

## **NOTICE OF GRANT AGREEMENT**

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, Virginia 22203, and having a New Hampshire Field Office at 22 Bridge Street, 4<sup>th</sup> Floor Concord, NH 03301 (the "Conservancy") is the holder of a Conservation Easement on a parcel of land located on Lee Hook Road in the Town of Lee, Strafford County, New Hampshire (the "Property"), being approximately 86.68 acres, more particularly described in a Conservation Easement Deed to the Conservancy from Ath-Mor Holsteins, Inc. recorded herewith (the "Conservation Easement"). A description of the Property is set forth in Exhibit A attached hereto.

Notice is hereby given that the Conservation Easement was acquired with funds provided by the National Oceanic and Atmospheric Administration ("NOAA") pursuant to a grant agreement between NOAA and the Conservancy, Award No. NA10NOS4630119 (the "Award"). The Conservation Easement interest in the Property shall vest in the Conservancy subject to the "use" and "disposition" instructions from NOAA or its successor agencies when the Conservation Easement is no longer needed for the purposes of the Award. The Conservancy must obtain the approval of NOAA or its successor agencies before disposing of or encumbering its interests in the Conservation Easement, other than the conveyance of an interest to any of the following members of the Great Bay Resource Protection Partnership: Ducks Unlimited, Audubon Society of New Hampshire, the Society for the Protection of New Hampshire Forests, and the New Hampshire Fish & Game Department.

The terms of this Notice shall be binding upon the Conservancy and its successors, successors in title and assigns.

In witness whereof, the Conservancy has set its hand and seal this 31<sup>st</sup> day of December, 2012.

**THE NATURE CONSERVANCY**

By: \_\_\_\_\_  
Duane Hyde  
Its: New Hampshire Director of  
Conservation Programs

STATE OF NEW HAMPSHIRE)  
COUNTY OF STRAFFORD)

On this \_\_\_\_ day of December, 2012, before me, the undersigned notary public, personally appeared Duane Hyde, the New Hampshire Director of Conservation Programs of The Nature Conservancy (a corporation), to me personally known or otherwise proved to me through satisfactory evidence of identification to be the person whose name is signed on the preceding document, and acknowledged to me that he signed such document voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public  
My Commission Expires:

## EXHIBIT A

### EASEMENT PROPERTY DESCRIPTION

The "Property" subject to the Easement is two certain tracts or parcels of land consisting of a total of 86.68 acres, more or less, in the Town of Lee, County of Strafford, State of New Hampshire, located on the easterly and westerly side of Lee Hook Road, so called, shown as **Easement Area A** and **Easement Area B** on a plan entitled "Conservation Easement Plan Prepared for The Nature Conservancy of Properties in the Name of Ath-Mor Holsteins, Inc., Shown as Tax Map 33 / Lot 1-0 & Tax Map 34 / Lot 4-4, Located at Lee Hook Road, County of Strafford, Lee, NH," dated December 28, 2012, prepared by David W. Vincent, LLS, Land Surveying Services, of Barrington, NH dated December 28, 2012, recorded as Plan No. \_\_\_\_\_ at the Strafford County Registry of Deeds (hereafter "Survey Plan"), and more particularly bounded and described as follows, with all bearings based on grid north orientation:

#### Easement Area A

**Beginning** at an iron rod located on the westerly side of said Lee Hook Road at the northeast corner of the premises herein described, said iron rod being located at the southeast corner of land now or formerly of Thomas P. and Carol A. Morrell;

Thence S 12°48'37" E, along said Lee Hook Road, a distance of 274.60' to an iron rod at other land of Grantor identified on the Plan as "Excluded Area";

Thence the following courses and distances along said other land of Grantor identified on the Plan as "Excluded Area":

S 80°37'53" W a distance of 198.34' to a wood fence post;  
S 63°26'28" W a distance of 245.67' to an iron rod;  
S 17°35'50" E a distance of 473.19' to an iron rod;  
S 55°38'02" E a distance of 146.88' to an iron rod;  
S 70°16'48" E a distance of 302.14' to an iron rod in a stone wall at land now or formerly of Haendler Realty Revocable Trust;

Thence the following courses and distances along said Haendler land and along said stone wall:

S 07°32'33" E a distance of 61.75' to a drill hole;  
S 04°24'48" E a distance of 89.82' to a drill hole;  
S 08°00'35" E a distance of 97.58' to a drill hole;  
S 05°16'29" E a distance of 57.13' to a drill hole;  
S 08°13'26" E a distance of 60.18' to a drill hole at a corner of said stone wall;  
S 49°59'18" W a distance of 96.18' to a drill hole;  
S 48°53'09" W a distance of 209.78' to a drill hole;  
S 45°45'07" W a distance of 61.45' to a drill hole;  
S 19°38'34" W a distance of 43.40' to a drill hole at a corner of said stone wall at land now

or formerly of Chick Trucking Inc.;

Thence the following courses and distances along said Chick Trucking land:

S 86°44'42" W a distance of 745.40' to a drill hole at the end of a stone wall;  
S 85°27'00" W a distance of 90.25' to a drill hole at the end of said stone wall;  
S 85°29'08" W, a distance of 972.84' crossing a utility right of way to a drill hole at the end of a stone wall to land now or formerly of Stephen S. Woodruff, et al.;

Thence the following courses and distances along said Woodruff land:

S 82°00'30" W, a distance of 227.97' along said stone wall to an iron rod at a corner of said stone wall;  
N 03°03'21" E a distance of 406.38' to an iron rod at a barway in said stone wall at land now or formerly of James Brady;

Thence the following courses and distances along said Brady land:

N 02°05'16" E a distance of 92.69' to the end of said stone wall;  
N 06°22'38" E a distance of 35.59' to a 16" hemlock tree with remains of barbed wire fence;  
N 32°22'56" W a distance of 203.18' to a 16" oak tree with remains of barbed wire fence;  
N 23°09'09" W a distance of 119.15' to a drill hole at the end of a stone wall;  
N 26°07'52" W a distance of 94.00' to a drill hole at the end of said stone wall;  
Continuing N 26°07'52" W a distance of 79', more or less, to the center line of the Lamprey River;

Thence in a generally easterly, northerly, and northwesterly direction, along the center of said Lamprey River to a point at land now or formerly of Jane D. Poulin;

Thence the following courses and distances along said Poulin land:

S 78°31'58" E a distance of 96', more or less, to an iron rod, which iron rod lies on a tie course of N 49°31'54" E a distance of 950.37' from the drill hole at the end of a stone wall described in the third prior course above;  
Continuing S 78°31'58" E a distance of 64.07' to a point;  
N 01°54'46" E, partially along a stone wall, a distance of 144.32' to a spike at the base of a 30" hemlock tree in said stone wall;  
N 05°10'09" E a distance of 216.74' to an iron rod in said stone wall;  
N 05°59'36" E a distance of 241.74' to an iron rod in said stone wall;  
N 10°55'25" E a distance of 43.90' to a point in said stone wall;  
N 16°41'49" E a distance of 123.88' to an iron rod in said stone wall;  
N 12°48'49" E a distance of 82.12' to a point in said stone wall;  
N 20°11'34" E a distance of 119.94' to a point in said stone wall;  
N 25°57'38" E a distance of 84.72' to an iron rod in said stone wall;  
N 33°26'21" E a distance of 35.40' to the end of said stone wall;

N 68°54'21" E a distance of 137.73' to an iron rod;  
N 83°40'35" E a distance of 85.18' to a drill hole at the end of a stone wall;  
S 77°44'11" E a distance of 72.28' to a drill hole at the end of said stone wall;  
S 69°14'47" E a distance of 158.51' to an iron rod in a stone wall;  
S 69°34'48" E a distance of 372.57' to an iron rod at the intersection of stone walls at land now or formerly of James P. Gove, et al.;

Thence the following courses and distances along said Gove land:

S 19°49'26" W a distance of 293.84' to an iron rod in said stone wall;  
S 21°04'22" W a distance of 121.82' to an iron rod at the corner of said stone wall at land now or formerly of said Morrell;

Thence the following courses and distances along said Morrell land:

S 18°23'20" W a distance of 202.76' to an iron rod;  
N 88°59'40" E a distance of 682.34' to said **point of beginning**,

Having an area of 83.27 acres, more or less.

#### **Easement Area B**

**Beginning** at an iron pipe located on the easterly side of said Lee Hook Road at the southwest corner of the premises herein described, said iron pipe being located at the northwest corner of land now or formerly of Dylan E. Bosinger;

Thence the following courses and distances along said Lee Hook Road:

Following a curve turning to the right with an arc length of 206.22', with a radius of 785.59', to an iron rod;  
N 12°48'37" W a distance of 28.68' to an iron rod, at land now or formerly of Steven R. Amazeen;

Thence the following courses and distances along said Amazeen land:

S 85°34'34" E a distance of 200.00' to an iron rod;  
N 05°13'56" W a distance of 200.00' to an iron pipe in a stone wall at land now or formerly of Matthew and Kathleen Rowell;

Thence the following courses and distances along said stone wall and along said Rowell land:

S 85°25'02" E a distance of 57.04' to a drill hole in said stone wall;  
S 85°24'39" E a distance of 65.60' to a drill hole in said stone wall;  
S 83°47'13" E a distance of 20.69' to a drill hole in said stone wall;  
S 84°51'50" E a distance of 57.33' to a drill hole in said stone wall;  
S 85°44'05" E a distance of 45.57' to a drill hole in said stone wall;

S 86°50'48" E a distance of 24.48' to a drill hole in said stone wall;  
S 88°18'19" E a distance of 67.08' to a drill hole at the intersection of stone walls at land now or formerly of Theodore and Marian Kelsey;

Thence the following courses and distances along said stone wall and along said Kelsey land:

S 11°28'55" W a distance of 221.05' to a drill hole in said stone wall;  
S 12°05'35" W a distance of 130.31' to a drill hole in said stone wall;  
S 10°50'39" W a distance of 110.01' to a drill hole at the intersection of stone walls at land of said Bosinger;

Thence the following courses and distances along said stone wall and along said Bosinger land:

N 64°41'56" W a distance of 138.20' to a drill hole in said stone wall; N 67°11'30" W a distance of 140.50' to a point in said stone wall;  
S 65°50'34" W a distance of 102.77' to said **point of beginning**.

Having an area of 3.41 acres, more or less.

**THE EASEMENT AREAS ARE SUBJECT TO:**

1. Flowage easement along the Lamprey River granted by John Bryggan and Mary Bryggan to Newmarket Electric Co., dated January 8, 1919, recorded at Strafford County Registry of Deeds on January 9, 1919, as Book 386, Page 226. See plan reference recorded at Strafford County Registry of Deeds as Book 384, Page 501.
2. Flowage easement along the Lamprey River granted by John F. Bessom to Rockingham County Light and Power Co., dated March 1, 1920, recorded at Strafford County Registry of Deeds on March 3, 1920, as Book 391, Page 409. See plan reference recorded at Strafford County Registry of Deeds as Book 384, Page 501.
3. 40' wide utility easement granted by John Bryggan and Mary Bryggan to Portsmouth Power Co., dated December 7, 1925, recorded at Strafford County Registry of Deeds on December 9, 1925, as Book 418, Page 285.
4. 100' wide utility easement granted by Charles H. Brady and Virginia M. Brady to New Hampshire Electric Co., dated April 1, 1952, recorded at Strafford County Registry of Deeds on April 18, 1952, as Book 602, Page 285.
5. 100' wide utility easement granted by John S. Dow and Erma M. Dow to New Hampshire Electric Co., dated April 2, 1952, recorded at Strafford County Registry of Deeds on April 18, 1952, as Book 602, Page 288.
6. Slopes and embankment easement granted by Charles H. Brady and Virginia M. Brady to the State of New Hampshire, dated March 17, 1954, recorded at Strafford County Registry of Deeds on March 22, 1954, as Book 628, Page 43.

7. Strafford County Superior Court Decree - Equity #7629; Ernest Cutter, Jr., and Thomas P. Morrell & Carol A. Morrell v. David A. Champaigne, et al, dated April 13, 1979, recorded at Strafford County Registry of Deeds on April 18, 1979, as Book 1030, Page 834. Decree quiets title of portion of subject parcel (Tract III), excluding Tax Map 33, Lot 1-1, now or formerly of Thomas P. Morrell & Carol A. Morrell, see Strafford County Registry of Deeds Book 938, Page 144.

**THE EASEMENT AREAS WERE CONVEYED TOGETHER WITH;**

1. 20' wide access easement (to benefit Tract IV described in the deed at Book 2524, page 0251 at said Registry); John S. & Erma M. Dow to Charles Brady, dated February 25, 1957, recorded at Strafford County Registry of Deeds on April 11, 1957, as Book 674, Page 47. Location of easement is on southerly boundary of Tax Map 33, Lot 1-2, now or formerly of James P. Gove and Jeannie B Mackay, see Strafford County Registry of Deeds Book 1681, Page 185.

2. Any and all rights established by the facts recited in the Affidavit of Charles Brady; describing use of the deeded 20' wide access easement in another location, dated May 6, 1983, recorded at Strafford County Registry of Deeds on June 6, 1983, as Book 1101, Page 402. Location is along the southerly boundary of Tax Map 33, Lot 2-0, now or formerly of Jane D. Poulin, see Strafford County Registry of Deeds Book 3711, Page 224. Also see Strafford County Registry of Deeds Book Plan No. 29-53, where relocated access easement is depicted on Parcel A as "20' Wide Wheelway BK 1101, PG 402."

**MEANING AND INTENDING** to describe a portion of the premises conveyed by Quitclaim Deed from Trustees of the Ernest J. Cutter Revocable Trust to Ath-Mor Holsteins, Inc., dated June 6, 2002, recorded at said Registry at Book 2524, Page 0251.

Not homestead property of the Grantor.