, 116-087 and 116-088, which creates a separate lot to include the house and ROW with the remaining acreage in Durham and Madbury as the second lot. It is most likely that at this point, when the house lot (i.e. Final Map 10 Lot 8-6) is being sold to Greg Imbrie, a title examination that the ROW had been conveyed into the Tappan chain and was not actually owned by Mulhern. In September 2018 Nieves, as successor in title Tappan and owner of the ROW, conveys fee interest in that portion of the premises representing the ROW to Michael & Martha Mulhern. The deed is recorded at Book 4601 Page 768 {copy attached}. At the same time, a Driveway Maintenance Agreement by and between Mulhern and Nieves was recorded at Book 4601, Page 770.

In October 2018, Mulhern conveys the Map 10, Lot 80-6 to Greg Imbrie which includes the ROW. As of the deed into Greg Imbrie at Book 4605, Page 287 {copy attached} he is the owner of the fee interest in said ROW land.

(F.Y.I.: Mulhern's acquired another parcel from Michael Allen in 2013, which has merged with the original acreage. This deed is at Book 4095, Page 129 {copy attached} and the parcel is shown as Lot 10-8-8 on Plan 49-99.)

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As an aside, we should let the Mulherns know that Tax Map and Lot numbers for the Mulhern and Imbrie parcels are not documented consistently. The Mulhern parcel at 91 Bagdad Road is identified in the tax records as Map 10 Lot 8-6 and is shown on the 2018 lot line plan (Plan #116-086) as Final Map 10 Lot 8-8. The Imbrie parcel at 93 Bagdad Road is identified in the tax records as Map 10 Lot 8-8 and is shown on Plan #116-086 as Final Map 10 Lot 8-6.

S:\MP-MZ\Mulhern, Michael & Martha\Town of Durham\2020 01 10 Memo re ROW.docx

623
426

No stamp required
Know All Men By These Presents

THAT I, Eileen R. Carr of Dover, in the County of Strafford and State of New Hampshire, strawman, for consideration paid, grant to Francis D. Manock and Dorothy L. Manock, both of Durham, in said County and State, as joint tenants, and the survivor of them and not as tenants in common, their heirs and assigns forever, with quitclaim covenants, all my right, title and interest in and to three certain tracts of land, two of which are situated in said Durham, and one of which is situated partly in Durham and partly in Madbury, in said County. The first described parcel of land, together with the buildings thereon, is situated in said Durham, bounded and described as follows, viz: Beginning on the Southeasterly side of the road leading from Dover to Durham at the Northeasterly corner of land of Edward Batchelder; and running thence Northeasterly by said Dover and Durham Road to the Bagdad Road; thence running Southeasterly by land of Robert W. Westphal to the Piscataqua Road; thence running Southwesterly by the Piscataqua Road to land of William E. Clark; thence running Northwesterly by land of said Clark and land of said Edward Batchelder to the Dover and Durham Road at the point of beginning.

The second tract of land situated in said Durham, on the Southeasterly side of said Dover and Durham Road, is bounded as follows: Beginning on the Southeasterly side of said Durham Road at its intersection with the Northerly side line of the Bagdad Road; and running thence Northeasterly by said Dover and Durham Road to land of Fred Gerrish; thence running Southeasterly by said Gerrish land to land of Robert W. Westphal; thence running Southwesterly by land of said Westphal to the Bagdad Road; thence running Westerly by the Bagdad Road to the Dover and Durham Road at the point of beginning.

One other tract of land situated partly in Durham and partly in Madbury, bounded and described as follows: Beginning on the Northwesterly side of the road leading from Dover to Durham at the Southeasterly corner of land of Fred Gerrish; and running thence Southwesterly by land of said Gerrish to the Bagdad Road; thence running Westerly by the Bagdad Road to land of Arthur Hayes; thence running Northeasterly by land of said Hayes to land of Fred Gerrish; thence running Southeasterly by land of said Gerrish to the Dover and Durham Road at the point of beginning.

For title see quitclaim deed of Francis D. Manock to Eileen R. Carr, strawman, dated this day.

~~THIS INSTRUMENT IS SUBJECT TO THE TAXES AND CHARGES THEREON~~

Witness my hand and seal this 28th day of October, 1953.

WITNESS:

Dwight Hall

Eileen R. Carr

STATE OF NEW HAMPSHIRE

COUNTY OF STRAFFORD

On this the 28th day of October, 1953, before me, the undersigned officer, personally appeared Eileen R. Carr, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

Dwight Hall
Justice of the Peace.

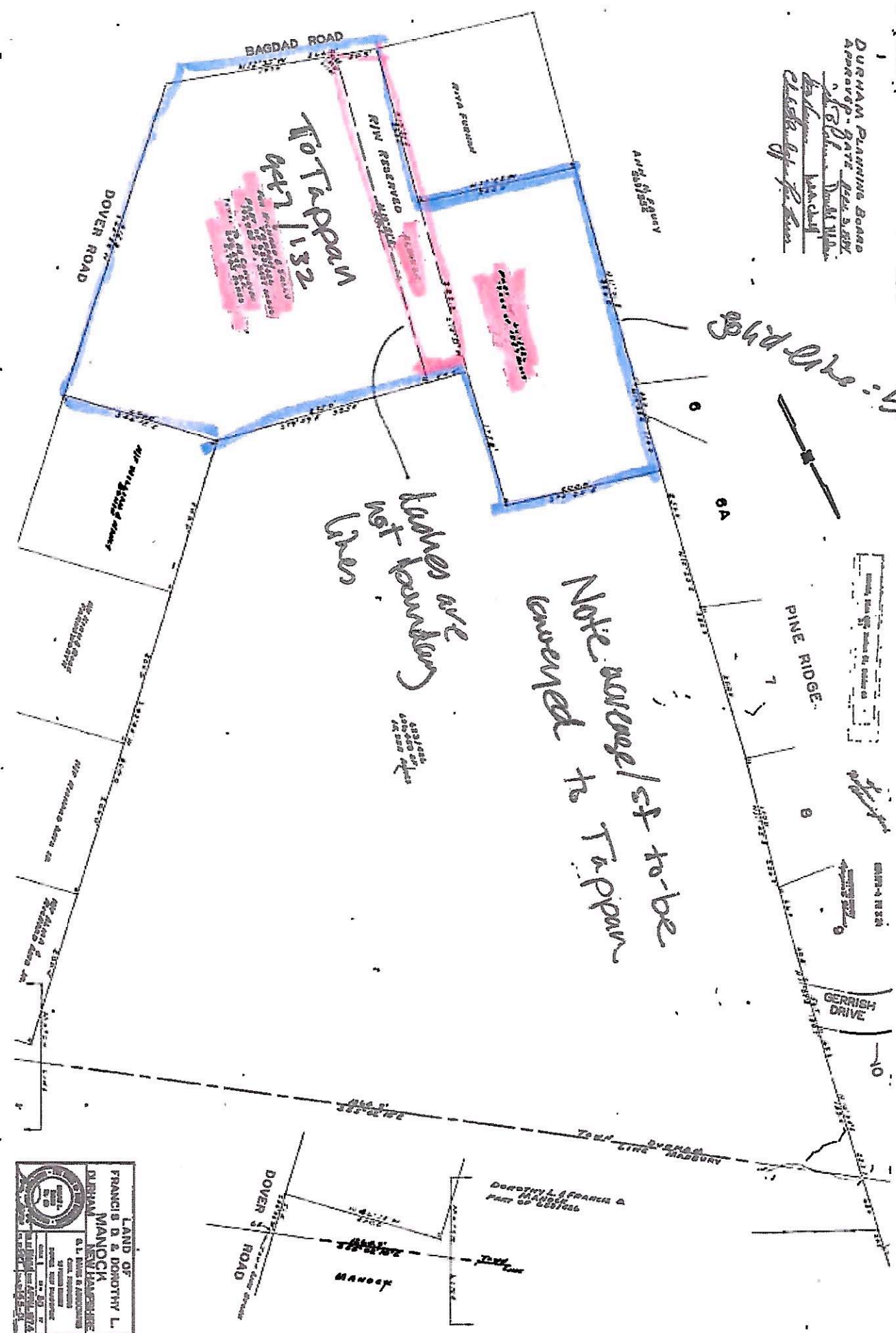
Title of Officer:

RECEIVED 2:55 P. M. Nov. 10, 1953

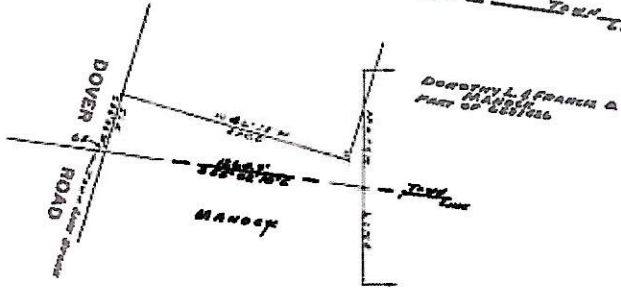
RECORDED Spencer Moore Register

Base BK 623 Pg. 426

DURHAM Planning Board
 Approved - 9/27/11 Item 5.001
 10/11/11
 Clerk of Town



LAND OF
 FRANCIS D & DONOTHY L.
 DURHAM
 MANOCK
 NEW HAMPSHIRE
 G.L. Duran & Associates
 Civil Engineers
 1000 Main Street
 Durham, NH 03824
 Phone: 603-843-1111
 Fax: 603-843-1112



1974 JUN 10 AM 10:00

STRAFFORD COUNTY
Register of Deeds

WE, FRANCIS D. MANOCK and DOROTHY L. MANOCK, of Durham, Strafford County, State of New Hampshire, for consideration paid, grant to RICHARD G. TAPPAN and SALLY M. TAPPAN, husband and wife, as joint tenants with rights of survivorship, of 113 Addelle Drive, Dover, Strafford County, State of New Hampshire, with Warranty covenants.

A certain tract of land situate on the Westerly side of the Dover, Road and the Northerly side of Bagdad Road in the Town of Durham, County of Strafford and State of New Hampshire, as set forth on a plan entitled "Land of Francis D. & Dorothy L. Manock, Durham, New Hampshire, G. L. Davis & Associates", dated April 1974, to be filed in the Strafford County Registry of Deeds, bounded and described as follows:

Beginning on the Northerly side of Bagdad Road at the Southeast corner of land of Furman; thence N. 10° 51' E. a distance of Two Hundred (200) feet to an iron pipe at the Northeast corner of said Furman land; thence N. 75° 25' W. by and along said Furman land a distance of Two Hundred feet to a steel stake and land of Faucy; thence N. 11° 01' E. by and along said Faucy land a distance of Two Hundred Eighty-six (286) feet to an iron pipe and Lot #6, situate in the Pine Ridge Development, so called; thence N. 10° 25' E. by and along said Lot #6 and Lot #6A in the Pine Ridge Development a distance of One Hundred Fourteen (114) feet to other land of Manock; thence S. 75° 25' E. by and along said other land of Manock a distance of Two Hundred (200) feet to a steel stake; thence S. 10° 51' W. a distance of One Hundred Seventy-seven and eight-tenths (177.8) feet; thence S. 79° 09' E. a distance of Three Hundred Twenty-five (325) feet to a steel stake and land now or formerly of Bonin; thence S. 46° 12' E. by and along said Bonin land a distance of Two Hundred (200) feet to a steel stake and the Westerly side of Dover Road; thence S. 44° 28' W. by and along said Dover Road a distance of Four Hundred Twelve and eight-tenths (412.8) feet to the Northerly side of Bagdad Road; thence N. 72° 35' W. by and along said Bagdad Road a distance of Two Hundred Sixty-six (266) feet to the point of beginning.

Subject, however, to a reserved right of way as set forth on said plan for purposes of ingress and egress to the premises hereinabove described, which right of way may in the discretion of the grantors be dedicated and conveyed to the Town of Durham for public use, bounded and described as follows:

Beginning at the Northerly side of Bagdad Road at the Southeast corner of land of Furman; thence N. 10° 51' E. by and along said Furman land a distance of Two Hundred (200) feet to an iron pipe; thence continuing N. 10° 51' E. a distance of Two Hundred Twenty-two and two-tenths (222.2) feet to other land of Manock; thence S. 79° 09' E. a distance of Fifty (50) feet to a steel stake; thence S. 10° 51' W. a distance of Four Hundred Ten and one-tenth (410.1) feet; thence on a curve to the left with a radius of Twenty (20) feet a distance of Twenty-nine and twelve-hundredths (29.12) feet to the Northerly side of Bagdad Road; thence N. 72° 35' W. by and along said Bagdad Road a distance of Sixty-eight and one-tenth (68.1) feet, more or less, to the point of beginning.

BR- 947 P&S-182

Meaning and intending to convey a portion of the property acquired by Francis D. Manock by devise of Daniel Chesley (Strafford County Probate Records A6446). For title reference see deed of Francis D. Manock to Eileen Carr dated October 28, 1953, and recorded in Book 623, Page 425 of the Strafford County Registry of Deeds and Quitclaim Deed from the said Carr to Francis D. Manock and Dorothy L. Manock dated October 28, 1953, and recorded in Book 623, Page 426 of said Registry.


(Consideration less than \$100.00 - no revenue stamps required.)


WITNESS our hands and seals this tenth day of April, 1974.

Witness:

[Handwritten signature]

[Handwritten signature]

Francis D. Manock 

Dorothy L. Manock 

State of New Hampshire

Strafford, SS.

April 10, 1974.

Francis D. Manock and Dorothy L. Manock personally appeared and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me,

[Handwritten signature]

Justice of the Peace / Notary Public

BK- 947 PGE-133

REGISTER OF DEEDS
STRAFFORD COUNTY

Marjorie E. Holmes

Plan 28-90

002716

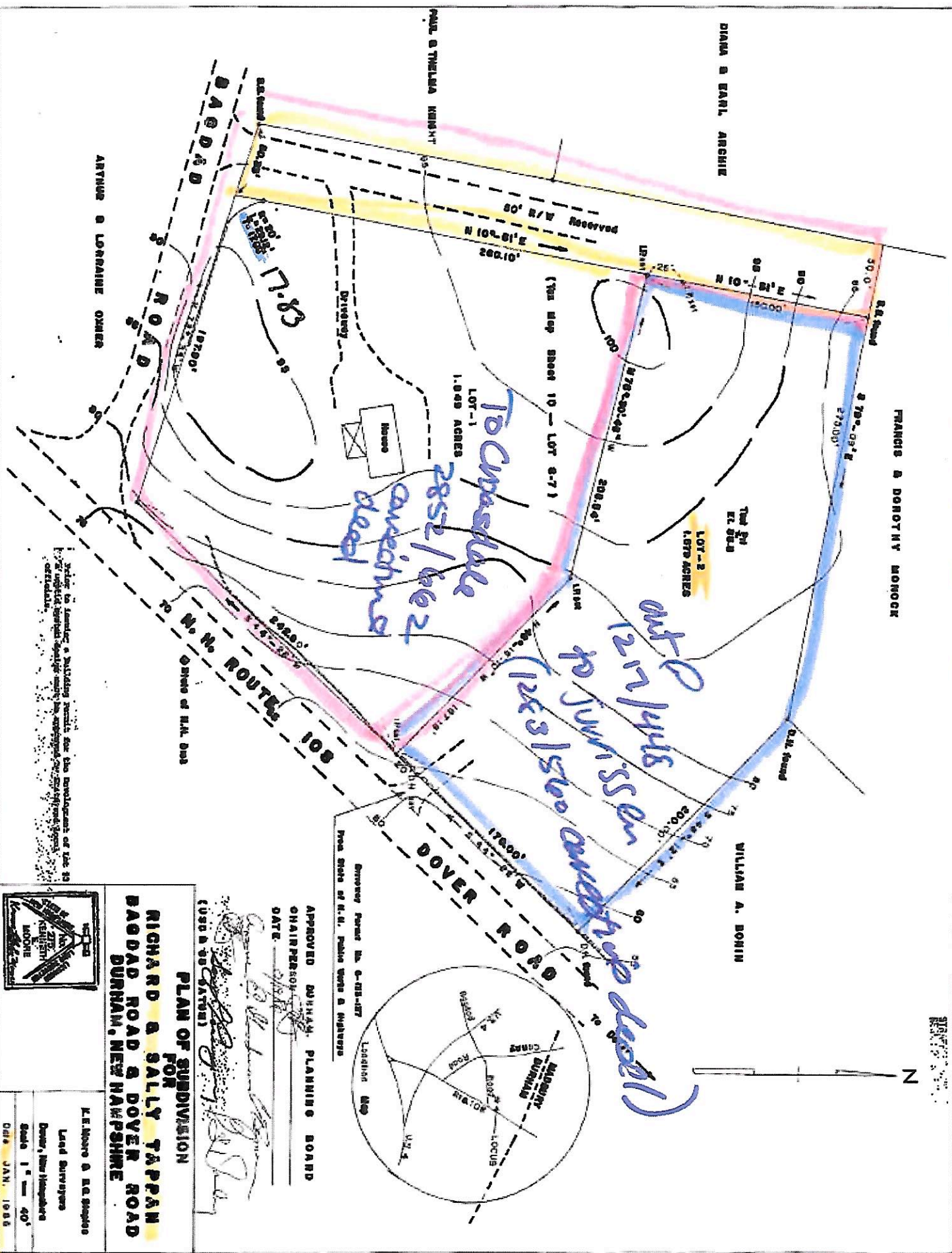
608 FEB 21 12 52 '82

REGISTERED

FRANCIS & DOROTHY MONROE

DIANA & EARL ARCHER

WILLIAM A. BORIN



Subject to existing a building permits for the improvement of the 30' R/W reserved shall be subject to the approval of the Durham County officials.

Emergency Permit No. 6-08-187
From State of N.C., Public Works & Highways

APPROVED DURHAM PLANNING BOARD

CHAIRPERSON

DATE

[Handwritten signature]
(Use as to father)

PLAN OF SUBDIVISION

RICHARD & SALLY TAPPAN
BADDAD ROAD & DOVER ROAD
DURHAM, NEW HAMPSHIRE

K.E. Moore & S.S. Staples

Lead Surveyors

Dover, New Hampshire

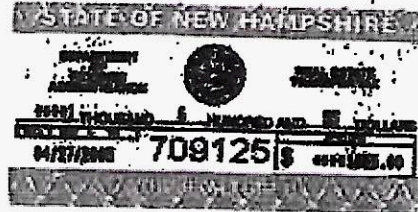
Scale 1" = 40'

Date JAN. 1988



7-20-17-83

* See also
4095/129 from
Michael Allen 2013



2006 APR 27 PM 12:57
STAFFORD COUNTY
REGISTRY OF DEEDS

* See also 4601/78768
from Nevers re: Row of
Bagdad

SBQ CHAPTER 14:1

WARRANTY DEED

FRANCIS D. MANOCK and DOROTHY L. MANOCK, husband and wife, of 11

Triangle Avenue, Perabrook, Maine, for consideration paid, grants to **MICHAEL J.**

MULHERN and MARTHA A. MULHERN, husband and wife, of 11 Shearwater Street,

Durham, Stafford County, New Hampshire, **AS JOINT TENANTS WITH RIGHTS OF**

SURVIVORSHIP, with **WARRANTY COVENANTS**, the following:

A certain tract or parcel of land situate on the Northerly side of Bagdad Road and the Westerly side of N.H. Route 108, in Durham and Madbury, Stafford County, New Hampshire, and shown as Tax Map 10, Lot 5-6 on plan entitled "Plan of Lot Line Adjustments for Francis D. and Dorothy L. Manock, 121 Dover Road, Durham, New Hampshire," dated April, 1997, drawn by KEM Land Survey, Inc., approved by the Durham Planning Board on May 27, 1997, recorded at the Stafford County Registry of Deeds as Plan 49-99, more particularly bounded and described pursuant to said plan as follows:

Beginning at a point on the northerly side of Bagdad Road, said point marking the southeasterly corner of land now or formerly of Timothy and Dorcas Day; then turning and running N 10E 51' 00" E along land now or formerly of Day a distance of two hundred and no hundredths (200.00) feet, more or less, to a point at land now or formerly of Diane C. Archie; then turning and running N 10E 51' 00" E along land now or formerly of Archie a distance of five hundred and no hundredths (500.00) feet, more or less, to a point marking the northeasterly corner of land of Archie; then turning and running N 75E 25' 07" W along land now or formerly of Archie a distance of two hundred and three hundredths

009703

all of
10-8-4
on 49-99

8X3178 pg0099

deed out to Trubini
4095/287

(200.03) feet, more or less, to a point in a stone wall at land now or formerly of John Cannon; then turning and running along the stone wall and land now or formerly of Cannon and land now or formerly of the John R. Cavanaugh Rev. Trust a distance of three hundred eighty and ninety hundredths (380.90) feet, more or less, to a point; then turning and running N 11E 45' 00" E along the stone wall and land now or formerly of Dominick More and land now or formerly of Daniel and Susan Fuchs a distance of two hundred thirty-six and ninety hundredths (236.90) feet, more or less, to a point; then turning and running N 11E 07' 00" E along the stone wall and land now or formerly of Fuchs and land now or formerly of Andrew Merton a distance of one hundred eighty and seventy hundredths (188.70) feet, more or less, to a point; then turning and running N 10E 34' 00" E along the stone wall and land now or formerly of Merton a distance of one hundred thirty-three and no hundredths (133.00) feet, more or less, to a point; then continuing N 10E 34' 00" E along the stone wall and land of Merton a distance of sixty-eight and no hundredths (68.00) feet, more or less, to a point at land now or formerly of Gerrish; then turning and running along land now or formerly of Gerrish the following courses and distances: S 64E 54' 00" E a distance of one hundred sixty-two and no hundredths (162.00) feet, more or less, to a point; then turning and running S 68E 29' 00" E a distance of four hundred twenty-four and fifty hundredths (424.50) feet, more or less, to a point; then turning and running S 61E 12' 00" E a distance of eighty-nine and no hundredths (89.00) feet, more or less, to a point at land now or formerly of Benjamin (sic); then turning and running S 32E 16' 00" W along land now or formerly of Benjamin a distance of one hundred ninety-eight and seventeen hundredths (198.17) feet, more or less, to a point marking the southwest corner of land now or formerly of Benjamin; then turning and running S 55E 02' 10" E a distance of six hundred twenty-two and seventy-one hundredths (622.71) feet, more or less, to a steel stake located on the westerly sideline of N.H. Route 108; then turning and running S 44E 02' 00" W along the westerly sideline of N.H. Route 108 a distance of fifty-one and sixty hundredths (51.60) feet, more or less, to an iron rod marking the easterly corner of land shown on the plan as Tax Map 10, Lot 8-5; then turning and running along Tax Map 10, Lot 8-5 the following courses and distances: N 46E 12' 00" W a distance of two hundred and no hundredths (200.00) feet, more or less, to an iron rod; then turning and running S 51E 55' 43" E a distance of sixty-eight and fifty-five hundredths (68.55) feet, more or less, to an iron rod; then turning and running N 26E 00' 20" W a distance of three hundred one and seventy-two hundredths (301.72) feet, more or less, to an iron rod; then turning and running S 43E 48' 00" W a distance of two hundred and no hundredths (200.00) feet, more or less, to an iron rod; then turning and running S 46E 12' 00" E a distance of three hundred and no hundredths (300.00) feet, more or less, to a steel stake marking the corner of land now or formerly of Albert Gambooy and land now or formerly of Stella Whitehouse; then turning and running S 43E 48' 00" W along land now or formerly of Whitehouse a distance of two hundred and no hundredths (200.00) feet, more or less, to a point at land now or formerly of William

8K3178 PG0100

and Nancy Bonin; then turning and running N 46E 12' 00" W along land now or formerly of Bonin a distance of one hundred and no hundredths (100.00) feet, more or less, to a point; then turning and running S 43E 48' 00" W along land now or formerly of Bonin a distance of two hundred sixty-four and eighty-two hundredths (264.82) feet, more or less, to an iron rod at land now or formerly of Noel and Carrie Walker; then turning and running N 79E 09' 00" W along land now or formerly of Walker a distance of one hundred fifty-five and sixty-eight hundredths (155.68) feet, more or less, to a steel stake; then turning and running S 10E 51' 00" W along land now or formerly of Walker and land now or formerly of Richard Tappan a distance of four hundred ten and seven hundredths (410.07) feet, more or less, to a steel stake; then turning and running on a curve to the left having a radius of 20.00 feet, a distance of twenty-nine and twelve hundredths (29.12) feet, more or less, to a point on the northerly side of Begdad Road; then turning and running N 72E 38' 00" W along Begdad Road a distance of sixty-eight and sixteen hundredths (68.16) feet, more or less, to the point of beginning.

EX3178 PG0101

Moving and intending to convey a portion of the premises conveyed to Francis D. Manock and Dorothy L. Manock by deed of Eileen R. Carr dated October 28, 1953, recorded at the Stafford County Registry of Deeds, Book 623, Page 426. See also deed from Alma Bedgerik (aka Alma M. Cross) to Francis D. Manock and Dorothy L. Manock dated August 29, 1956, recorded at the Stafford County Registry of Deeds, Book 1885, Page 471, re-recorded at Book 1892, Page 295 (re-conveys the remaining property located in Madbury, NH, which was once a portion of the property described in the above deed at Book 623, Page 426)

Also conveyed herewith, together with and appurtenant to the above described premises, but with Quitclaim Covenants (and not Warranty Covenants) is any and all of the grantee's rights in and to, and to use, the common driveway built and located partly on the above described premises, which common driveway is shown on plan recorded July 10, 1975 at the Stafford County Registry of Deeds as Pocket #1, Folder 12, Plan 51 and any and all of the grantee's rights in the fifty (50) foot right of way as shown on plan recorded September 24, 1976, in said Registry as Plan 17-61.

Signed this 22 day of April, 2005.

Francis D. Manock

Francis D. Manock

Dorothy L. Manock

Dorothy L. Manock

*Alma Cross
Plan 1976*

STATE OF MAINE
COUNTY OF Washington

April 22, 2005

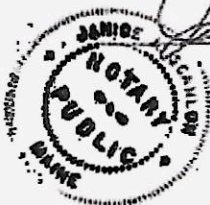
Personally appeared the above-named Francis D. Manock and Dorothy L. Manock and acknowledged the foregoing instrument to be their voluntary act and deed.

Jane A. Scanlon

Notary Public
My Commission Expires

JANE A. SCANLON
Notary Public, Maine
My Commission Expires June 9, 2007

8K3178 PG0102



*See also
410/710
driveway
maint. agr.
w/ Nieves*

QUITCLAIM DEED

KNOW ALL PERSONS BY THESE PRESENTS, that Juan P. Nieves and Amanda P. Nieves, husband and wife, of 95 Bagdad Road, Durham, New Hampshire 03824, for consideration paid, grant to Michael J. Mulhern and Martha A. Mulhern, husband and wife, of 93 Bagdad Road, Durham, New Hampshire, 03824, as joint tenants with rights of survivorship, with QUITCLAIM COVENANTS, the following:

All our right, title and/or interest in and to a certain tract or parcel of land in fee simple situate on the northerly side of Bagdad Road in the Town of Durham, County of Strafford and State of New Hampshire and which premises are identified as the "Access Easement" area on a Plan entitled "Lot Line Adjustment Plan Michael & Martha Mulhern 91 & 93 Bagdad Road and Durham Road-Route 108" dated June 6, 2018, prepared by Trittech Engineering Corporation, Job No. 17105 and to be recorded in the Strafford County Registry of Deeds and being further depicted as follows:

*116-085
086
087*

Beginning at a steel stake at Bagdad Road at Tax Map 10, Lot 8-7 at the southwest corner of land of Juan Nieves and Amanda Nieves; thence continuing along a curve with a radius of 20.00' a distance of 28.94' to a steel stake along land of Nieves;

Thence continuing N 05° 29' 25" W along said access easement area and land of Nieves and along land now or formerly of Dixon and Young (Tax Map 10, Lot 8-9) a distance of 410.10' to a rebar to be set at land of Mulhern;

Thence turning and running S 84° 31' 59" West across said access easement area to a point at Tax Map 10, Lot 8 -8 at other land of Mulhern;

Thence turning and running S 05° 29' 25" E along said land of Mulhern to a rebar to be set at the northwest corner of Tax Map 10, Lot 8-1, being land now or formerly of Day;

Thence continuing S 05° 29' 25" E along land of Day 201.20' to a steel stake at Bagdad Road;

Thence turning and running S 88° 56' 54" E a distance of 68.03' to a steel stake at the point of beginning.

Being a portion of the premises described in deed of Chris Croasdale and Genevieve Croasdale

954/121

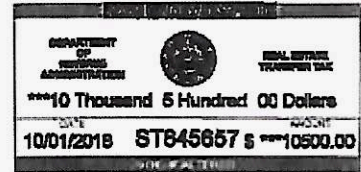
Subject to R/W & use by Hman 1984

*4369/291
Lot 1 on
Tappan Park*

26-90



Return to:
Greg A. Imbrie
93 Bagdad Road
Durham, NH 03824



deed out includes how

WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS THAT **Michael J. Mulhern and Martha A. Mulhern**, Husband and wife of 93 Bagdad Road, Durham, County of Strafford, New Hampshire,

For consideration paid, grants to **Greg A. Imbrie**, a married person, of 20 Mills Falls Road, Barrington, County of Strafford, New Hampshire, *aka Gregory A. Imbrie

With Warranty Covenants the following:

A certain tract or parcel of land, together with the buildings and improvements thereon, located on the northerly side of Bagdad Road in the Town of Durham, County of Strafford, and the State of New Hampshire, being shown as Map 10, Lot 8-6 on plan entitled "Lot Line Adjustment Plan, Michael & Martha Mulhern, 91 & 93 Bagdad Road and Durham Road - Route 108, Durham New Hampshire" dated June 6, 2018, and prepared by Tritech Engineering Corporation, recorded at the Strafford County Registry of Deeds on September 21, 2018 as plan numbers 116-085, 116-086 and 116-087, being more particularly bounded and described as follows:

Beginning at a steel stake found on the northerly sideline of Bagdad Road at the southwest corner of Map 10, Lot 8-7; thence running along the northerly sideline of Bagdad Road, North 88° 56' 54" West, a distance of 68.03 feet to a steel stake found at Map 10, Lot 8-1; thence turning and running along Map 10, Lot 8-1, North 05° 29' 25" West, a distance of 201.20 feet to a rebar to be set at Map 10, Lot 8-8; thence continuing along Map 10, Lot 8-8, North 05° 29' 25" West, a distance of 277.75 feet to a rebar to be set; thence turning and running still along Map 10, Lot 8-8, North 27° 27' 43" East, a distance of 111.75 feet to a rebar to be set; thence turning and running

still along Map 10, Lot 8-8, North 09° 27' 10" West, a distance of 47.55 feet to a rebar to be set; thence turning and running still along Map 10, Lot 8-8, North 28° 30' 35" East, a distance of 63.38 feet to a rebar to be set; thence turning and running still along Map 10, Lot 8-8, South 86° 59' 08" East, a distance of 148.90 feet to a rebar to be set; thence turning and running still along Map 10, Lot 8-8, South 42° 34' 36" East, a distance of 101.76 feet to a rebar to be set in the stonewall at Map 10, Lot 8-2; thence turning and running along Map 10, Lot 8-2, South 27° 27' 43" West, a distance of 175.70 feet to a rebar found at Map 10, Lot 8-9; thence turning and running along the Map 10, Lot 8-9, South 84° 31' 59" West, a distance of 155.99 feet to a rebar to be set; thence turning and running still along Map 10, Lot 8-9 and Map 10, Lot 8-7, South 05° 29' 25" East, a distance of 410.10 feet to a steel stake found; thence turning and running still along Map 10, Lot 8-7, along a curve to the left having a radius of 20.00 feet, a distance of 28.94 feet to a steel stake found on the northerly sideline of Bagdad Road, said steel stake being the point of beginning.

This parcel is conveyed TOGETHER WITH the benefit of a 75 foot protective well radius easement on the remaining land of grantors (Tax Map 10, Lot 8-8) as shown on the above referenced subdivision plan.

This parcel is also conveyed TOGETHER WITH the benefit of a restriction on the remaining land of grantors (Tax Map 10, Lot 8-8) prohibiting the owners of Tax Map 10, Lot 8-8 from installing an effluent disposal area within 75' of the existing well on Tax Map 10, Lot 8-6.

The above described Map 10, Lot 8-6 contains 1.717 acres.

Said lot is conveyed with and subject to:

1. All notes, conditions, easements, and other state of facts shown on the Plan.
2. The rights of the owners of Map 10, Lot 8-8 to use the right of way as shown on a plan entitled "Land of Francis D. & Dorothy L. Manock, Durham, N.H." dated April, 1974 and recorded as Plan 21, Pocket 8, Folder 3 in the Strafford County Registry of Deeds, for purposes of ingress and egress from Bagdad Road to said premises. See Warranty Deed recorded in the Strafford County Registry of Deeds at Book 959, Page 121.

Particular 7605/287

KNOW ALL PERSONS BY THESE PRESENTS THAT Michael J. Mulhern and Martha A. Mulhern, Husband and wife of 93 Bagdad Road, Durham, County of Strafford, New Hampshire,

For consideration paid, grants to Greg A. Imbrie, a married person, of 20 Mills Falls Road, Barrington, County of Strafford, New Hampshire,

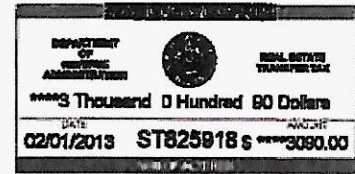
*aka Gregory A. Imbrie

With Warranty Covenants the following:

A certain tract or parcel of land, together with the buildings and improvements thereon, located on the northerly side of Bagdad Road in the Town of Durham, County of Strafford, and the State of New Hampshire, being shown as Map 10, Lot 8-6 on plan entitled "Lot Line Adjustment Plan, Michael & Martha Mulhern, 91 & 93 Bagdad Road and Durham Road - Route 108, Durham New Hampshire" dated June 6, 2018, and prepared by Tritech Engineering Corporation, recorded at the Strafford County Registry of Deeds on September 21, 2018 as plan numbers 116-085, 116-086 and 116-087, being more particularly bounded and described as follows:

3. The rights of the owners of Map 10, Lot 8-7 to use the Access and Utility Easement area as shown on plan entitled "Lot Line Adjustment Plan, Michael & Martha Mulhern, 91 & 93 Bagdad Road and Durham Road - Route 108, Durham New Hampshire" dated June 6, 2018, and prepared by Tritech Engineering Corporation, recorded at the Strafford County Registry of Deeds on September 21, 2018 as plan numbers 116-085, 116-086 and 116-087. See reservation of rights in the Quitclaim Deed from Juan P. Nieves and Amanda P. Nieves recorded in the Strafford County Registry of Deeds at Book 4601, Page 768.
4. The Driveway Maintenance Agreement between Michael J. Mulhern and Martha A. Mulhern and Juan P. Nieves and Amanda P. Nieves dated September 15, 2018 and recorded at Strafford County Registry of Deeds, Book 4601, Page 0770.
5. Notice of Decision by Town of Durham recorded in the Strafford County Registry of Deeds, at Book 4602, Page 301.

Meaning and intending to convey a portion of the same premises conveyed to the grantors by deed of Francis D. Manock and



WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS: That Michael D. Allen, Married person of 349 Route 108, Madbury NH 03823 and Lisa D. Allen, a single person of 12 Littlehale Road, Durham, NH 03824, for consideration paid grant(s) to Michael J. Mulhern and Martha A. Mulhern, Husband and Wife of 93 Bagdad Road, Durham NH 03824 as joint tenants with rights of survivorship with **WARRANTY COVENANTS:**

A certain tract of land situate off the Northerly side of Bagdad Road, in the Town of Durham, County of Strafford and State of New Hampshire, as set forth on a plan entitled "Land of Francis D. & Dorothy L. Manock, Durham, New Hampshire, G.L. Davis & Associates" dated April 1974 and recorded at the Strafford County Registry of Deeds as Plan No 21/8/3, bounded and described as follows:

10-8-8
on
1974
Plan

Beginning on the Westerly side of a reserved right of way at an iron pipe at the Northeast corner of land now or formerly of Furman; which pip is Two Hundred (200) feet N 10° 51' E from the Northerly side of Bagdad Road, thence N 75° 25' W along said Furman land a distance of Two Hundred (200) feet to a steel stake at land now or formerly of Faucy; thence N 11° 01' E by and along said Faucy land a distance of Two Hundred Eighty Six (286) feet to an iron pipe and Lot #6, situate in the Pine Ridge Development so-called; thence N 10° 25' E by and along said Lot #6 and Lot #6A in the Pine Ridge Development a distance of One Hundred Fourteen (114) feet to land now or formerly of Manock; thence S 75° 25' E by and along said Manock land a distance of Two Hundred (200) Feet to a steel stake; thence S 10° 51' W a distance of One Hundred Seventy Seven and Eight Tenths (177.8) feet, thence continuing S 10° 51' W a distance of Two Hundred Twenty Two and Two tenths (222.2) feet to the point of beginning.

Mulhern's
row -> the
land

Subject to

Right to use and reserved right of way as set forth on Plan No. 21/8/3 recorded Strafford County Registry of Deeds for the purposes of ingress and egress from Bagdad Road to said premises.

Slope easement granted to the State of New Hampshire by instrument dated May 16, 1962, recorded at Book 775, Page 177, Strafford County Registry of Deeds.

Easement granted to New England Telephone and Telegraph Company by instrument dated January 3, 1964, recorded at Book 775, Page 177, Strafford County Registry of Deeds.

by virtue of 3178/99?

032212

2003 SEP 12 PM 1:23

STRAFFORD COUNTY
REGISTRY OF DEEDS

includes Rowland (fee)

**Warranty Deed
Corrective**

Know all persons by these present that: We, Richard C. Tappan and Sally M. Tappan, husband and wife, of 95 Bagdad Road, Durham, New Hampshire 03824 for consideration paid, grant to Chris Croasdale and Genevieve Croasdale, husband and wife, of 27 Bayview Road, Durham, NH 03824, as joint tenants with rights of survivorship, with WARRANTY COVENANTS:

Land with buildings in DURHAM, Strafford County, New Hampshire, on the northwesterly side of New Hampshire Rout 108 and Dover Road on the northerly side of Bagdad Road being Lot 1 on a revised subdivision plan entitled "Plan of Subdivision for Richard and Sally Tappan, Bagdad Road and Dover Road, Durham, New Hampshire, K. E. Moore and G.G. Staples, Land Surveyors, Dover, New Hampshire, Dated January 1986", approved February 5, 1986, Strafford County Registry of Deeds, particularly bounded and described as follows:

#28-90

Beginning at an iron pin set in a stone wall along the northwesterly sideline of New Hampshire Route 108 and the northeasterly corner of Lot 1;
Thence along Route 108 S447° 28' W 242.80 feet, more or less, to the northerly sideline of Bagdad Road;
Thence along Bagdad Road N 72° 35' W 266. feet more or less to a steel stake found at land now or formerly of Paul and Thelma Knight;
Thence along Knight land N 10° 51' E 200 feet, more or less to an iron pipe at the northeast corner of Knight land;
Thence along land now or formerly of Diana and Earl Archie N 10° 51' E 222.2 feet, more or less to land now or formerly of Francis and Dorothy Manock;
Thence along Manock land S 79° 09' 50.0 feet more or less to a steel stake found;
Thence S 10° 51' W 150.00 feet more or less to an iron pin set;
Thence S 76° 30' 45" E 208.54 feet, more or less to an iron pin set
Thence S 46° 16' 10" E 167.18 feet, more or less to the point of beginning.

Subject to a reserved right-of-way to the Town of Durham on a plan of "Land of Francis D. and Dorothy L. Manock" dated April 1974, recorded as Plan 21, Pocket 8, Folder 3, Strafford County Registry of Deeds.

Subject to the right to use the same right-of-way cited above and granted to Alfred W. Homan and Naomi M. Homan at Book 959, Page 121.

Being a portion of the premises conveyed to Richard C. Tappan and Sally M. Tappan, by deed of Francis D. and Dorothy L. Manock, dated April 10, 1974 Recorded with the Strafford Registry of Deeds at book 947, page 132

*Not shown on plan
Manock*

DK 2852 PG 0662

*new to
44-99*

The Grantors hereby release all rights of homestead and other interests herein.

This deed is a corrective deed to correct the property description in the deed dated August 27, 2003 and recorded at book 2841, page 134.

Witness my hand this 5 day of September, 2003.

Richard C. Tappan
Richard C. Tappan

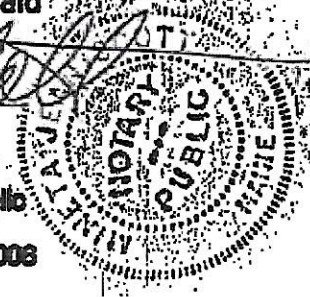
Sally M. Tappan
Sally M. Tappan

State of Maine

County of York

On the 5 day of September, 2003 before me personally appeared Richard C. Tappan and Sally M. Tappan, known to me or satisfactorily proven to be the parties executing the foregoing instrument, and they acknowledged said instrument, by them executed, to be their free act and deed.

Minota Jean Scott
Notary Public
Minota Jean Scott, Notary Public
State of Maine
My Commission Expires 8/20/2006



BK 2852 PG 0663