

June 26, 2019

Wayne Marshall
Director of Codes & Planning
131 Church Street
Belfast, ME 04915

RE: Nordic Aquafarms, Inc.'s Applications Before the
Planning Board

Dear Mr. Marshall:

This letter responds to intertidal zone right, title, and interest ("RTI") issues raised with regard to the above referenced applications of Nordic Aquafarms, Inc. ("NAF"). Specifically, this letter augments our previous submittals by addressing a neighboring property's quiet title action from the early 1970s that opponents claim is relevant to the RTI analysis in this case. It is not.

By way of background, NAF here briefly summarizes the RTI issues addressed in previous submittals: First, the 2012 deed to the Eckrotes describes the property by reference to the Bay sufficient to establish color of title to the intertidal zone. Second, the deed to Fred R. Poor dated January 25, 1946, predecessor in title to the Eckrotes, does not establish an unambiguous severance of the intertidal zone from the Eckrote upland because the side lot lines in that deed terminate at the ocean ("in the mouth of a brook" and "at the outlet of a gully"), which is sufficient to create a presumption against severance of the intertidal zone from the upland notwithstanding the call in that same deed for a measurement "along high water mark of Penobscot Bay 410 ft." Finally, even if a severance of the Eckrote's intertidal zone did occur in 1946, the release deeds from the heirs of Harriet Hartley are suffice to give NAF a common and undivided interest in the entire intertidal zone; this too ends the RTI analysis. Any of these points, taken alone, provide RTI, and the Planning Board lacks authority to adjudicate any contrary claims.

The 1970 quiet title action *Ferris v. Hargrave* does not alter this analysis. As has previously been explained, the abutters description used to convey the neighboring property to the Butlers in 1950 cannot be read to include the intertidal zone in front of the Eckrotes (then owned by Fred Poor), but only that intertidal zone in front of the Butlers' upland. That description bounded the property to the north by Fred Poor, not by Sam Cassida (who would have been the northerly abutter if the intertidal zone in front of Fred Poor had been included in the abutters description). That same abutters description was carried forward to Mabee and Grace, and that same abutters description (absent the additional reference to the intertidal zone

contained in the Butler deed) was used in the 1970 quiet title action *Ferris v. Hargrave*. Thus that 1970 quiet title action has no effect on the analysis beyond what already existed with regard to the 1950 conveyance to Butler.

Furthermore, *Ferris v. Hargrave* was brought against a single ascertained individual: Genevieve E. Hargrave and those claiming under her. Although it was also served by publication against “other persons unascertained, not in being or unknown or out of the State” that bare statement and method of service would not quiet title against *known or ascertainable* individuals who might otherwise have a claim through an instrument of record (including as an heir of Harriet Hartley). See *Mullane v. Cent. Hanover Bank & Tr. Co.*, 339 U.S. 306 (1950). The dispute at issue in *Ferris v. Hargrave* involved a Plaintiff who was “apprehensive that in the event the said Genevieve E. Hargrave was not a single person at the time of the aforesaid conveyance [in 1934 to Arthur and Harriet Hartley] but was a married woman, that some person or persons may claim some right, title, interest, or estate to the land that is subject of this action.” In other words, it quiets title to the heirs or claimants under a *predecessor in interest* to Harriet Hartley under the theory that Harriet Hartley did not have full fee title to convey to the Butlers by deed. With regard to the land described in the Butler deed, those claiming subsequent to Harriet Hartley could have no claim to that land because Harriet Hartley conveyed away all her interest therein *in the deed to Butler*. With regard to any land not described within the Butler deed (such as the intertidal zone in front of Fred Poor), the quiet title action could not impact that interest (even if it were held by Genevieve E. Hargrave) because the action itself is *limited to the land described in the Butler deed*. Put simply, *Ferris v. Hargrave* does nothing with regard to heirs of Hartley that wasn’t already done by the deed to Butler.

Accordingly, even if an unambiguous severance of the record-ownership of the intertidal zone occurred in 1946 (which it did not), the analysis of *Ferris v. Hargrave* changes nothing: the result would still be that that intertidal zone in front of the Eckrotes would have been retained by the heirs of Harriet Hartley¹, not conveyed to the Butlers by an abutters description bounded on the north by the land of Fred Poor. Because Fred Poor’s line to the north intersects with the high tide line, the Colonial Method would operate as a matter of law to extend that line from the highwater mark to the low water mark. *Emerson v. Taylor*, 9 Me. 42 (1832); *Portsmouth Harbor, Land & Hotel Co. v. Swift*, 109 Me. 17, 82 A. 542 (1912). NAF obtained release deeds from heirs of Hartley in order to ensure absolute certainty regarding right, title and interest. Notwithstanding these release deeds, NAF recognizes the Eckrotes’ and the Morgans’ current ownership of the intertidal zone based on its interpretation of the record title that there was no severance in the 1946 deed to Poor, and its belief that any severance would since have been reunited by exclusive possession since that time. NAF views claims to the contrary as creating potential liability of slander of title for those asserting that the Eckrotes and the Morgans do not own their intertidal lands in fee, and NAF therefore disclaims those assertions.

¹ On June 12, 2019, Attorney Tucker filed with the BPL and DEP a 1900 census showing that Harriet L. Hartley had two sisters: Genevieve Hargrave and Esther Hargrave. Attorney Tucker then concludes that any heirs of Harriet must be heirs of Genevieve. This analysis is unsound. It ignores the possibility of other heirs of Hartley, such as, the second sister listed by Attorney Tucker- Esther Hargrave.

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Sincerely,

A handwritten signature in blue ink, appearing to read 'DK', with a long horizontal flourish extending to the right.

David M. Kallin

June 10, 2019

By electronic mail only

Melanie Loyzim, Deputy Commissioner
Maine Department of Environmental Protection
17 State House Station
Augusta, ME 04333

RE: Nordic Aquafarms, Inc.'s Site Location of Development Act
Application and Natural Resources Development Act
Application, DEP #L-28319-26-A-N/L-28319-TG-B-N/L-
28319-SE-C-N/L-28319-L6-D-N

Dear Deputy Commissioner Loyzim:

This letter is Nordic Aquafarms, Inc.'s ("NAF") response to Maine Department of Environmental Protection's (the "Department") letter dated May 29, 2019 which specifically requested submission of specific evidence regarding right, title and interest for NAF's proposed land based aquaculture facility in Belfast, Maine. Please incorporate this filing into the record for all of the NAF applications pending before the Department for review by the Board of Environmental Protection (i.e. including, but not limited to, NRPA, SLODA, MEPDES, and Minor New Source Air Emissions). We understand that this filing includes new material in support of a completeness determination by the Department and, accordingly, NAF has no objection to extension of the Department's deadline for accepting the application as complete for processing until June 14, 2019.

Request 1: *November 14, 2018 Dorsky survey/plan and amendments/revisions (including those dated February 22, 2019) and the April 2, 2018 Good Deeds Survey.*

NAF Response: Please see Exhibit A attached hereto which includes the latest iteration of the Dorsky survey including a list describing amendments thereto and the April 2, 2018 Good Deeds survey. The Dorsky survey was most recently amended to include additional information requested in your letter regarding the size, acreage, and dimensions of the Eckrote intertidal area.

Request 2. *All deeds in the chain of conveyance from Harriet L. Hartley to Jeffrey R. Mabee/Judith B. Grace*

NAF Response: Please see Exhibit B attached hereto, which includes the deeds and a chain of title summary regarding the chain of title for the Mabee/Grace parcel.

Request 3. *All deeds in the chain of conveyance from Harriet L. Hartley to Larry D. Theye/Betty Becker-Theye*

NAF Response: Please see Exhibit C attached hereto, which includes the deeds and a chain of title summary regarding the chain of title for the Theye parcel.

Request 4. *The surveys, deeds, and/or other basis for Ex. A to the Eckrote Easement Purchase and Sale Agreement (contained in Ex. 1 to Drummond Woodsum's May 17, 2019 letter to Brian Kavanah).*

NAF Response: Please see Exhibit D attached hereto, which includes these deeds and a chain of title summary regarding the chain of title for the Eckrote parcel.

Request 5. *The surveys, deeds, and/or other basis for the May 16, 2019 James A. Dorsky letter not already provided that relate to lots 32-38.*

NAF Response: Surveyor Dorsky conducted independent research of the chains of title as reflected in his May 16, 2019 letter (a stamped copy of which is attached hereto as Exhibit E) and survey (which is attached hereto as Exhibit A). Exhibit F attached hereto includes a letter from Attorney David Kallin.

We appreciate the Department's patient review of NAF's permit applications. Please do not hesitate to let us know if you have further questions.

Sincerely,



Joanna B. Tourangeau

JBT/cp

Enclosures

cc: Beth Callahan, Bureau of Land Resources
Peggy Bensinger, AAG
Scott Boak, AAG
Carol DiBello, Bureau of Parks and Lands, Department of Agriculture, Conservation & Forestry



CHAIN OF TITLE TO
JEFFREY R. MABEE and JUDITH B. GRACE parcel
(Belfast Tax Map 29, Lot 38)

Eva T. Burd and Edwin D. Burd
Warranty deed
Book 343, Page 497 dated 3/3/1924
to
Arthur Hartley
Warranty deed
Book 386, Page 452 dated 8/27/1934
to
Genevieve E. Hargrave
Quitclaim with covenant deed
Book 386, Page 453 dated 8/27/1934
to
Arthur Hartley and Harriet L. Hartley, as joint tenants
upon Arthur's death 2/10/1935, Harriet L. Hartley became sole owner

Harriet L. Hartley
Warranty deed
Book 474, Page 387 dated 1/25/1946
to
William P. Butler and Pauline H. Butler as joint tenants
Warranty deed
Book 587, Page 100 dated 5/13/1961
to
Ernest J. Bell and Marjorie M. Bell, as joint tenants
OUTSALE 5/18/1964 to John and Catherine Grady
Book 621, Page 288 (this parcel is now owned by Theye, Map 29, Lot 37)
Ernest J. Bell dies date unknown
Marjorie (an un-remarried widow) conveys balance of land
Warranty Deed
Book 652, Page 116; dated 10/17/1966
to
Willis C. Trainor and Virginia K. Trainor as joint tenants
Warranty Deed
Book 663, Page 98 dated 9/1/1967
to
Snelling S. Robinson
Dies testate, date unknown
Executor's and Trustee's Deed
Book 680, Page 688 dated 3/19/1970
to
Winston C. Ferris
Warranty Deed

Book 684, Page 688 dated 8/26/1970

to

Andrew J. Gay and Judith Gay

Warranty Deed

Book 817, Page 291 d. 11/1/1983

to

Christopher S. Smith and Heather O. Smith as joint tenants

Christopher S. Smith

Quitclaim Deed with Covenant

Book 833, Page 153 dated 12/11/1984

to

Heather O. Smith

Warranty Deed

Book 1221, Page 347; dated 5/31/1991

to

Jeffrey R. Mabee and Judith B. Grace, as joint tenants

Vol. 343.

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KNOW ALL MEN BY THESE PRESENTS,

That we, Eva T. Burd of Winchester in the State of Massachusetts, widow of Edwin D. Burd, late of West Medford, deceased, and Edwin D. Burd of said Winchester, son and sole heir at law of said Edwin D. Burd in consideration of one dollar and other valuable considerations paid by Arthur Hartley of Philadelphia in the State of Pennsylvania the receipt whereof we do hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said Arthur Hartley, his heirs and assigns forever,

A certain lot or parcel of land situated in Belfast in the County of Waldo and State of Maine, bounded and described as follows, to wit: Bounded northerly by land of Adoniram Moody and land owned by R. L. West, deceased, at the time of his decease; easterly by Penobscot Bay; southerly by Little River and land of Belfast Water District and westerly by land conveyed by us to Milton B. Hills by deed recorded in Waldo Registry of Deeds.

Excepting and reserving from the foregoing conveyance the two cottages and out-buildings thereon, that are owned by Clarence Poor and by Miss Couillard.

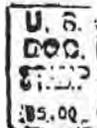
This conveyance being made subject to a right of way across the same as conveyed to said Milton B. Hills under said deed and subject to a certain lease given by us to Adoniram Moody which expires April 1, 1925 and subject to the rights of the public over the highway crossing said real estate. Also reserving the right to enter the buildings on said premises and remove therefrom all personal property belonging to us.

TO HAVE AND TO HOLD the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said Arthur Hartley, his heirs and assigns, to his and their use and behoof forever.

And we do Covenant with the said Grantee, his heirs and assigns, that we are lawfully seized in fee of the premises, that they are free of all incumbrances; that we have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that we and our heirs shall and will warrant and Defend the same to the said Grantee, his heirs and assigns forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, we the said Edwin D. Burd and Eva T. Burd wife of the said Edwin D. Burd, joining in this deed as Grantor, and relinquishing and conveying right by descent and all other rights in the above described premises, have hereunto set our hands and seals this third day of March in the year of our Lord one thousand nine hundred and twenty-four.

Signed, Sealed and Delivered in presence of
Kate Sargent
E. T. Couillard



Edwin D. Burd L. S.
Eva T. Burd L. S.

STATE OF MASSACHUSETTS, Middlesex co. March 7, 1924.

Personally appeared the above named Edwin D. Burd and acknowledged the above instrument to be his free act and deed.

Before me,

T. Price Wilson

Notary Public.

My commission expires August 15, 1924

Waldo ss. Received March 14, 1924, at 2h., 50m., P. M.

Recorded and indexed. Attest:

Louis [Signature]

Register of Deeds

386-458

8-27-34
8-29-34

(9305)

KNOW ALL MEN BY THESE PRESENTS,

That I, Arthur Hartley of Philadelphia in the State of Pennsylvania in consideration of one dollar and other valuable considerations paid by Genevieve E. Hargrave of said Philadelphia the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said Genevieve E. Hargrave, her heirs and assigns forever,

A certain lot or parcel of land situated in Belfast in the County of Waldo and State of Maine, bounded and described as follows, to wit: Bounded northerly by land of Adoniram Moody and land owned by W. L. West, deceased, at the time of his decease; easterly by Penobscot Bay; southerly by Little River and land of Belfast Water District and westerly by land conveyed by Eva T. Burd and Edwin D. Burd to Milton B. Hills by deed recorded in Waldo Registry of Deeds.

This conveyance being made subject to the rights of the public over the highway crossing said real estate, and also subject to a certain mortgage given by me to The City National Bank of Belfast dated September 10, 1930, and recorded in Waldo Registry of Deeds, Book 367, Page 286.

Also excepting and reserving from the foregoing conveyance the cottage and out-buildings thereon, owned by Clarence Poor.

TO HAVE AND TO HOLD the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said Genevieve E. Hargrave her heirs and assigns, to her and their use and behoof forever.

And I do Covenant with the said Grantee, her heirs and assigns, that I am lawfully seized in fee of the premises, that they are free of all incumbrances, except said mortgage to said The City National Bank of Belfast that I have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that I and my heirs shall and will warrant and defend the same to the said Grantee, her heirs and assigns forever, against the lawful claims and demands of all persons, except for said mortgage. *Dis*

IN WITNESS WHEREOF, I the said Arthur Hartley and Harriet L. Hartley wife of the said Arthur Hartley joining in this deed as Grantor, and relinquishing and conveying her right by descent and all other rights in the above described premises, have hereunto set our hands and seals this twenty-seventh day of August in the year of our Lord one thousand nine hundred and thirty-four.

Signed, Sealed and Delivered
in presence of
John R. Dunton
to both



Arthur Hartley L.S.
Harriet L. Hartley L.S.

STATE OF MAINE, Waldo ss. August 28 1934.

Personally appeared the above named Arthur Hartley and acknowledged the above instrument to be his free act and deed.

Before me, John R. Dunton

Justice of the Peace.

Waldo ss. Received August 29, 1934, at 9h., 25m., A. M.

Recorded and compared. Attest:

Louis Royal

Register of Deeds.

Vol. 386

(8306)

KNOW ALL MEN BY THESE PRESENTS,

That I, Genevieve E. Hargrave of Philadelphia in the State of Pennsylvania in consideration of one dollar and other valuable considerations paid by Arthur Hartley and Harriet L. Hartley, his wife, both of said Philadelphia the receipt whereof I do hereby acknowledge, do hereby remise, release, bargain, sell and convey, and forever quit-claim unto the said Arthur Hartley and Harriet L. Hartley, his wife, and the survivor of them as joint tenants and not as tenants in common, their heirs and assigns forever,

A certain lot or parcel of land situated in Belfast in the County of Waldo and State of Maine, bounded and described as follows, to wit: Bounded northerly by land of Adoniram Moody and land owned by W. L. West, deceased, at the time of his decease; easterly by Penobscot Bay; southerly by Little River and land of Belfast Water District and westerly by land conveyed by Eva T. Burd and Edwin D. Burd to Milton B. Hills by deed recorded in Waldo Registry of Deeds.

This conveyance being made subject to exceptions, reservations rights of the public and mortgage as set forth in deed of said Arthur Hartley to me bearing even date herewith to be recorded herewith in Waldo Registry of Deeds. Being the same real estate conveyed to me by said deed of said Arthur Hartley.

TO HAVE AND TO HOLD the same, together with all the privileges and appurtenances thereunto belonging, to the said Arthur Hartley and Harriet E. Hartley and the survivor of them in joint tenancy and not as tenants in common, their heirs and assigns forever.

And I do Covenant with the said Grantees, their heirs and assigns, that I will Warrant and forever Defend the premises to them the said Grantees, their heirs and assigns forever, against the lawful claims and demands of all persons claiming by, through, or under me.

IN WITNESS WHEREOF, I the said Genevieve E. Hargrave, have hereunto my hands and seals this twenty-seventh day of August in the year of our Lord one thousand nine hundred and thirty-four.

Signed, Sealed and Delivered
in presence of
John R. Dunton



Genevieve E. Hargrave L.S.
L.S.

STATE OF MAINE, Waldo ss.

August 26 1934.

Personally appeared the above named Genevieve E. Hargrave and acknowledged the above instrument to be her free act and deed.

Before me, John R. Dunton

Justice of the Peace.

Waldo ss. Received August 29, 1934, at 9h., 23m., A. M.

Recorded and compared. Attest:

Louis Royal

Register of Deeds.

(8308)

KNOW ALL MEN BY THESE PRESENTS,

That I, George Parker Cook of Belfast in the County of Waldo and State of Maine in consideration of one dollar and other valuable considerations paid by William W. Dickey of Swanville in said County and State the receipt whereof I do hereby acknowledge, do hereby remise, release, bargain, sell and convey, and forever quit-claim unto the said William W. Dickey, his heirs and assigns forever,

A certain lot or parcel of land with the buildings thereon, situated in the city of Belfast, and bounded and described as follows, to wit: Beginning at the intersection of the south line of land formerly of the late Daniel Hinds, with the easterly line of Northport Avenue; thence easterly on said Hinds southerly line, eighteen rods (18) to stakes and stones;

Know all Men by these Presents, That

I, Harriet L. Hartley of Philadelphia in the County of Philadelphia and Commonwealth of Pennsylvania, widow

In consideration of one dollar and other valuable considerations paid by William P. Butler and Pauline H. Butler both of Natick in the County of Middlesex and Commonwealth of Massachusetts, husband and wife the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey unto the said William P. Butler and Pauline H. Butler as joint tenants, and not as tenants in common, to them and their heirs and assigns, and the heirs and assigns of the survivor of them forever,

A certain lot or parcel of land with the buildings thereon situated in Belfast in the County of Waldo and State of Maine on the easterly side of the Atlantic Highway and bounded and described as follows, to wit: Northerly by land of Fred R. Poor; easterly by Penobscot Bay; southerly by Little River and westerly by the Atlantic Highway, so-called.

Being a portion of the premises conveyed to Arthur Hartley and myself, in joint tenancy, by Genevieve E. Hargrave by deed dated August 27 1934 and recorded in Waldo Registry of Deeds, Book 386, Page 453

Do Hereunto Hold the aforegranted and bargained premises, with all the privileges and appurtenances thereof, to the said William P. Butler and Pauline H. Butler and the survivor of them, as joint tenants, and not as tenants in common, to them and their heirs and assigns, and the heirs and assigns of the survivor of them, to them and

as aforesaid, their use and behoof forever. And I do covenant with the said grantees,

heirs and assigns, that I am lawfully seized in fee of the premises; that they are free of all incumbrances;

that I have good right to sell and convey the same to the said Grantees to hold as aforesaid; and that I and my heirs shall and will warrant and defend the same to the said Grantees, the heirs and assigns forever, against the lawful claims and demands of all persons.

In Witness Whereof, I the said Harriet L. Hartley

my hand and seal this twenty-second day of September one thousand nine hundred and fifty.

have hereunto set in the year of our Lord

Signed, Sealed and Delivered in presence of
H. R. Stone

Harriet L. Hartley L.S.



State of Maine, Waldo ss. September 25, 1950. Personally appeared the above named Harriet L. Hartley and acknowledged the foregoing instrument to be her free act and deed.

Before me, H. R. Stone Notary Public. Received September 30, 1950, at 10 o'clock 50 m. A. M., and recorded according to the original.



BOOK 587 pg 100
That

Know All Men by These Presents,

we, William F. Butler and Pauline H. Butler, husband and wife, both of Belfast in the County of Waldo and State of Maine,

in consideration of one dollar and other valuable considerations,

paid by Ernest J. Bell and Marjorie N. Bell, husband and wife, both of Medway in the County of Norfolk and Commonwealth of Massachusetts

the receipt whereof we do hereby acknowledge, do hereby give, grant, bargain, sell and convey unto the said

Ernest J. Bell and Marjorie N. Bell

as joint tenants and not as tenants in common, their heirs and assigns, and to the survivor of them and the heirs and assigns of the survivor of them forever.

A certain lot or parcel of land together with the buildings thereon situated in Belfast in the County of Waldo and State of Maine on the easterly side of the Atlantic Highway and being bounded and described as follows, to wit: Northerly by land of Fred R. Poor; easterly by Penobscot Bay; southerly by Little River; and westerly by the Atlantic Highway, so-called.

Being the same premises conveyed to us by Harriet L. Hartley by her deed of warranty dated September 22, 1950, recorded in Waldo Registry of Deeds, Book 474, Page 337.

We heretofore and do hereby hold the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said

Ernest J. Bell and Marjorie N. Bell

as joint tenants and not as tenants in common, their heirs and assigns, and to the survivor of them and the heirs and assigns of the survivor of them, to their own use and behoof forever.

And we do covenant with the said Grantees, as aforesaid, that we are lawfully seized in fee of the premises, that they are free of all encumbrances; subject to pro rata share of current taxes assessed as of April 1, 1961 which said pro rata share of current taxes the Grantees by acceptance of this deed assume and agree to pay;

that we have good right to sell and convey the same to the said Grantees to hold as aforesaid; and that we and our heirs shall and will warrant and defend the same to the said Grantees, their heirs and assigns and the survivor of them, and the heirs and assigns of the survivor of them forever. against the lawful claims and demands of all persons, except aforesaid taxes
In Witness Whereof, we the said William F. Butler and Pauline H. Butler,

being husbands and wife, and mutually

BOOK 001 PAGE 101

and

wife of

joining in this deed as Grantors, and relinquishing and conveying our right by descent and all other rights in the above described premises, have hereunto set our hand^s and seal^s this thirteenth day of May in the year of our Lord one thousand nine hundred and sixty-one.

Signed, Sealed and Delivered

in presence of
Arthur B. Clark
to both

William P. Butler
Proving Deed



State of Maine, Waldo ss. May 13, 1961

Personally appeared the above named

William P. Butler

and acknowledged

the foregoing instrument to be his free act and deed.

Before me

Arthur B. Clark
Justice of the Peace.
Notary Public.

Warranty Deed

JOINT TENANCY

From

William P. Butler et ux.

To

Ernest J. Bell et ux.

Dated May 13, 1961.

State of Maine.

Waldo ss. Registry of Deeds.

Received May 15 1961

at 3 H. M. 45. M. P. M. and

recorded in Book 587, Page 100.

Attest: *William P. Clark* J.P. Register.

FROM THE OFFICE OF

Eaton & Glass
Belfast, Maine

LONG SHORT & HASKOFF
PORTLAND, MAINE

That we, Ernest J. Bell and Marjorie N. Bell, husband and wife, both of Belfast in the County of Waldo and State of Maine

in consideration of One Dollar and other valuable considerations

paid by John Joseph Grady and Catherine E. Grady, husband and wife, both of Northport in said County and State

the receipt whereof we do hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said

John Joseph Grady and Catherine E. Grady

as joint tenants and not as tenants in common, their heirs and assigns, and to the survivor of them and the heirs and assigns of the survivor of them forever.

A certain lot or parcel of land situated in Belfast in the County of Waldo and State of Maine, commencing at a point on the southeasterly right-of-way line of U. S. No. 1 at a concrete culvert; thence southwesterly along said right-of-way line one hundred eighty-seven (187) feet to a point six (6) feet, more or less, northwesterly of an iron pin; thence South 48° 20' East one hundred thirty-eight (138) feet, more or less, to an iron pin and continuing on the same course thirty-nine (39) feet, more or less, to the high water mark of Penobscot Bay; thence turning and running northeasterly along said high water mark three hundred thirty-three (333) feet, more or less, to an iron pipe; thence turning and running generally northwesterly and following the gully that marks the line between land of Ernest J. Bell and Marjorie N. Bell, and land of Fred R. Poor, to the point of beginning.

MEANING AND INTENDING TO CONVEY a part of the parcel of land conveyed to us by William P. Butler et ux by their deed dated May 13, 1961 and recorded in Waldo County Registry of Deeds in Book 587, Page 100.

To have and to hold the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said

John Joseph Grady and Catherine E. Grady

as joint tenants and not as tenants in common, their heirs and assigns, and to the survivor of them and the heirs and assigns of the survivor of them, to their own use and behoof forever.

And we do covenant with the said Grantees, as aforesaid that we are lawfully seized in fee of the premises, that they are free of all encumbrances;

that we have good right to sell and convey the same to the said Grantees to hold as aforesaid; and that we and our heirs shall and will Warrant and Defend the same to the said Grantees, their heirs and assigns and the survivor of them, and the heirs and assigns of the survivor of them forever, against the lawful claims and demands of all persons.

In Witness Whereof, we the said Ernest J. Bell and Marjorie N. Bell

mutually joining in this deed as Grantors, and relinquishing and conveying our right by descent and all other rights in the above described premises, have hereunto set our hands and seals this eighteenth day of May in the year of our Lord one thousand nine hundred and sixty-four.



Ernest J. Bell
Marjorie N. Bell

State of Maine, Waldo ss. May 18, 19 64.

Personally appeared the above named Ernest J. Bell and Marjorie N. Bell

and acknowledged

the foregoing instrument to be their free act and deed.

Before me, *Arthur B. Clark*
Justice of the Peace,
Notary Public.

Warranty Deed

JOINT TENANCY

From

ERNEST J. BELL ET UX

To

JOHN JOSEPH GRADY ET UX

Dated May 18, 19 64

State of Maine.

Waldo ss. Registry of Deeds.

Received May 21, 19 64

at 3 H. - M. A. M., and

recorded in Book 521, Page 288

Attest: *Fannie Clement*
Register.

FROM THE OFFICE OF

GRIDLEY W. TARRELL
ATTORNEY AT LAW
BELFAST, MAINE

LOHINO BHOPT A MARION LAW STATIONERS
PORTLAND, MAINE

5613

Know all Men by these Presents,

That I, Marjorie Bell, an unmarried widow, of Belfast in the County of Waldo and State of Maine

in consideration of One Dollar and other valuable considerations

paid by Willis C. Trainor and Virginia K. Trainor, husband and wife, both of Falls Church in the County of Fairfax and State of Virginia

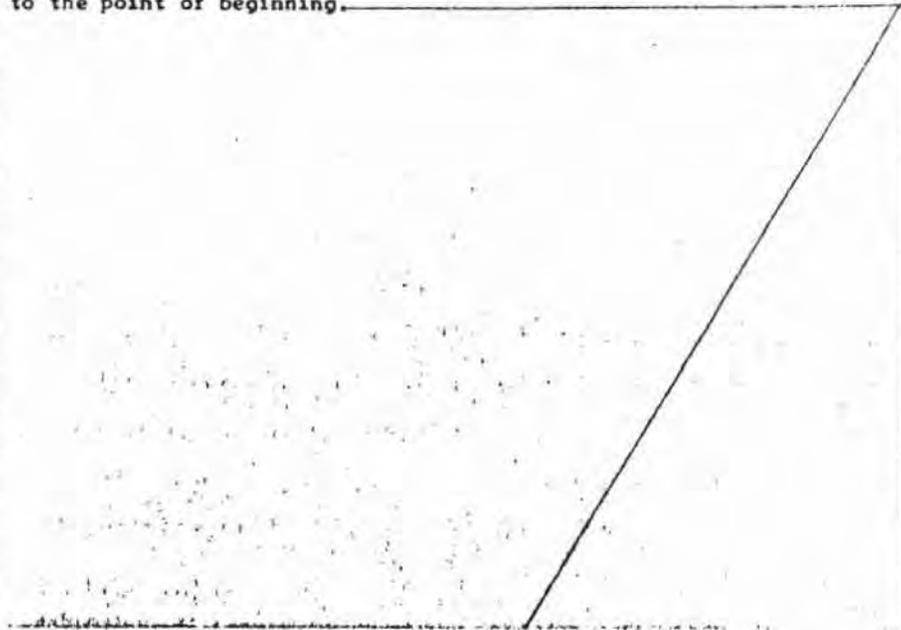
the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said Willis C. Trainor and Virginia K. Trainor

as joint tenants and not as tenants in common, their heirs and assigns, and to the survivor of them and the heirs and assigns of the survivor of them forever.

A certain lot or parcel of land, together with the buildings thereon situated in Belfast in the County of Waldo and State of Maine, on the easterly side of the Atlantic Highway and being bounded and described as follows, to wit: Northerly by land of Fred R. Poor; Easterly by Penobscot Bay; Southerly by Little River; and Westerly by the Atlantic Highway, so-called, MEANING AND INTENDING TO CONVEY the same premises as conveyed to Ernest J. Bell et ux by William P. Butler et ux by deed dated May 13, 1961, recorded in Waldo Registry of Deeds in Book 587, Page 100.

EXCEPTING AND RESERVING a certain lot or parcel of land conveyed to John Joseph Grady et ux by Ernest J. Bell and Marjorie N. Bell, by deed dated May 18, 1964, recorded in said Registry in Book 621, Page 288, bounded and described as follows, to wit: Commencing at a point on the southeasterly right-of-way line of U. S. No. 1 at a concrete culvert; thence southwesterly along said right-of-way line 187 feet to a point six feet, more or less, northwesterly of an iron pin; thence South 48 degrees, 20 minutes East 138 feet, more or less, to an iron pin and continuing on the same course 39 feet, more or less, to the high water mark of Penobscot Bay; thence turning and

running northeasterly along said high water mark 333 feet, more or less, to an iron pipe; thence turning and running generally northwesterly and following the gully that marks the line between land of Ernest J. Bell and Marjorie N. Bell and the land of Fred R. Poor, to the point of beginning.



do hereby hold the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said

Willis C. Trainor and Virginia K. Trainor

as joint tenants and not as tenants in common, their heirs and assigns, and to the survivor of them and the heirs and assigns of the survivor of them, to their own use and behoof forever.

And I do covenant with the said Grantees, as aforesaid, that I am lawfully seized in fee of the premises, that they are free of all encumbrances;

that I have good right to sell and convey the same to the said Grantees to hold as aforesaid; and that I and my heirs shall and will warrant and defend the same to the said Grantees, their heirs and assigns and the survivor of them, and the heirs and assigns of the survivor of them forever, against the lawful claims and demands of all persons.

In Witness Whereof, I, the said Marjorie Bell

and

Witness my hand and seal this _____ day of _____ 19____

Witness my hand and seal this _____ day of _____ 19____



118

rights in the above described premises have herunto set by hand and seal this seventeenth day of October in the year of our Lord one thousand nine hundred and sixty-six.

Signed, Sealed and Delivered in presence of

Pratt W. Tarrill

Marjorie Bell

State of Maine, WALDO ss. October 17, 19 66

Personally appeared the above named Marjorie Bell

and acknowledged the foregoing instrument to be her free act and deed.

Before me, *Pratt W. Tarrill*
Justice of the Peace.
~~Notary Public~~

Warranty Deed

JOINT TENANCY

From

MARJORIE BELL

To

WILLIS C. TRAINER ET UX

Dated October 17, 19 66

State of Maine.

Waldo ss. Registry of Deeds

Received October 17, 19 66

at 10 H. 25 W. A. N. and

recorded in Book 652 Page 116

Attest: *Pratt W. Tarrill*
Justice of the Peace

FROM THE OFFICE OF

GRIDLEY W. TARRILL
ATTORNEY AT LAW
BELFAST, MAINE

LOUIS SHORT & HARRISON, LAW ENFORCEMENT
BOSTON, MASS.

663 *me* **§§ Know all Men by these Presents,**

That we, Willis G. Trainor and Virginia K. Trainor, husband and wife, both of Falls Church in the County of Fairfax and Commonwealth of Virginia, in consideration of _____ one dollar and other valuable considerations, _____

paid by Snelling S. Robinson of Northport in the County of Waldo and State of Maine, _____

the receipt whereof we _____ do hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said _____

Snelling S. Robinson, his _____ heirs and assigns forever, a certain lot or parcel of land, together with the buildings thereon situated in Belfast in the County of Waldo and State of Maine, on the easterly side of the Atlantic Highway and being bounded and described as follows, to wit: Northerly by land of Fred R. Poor; Easterly by Penobscot Bay; Southerly by Little River; and Westerly by the Atlantic Highway, so-called.

EXCEPTING AND RESERVING a certain lot or parcel of land conveyed to John Joseph Grady et ux by Ernest J. Bell and Marjorie W. Bell by deed dated May 18, 1964, recorded in Waldo Registry of Deeds in Book 621, Page 288, bounded and described as follows, to wit: Commencing at a point on the southeasterly right-of-way line of U. S. No. 1 at a concrete culvert; thence southwesterly along said right-of-way line 187 feet to a point six feet, more or less, northwesterly of an iron pin; thence South 48 degrees, 20 minutes East 138 feet, more or less, to an iron pin and continuing on the same course 39 feet, more or less, to the high water mark of Penobscot Bay; thence turning and running northeasterly along said high water mark 333 feet, more or less, to an iron pipe; thence turning and running generally northwesterly and following the gully that marks the line between land of Ernest J. Bell and Marjorie W. Bell and the land of Fred R. Poor, to the point of beginning. The granted and conveyed premises being the same conveyed to us by Marjorie W. Bell by her deed dated October 17, 1966, recorded in Waldo Registry of Deeds in Book 652, Page 116.

To Have and to Hold the aforegranted and bargained premises with all the privileges and appurtenances thereof to the said _____

Snelling S. Robinson, his _____

heirs and assigns, to his _____ and their use and behoof forever.

And ^{we} do COVENANT with the said Grantee, his heirs



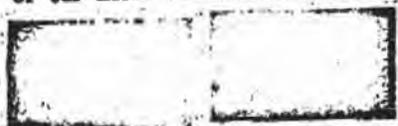


and assigns, that we are lawfully seized in fee of the premises that they are free of all encumbrances: Subject to pro rata share of current taxes assessed as of April 1, 1967 which said pro rata share of current taxes, the Grantee, by acceptance of this deed assumes and agrees to pay; that we have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that we and our heirs shall and will WARRANT and DEFEND the same to the said Grantee, his heirs and assigns forever, against the lawful claims and demands of all persons.

BOOK 663 PAGE 99

In Witness Whereof, we, the said Willis C. Trainor and Virginia K. Trainor, being husband and wife, and mutually

joining in this deed as Grantor, and relinquishing and conveying our right by descent and all other rights in the above described premises, have hereunto set our hand and seal, this first day of September in the year of our Lord one thousand nine hundred and sixty-seven.



Signed, Sealed and Delivered in presence of

In my presence
4/6/67

Willis C. Trainor
Virginia K. Trainor

State of Maine,
Waldo

September 1, 1967

Personally appeared the above named

Willis C. Trainor and acknowledged the above instrument to be his free act and deed.

Before me, *Justice of the Peace*
Justice of the Peace.

Warranty Deed

From
Willis C. Trainor et ux,
To
Spelling S. Robinson

Deed
September 1, 1967
State of Maine,

Waldo, in Registry of Deeds,
Received September 1, 1967
at 11 H. 10 M. A. M. and
recorded in Book 663, Page 98
Attest: *Jessie Clowds*
Registrar.

FROM THE OFFICE OF

CRILEY M. TARBELL, Esq.
18 Miller Street
Belfast, Maine

LODGING, SHORT & HANSON, LLP
BOSTON, MASS.

BOOK 680 PAGE 688

EXECUTORS AND TRUSTEES DEEDS
(WHEN THE WILL AUTHORIZES A SALE)

912

Know all Men by these Presents,

That We, Evelyn Flanders Robinson of Northport, County of Waldo and State of Maine, and Continental Illinois National Bank and Trust Company of Chicago, a duly organized and existing banking corporation with its principal place of business in Chicago, County of Cook, and State of Illinois,

as the executor's of the last will and testament of the said Shelling S. Robinson late of Northport, County of Waldo, and State of Maine deceased, testate, by virtue of the authority to us given by the said Shelling S. Robinson in his last will and testament, in our capacity of executors as aforesaid, and in consideration of Thirty-five thousand Dollars (\$35,000.00) dollars

to us paid by Winston C. Ferris of Buckport, County of Hancock, and State of Maine,

of the receipt whereof is hereby acknowledged, do hereby sell and convey unto the said Winston C. Ferris, his

heirs and assigns, the following described real estate, which was the property of the said Shelling S. Robinson situated in Belfast, County of Waldo, and State of Maine and bounded as follows:

A certain lot or parcel of land, together with the buildings thereon, situated in said Belfast, in the County of Waldo and State of Maine, on the easterly side of the Atlantic Highway and being bounded and described as follows, to wit:

Northerly by land of Fred R. Poor; Easterly by Penobscot Bay; Southerly by Little River and Westerly by the Atlantic Highway, so called.

EXCEPTING therefrom, however, a certain lot or parcel of land conveyed to John Joseph Grady et ux by Ernest J. Bell and Marjorie W. Bell by deed dated May 18, 1964 and recorded in the Waldo County Registry of Deeds in Book 621 at Page 208, bounded and described as follows, to wit: Commencing at a point on the southeasterly right of way line of U. S. 1 at a concrete culvert; thence southeasterly along said right of way line, one hundred eighty-seven (187) feet to a point six (6) feet, more or less, northwesterly of an iron pin; thence South 43° 20' east one hundred thirty-eight (138) feet, more or less, to an iron pin and continuing on the same course thirty-nine (39) feet, more or less, to the high water mark of Penobscot Bay; thence turning and running northeasterly along said high water mark three hundred thirty-three (333) feet, more or less, to an iron pipe; thence turning and running generally northwesterly and following the gully that marks the line between land of Ernest J. Bell and Marjorie W. Bell, and the land of Fred R. Poor, to the point of beginning.

TOGETHER with all our right, title and interest in and to that portion of the premises which lies between high and low water mark, commonly designated as the flats.

It is meant and intended to describe and convey the same premises conveyed to Shelling S. Robinson, by warranty deed of Willis C. Trainer, et ux, dated September 1, 1967, and recorded in the Waldo County Registry of Deeds in Book 663 at Page 98.

This deed, together with a Bill of Sale, is tendered by the grantors and accepted by the grantee in full and complete performance of a Memorandum of Agreement, dated January 16, 1970, as amended by an addenda dated February 3, 1970.

On here and to hold the above-granted premises unto the said
Winston C. Ferris,

and his heirs and assigns forever. And we, the said Evelyn
Flanders Robinson and Continental Illinois National Bank and Trust Company, of Chicago,
Executors

in our said capacity, do hereby covenant to and with the said
Winston C. Ferris, his heirs and assigns, that
we are the lawful executors of the last will and
testament of the said Jelling S. Robinson; that we
have power under said will to sell as aforesaid; and that in making
this conveyance, we have in all respects, acted in pursuance of
the authority granted in and by the said last will and testament.



In Witness Whereof, we the said Evelyn Flanders Robinson and
Continental Illinois National Bank and Trust Company of Chicago
in our said capacity of executor

as aforesaid have hereunto set our hands and seals.

this 19th day of March in the year of our
Lord one thousand nine hundred and seventy.

Witness my hand and seal
ATTEST: *[Signature]*
Assistant Secretary

Continental Illinois National Bank and
Trust Company of Chicago
By: *[Signature]*
Evelyn F. Robinson

Wits of Maine.
Waldo

March 19 1970

Then personally appeared the above named Evelyn Flanders Robinson
and acknowledged the above instrument to be her free act and deed
in her said capacity.

Before me,
[Signature]
Justice of the Peace,
Notary Public

912
State of Maine, Waldo ss. Registry of Deeds
Received March 27, 1970 at 2 P.M.,
and recorded in Book 680 Page 688
Attest: *[Signature]* Registrar
BOOK 680 PAGE 688

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BOOK 684 PAGE 688

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(506)

Know all Men by these Presents,

That I, Winston C. Ferris of Belfast, County of Waldo and State of Maine,

in consideration of one dollar and other valuable considerations,

paid by Andrew J. Gay and Judith Gay, both of St. Louis, County of St. Louis, State of Missouri,

the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said Andrew J. Gay and Judith Gay

as joint tenants and not as tenants in common, their heirs and assigns forever, a certain lot or parcel of land together with the buildings thereon, situated in Belfast, County of Waldo and State of Maine, bounded and described as follows, to wit:

Northerly by land of Fred R. Poor; Easterly by Penobscot Bay; Southerly by Little River and Westerly by the Atlantic Highway, so-called.

EXCEPTING herefrom, however, a certain lot or parcel of land, conveyed to John Joseph Grady et ux by Ernest J. Bell and Marjorie N. Bell by deed dated May 18, 1964 and recorded in the Waldo County Registry of Deeds in Book 621 at Page 288, bounded and described as follows, to wit: Commencing at a point on the southeasterly right of way line of U. S. #1 at a concrete culvert; thence south-westerly along said right of way line, one hundred eighty-seven (187) feet to a point six (6) feet, more or less, northwesterly of an iron pin; thence South 48° 20' east one hundred thirty-eight (138) feet, more or less, to an iron pin and continuing on the same course thirty-nine (39) feet, more or less, to the high water mark of Penobscot Bay; thence turning and running northeasterly along said high water mark three hundred thirty-three (333) feet, more or less, to an iron pipe; thence turning and running generally northwesterly and following the gully that marks the line between land of Ernest J. Bell and Marjorie N. Bell, and the land of Fred R. Poor, to the point of beginning,

Together with all our right, title and interest in and to that portion of the premises which lies between high and low water mark, commonly designated as the flats.

It is meant and intended to describe and convey the same premises conveyed to me by Evelyn Flanders Robinson and Continental Illinois National Bank and Trust Company of Chicago, executors u/w/o Snelling S. Robinson, by deed dated March 19, 1970, recorded in Waldo County Registry of Deeds, Book 680, Page 688.

To have and to hold the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said Andrew J. Gay and Judith Gay

as joint tenants and not as tenants in common, their heirs and assigns, to their own use and behoof forever.

And I do covenant with the said Grantees, as aforesaid, that I am lawfully seized in fee of the premises, that they are free of all encumbrances;

that I have good right to sell and convey the same to the said Grantees to hold as aforesaid; and that I and my heirs shall and will Warrant and Defend the same to the said Grantees, their heirs and assigns against the lawful claims and demands of all persons.

In Witness Whereof, I, the said Winston C. Ferris,

and Irene Ferris,

wife of the said Winston C. Ferris,

joining in this deed as Grantor, and relinquishing and conveying her right by descent and all other rights in the above described premises, have hereunto set our hand and seals this twenty-sixth day of August in the year of our Lord one thousand nine hundred and seventy.

Signed, Sealed and Delivered in presence of

Winston C. Ferris
Irene Ferris



State of Maine, Waldo ss. August 26, 1970
Personally appeared the above named

Winston C. Ferris and acknowledged the foregoing instrument to be his free act and deed.
State of Maine, Waldo ss. Registry of Deeds, before me, Richard L. Clark, Notary Public, Received September 8, 1970 at 11 A.M., 00 M. and recorded in Book 671, Page 688
Attest: *[Signature]* Register

BOOK 684 PAGE 669

KNOW ALL MEN BY THESE PRESENTS, THAT we, ANDREW J. GAY, of Belfast in the County of Waldo and State of Maine, whose mailing address is The Battery, Belfast, Maine 04915, and JUDITH GAY of Castine in the County of Hancock and State of Maine, whose mailing address is Castine, Maine 04421,

in consideration of one dollar and other valuable considerations,

paid by CHRISTOPHER S. SMITH and HEATHER O. SMITH, both of Strong in the County of Franklin and State of Maine, whose mailing address is Main Street, Strong, Maine 04983,

the receipt whereof we do hereby acknowledge, do hereby GIVE, GRANT, BARGAIN, SELL, AND CONVEY, unto Christopher S. Smith and Heather O. Smith as joint tenants and not as tenants in common, to them and their heirs and assigns and the heirs and assigns of the survivor forever,

a certain lot or parcel of land together with the buildings thereon situated in Belfast in the County of Waldo and State of Maine, bounded and described in a warranty deed from Winston C. Ferris to Andrew J. Gay and Judith Gay dated August 26, 1970, and recorded in the Waldo County Registry of Deeds in Book 684, Page 688, as follows, to wit:

"Northerly by land of Fred R. Poor; Easterly by Penobscot Bay; Southerly by Little River and Westerly by the Atlantic Highway, so-called.

EXCEPTING therefrom, however, a certain lot or parcel of land conveyed to John Joseph Grady et ux by Ernest J. Bell and Marjorie N. Bell by deed dated May 18, 1964 and recorded in the Waldo County Registry of Deeds in Book 621 at Page 288, bounded and described as follows, to wit: Commencing at a point on the southeasterly right of way line of U. S. #1 at a concrete culvert; thence southwesterly along said right of way line, one hundred eighty-seven (187) feet to a point six (6) feet, more or less, northwesterly of an iron pin; thence South 48°20' east one hundred thirty-eight (138) feet, more or less, to an iron pin and continuing on the same course thirty-nine (39) feet, more or less, to the high water mark of Penobscot Bay; thence turning and running northeasterly along said high water mark three hundred thirty-three (333) feet, more or less, to an iron pipe; thence turning and running generally northwesterly and following the gully that marks the line between land of Ernest J. Bell and Marjorie N. Bell, and the land of Fred R. Poor, to the point of beginning.

Together with all our right, title and interest in and to that portion of the premises which lies between high and low water mark, commonly designated as the Flats.

It is meant and intended to describe and convey the same premises conveyed to me by Evelyn Flanders Robinson and Continental Illinois National Bank and Trust Company of Chicago, executors u/w/o Snelling S. Robinson, by deed dated March 19, 1970, recorded in Waldo County Registry of Deeds, Book 680, Page 688."

It is meant and intended to describe and convey the same premises conveyed to Andrew J. Gay and Judith Gay from Winston C. Ferris by warranty deed dated August 26, 1970, and recorded in the Waldo County Registry of Deeds in Book 684, Page 688, on September 8, 1970.

TO HAVE AND TO HOLD the aforegranted and bargained premises with all the privileges and appurtenances thereof to the said Christopher S. Smith and Heather O. Smith as joint tenants and not as tenants in common, to them and their heirs and assigns and the heirs and assigns of the survivor forever.

AND we do COVENANT with the said Grantees, their heirs and assigns, that we are lawfully seized in fee of the premises that they are free of all

encumbrances; that we have good right to sell and convey the same to the said Grantees to hold as aforesaid; and that we and our heirs shall and will WARRANT and DEFEND the same to the said Grantees, their heirs and assigns forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, we, the said Andrew J. Gay and Judith Gay, an unmarried divorced woman, and Jeanine Brown Gay, wife of the said Andrew J. Gay, and mutually joining in this deed as Grantor, and relinquishing and conveying all rights by descent and all other rights in the above described premises, have hereunto set our hands and seals this first day of November in the year of our Lord one thousand nine hundred and eighty-three.

SIGNED, SEALED, AND DELIVERED
IN PRESENCE OF

C. F. Henry

Andrew J. Gay
Andrew J. Gay

Jeanine Brown Gay

Judith Gay
Judith Gay

C. F. Henry

Jeanine Brown Gay
Jeanine Brown Gay, wife of the said
Andrew J. Gay



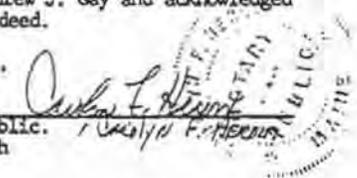
STATE OF MAINE
WALDO, SS.

November 1, 1983

Personally appeared the above named Andrew J. Gay and acknowledged the above instrument to be his free act and deed.

Before me,

C. F. Henry
Notary Public.
FCM/mb/cfh



6659

State of Maine, Waldo ss. Registry of Deeds
Received November 2 1983 9:49 AM
and recorded in Book 817, Page 291
Attest: Delores P. Page Register

QUITCLAIM DEED
With Covenant

7587

Know all Men by these Presents,

That I, CHRISTOPHER S. SMITH, of Belfast, County of Waldo,
State of Maine,

in consideration of one dollar and other valuable considerations

paid by HEATHER O. SMITH of Belfast, County of Waldo, State of Maine,

whose mailing address is Northport Avenue, Belfast, ME 04915

the receipt whereof I do hereby acknowledge, do hereby renter, release, bargain,
sell and convey, and forever quitclaim unto the said HEATHER O. SMITH, her

heirs and assigns forever.

a certain lot or parcel of land together with the buildings
thereon situated in BELFAST in the County of Waldo and State of
Maine, bounded and described in 1970 as follows, to wit:

"Northerly by land of Fred R. Poor; Easterly by Penobscot Bay;
Southerly by Little River and Westerly by the Atlantic Highway,
so-called.

EXCEPTING therefrom, however, a certain lot or parcel of land
conveyed to John Joseph Grady et ux by Ernest J. Bell and
Marjorie N. Bell by deed dated May 18, 1964 and recorded in
the Waldo County Registry of Deeds in Book 621 at Page 288,
bounded and described as follows, to wit: Commencing at a point
on the southeasterly right of way line of U.S. #1 at a concrete
culvert; thence southwesterly along said right of way line,
one hundred eighty-seven (187) feet to a point six (6) feet,
more or less, northwesterly of an iron pin; thence South 48°20'
east one hundred thirty-eight (138) feet, more or less, to an
iron pin and continuing on the same course thirty-nine (39) feet,
more or less, to the high water mark of Penobscot Bay; thence
turning and running northeasterly along said high water mark
three hundred thirty-three (333) feet, more or less, to an iron
pipe; thence turning and running generally northwesterly and
following the gully that marks the line between land of Ernest
J. Bell and Marjorie N. Bell, and the land of Fred R. Poor, to
the point of beginning.

Together with all our right, title and interest in and to that
portion of the premises which lies between high and low water
mark, commonly designated as the flats.

It is meant and intended to describe and convey the same premises
conveyed to me by Evelyn Flanders Robinson and Continental
Illinois National Bank and Trust Company of Chicago, executors
u/w/o Snelling S. Robinson, by deed dated March 19, 1970, recorded
in Waldo County Registry of Deeds, Book 680, Page 688."

MEANING AND INTENDING TO CONVEY and hereby conveying the same
premises described in a deed from Andrew J. Gay and Judith Gay
to Christopher S. Smith and Heather O. Smith as dated November 1,
1983 and recorded in the Waldo County Registry of Deeds in
Book 817, Page 291.

SUBJECT, however, to two mortgages described as follows: a first
mortgage from Christopher S. Smith and Heather O. Smith to

No Transfer Tax Paid

Kingfield Savings Bank as dated November 1, 1983 and recorded in the Waldo County Registry of Deeds in Book 817, Page 293; and a second mortgage from Christopher S. Smith and Heather O. Smith to Andrew J. Gay and Judith Gay as dated November 1, 1983 and recorded in the Waldo County Registry of Deeds in Book 817, Page 298.

WALDO COUNTY

BK1221 PG347

04115

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, THAT I, HEATHER O. SMITH of Belfast in the County of Waldo and State of Maine, whose mailing address is 178 Northport Avenue, Belfast, Maine 04915,

in consideration of one dollar and other valuable considerations,

paid by JEFFREY R. MABEE and JUDITH B. GRACE, both of Belfast in the County of Waldo and State of Maine, whose mailing address is R. F. D. #1, Box 1321, Belfast, Maine 04915,

the receipt whereof I do hereby acknowledge, do hereby GIVE, GRANT, BARGAIN, SELL, AND CONVEY, unto Jeffrey R. Mabee and Judith B. Grace as joint tenants and not as tenants in common, their heirs and assigns forever,

a certain lot or parcel of land together with the buildings thereon situated in Belfast in the County of Waldo and State of Maine, bounded and described in a warranty deed from Winston C. Ferris to Andrew J. Gay and Judith Gay dated August 26, 1970, and recorded in the Waldo County Registry of Deeds in Book 684, Page 688, as follows, to wit:

"Northerly by land of Fred R. Poor; Easterly by Penobscot Bay; Southerly by Little River and Westerly by the Atlantic Highway, so-called.

EXCEPTING therefrom, however, a certain lot or parcel of land conveyed to John Joseph Grady et ux by Ernest J. Bell and Marjorie N. Bell by deed dated May 18, 1964 and recorded in the Waldo County Registry of Deeds in Book 621 at Page 288, bounded and described as follows, to wit: Commencing at a point on the southeasterly right of way line of U. S. #1 at a concrete culvert; thence southwesterly along said right of way line, one hundred eighty-seven (187) feet to a point six (6) feet, more or less, northwesterly of an iron pin; thence South 48°20' east one hundred thirty-eight (138) feet, more or less, to an iron pin and continuing on the same course thirty-nine (39) feet, more or less, to the high water mark of Penobscot Bay; thence turning and running northeasterly along said high water mark three hundred thirty-three (333) feet, more or less, to an iron pipe; thence turning and running generally northwesterly and following the gully that marks the line between land of Ernest J. Bell and Marjorie N. Bell, and the land of Fred R. Poor, to the point of beginning.

Together with all our right, title and interest in and to that portion of the premises which lies between high and low water mark, commonly designated as the flats.

It is meant and intended to describe and convey the same premises conveyed to me by Evelyn Flanders Robinson and Continental Illinois National Bank and Trust Company of Chicago, executors u/w/o Snelling S. Robinson, by deed dated March 19, 1970, recorded in Waldo County Registry of Deeds, Book 680, Page 688."

It is meant and intended to describe and convey the same premises conveyed to Christopher S. Smith and Heather O. Smith from Andrew J. Gay and Judith Gay by warranty deed dated November 1, 1983, and recorded in the Waldo County Registry of Deeds in Book 817, Page 291.

For further title reference, see deed from Christopher S. Smith to Heather O. Smith dated December 11, 1984, and recorded in the Waldo County Registry of Deeds in Book 833, Page 153, on December 12, 1984.

TO HAVE AND TO HOLD the aforegranted and bargained premises with all the privileges and appurtenances thereof to the said Jeffrey R. Mabee and Judith B. Grace as joint tenants and not as tenants in common, their heirs and assigns forever.

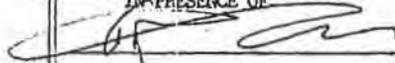
Maine Real Estate Transfer Tax Paid

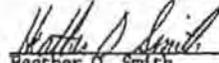
BK1221 PG348

AND I do COVENANT with the said Grantees, their heirs and assigns, that I am lawfully seized in fee of the premises; that they are free of all encumbrances; that I have good right to sell and convey the same to the said Grantees to hold as aforesaid; and that I and my heirs shall and will WARRANT and DEFEND the same to the said Grantees, their heirs and assigns forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, I, the said Heather O. Smith, have hereunto set my hand and seal this fifteenth day of May in the year of our Lord one thousand nine hundred and ninety-one.

SIGNED, SEALED, AND DELIVERED
IN-PRESENCE OF




Heather O. Smith

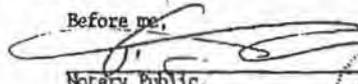


STATE OF MAINE
WALDO, SS.

May 31, 1991

Personally appeared the above named Heather O. Smith and acknowledged the above instrument to be her free act and deed.

Before me,



Notary Public.

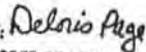
Notary Public: Please Print Name:
CFH/Smith
FCM/cfh

A. PETER



My Commission Expires
1-16-1994

RECEIVED WALDO SS.
1991 JUN -7 PM 1:47

ATTEST: 
REGISTER OF DEEDS



CHAIN OF TITLE TO
LARRY D. THEYE and BETTY BECKER-THEYE parcel
(Belfast Tax Map 29, Lot 37)

Eva T. Burd and Edwin D. Burd
Warranty deed
Book 343, Page 497 dated 3/3/1924

to
Arthur Hartley
Warranty deed
Book 386, Page 452 dated 8/27/1934

to
Genevieve E. Hargrave
Quitclaim with covenant deed
Book 386, Page 453 dated 8/27/1934

to
Arthur Hartley and Harriet L. Hartley, as joint tenants
upon Arthur's death 2/10/1935, Harriet L. Hartley became sole owner

Harriet L. Hartley
Warranty deed
Book 452, Page 205 dated 1/25/1946

to
William P. Butler and Pauline H. Butler as joint tenants
Warranty deed
Book 587, Page 100 dated 5/13/1961

to
Ernest J. Bell and Marjorie M. Bell, as joint tenants
Warranty deed
Book 621, Page 288; dated 05/18/1964

to
John Joseph Grady and Catherine E. Grady, as joint tenants
John J. Grady and Catherine E. Grady
Warranty deed

Book 826, Page 3; dated 07/02/1984
to

$\frac{1}{2}$ to Howard A. Mordue and Patricia A. Mordue, Trustees of the Howard W. Mordue Revocable Living Trust dated 7/22/1983 $\frac{1}{2}$ to Patricia A Mordue and Howard W. Mordue, Trustees of the Patricia A. Mordue Revocable Living Trust dated 7/22/1983

Warranty Deed
Book 1303, Page 184; dated 6/29/1992

To
Larry D. Theye and Better Becker-Theye, as joint tenants

343-497

3-3-24

3-14-24

Vol. 343.

497

(95)

KNOW ALL MEN BY THESE PRESENTS,

That we, Eva T. Burd of Winchester in the State of Massachusetts, widow of Edwin D. Burd, late of West Medford, deceased, and Edwin D. Burd of said Winchester, son and sole heir at law of said Edwin D. Burd in consideration of one dollar and other valuable considerations paid by Arthur Hartley of Philadelphia in the State of Pennsylvania the receipt whereof we do hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said Arthur Hartley, his heirs and assigns forever,

A certain lot or parcel of land situated in Belfast in the County of Waldo and State of Maine, bounded and described as follows, to wit: Bounded northerly by land of Adoniram Moody and land owned by W. L. West, deceased, at the time of his decease; easterly by Penobscot Bay; southerly by Little River and land of Belfast Water District and westerly by land conveyed by us to Milton B. Hills by deed recorded in Waldo Registry of Deeds.

Excepting and reserving from the foregoing conveyance the two cottages and out-buildings thereon, that are owned by Clarence Poor and by Miss Couillard.

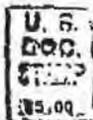
This conveyance being made subject to a right of way across the same as conveyed to said Milton B. Hills under said deed and subject to a certain lease given by us to Adoniram Moody which expires April 1, 1925 and subject to the rights of the public over the highway crossing said real estate. Also reserving the right to enter the buildings on said premises and remove therefrom all personal property belonging to us.

TO HAVE AND TO HOLD the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said Arthur Hartley, his heirs and assigns, to his and their use and behoof forever.

And we do Covenant with the said Grantee, his heirs and assigns, that we are lawfully seized in fee of the premises, that they are free of all incumbrances; that we have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that we and our heirs shall and will Warrant and Defend the same to the said Grantee, his heirs and assigns forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, we the said Edwin D. Burd and Eva T. Burd wife of the said joining in this deed as Grantor, and relinquishing and conveying right by descent and all other rights in the above described premises, have hereunto set our hands and seals this third day of March in the year of our Lord one thousand nine hundred and twenty-four.

Signed, Sealed and Delivered in presence of Kate Sargent E. T. Couillard



Edwin D. Burd L. S. Eva T. Burd L. S.

STATE OF MASSACHUSETTS, Middlesex ss. March 7, 1924.

Personally appeared the above named Edwin D. Burd and acknowledged the above instrument to be his free act and deed.

Before me,

T. Price Wilson

Notary Public.

My commission expires August 15, 1924

Waldo N.Y. Received March 14, 1924, at Ed., Soc., P. W.

Recorded and compared. Attest:

Louis F. ...

Register of Deeds

(9306)

KNOW ALL MEN BY THESE PRESENTS,

That I, Arthur Hartley of Philadelphia in the State of Pennsylvania in consideration of one dollar and other valuable considerations paid by Genevieve E. Hargrave of said Philadelphia the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said Genevieve E. Hargrave, her heirs and assigns forever,

A certain lot or parcel of land situated in Belfast in the County of Waldo and State of Maine, bounded and described as follows, to wit: Bounded northerly by land of Adoniram Moody and land owned by W. L. West, deceased, at the time of his decease; easterly by Penobscot Bay; southerly by Little River and land of Belfast Water District and westerly by land conveyed by Eva T. Burd and Edwin D. Burd to Milton B. Hills by deed recorded in Waldo Registry of Deeds.

This conveyance being made subject to the rights of the public over the highway crossing said real estate, and also subject to a certain mortgage given by me to The City National Bank of Belfast dated September 10, 1930, and recorded in Waldo Registry of Deeds, Book 387, Page 286.

Also excepting and reserving from the foregoing conveyance the cottage and out-buildings thereon, owned by Clarence Poor.

TO HAVE AND TO HOLD the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said Genevieve E. Hargrave her heirs and assigns, to her and their use and behoof forever.

And I do Covenant with the said Grantee, her heirs and assigns, that I am lawfully seized in fee of the premises, that they are free of all incumbrances, except said mortgage to said The City National Bank of Belfast that I have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that I and my heirs shall and will warrant and defend the same to the said Grantee, her heirs and assigns forever, against the lawful claims and demands of all persons, except for said mortgage. *Dis*

IN WITNESS WHEREOF, I the said Arthur Hartley and Harriet L. Hartley wife of the said Arthur Hartley joining in this deed as Grantor, and relinquishing and conveying her right by descent and all other rights in the above described premises, have hereunto set our hands and seals this twenty-seventh day of August in the year of our Lord one thousand nine hundred and thirty-four.

Signed, Sealed and Delivered
in presence of
John F. Dunton
to both



Arthur Hartley L.S.
Harriet L. Hartley L.S.

STATE OF MAINE, Waldo ss.

August 28 1934.

Personally appeared the above named Arthur Hartley and acknowledged the above instrument to be his free act and deed.

Before me, John F. Dunton

Justice of the Peace.

Waldo ss. Received August 29, 1934, at 9h., 25m., A. M.

Recorded and compared. Attest:

Louise Royal

Register of Deeds.

376.453
P.02
8:27-34
8:29 34

455

Vol. 386

(8308)

KNOW ALL MEN BY THESE PRESENTS,

That I, Genevieve E. Hargrave of Philadelphia in the State of Pennsylvania in consideration of one dollar and other valuable considerations paid by Arthur Hartley and Harriet L. Hartley, his wife, both of said Philadelphia the receipt whereof I do hereby acknowledge, do hereby remise, release, bargain, sell and convey, and forever quit-claim unto the said Arthur Hartley and Harriet L. Hartley, his wife, and the survivor of them as joint tenants and not as tenants in common, their heirs and assigns forever,

A certain lot or parcel of land situated in Belfast in the County of Waldo and State of Maine, bounded and described as follows, to wit: bounded northerly by land of Adoniram Woody and land owned by W. L. West, deceased, at the time of his decease; easterly by Hancock Bay; southerly by Little River and land of Belfast Water District and westerly by land conveyed by Eva T. Burd and Edwin D. Burd to Milton B. Hills by deed recorded in Waldo Registry of Deeds.

This conveyance being made subject to exceptions, reservations rights of the public and mortgage as set forth in deed of said Arthur Hartley to me bearing even date herewith to be recorded herewith in Waldo Registry of Deeds. Being the same real estate conveyed to me by said deed of said Arthur Hartley.

TO HAVE AND TO HOLD the same, together with all the privileges and appurtenances thereunto belonging, to the said Arthur Hartley and Harriet E. Hartley and the survivor of them in joint tenancy and not as tenants in common, their heirs and assigns forever.

And I do covenant with the said Grantees, their heirs and assigns, that I will warrant and forever defend the premises to them the said Grantees, their heirs and assigns forever, against the lawful claims and demands of all persons claiming by, through, or under me.

IN WITNESS WHEREOF, I the said Genevieve E. Hargrave, have hereunto set my hands and seals this twenty-seventh day of August in the year of our Lord one thousand nine hundred and thirty-four.

Signed, Sealed and Delivered
in presence of
John R. Dunton



Genevieve E. Hargrave L.S.
L.S.

STATE OF MAINE, Waldo ss.

August 28 1934.

Personally appeared the above named Genevieve E. Hargrave and acknowledged the above instrument to be her free act and deed.

Before me, John R. Dunton

Justice of the Peace.

Waldo ss. Received August 29, 1934, at 9h., 25m., A. M.

Recorded and indexed. Attest:

Louis Royal

Register of Deeds.

(8308)

KNOW ALL MEN BY THESE PRESENTS,

That I, George Parker Cook of Belfast in the County of Waldo and State of Maine in consideration of one dollar and other valuable considerations paid by William W. Dickey of Bangs-ville in said County and State the receipt whereof I do hereby acknowledge, do hereby remise, release, bargain, sell and convey, and forever quit-claim unto the said William W. Dickey, his heirs and assigns forever,

A certain lot or parcel of land with the buildings thereon, situated in the city of Belfast, and bounded and described as follows, to wit: Beginning at the intersection of the south line of land formerly of the late Daniel Hinds, with the westerly line of Northport Avenue; thence easterly on said Hinds southerly line, eighteen rods (18) to stake and stones;

Know all Men by these Presents, That

I, Harriet L. Hartley of Philadelphia in the County of Philadelphia and Commonwealth of Pennsylvania, widow

In consideration of one dollar and other valuable considerations paid by William P. Butler and Pauline H. Butler both of Natick in the County of Middlesex and Commonwealth of Massachusetts, husband and wife the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey unto the said William P. Butler and Pauline H. Butler as joint tenants, and not as tenants in common, to them and their heirs and assigns, and the heirs and assigns of the survivor of them forever,

A certain lot or parcel of land with the buildings thereon situated in Belfast in the County of Waldo and State of Maine on the easterly side of the Atlantic Highway and bounded and described as follows, to wit: Northerly by land of Fred R. Poor; easterly by Penobscot Bay; southerly by Little River and westerly by the Atlantic Highway, so-called.

Being a portion of the premises conveyed to Arthur Hartley and myself, in joint tenancy, by Genevieve E. Hargrave by deed dated August 27 1934 and recorded in Waldo Registry of Deeds, Book 386, Page 453

To Have and to Hold the aforegranted and bargained premises, with all the privileges and appurtenances thereof, to the said William P. Butler and Pauline H. Butler and the survivor of them, as joint tenants, and not as tenants in common, to them and their heirs and assigns, and the heirs and assigns of the survivor of them, to them and

as aforesaid, their use and behoof forever. And I do covenant with the said grantees,

heirs and assigns, that I am lawfully seized in fee of the premises; that they are free of all incumbrances;

that I have good right to sell and convey the same to the said Grantees to hold as aforesaid; and that I and my heirs shall and will warrant and defend the same to the said Grantees, the heirs and assigns forever, against the lawful claims and demands of all persons.

In Witness Whereof, I the said Harriet L. Hartley

my hand and seal this twenty-second day of September have hereunto set one thousand nine hundred and fifty. in the year of our Lord

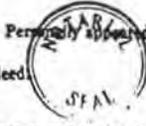
Signed, Sealed and Delivered in presence of
H. R. Stone



Harriet L. Hartley L.S.

State of Maine, Waldo ss. September 25, 1950. Personally appeared the above named Harriet L. Hartley and acknowledged the foregoing instrument to be her free act and deed.

Before me, H. R. Stone Notary Public.
Received September 30, 1950, at 10 o'clock 50 m. A. M., and recorded according to the original.



(306)

BOOK 587 PAGE 100

Know All Men by These Presents,

That we, William P. Butler and Pauline H. Butler, husband and wife, both of Belfast in the County of Waldo and State of Maine,

in consideration of one dollar and other valuable considerations,

paid by Ernest J. Bell and Marjorie M. Bell, husband and wife, both of Medway in the County of Norfolk and Commonwealth of Massachusetts

the receipt whereof we do hereby acknowledge, do hereby give, grant, bargain, sell and convey unto the said

Ernest J. Bell and Marjorie M. Bell

as joint tenants and not as tenants in common, their heirs and assigns, and to the survivor of them and the heirs and assigns of the survivor of them forever.

A certain lot or parcel of land together with the buildings thereon situated in Belfast in the County of Waldo and State of Maine on the easterly side of the Atlantic Highway and being bounded and described as follows, to wit: Northerly by land of Fred E. Poor; easterly by Penobscot Bay; southerly by Little River; and westerly by the Atlantic Highway, so-called.

Being the same premises conveyed to us by Harriet L. Bartley by her deed of warranty dated September 22, 1950, recorded in Waldo Registry of Deeds, Book 474, Page 387.

To have and to hold the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said

Ernest J. Bell and Marjorie M. Bell

as joint tenants and not as tenants in common, their heirs and assigns, and to the survivor of them and the heirs and assigns of the survivor of them, to their own use and behoof forever.

And we do covenant with the said Grantees, as aforesaid, that we are lawfully seized in fee of the premises, that they are free of all encumbrances; subject to pro rata share of current taxes assessed as of April 1, 1961 which said pro rata share of current taxes the Grantees by acceptance of this deed assume and agree to pay;

that we have good right to sell and convey the same to the said Grantees to hold as aforesaid; and that we and our heirs shall and will warrant and defend the same to the said Grantees, their heirs and assigns and the survivor of them, and the heirs and assigns of the survivor of them forever. against the lawful claims and demands of all persons, except aforesaid taxes. In Witness Whereof, we the said William P. Butler and Pauline H. Butler.

being husbands and wife, and mutually

BOOK 587 PAGE 101

and

wife

joining in this deed as Grantors, and

relinquishing and conveying our right by descent and all other

rights in the above described premises, have hereunto set our

hand^s and seal^s this thirteenth day of May

in the year of our Lord one thousand nine hundred and sixty-one.

Signed, Sealed and Delivered

in presence of

Arthur B. Clark
to both

William P. Butler
Ernest J. Bell



State of Maine, Waldo ss. May 13, 1961

Personally appeared the above named

William P. Butler

and acknowledged

the foregoing instrument to be his free act and deed.

Before me

Arthur B. Clark
Justice of the Peace.
Notary Public.

Warranty Deed

JOINT TENANCY

From

William P. Butler et ux.

To

Ernest J. Bell et ux.

Dated May 13, 1961.

State of Maine.

Waldo

ss. Registry of Deeds,

Received May 15, 1961

at 3 H., 45 M. P., M., and

recorded in Book 587, Page 100.

Attest: *William M. Clark* R.P. Registrar.

FROM THE OFFICE OF

Eaton & Glass
Belfast, Maine

LOHME SHORY & HARRIS
PORTLAND, MAINE

Know all Men by these Presents,

That we, Ernest J. Bell and Marjorie N. Bell, husband and wife, both of Belfast in the County of Waldo and State of Maine

in consideration of One Dollar and other valuable considerations

paid by John Joseph Grady and Catherine E. Grady, husband and wife, both of Northport in said County and State

the receipt whereof we do hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said

John Joseph Grady and Catherine E. Grady

as joint tenants and not as tenants in common, their heirs and assigns, and to the survivor of them and the heirs and assigns of the survivor of them forever.

A certain lot or parcel of land situated in Belfast in the County of Waldo and State of Maine, commencing at a point on the southeasterly right-of-way line of U. S. No. 1 at a concrete culvert; thence southwesterly along said right-of-way line one hundred eighty-seven (187) feet to a point six (6) feet, more or less, northwesterly of an iron pin; thence South 48° 20' East one hundred thirty-eight (138) feet, more or less, to an iron pin and continuing on the same course thirty-nine (39) feet, more or less, to the high water mark of Penobscot Bay; thence turning and running northeasterly along said high water mark three hundred thirty-three (333) feet, more or less, to an iron pipe; thence turning and running generally northwesterly and following the gully that marks the line between land of Ernest J. Bell and Marjorie N. Bell, and land of Fred R. Poor, to the point of beginning.

MEANING AND INTENDING TO CONVEY a part of the parcel of land conveyed to us by William P. Butler et ux by their deed dated May 13, 1961 and recorded in Waldo County Registry of Deeds in Book 587, Page 100.

To have and to hold the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said

John Joseph Grady and Catherine E. Grady

as joint tenants and not as tenants in common, their heirs and assigns, and to the survivor of them and the heirs and assigns of the survivor of them, to their own use and behoof forever.

And we do covenant with the said Grantees, as aforesaid that we are lawfully seized in fee of the premises, that they are free of all encumbrances;

that we have good right to sell and convey the same to the said Grantees to hold as aforesaid; and that we and our heirs shall and will Warrant and Defend the same to the said Grantees, their heirs and assigns and the survivor of them, and the heirs and assigns of the survivor of them forever, against the lawful claims and demands of all persons.

In Witness Whereof, we the said Ernest J. Bell and Marjorie N. Bell

mutually joining in this deed as Grantors, and relinquishing and conveying our right by descent and all other rights in the above described premises, have hereunto set our hands and seals this eighteenth day of May in the year of our Lord one thousand nine hundred and sixty-four.



Ernest J. Bell
Marjorie N. Bell

State of Maine, Waldo ss. May 18, 19 64.

Personally appeared the above named Ernest J. Bell and Marjorie N. Bell

and acknowledged

the foregoing instrument to be their free act and deed.

Before me,

Arthur B. Clark
Justice of the Peace,
Notary Public.



5643

Warranty Deed

JOINT TENANCY

From

ERNEST J. BELL ET UX

To

JOHN JOSEPH GRADY ET UX

Dated May 18, 19 64

State of Maine.

Waldo ss. Registry of Deeds.

Received May 21, 19 64

at 3 H. M. A. M., and

recorded in Book 521, Page 288

Attest: *Janice Clements*
Register.

FROM THE OFFICE OF

GRIDLEY W. TARBELL,
ATTORNEY AT LAW
BELFAST, MAINE

LORING, SHORT & HARMON, LAW STATIONERS
PORTLAND, MAINE

3993

"Maine Real Estate Transfer Tax Paid"

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that we, JOHN J. GRADY and CATHERINE E. GRADY, both of Belfast, County of Waldo, State of Maine; in consideration of one dollar and other valuable considerations paid by HOWARD W. MORDUE and PATRICIA A. MORDUE, Trustees of the HOWARD W. MORDUE REVOCABLE LIVING TRUST dated July 22, 1983, as Amended, or their Successors in Trust; and PATRICIA A. MORDUE and HOWARD W. MORDUE, Trustees of the PATRICIA A. MORDUE REVOCABLE LIVING TRUST dated July 26, 1983, as Amended, or their Successors in Trust, both of St. Simons Island, County of Brunswick, State of Georgia; the receipt whereof we do hereby acknowledge, do hereby give, grant, bargain, sell, and convey an undivided one-half interest unto HOWARD A. MORDUE and PATRICIA A. MORDUE, Trustees of the HOWARD W. MORDUE REVOCABLE LIVING TRUST dated July 22, 1983, as Amended, or their Successors in Trust; and an undivided one-half interest unto PATRICIA A. MORDUE and HOWARD W. MORDUE, Trustees of the PATRICIA A. MORDUE REVOCABLE LIVING TRUST dated July 26, 1983, as Amended, or their Successors in Trust, a certain lot or parcel of land situated in BELFAST, County of Waldo, State of Maine, more particularly bounded and described in 1964 as follows, to wit:

"A certain lot or parcel of land situated in Belfast in the County of Waldo and State of Maine, commencing at a point on the southeasterly right-of-way line of U. S. No. 1 at a concrete culvert; thence southwesterly along said right-of-way line one hundred eighty-seven (187) feet to a point six (6) feet, more or less, northwesterly of an iron pin; thence South 48° 20' East one hundred thirty-eight (138) feet, more or less, to an iron pin and continuing on the same course thirty-nine (39) feet, more or less, to the high water mark of Penobscot Bay; thence turning and running northeasterly along said high water mark three hundred thirty-three (333) feet, more or less, to an iron pipe; thence turning and running generally northwesterly and following the gully that marks the line between land of Ernest J. Bell and Marjorie N. Bell, and land of Fred R. Poor, to the point of beginning."

MEANING AND INTENDING TO CONVEY and hereby conveying the same premises as described in the warranty deed from Ernest J. Bell and Marjorie N. Bell to John Joseph Grady and Catherine E. Grady as dated May 18, 1964, and recorded in the Waldo County Registry of Deeds in Book 621, Page 288.

TO HAVE AND TO HOLD the aforegranted and bargained premises, with all the privileges and appurtenances thereof, to the said HOWARD W. MORDUE and PATRICIA A. MORDUE, Trustees of the HOWARD W. MORDUE REVOCABLE LIVING TRUST dated July 22, 1983, as Amended, or their Successors in Trust; and PATRICIA A. MORDUE and HOWARD W. MORDUE, Trustees of the PATRICIA A. MORDUE and HOWARD W. MORDUE, Trustees of the PATRICIA A. MORDUE REVOCABLE LIVING TRUST dated July 26, 1983, as Amended, or their Successors in Trust; to them and their use and behoof forever, and we do covenant with the said Grantees, their heirs and assigns, that we are lawfully seized in fee of the premises, that they are free of all encumbrances, that we have good right to sell and convey the same to the said Grantees to hold as aforesaid; and that we and our heirs shall and will warrant and defend the same to the said Grantees, their heirs and assigns forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, we, the said JOHN J. GRADY and CATHERINE E. GRADY, being husband and wife and mutually joining in this deed as Grantors, and relinquishing and conveying all rights by descent and all other rights in the above-described premises, have hereunto set our hands and seals on this second day of July, 1984.

SIGNED, SEALED, AND DELIVERED

IN THE PRESENCE OF

[Signature]
Witness

[Signature]
JOHN J. GRADY

to both
Witness

[Signature]
CATHERINE E. GRADY

STATE OF MAINE

Waldo, SS.

July 2, 1984

Then personally appeared the above-named John J. Grady and Catherine E. Grady and acknowledged the foregoing instrument to be their free act and deed.

Before me,

[Signature]
Notary Public

My Com. Exp. Stanley W. Brown, Jr.
BY COMMISSION EXPIRES SEPT. 12, 1985

Notary Public please print full name here.

3993

State of Maine, Waldo ss. Registry of Deeds
Received JULY 3 1984 at 2 M 50 P M
and recorded in Book 826 Page 3
Attest: DeLana Page Register

06737

WARRANTY DEED

We, HOWARD W. MORDUE, and PATRICIA A. MORDUE, TRUSTEES OF HOWARD W. MORDUE REVOCABLE LIVING TRUST and PATRICIA MORDUE and HOWARD W. MORDUE, AS TRUSTEE OF PATRICIA A. MORDUE REVOCABLE LIVING TRUST, for valuable consideration paid, grant to LARRY D. THEYE and BETTY BECKER-THEYE, husband and wife, whose mailing address is 14 Skyline Drive, Kearney, NE 68847, as Joint Tenants, with Warranty Covenants, a certain lot or parcel of land together with the buildings situated thereon, located in BELFAST, Waldo County, Maine, more particularly bounded and described in 1964 as follows, to wit:

"A certain lot or parcel of land situated in Belfast in the County of Waldo and State of Maine, commencing at a point on the southeasterly right-of-way line of U.S. No. 1 at a concrete culvert; thence southwesterly along said right-of-way line one hundred eighty-seven (187) feet to a point six (6) feet, more or less, northwesterly of an iron pin; thence South 48° 20' East one hundred thirty-eight (138) feet, more or less, to an iron pin and continuing on the same course thirty-nine (39) feet, more or less, to the high water mark of Penobscot Bay; thence turning and running northeasterly along said high water mark three hundred thirty-three (333) feet, more or less, to an iron pipe; thence turning and running generally northwesterly and following the gully that marks the line between land of Ernest J. Bell and Marjorie N. Bell, and land of Fred R. Poor to the point of beginning."

Meaning and intending to convey and hereby conveying the same premises described in a deed from John J. Grady, et ux to Howard W. Mordue and Patricia A. Mordue, Trustees of the Howard W. Mordue Revocable Living Trust, dated July 22, 1983, as Amended, or their Successors in Trust; and Patricia A. Mordue and Howard W. Mordue, Trustees of the Patricia A. Mordue Revocable Living Trust, dated July 26, 1983, as Amended, or their Successors in Trust, dated July 2, 1984, and recorded in the Waldo County Registry of Deeds in Book 826, Page 3.

WITNESS our hands and seals this 29 day of June, 1992

Mary L. Crankshaw
Witness
MARY L. CRANKSHAW

Howard W. Mordue
Howard W. Mordue, Trustee
of Howard W. Mordue
Revocable Living Trust and
the Patricia A. Mordue
Revocable Living Trust

Mary L. Crankshaw
Witness
MARY L. CRANKSHAW

Patricia A. Mordue
Patricia A. Mordue, Trustee
of Patricia A. Mordue
Revocable Living Trust and
the Howard W. Mordue
Revocable Living Trust

STATE OF MICHIGAN
COUNTY OF SANILAC SS.

June 29 1992

Personally appeared the above named Howard W. Mordue and Patricia A. Mordue, Trustees of the Patricia A. Mordue Revocable Living Trust and the Howard W. Mordue Revocable Living Trust and acknowledged the foregoing instrument to be their free act and deed.

JOHN L. CARVER, P.A.
ATTORNEYS AT LAW
FOOT OF THE SQUARE
4 CHURCH STREET
BELFAST, MAINE 04813

Before me, Sheila Loope
Notary Public

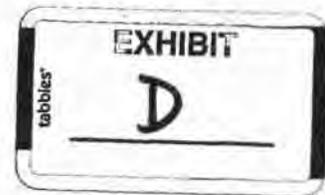
Print/type Notary name Sheila Loope

RECEIVED WALDO SS.
002 JUN 30 PM 3:36

SHEILA LOOPE
Notary Public, Sanilac County, Michigan
My Commission Expires May 23, 1994

ATTEST: Delvin Page
REGISTER OF DEEDS

Waldo Real Estate Transfer Tax Paid



CHAIN OF TITLE TO
RICHARD ECKROTE and JANET ECKROTE parcel
(Belfast Tax Map 29, Lot 36)

Eva T. Burd and Edwin D. Burd
Warranty deed
Book 343, Page 497 dated 3/3/1924
to
Arthur Hartley
Warranty deed
Book 386, Page 452 dated 8/27/1934
to
Genevieve E. Hargrave
Quitclaim with covenant deed
Book 386, Page 453 dated 8/27/1934
to
Arthur Hartley and Harriet L. Hartley, as joint
tenants
upon Arthur's death 2/10/1935, Harriet L.
Hartley became sole owner

Harriet L. Hartley
Warranty Deed
Book 452, Page 205; dated 1-25-1946
to
Fred R. Poor
Frederic R. Poor
Warranty Deed
Book 691, Page 44; dated 7/29/1971
to

Harriet L. Hartley
Warranty Deed
Book 438, Page 497; dated 11/7/1946
to
Sam M. Cassida
Warranty Deed
Book 608, Page 290; dated 4/17/1963
to
Douglas I. Tozier and Marion Tozier
Warranty Deed
Book 717, Page 341; dated 8/28/1974
to



William O. Poor and Phyllis J. Poor, as joint tenants
Quitclaim with covenant deed
Book 724, Page 413; dated 6/18/1975
to
Douglas I. Tozier and Marion Tozier, as joint tenants
Corrective Warranty deed
Book 724, page 415; dated 7/8/1975
to
William O. Poor & Phyllis J. Poor, joint tenants
OUTSALE of parcel on Route 1 (no shore frontage)
Warranty Deed
Book 752, Page 242; dated 3/27/1978
to

Frederick C. Kelly and Priscilla Bryant Kelly, as joint tenants
(corrective) Quitclaim with covenant
Book 957, Page 306; d.05/01/1987
to
William O. Poor and Phyllis J. Poor
BALANCE OF LAND
Quitclaim Deed
Book 1228, Page 346; dated 7/1/1991
to
Phyllis J. Poor
Died testate 06/30/2012
Certificate and Abstract Book 3666, Page 42
R. Kenneth Lindell & Barbara Gray, named Personal Co-Representatives
Deed of Sale by Personal Representative
Book 3697, Page 4; dated 10/15/2012
to
Richard and Janet Eckrote, as joint tenants

343-497

3-3-24

3-14-24

Vol. 343.

417

[1924]

KNOW ALL MEN BY THESE PRESENTS:

That we, Eva T. Burd of Winchester in the State of Massachusetts, widow of Edwin D. Burd. late of West Medford, deceased, and Edwin D. Burd of said Winchester, son and sole heir at law of said Edwin D. Burd in consideration of one dollar and other valuable considerations paid by Arthur Hartley of Philadelphia in the State of Pennsylvania the receipt whereof we do hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said Arthur Hartley, his heirs and assigns forever,

A certain lot or parcel of land situated in Belfast in the County of Waldo and State of Maine, bounded and described as follows, to wit: Bounded northerly by land of Adoniram Woody and land owned by W. L. West, deceased, at the time of his decease; easterly by Penobscot Bay; southerly by Little River and land of Belfast Water District and westerly by land conveyed by us to Milton B. Hills by deed recorded in Waldo Registry of Deeds.

Excepting and reserving from the foregoing conveyance the two cottages and out-buildings thereon, that are owned by Clarence Poor and by Miss Couillard.

This conveyance being made subject to a right of way across the same as conveyed to said Milton B. Hills under said deed and subject to a certain lease given by us to Adoniram Woody which expires April 1, 1925 and subject to the rights of the public over the highway crossing said real estate. Also reserving the right to enter the buildings on said premises and remove therefrom all personal property belonging to us.

TO HAVE AND TO HOLD the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said Arthur Hartley, his heirs and assigns, to his and their use and behoof forever.

And we do covenant with the said Grantee, his heirs and assigns, that we are lawfully seized in fee of the premises, that they are free of all incumbrances; that we have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that we and our heirs shall and will warrant and defend the same to the said Grantee, his heirs and assigns forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, we the said Edwin D. Burd and Eva T. Burd wife of the said joining in this deed as Grantor, and relinquishing and conveying right by descent and all other rights in the above described premises, have hereunto set our hands and seals this third day of March in the year of our Lord one thousand nine hundred and twenty-four.

Signed, Sealed and Delivered in presence of
Kate Sargent
E. T. Couillard



Edwin D. Burd L. S.
Eva T. Burd L. S.

STATE OF MASSACHUSETTS, Middlesex ss. March 7, 1924.

Personally appeared the above named Edwin D. Burd and acknowledged the above instrument to be his free act and deed.

Before me,

T. Price Wilson

Notary Public.

My commission expires August 15, 1924

Waldo No. Received March 14, 1924, at 2h. 30m., P. M.

Recorded and compared. Attest:

Louis [Signature]

Register of Deeds

(9305)

KNOW ALL MEN BY THESE PRESENTS,

That I, Arthur Hartley of Philadelphia in the State of Pennsylvania in consideration of one dollar and other valuable considerations paid by Genevieve E. Hargrave of said Philadelphia the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said Genevieve E. Hargrave, her heirs and assigns forever,

A certain lot or parcel of land situated in Belfast in the County of Waldo and State of Maine, bounded and described as follows, to wit: Bounded northerly by land of Adoniram Moody and land owned by W. L. West, deceased, at the time of his decease; easterly by Penobscot Bay; southerly by Little River and land of Belfast Water District and westerly by land conveyed by Eva T. Burd and Edwin D. Burd to Milton B. Hills by deed recorded in Waldo Registry of Deeds.

This conveyance being made subject to the rights of the public over the highway crossing said real estate, and also subject to a certain mortgage given by me to The City National Bank of Belfast dated September 10, 1930, and recorded in Waldo Registry of Deeds, Book 367, Page 386.

Also excepting and reserving from the foregoing conveyance the cottage and out-buildings thereon, owned by Clarence Poor.

TO HAVE AND TO HOLD the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said Genevieve E. Hargrave her heirs and assigns, to her and their use and behoof forever.

And I do Covenant with the said Grantee, her heirs and assigns, that I am lawfully seized in fee of the premises, that they are free of all incumbrances; except said mortgage to said The City National Bank of Belfast that I have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that I and my heirs shall and will warrant and defend the same to the said Grantee, her heirs and assigns forever, against the lawful claims and demands of all persons, except for said mortgage. *DIS*

IN WITNESS WHEREOF, I the said Arthur Hartley and Harriet L. Hartley wife of the said Arthur Hartley joining in this deed as Grantor, and relinquishing and conveying her right by descent and all other rights in the above described premises, have hereunto set our hands and seals this twenty-seventh day of August in the year of our Lord one thousand nine hundred and thirty-four.

Signed, Sealed and Delivered
in presence of
John R. Dunton
to both



Arthur Hartley L.S.
Harriet L. Hartley L.S.

STATE OF MAINE, Waldo ss.

August 26 1934.

Personally appeared the above named Arthur Hartley and acknowledged the above instrument to be his free act and deed.

Before me, John R. Dunton

Justice of the Peace.

Waldo ss. Received August 26, 1934, at 9h., 35m., A. M.

Recorded and compared. Attest:

Louis Royal

Register of Deeds.

Vol. 386

(8308)

KNOW ALL MEN BY THESE PRESENTS,

That I, Genevieve E. Hargrave of Philadelphia in the State of Pennsylvania in consideration of one dollar and other valuable considerations paid by Arthur Hartley and Harriet L. Hartley, his wife, both of said Philadelphia the receipt whereof I do hereby acknowledge, do hereby remise, release, bargain, sell and convey, and forever quit-claim unto the said Arthur Hartley and Harriet L. Hartley, his wife, and the survivor of them as joint tenants and not as tenants in common, their heirs and assigns forever,

A certain lot or parcel of land situated in Belfast in the County of Waldo and State of Maine, bounded and described as follows, to wit: Bounded northerly by land of Adoniram Moody and land owned by W. L. West, deceased, at the time of his decease; easterly by Penobscot Bay; southerly by Little River and land of Belfast Water District and westerly by land conveyed by Eva T. Hurd and Edwin D. Hurd to Milton B. Hills by deed recorded in Waldo Registry of deeds.

This conveyance being made subject to exceptions, reservations rights of the public and mortgage as set forth in deed of said Arthur Hartley to me bearing even date herewith to be recorded herewith in Waldo Registry of Deeds. Being the same real estate conveyed to me by said deed of said Arthur Hartley.

TO HAVE AND TO HOLD the same, together with all the privileges and appurtenances thereunto belonging, to the said Arthur Hartley and Harriet E. Hartley, and the survivor of them in joint tenancy and not as tenants in common, their heirs and assigns forever.

And I do covenant with the said Grantees, their heirs and assigns, that I will warrant and forever defend the premises to them the said Grantees, their heirs and assigns forever, against the lawful claim and demands of all persons claiming by, through, or under me.

IN WITNESS WHEREOF, I the said Genevieve E. Hargrave, have hereunto set my hands and seals this twenty-seventh day of August in the year of our Lord one thousand nine hundred and thirty-four.

Signed, Sealed and Delivered in presence of John R. Dunton



Genevieve E. Hargrave L.S. L.S.

STATE OF MAINE, Waldo ss.

August 26 1934.

Personally appeared the above named Genevieve E. Hargrave and acknowledged the above instrument to be her free act and deed.

Before me, John R. Dunton

Justice of the Peace.

Waldo ss. Received August 26, 1934, at 9h., 45m., A. M.

Recorded and compared. Attest:

Lucie Royal

Register of Deeds.

(8308)

KNOW ALL MEN BY THESE PRESENTS,

That I, George Parker Cook of Belfast in the County of Waldo and State of Maine in consideration of one dollar and other valuable considerations paid by William W. Dickey of Swanville in said County and State the receipt whereof I do hereby acknowledge, do hereby remise, release, bargain, sell and convey, and forever quit-claim unto the said William W. Dickey, his heirs and assigns forever,

A certain lot or parcel of land with the buildings thereon, situated in the city of Belfast, and bounded and described as follows, to wit: Beginning at the intersection of the south line of land formerly of the late Daniel Hinds, with the easterly line of Northport Avenue; thence easterly on said Hinds southerly line, eighteen rods (18) to stakes and stones;

452-205
1-25-46
8-6-46
205

Vol. 452

Christine Decker by Maurice L. Decker by deed dated May 8, 1914, recorded in Waldo Registry of Deeds, Book 313, Page 366; conveying to Mabel Thomas by said deeds an undivided one-third interest in said real estate and the entire interest of the said minors, to all of which deeds and the records thereof reference may be had for a more complete description.

Meaning and intending to convey the same premises as conveyed to John F. Fitzgerald by Mabel Thomas by her deed dated January 8, 1938, recorded in Waldo Registry of Deeds, Book 408, Page 151; and conveying the same premises as deeded to Robert H. Karns by Alexander R. Gillmor by Quit-claim Deed dated December 27, 1945 and recorded in Waldo County Registry of Deeds, Book 441, Page 120.

TO HAVE AND TO HOLD the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said Fred O. Dodge, aforesaid, his heirs and assigns, to his and their use and behoof forever.

And I do Covenant with the said Grantee, his heirs and assigns, that I am lawfully seized in fee of the premises that they are free of all incumbrances; that I have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that I and my heirs shall and will Warrant and Defend the same to the said Grantee, his heirs and assigns forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, I the said Robert H. Karns and Thelma A. Karns wife of the said Robert H. Karns joining in this deed as Grantor, and relinquishing and conveying her right by descent and all other rights in the above described premises, have hereunto set our hands and seals this sixth day of August in the year of our Lord one thousand nine hundred and forty-six.

Signed, Sealed and Delivered
in presence of

Hillard H. Buzzell

Linwood H. Robertson



Robert H. Karns L.S.

Thelma A Karns L.S.

STATE OF MAINE, Waldo ss.

August 6 1946.

Personally appeared the above named Robert H. Karns and acknowledged the foregoing instrument to be his free act and deed.

Before me,

Hillard H. Buzzell
Justice of the Peace

Received August 6, 1946, at 11h., 55m., A. M.

4450

KNOW ALL MEN BY THESE PRESENTS,

That I, Harriet L. Hartley of Philadelphia in the Commonwealth of Pennsylvania, single woman in consideration of one dollar and other valuable considerations paid by Fred R. Poor of Belfast in the County of Waldo and State of Maine the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said Fred R. Poor, his heirs and assigns forever,

A certain lot or parcel of land situated in Belfast in the County of Waldo and State of Maine, bounded and described as follows, viz: Beginning at the head of a gully in the

center of a concrete culvert which is on or near the Southerly bound of the Atlantic Highway; thence Southeasterly following the bottom of the gully 275 ft. more or less to an iron bolt in the mouth of a brook; thence Easterly and Northeasterly along high water mark of Penobscot Bay 410 ft. more or less to a stake at the outlet of a gully; thence Northerly up the bottom of the said gully 100 ft.; thence West 507 ft. to the center of a gully on or near the Southerly bound of the Atlantic Highway; thence Westerly along the Southerly bound of said highway 206 ft. to the point of beginning. Said lot contains 2.23 acres, more or less. Being a portion of the premises conveyed by Genevieve E. Hargrave to Arthur and Harriet L. Hartley by deed dated August 27, 1934 and recorded in Waldo Registry of Deeds, Book 386, Page 453.

TO HAVE AND TO HOLD the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said Fred R. Poor, his heirs and assigns, to his and their use and behoof forever.

And I do Covenant with the said Grantee, his heirs and assigns, that I am lawfully seized in fee of the premises, that they are free of all incumbrances; that I have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that I and my heirs shall and will warrant and defend the same to the said Grantee, his heirs and assigns forever, against the lawful claims and demands of all persons.

The lot or parcel of land herein described is conveyed to Fred R. Poor with the understanding it is to be used for residential purposes only, that no business for profit is to be conducted there unless agreed to by Harriet L. Hartley, her heirs or assigns.

IN WITNESS WHEREOF, I the said Harriet L. Hartley have hereunto set my hand and seal this twenty-fifth day of January in the year of our Lord one thousand nine hundred and forty-six.

Signed, Sealed and Delivered
in presence of

John B. McGann
Samuel U. Levin



Harriet L. Hartley L.S.

STATE OF PENNSYLVANIA
City and County of Philadelphia ss.

June 19 - 1946.

Personally appeared the above named Harriet L. Hartley and acknowledged the above instrument to be her free act and deed.



Before me,
Samuel U. Levin
Notary Public
My Commission expires 3/19/1947

IN THE COURTS OF COMMON PLEAS OF PHILADELPHIA COUNTY

STATE OF PENNSYLVANIA)
County of Philadelphia, ss.) I, Meredith Hanna, Prothonotary of the Courts of Common Pleas of said county, which are Courts of Record having a common seal, being the Officer authorized by the laws of the State of Pennsylvania to make the following Certificate, acting by my Deputy, John J. Hoerr.

do Certify, That Samuel U. Levin Esquire, whose name is subscribed to the certificate of the acknowledgment of the annexed instrument and thereon written, was at the time of such acknowledgment a Notary Public for the Commonwealth of Pennsylvania, residing in the County aforesaid, duly commissioned and qualified to administer oaths and affirmations and to take acknowledgments and proofs of Deeds or Conveyances for lands, tenements and hereditaments to be recorded in said State of Pennsylvania, and to all whose acts, as such, full faith and credit are and ought to be given, as well in Courts of Judicature as elsewhere; and that I am well acquainted with the handwriting of the said Notary Public and verily believe the signature thereto is genuine, and I further certify that the said instrument is executed and acknowledged in conformity with the laws of the State of Pennsylvania.



The impression of the seal of the Notary Public is not required by law to be filed in this Office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court, this 19th day of June in the year of our Lord one thousand nine hundred and forty-six (1946)

Received August 6, 1946, at 12th & Locust St., P.M.

Meredith Hanna, Prothonotary
Deputy Prothonotary
Durante Absentia, Secundum Legem.

691-44
7-28-71
7-29-71

2807 WARRANTY DEED

I, FREDERIC R. POOR, of Belfast, Waldo County, Maine, an unmarried widower, for consideration paid, grant to WILLIAM O. POOR and PHILLIS J. POOR, husband and wife, both of Northport, Suffolk County, New York, as joint tenants, with Warranty Covenants, a certain lot or parcel of land, together with the buildings thereon, situated in said BELFAST and more particularly bounded and described as follows, to wit:

Consideration is such that no transfer tax is due.

Beginning at the head of a gully in the center of a concrete culvert which is on or near the southerly bound of the Atlantic Highway, so-called; thence southeasterly following the bottom of the gully along the northeasterly bound of land of Joseph Grady two hundred seventy-five (275) feet, more or less, to a point in the south of a brook; thence easterly and northeasterly along high-water mark of Penobscot Bay four hundred ten (410) feet, more or less, to a point at the outlet of a gully; thence northerly up the bottom of said gully, along the westerly bound of land of Douglas Tozier, one hundred (100) feet; thence west along the line of said Tozier five hundred seven (507) feet to the center of a gully on or near the southerly bound of the Atlantic Highway; thence westerly along the southerly bound of said highway two hundred six (206) feet to the point of beginning. Said lot contains two and twenty-three hundredths (2.23) acres, more or less.

Meaning and intending to convey and hereby conveying the same premises described in a deed from Harriet L. Hertley to said Frederic R. Poor, under the name of Fred R. Poor, dated January 25, 1946, and recorded in Waldo County Registry of Deeds in Book 452, Page 205.

Witness my hand and seal this twenty-eighth day of July one thousand nine hundred and seventy-one.

Signed, Sealed and Delivered in presence of

James J. Thibodeau Frederic R. Poor

State of Maine

County of Waldo, SS.

July 29, 1971

Then personally appeared the above-named Frederic R. Poor and acknowledged the foregoing instrument to be his free act and deed.

Before me,



2807

James J. Thibodeau
Justice of the Peace (or Notary Public)

ROGER F. BLAKE
ATTORNEY AT LAW
58 WOOD STREET
BALDWIN, MAINE

State of Maine, Waldo ss. Registry of Deeds
Received July 29 1971 at 2:41 P.M. in Book 691 Page 44
and recorded in Book 691 Page 44
Attest: *Roberta Riley* Register

Know all Men by these Presents,

That we, Douglas I. Tozier and Marion Tozier, both of Belfast in the County of Waldo and State of Maine, whose mailing address is Northport Avenue, Belfast, Maine 04915,

in consideration of one dollar and other valuable considerations

paid by William O. Poor and Phyllis J. Poor, both of 282 Club House Drive, Willingboro, New Jersey,

the receipt whereof we do hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said William O. Poor and Phyllis J. Poor

as joint tenants and not as tenants in common, their heirs and assigns forever, a certain lot or parcel of land together with the buildings thereon situate in Belfast in the County of Waldo and State of Maine more particularly bounded and described as follows, to wit:

Beginning at an iron pin driven into the ground in the easterly bound of the road leading from Northport to Belfast, commonly known and designated as U. S. Route #1 in the southerly bound of land to be retained by the within Grantors; thence South 57°04' 05" East by and along the southerly bound of land of the within Grantors one hundred sixty and five tenths (160.5) feet to an iron pin driven into the ground; thence turning and running South 84°23'54" East ninety-six and five tenths (96.5) feet to an iron pin driven into the ground at land to be retained by the within Grantors; thence turning and running South 26°23'45" East by land to be retained by the within Grantors two hundred five and one tenth (205.1) feet to an iron pipe driven into the ground; thence turning and running South 89°48' West upon a line delineated by iron pipes driven into the ground five hundred (500) feet, more or less, by and along the northerly bound of other land of the within Grantees to the headwall of a culver passing beneath the aforementioned U. S. Route #1; thence turning and running in a course of North 32°20'15" East by and along the easterly bound of the aforementioned Route #1 four hundred seventy-six (476) feet, more or less, to the iron pin at the point of beginning.

Being a portion of the same premises conveyed to these Grantors by deed of Sam M. Cassida, et ux, dated April 17, 1963, recorded in Waldo County Registry of Deeds, Book 608, Page 290.

To have and to hold the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said William O. Poor and Phyllis J. Poor

as joint tenants and not as tenants in common, their heirs and assigns, to their own use and behoof forever.

And we do warrant with the said Grantees, as aforesaid, that we are lawfully seized in fee of the premises, that they are free of all encumbrances; reserving, nevertheless, the right to use and occupy the premises until the first day of October, 1974;

that we have good right to sell and convey the same to the said Grantees to hold as aforesaid; and that we and our heirs shall and will Warrant and Defend the same to the said Grantees, their heirs and assigns against the lawful claims and demands of all persons.

In Witness Whereof, we, the said Douglas I. Tozier and Marion Tozier, being husband and wife and mutually

~~xxxx~~

~~xxxx~~

~~xxxxxxxxxxxx~~

joining in this deed as Grantors, and relinquishing and conveying our right by descent and all other rights in the above described premises, have hereunto set our hands and seal this twenty-eighth day of August in the year of our Lord one thousand nine hundred and seventy-four.

Signed, Sealed and Delivered

in presence of

Helen L. Sanber (W.D.T.)

Douglas I. Tozier
Marion Tozier

State of Maine, Waldo ss. August 28 1974

Personally appeared the above named Douglas I. Tozier

and acknowledged

the foregoing instrument to be his free act and deed.

4160

Before me,

Helen L. Sanber

State of Maine, Waldo ss. Registry of Deeds

Recorded AUGUST 29 1974 11 A.M. A.M.

Justice of the Peace.

Notary Public.

and recorded in book 717 Page 341

James Cleaveland

724-413
4-24-75
7-15-75

3425

(REV. 1957)

Know All Men by These Presents,

That we, William O. Poor and Phyllis J. Poor both of Belfast, in the County of Waldo and State of Maine,

in consideration of one dollar and other valuable considerations,

paid by Douglas I. Tozier and Marion Tozier, both of Belfast, in the County of Waldo and State of Maine,

the receipt whereof we do hereby acknowledge, do hereby render, release, bargain, sell and convey, and forever quit-claim unto the said

Douglas I. Tozier and Marion Tozier

as joint tenants and not as tenants in common, their heirs and assigns forever, a certain lot or parcel of land, together with the buildings thereon situate in Belfast in the County of Waldo and State of Maine more particularly bounded and described as follows, to wit:

Beginning at an iron pin driven into the ground in the easterly bound of the road leading from Northport to Belfast, commonly known and designated as U. S. Route #1 in the southerly bound of land to be retained by Douglas I. Tozier, et ux.; thence South 57° 04' 05" East by and along the southerly bound of land of said Douglas I. Tozier, et ux. one hundred sixty and five tenths (160.5) feet to an iron pin driven into the ground; thence turning and running South 84° 23' 54" East ninety-six and five tenths (96.5) feet to an iron pin driven into the ground or land to be retained by the within Tozier; thence turning and running South 26° 23' 45" East by land to be retained by the within Tozier two hundred five and one tenth (205.1) feet to an iron pipe driven into the ground; thence turning and running South 89° 48' West upon a line delineated by iron pipes driven into the ground five hundred (500) feet, more or less, by and along the northerly bound of other land of the said Tozier to the headwall of a culvert passing beneath the aforementioned U. S. Route #1; thence turning and running in a course of North 32° 20' 15" East by and along the easterly bound of the aforementioned Route #1 four hundred seventy-six (476) feet, more or less, to the iron pin at the point of beginning.

Being all and the same premises conveyed by deed of Douglas I. Tozier, et ux. to William O. Poor, et ux. dated August 28, 1974, recorded in Waldo County Registry of Deeds, Book 717, Page 341.

The purpose of this deed is to facilitate the correction of an error in the aforementioned deed to the within Grantors, the Grantees herein having executed simultaneously with this instrument a new deed correcting said error.

3426

Know all Men by these Presents,

That We, Douglas I. Tozier and Marion Tozier, both of Belfast, in the County of Waldo and State of Maine, whose mailing address is Northport, Maine, Belfast, Maine 04915

in consideration of one dollar and other valuable considerations,

paid by William O. Poor and Phyllis J. Poor, both of Belfast, in the County of Waldo and State of Maine,

the receipt whereof we do hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said

William O. Poor and Phyllis J. Poor,

as joint tenants and not as tenants in common, their heirs and

assigns forever, a certain lot or parcel of land together with the buildings thereon situate in Belfast in the County of Waldo and State of Maine more particularly bounded and described as follows, to wit:

Beginning at an iron pin driven into the ground in the easterly bound of the road leading from Northport to Belfast, commonly known and designated as U. S. Route #1 in the southerly bound of land to be retained by the within Grantors; thence South 57°04' 05" east by and along the southerly bound of land of the within Grantors one hundred sixty and five tenths (160.5) feet to an iron pin driven into the ground; thence turning and running South 84° 23' 54" East ninety-six and five tenths (96.5) feet to an iron pin driven into the ground at land to be retained by the within Grantors; thence turning and running South 26° 23' 45" East by land to be retained by the within Grantors two hundred five and one tenth (205.1) feet to an iron pipe driven into the ground; thence turning and running South 89° 48' West upon a line delineated by iron pipes driven into the ground five hundred (500) feet, more or less, by and along the northerly bound of other land of the within Grantees to the headwall of a culvert passing beneath the aforementioned U. S. Route #1; thence turning and running in a course of North 32° 20' 15" East by and along the easterly bound of the aforementioned Route #1 three hundred fifty (350) feet, more or less, to the iron pin at the point of beginning.

Being a portion of the same premises conveyed to these Grantors by deed of Sam M. Cassida, et ux, dated April 17, 1963, recorded in Waldo County Registry of Deeds, Book 608, Page 290.

This deed is given to correct an error in the description in a deed given by the within Grantors to William O. Poor, et ux, dated August 28, 1974, recorded in Waldo County Registry of Deeds, Book 717, Page 341.

do hereby and to hold the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said

William O. Poor and Phyllis J. Poor,

as joint tenants and not as tenants in common, their heirs and assigns, to their own use and behoof forever.

And we do warrant with the said Grantees, as aforesaid, that we are lawfully seized in fee of the premises, that they are free of all encumbrances;

that we have good right to sell and convey the same to the said Grantees to hold as aforesaid; and that we and our heirs shall and will warrant and defend the same to the said Grantees, their heirs and assigns against the lawful claims and demands of all persons.

In Witness Whereof, we the said Douglas I. Tozier and Marion Tozier being husband and wife, and mutually,

X

WITNESSES

at the same place

joining in this deed as Grantors, and relinquishing and conveying our right by descent and all other rights in the above described premises, have hereunto set our hands and seals this twenty-fourth day of April in the year of our Lord one thousand nine hundred and seventy-five.

Signed, Sealed and Delivered

in presence of

Helena Sankers (S.D.J.)

Douglas I. Tozier

Marion Tozier



State of Maine, County of Waldo, ss. July 8 19 75

Personally appeared the above named Douglas I. Tozier

and acknowledged his free act and deed.

HELENA SANKERS

NOTARY PUBLIC

3426

Before me,

Helena Sankers

Notary Public, State of Maine, Waldo ss. Registry of Deeds

Received July 15 1975 at 3 30 P.M.

Notary Public.

Notary Public recorded in Book 724 Page 415

Dobson & Co. Inc.

1415 Know all Men by these Presents,

That we, WILLIAM O. POOR and PHYLLIS J. POOR, husband and wife, both of Willingboro, County of Burlington and State of New Jersey

in consideration of one dollar and other valuable considerations

paid by FREDERICK C. KELLY and PRISCILLA B. KELLY, husband and wife, both of Northport, County of Waldo and State of Maine

and whose mailing address is RFD, Belfast, Maine 04915

the receipt whereof we do hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said

Frederick C. Kelly and Priscilla B. Kelly

as joint tenants and not as tenants in common, their heirs and assigns, and to the survivor of them and the heirs and assigns of the survivor of them ~~perpetually forever, and their heirs and assigns forever.~~

A certain lot or parcel of land, together with the buildings thereon, situate in BELFAST, County of Waldo and State of Maine and more particularly bounded and described as follows, to wit:

Beginning at an iron pin driven into the ground on the easterly bound of the road leading from Northport to Belfast, commonly known and designated as U. S. Route #1 in the southerly bound of land now or formerly of Douglas Tozier et ux; thence South 57°04'05" East by and along the southerly bound of land of the said Tozier one hundred sixty and five tenths (160.5) feet to an iron pin driven into the ground; thence turning and running South 84°23'54" East ninety-six and five tenths (96.5) feet to an iron pin driven into the ground at land to be retained by the said Tozier; thence turning and running South 26°23'45" East by land to be retained by the said Tozier, two hundred five and one tenth (205.1) feet to an iron pipe driven into the ground, which said iron pipe marks generally southeasterly corner of land described in a deed from Douglas I. Tozier et ux to William O. Poor et ux, dated April 24, 1975 and recorded in the Waldo County Registry of Deeds in Book 724, Page 415, which said point is also the generally northeasterly corner of land described in a deed from Frederic R. Poor to William O. Poor et ux, dated July 28, 1971 and recorded in said Registry in Book 691, Page 44; thence by the same course South 26°23'45" East along generally easterly bound of land conveyed by Frederic R. Poor to William O. Poor et ux by deed aforesaid one hundred (100) feet, more or less, to an iron stake driven into the ground on the shore of Penobscot Bay; thence westerly and southwesterly by the shore of Penobscot Bay, one hundred and twenty-five (125) feet, more or less, to an iron stake driven into the ground; thence at a bearing calculated to be North 43° West by land of the Grantors, one hundred fifty-five (155) feet, more or less, to a point on the generally southerly line of land conveyed by Tozier to Poor by deed aforesaid; thence by the same course calculated to be North 43° West by land of the Grantors, two hundred and ninety-five (295) feet, more or less, to an iron stake driven into the ground on the generally easterly bound of U. S. Route #1 aforesaid; thence North 32°20'15" East by and along the easterly bound of the aforesaid Route #1, seventy-five (75) feet, more or less, to the point of beginning.

MEANING AND INTENDING TO CONVEY and hereby conveying a portion of the premises described in two deeds as follows, to wit: One from Douglas I. Tozier and Marion Tozier to us, William O. Poor and Phyllis J. Poor, dated April 24, 1975 and recorded in the Waldo County Registry of Deeds in Book 724, Page 415; and one from Frederic R. Poor to

us, William O. Poor and Phyllis J. Poor, dated July 28, 1971, and ^{BOOK 752} recorded in said Registry in Book 691, Page 44. ^{PAGE} 243

We have and do hold the aforegranted and bargained premises, with all the privileges and appurtenances thereof, to the said

Frederick C. Kelly and Priscilla B. Kelly

as joint tenants and not as tenants in common, their heirs and assigns, and to the survivor of them and the heirs and assigns of the survivor of them ~~assigns~~, to their own use and behoof forever.

And we do covenant with the said Grantees, as aforesaid, that we are lawfully seized in fee of the premises, that they are free of all encumbrances; subject to the prorata share of real estate taxes assessed against the premises as of April 1, 1978, which said share the Grantees by their acceptance of this deed assume and agree to pay

that we have good right to sell and convey the same to the said Grantees to hold as aforesaid; and that we and our heirs shall and will Warrant and Defend the same to the said Grantees, their heirs and assigns ~~against the lawful claims and demands of all persons~~ and the survivor of them, and the heirs and assigns of the survivor of them forever, against the lawful claims and demands of all persons.

In Witness Whereof, we the said William O. Poor and Phyllis J. Poor, being husband and wife, and mutually,

~~and~~

wife:

~~xxxxxxx~~

joining in this deed as Grantors, and relinquishing and conveying all rights by descent and all other rights in the above described premises, have hereunto set our hands and seals this thirteenth day of March in the year of our Lord one thousand nine hundred and seventy-eight.

Signed, Sealed and Delivered

In presence of

Sheldon W. Clark
Sheldon W. Clark

William O. Poor
William O. Poor
Phyllis J. Poor
Phyllis J. Poor



State of ~~Maine~~ MAINE ss. March 27 19 78

Personally appeared the above named William O. Poor and Phyllis J. Poor

and acknowledged the foregoing instrument to be their free act and deed.

1415
State of Maine, Waldo as Registry of Deeds
Received April 3 1978 at 1:45 P.M.
and recorded in Book 752 Page 242
Attest: James J. Conner Register

Before me,

Sheldon W. Clark
Notary Public,
~~XXXXXXXXXXXXXXXXXXXX~~

957-304
5-4-87
5-7-87

PLA 557 PAGE 504

QUITCLAIM DEED
With Covenant

02959

Know all Men by these Presents,

That WILLIAM O. POOR and PHYLLIS J. POOR of Willingboro, County of Burlington, State of New Jersey

In consideration of one dollar and other valuable consideration

paid by FREDRICK C. KELLY and PRISCILLA BRYANT KELLY of Northport, County of Waldo, State of Maine

whose mailing address is Northport Avenue
Maine 04915

No Transfer Tax Paid

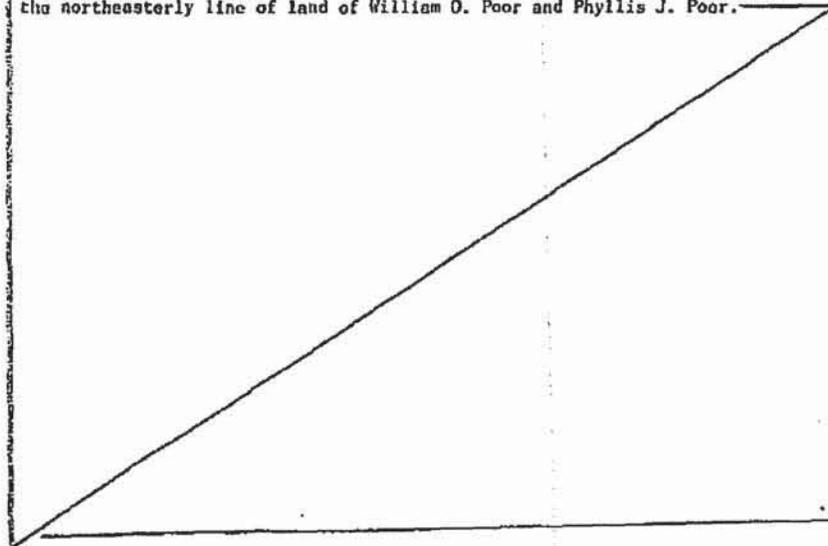
the receipt whereof we do hereby acknowledge, do hereby remise, release, bargain, sell and convey, and forever quitclaim unto the said Frederick C. Kelly and Priscilla Bryant Kelly

their heirs and assigns forever,

All land in Belfast northeasterly of a certain line bounded and described as follows:

Beginning at an iron pin in the easterly bound of U.S. Route #1 which said iron pin marks a corner of land conveyed to Frederick C. Kelly and Priscilla Bryant Kelly in Book 752, Page 242 and marking the corner of land of William O. Poor and Phyllis J. Poor; thence South 35° 56' 50" East four hundred fifty-four and two tenths (454.2) feet to an iron pin; thence continuing on the same course nineteen (19) feet more or less, to the high water mark of Penobscot Bay. Said line being the southwesterly line of land conveyed to Frederick C. Kelly and Priscilla Bryant Kelly by William O. Poor and Phyllis J. Poor by deed dated April 3, 1978 in which said line was described in said deed as having a "bearing calculated to be North 43° West."

The purpose of this deed is to correct and permanently establish the southwesterly line of the Frederick C. Kelly and Priscilla Bryant Kelly parcel and the northeasterly line of land of William O. Poor and Phyllis J. Poor.



To have and to hold the same, together with all the privileges and appurtenances thereto belonging, to the said Frederick C. Kelly and Priscilla Bryant Kelly

their heirs and assigns forever.

And we do covenant with the said Grantees, their heirs and assigns, that they shall and will warrant and defend the premises to the said Grantees, their heirs and assigns forever, against the lawful claims and demands of all persons claiming by, through, or under

In Witness Whereof, we the said William O. Poor and Phyllis J. Poor

XXXX

XXXXXXXXXXXXXXXXXXXX

XXXXXXXXXXXXXXXXXXXX as Grantors, and relinquishing and conveying all rights by descent and all other rights in the above described premises, have hereunto set their hands and seals this 4th day of the month of May, A.D. 1987.

Signed, Sealed and Delivered in presence of

James H. A. ...

William O. Poor
Phyllis J. Poor



State of Maine, County of Waldo ss. May 4, 1987.

Then personally appeared the above named William O. Poor and Phyllis J. Poor an attorney at law of the State of New Jersey admitted to practice November 30, 1971 and remain in good standing. and acknowledged the foregoing instrument to be their free act and deed.

Before me,

Thomas J. Scattergood
Notary Public
AN ATTORNEY AT LAW OF N.J.

RECEIVED WALDO COUNTY REGISTER OF DEEDS 1987 MAY -7 AM 8:10

BOOK 957 PAGE 304 ATTEST [Signature] Notary Public

95-7-306
5-1-87
5-7-87

557 PAGE 306

QUITCLAIM DEED
With Covenant

02960

Know all Men by these Presents,

That FREDERICK C. KELLY and PRISCILLA BRYANT KELLY of Northport,
County of Waldo, State of Maine

in consideration of one dollar and other valuable consideration

paid by WILLIAM O. POOR and PHYLLIS J. POOR of Willingboro, County of Burlington,
State of New Jersey

whose mailing address is 282 Club House Drive
Willingboro, NJ 08046

No Transfer Tax Paid

the receipt whereof we do hereby acknowledge, do hereby remise, release, bargain,
sell and convey, and forever quitclaim unto the said William O. Poor and Phyllis J. Poor

their heirs and assigns forever,

All land in Belfast southwesterly of a certain line bounded and described as follows:

Beginning at an iron pin in the easterly bound of U.S. Route #1 which said iron pin marks a corner of land conveyed to Frederick C. Kelly and Priscilla Bryant Kelly in Book 752, Page 242 and marking the corner of land of William O. Poor and Phyllis J. Poor; thence South 35° 56' 50" East four hundred fifty-four and two tenths (454.2) feet to an iron pin; thence continuing on the same course nineteen (19) feet more or less, to the high water mark of Penobscot Bay. Said line being the northeasterly line of land conveyed to Frederick C. Kelly and Priscilla Bryant Kelly by William O. Poor and Phyllis J. Poor by deed dated April 3, 1978 in which said line was described in said deed as having a "bearing calculated to be North 43° West."

The purpose of this deed is to correct and permanently establish the north-
easterly line of the Frederick C. Kelly and Priscilla Bryant Kelly parcel and the southwesterly line of land of William O. Poor and Phyllis J. Poor.

To have and to hold the same, together with all the privileges and appurtenances thereunto belonging, to the said William O. Poor and Phyllis J. Poor

their heirs and assigns forever.

And we do covenant with the said Grantees, their heirs and assigns, that we shall and will warrant and defend the premises to the said Grantees, their heirs and assigns forever, against the lawful claims and demands of all persons claiming by, through, or under them

In Witness Whereof, we, the said Frederick C. Kelly and Priscilla Bryant Kelly

NNN

XXXXXXXXXXXXXXXXXXXX

XXXXXXXXXXXXXXXXXXXX as Grantors, and relinquishing and conveying all rights by descent and all other rights in the above described premises, have hereunto set their hands and seals this First day of the month of May, A.D. 19 87.

Signed, Sealed and Delivered in presence of

.....
.....
.....
.....
.....

Frederick C. Kelly
Frederick C. Kelly
Priscilla Bryant Kelly
Priscilla Bryant Kelly



State of Maine, County of Waldo ss. May 1, 19 87.

Then personally appeared the above named Frederick C. Kelly and Priscilla Bryant Kelly

and acknowledged the foregoing instrument to be their free act and deed.

Before me,

RECEIVED
WALDO COUNTY
REGISTER OF DEEDS
1907 MAY -7 III 8: 10

BOOK 952
PAGE 306
AT 155
J. J. F. Dep

Valerie J. Moody
VALERIE J. MOODY
NOTARY PUBLIC MAINE
ATTORNEY-AT-LAW
MY COMMISSION EXPIRES OCTOBER 1, 1992

1228.346
7-1-91
7-8-91

BK1228 PG346

05713

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS

That William O. Poor and Phyllis J. Poor of the Town of Belfast, County of Waldo and State of Maine, for consideration paid, release to the said Phyllis J. Poor of Belfast, Maine, a certain lot or parcel of land with the buildings thereon situated in the Town of Belfast, County of Waldo and State of Maine, bounded and described as follows:

Beginning at the head of a gully in the center of a concrete culvert which is on or near the southerly bound of the Atlantic Highway, so-called; thence southeasterly following the bottom of the gully along the northeasterly bound of land of Joseph Grady two hundred seventy-five (275) feet, more or less, to a point in the mouth of a brook; thence easterly and northeasterly along high-water mark of Penobscot Bay four hundred ten (410) feet, more or less, to a point at the outlet of a gully; thence northerly up the bottom of said gully, along the westerly bound of land of Douglas Tozier, one hundred (100) feet; thence west along the line of said Tozier five hundred seven (507) feet to the center of a gully on or near the southerly bound of the Atlantic Highway; thence westerly along the southerly bound of said highway two hundred six (206) feet to the point of beginning. Said lot contains two and twenty-three hundredths (2.23) acres, more or less.

Reference may be had to a deed from Frederic R. Poor to William O. Poor and Phyllis J. Poor dated July 28, 1971 and recorded in the Waldo County Registry of Deeds at Book 691, Page 44.

Also conveying the property described in a deed from Douglas I. Tozier et ux. to William O. Poor et ux. dated July 8, 1975 and recorded in said Registry at Book 724, Page 415, excepting therefrom the property described in a deed from William O. Poor et ux. to Frederick C. Kelly et ux. dated March 13, 1978 and recorded in said Registry at Book 752, Page 242.

Reference also may be had to reciprocal deeds between Frederick C. Kelly et ux. and William O. Poor et ux. recorded in the Waldo County Registry of Deeds at Book 957, Page 306 establishing the common boundary.

Witness our hands and seals this 1st day of July, 1991.

[Signature]
Witness
[Signature]
Witness

William O. Poor
William O. Poor
Phyllis J. Poor
Phyllis J. Poor

No Transfer Tax Paid

BK1228 PG347

STATE OF MAINE
COUNTY OF Lincoln

July 1, 1991

Personally appeared the above named William O. Poor and
acknowledged the foregoing instrument to be his free act and
deed.

Julie M. Harrington
Notary Public / Attorney at Law
JULIE M. HARRINGTON
120 W. WALDO ST.
WALDO, MAINE 04867

Printed Name of Notary: _____



RECEIVED WALDO SS.

1991 JUL -8 AM 8:51

ATTEST: *Deloris Page*
REGISTER OF DEEDS



STATE OF MAINE

(SEAL OF COURT)
PROBATE COURT

Belfast, Maine
Location of Court

WALDO County

DOCKET 2012-0155

Estate of PHYLLIS J. POOR
Deceased

CERTIFICATE AND ABSTRACT

To the Register of Deeds of WALDO County.

An estate has been opened in this court for the above named decedent. The following facts apply to this estate according to the probated will or the petition or application upon which an appointment was made or both.

- Date of decedent's death June 30, 2012
- 1. Did decedent leave a will? X YES NO
- 2. If item one is YES, the will was probated FORMAL X INFORMAL
- 3. If item one is YES, date of most recent probate of the will was July 10, 2012
- 4. If item 2 is answered FORMAL, was there a previous informal probate of the same will? YES NO
- 5. If the will was previously probated informally, was that informal probate certified to the Register of Deeds of the county to which this certificate is directed? YES NO
- 6. Has a petition for elective share been filed? (If YES, attach copy.) YES X NO
- 7. Has a personal representative been appointed? X YES NO
- 8. If item 7 is YES, date of appointment was July 10, 2012
- 9. If item 7 is YES, appointment was FORMAL X INFORMAL
- 10. If item 7 is YES, give name and address of personal co-representatives.

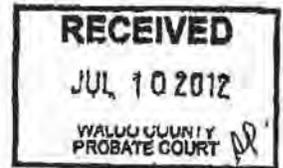
R. Kenneth Lindell &
One Cumberland Place, Suite 204
Bangor, ME 04401
Legal: 137 Old Belfast Rd.
Frankfort, Maine 04438

Barbara Gray
4624 Candura Drive
Dayton, OH 45415

11. Insert here a true copy of so much of decedent's will as devises real estate, if any. In addition, if a more complete description of the real estate involved appears on the petition or application upon which the appointment was made, add that description below the provisions of the will. Label any such description: ***"DESCRIPTION OF REAL ESTATE FROM APPLICATION OR PETITION"**. Also, in every case where information is available, list each municipality and county in which decedent owned real estate.

*See Copy of Will attached

*Waldo County: Belfast



LAST WILL AND TESTAMENT
OF
PHYLLIS J. POOR

I, PHYLLIS J. POOR, residing in the Town of Belfast, County of Waldo, State of Maine, being of lawful age and of sound and disposing mind, memory and judgment do make, publish and declare this to be my Last Will and Testament, hereby revoking all previous wills and codicils heretofore made by me.

ARTICLE I - PERSONAL REPRESENTATIVES

I hereby appoint my friend, BARBARA GRAY, of Dayton, Ohio, and friend and financial advisor, R. KENNETH LINDELL, of Belfast, Maine, as my Personal Representatives.

I direct that no bond be required for the faithful performance of their duties as such Personal Representatives.

My Personal Representatives shall have full power and authority to sell, either at public or private sale, or to exchange, lease, pledge, or mortgage, in such a manner and on such terms as they deem advisable, any or all property, real or personal, in my estate, and to execute all instruments necessary or proper for these purposes; to compromise claims in favor of or against my estate on such terms as they deem advisable; to make distribution of property in kind, to employ investment counsel, custodians, brokers, agents, and attorneys, to retain any securities or other property owned by me, and shall have all other powers, rights and responsibilities of Personal Representatives under Maine Law.

ARTICLE II - PAYMENT OF DEBTS & EXPENSES

I direct that my Personal Representative, above named, pay all my just debts, except those debts secured by a mortgage, and all funeral and administration expenses incidental to the settlement of my estate as soon after my death as may be convenient.

ARTICLE III - PAYMENT OF TAXES

I direct my Personal Representative, above named, to pay all estate, succession and inheritance taxes, which may be payable upon or in respect of any property constituting part of my estate for tax purposes, out of my residuary estate. Same shall be considered as an expense of the administration thereof, with no right of reimbursement from any recipient or beneficiary of any such property.

ARTICLE IV - TANGIBLE PERSONAL PROPERTY

I may leave a written memorandum, either in my handwriting or signed by me, stating how I wish to dispose of certain items of tangible personal property. In that event, I give and bequeath such items of tangible personal property in accordance with such memorandum. In making such bequests, I authorize my Personal Representative to incur reasonable expenses for storing, packing and shipping the same. Any bequests made in such memorandum to people deceased at the time of my death shall revert to my residuary estate.

ARTICLE V - DISTRIBUTION OF MY ANTIQUES

I hereby give and bequeath my antiques to the PENOBSCOT MARINE MUSEUM, in Searsport, Maine, the MAINE STATE MUSEUM in Augusta, Maine, ELLSWORTH HISTORICAL SOCIETY, Ellsworth, Maine and the BELFAST HISTORICAL SOCIETY & MUSEUM of Belfast, Maine. I may leave a separate memorandum naming both (a) other beneficiaries and (b) what antiques shall be distributed to which beneficiary, and I direct my Personal Representatives to make such distributions as I have directed. Otherwise, I grant my Personal Representatives the full discretion to decide which antiques shall be distributed to the above beneficiaries.

ARTICLE VI - TRUST FOR MY SON, FREDERIC J. POOR

I give, devise and bequeath one-third of my residuary estate to my son, FREDERIC J. POOR, IN TRUST, to be administered and distributed as follows:

1. The Purpose of this Trust.

The purpose of this trust is to supplement, but not to supplant, whatever benefits and services my son may from time to time be eligible to receive by reason of age, disability, or other factors, from federal, state, local governmental and charitable sources. I have established this trust with the recognition that governmental and charitable programs, in themselves, contain many gaps that, if unaddressed, will greatly reduce the possibility of my son maintaining himself as independently as possible and having the capacity to meet his future needs for residential, personal, and other non-medical services. It is, therefore, my intent and direction that the Trustees use the principal and income of the trust to provide my son with those benefits and services, and only those benefits and services, that, in my Trustees' judgment, are not otherwise available to my son from other sources as or when needed for his welfare, while at the same time I desire that the trust be used in ways that will best enable my son to lead as normal, comfortable, and fulfilling a life as possible.

2. Income and Principal Distributions in My Trustees' Discretion

My Trustees shall apply to or for the benefit of my son as much of the net income and principal of his trust share as my Trustees, in their sole and absolute discretion, deem necessary or advisable for my son's special needs that are not otherwise provided by governmental financial assistance and benefits, or by the providers of services.

The Trustees are directed to conserve and accumulate the trust estate to the extent feasible, due to the unforeseeability of my son's future needs. However, accumulation or use of the trust is to be determined solely on the basis of my son's needs, without regard to the interests of the remainder beneficiaries.

If my son is not receiving governmental financial assistance and benefits, my Trustees may, in their sole and absolute discretion, distribute said income and principal to or on behalf of my son's health, education and maintenance. Any net income not

distributed shall be accumulated and added to principal.

3. Distributions for Special Needs

"Special needs" refer to the requisites for maintaining the good health, safety, and welfare of my son when, in the discretion of my Trustees, such requisites are not being provided by any public agency, office, or department of any state or of the United States.

"Special needs" shall also include, but not be limited to, medical and dental expenses, annual independent checkups, clothing and equipment, programs of training, education, treatment and rehabilitation, private residential care, transportation (including vehicle purchase), maintenance, insurance, and essential dietary needs. "Special needs" may include spending money; additional food; clothing; electronic equipment such as radios, VCRs and DVDs, television sets, computer equipment; camping; vacations; athletic contests; movies and trips.

4. Supplemental Nature of the Trust

My Trustees shall have no obligation to expend trust assets for such needs, but if my Trustees, in their sole discretion, decide to expend trust assets, under no circumstances should any amounts be paid to, or reimbursed to, the federal government, any state, or any governmental agency for any purpose, including for the care, support, and maintenance of my son.

Because my son may be or is dependent on the support and aid of others, my Trustees may (if possible), in the exercise of their best judgment and fiduciary duty, seek support and maintenance for my son from all available public resources including, but not limited to, Social Security Administration benefits, Supplemental Security Income (SSI), U.S. Civil Service Commission benefits, Medicaid, and Federal Social Security Disability Insurance (SSDI), and any other comparable programs, state, federal, or local.

If necessary, my Trustees may seek appropriate authority to collect, expend, and account for separately all such governmental assistance benefits, but shall not commingle them with these trust

assets. In addition, in making distributions for my son's special needs, my Trustees shall take into consideration the applicable resource limitations of the public assistance programs for which he is eligible.

No part of the trust share set aside for my son shall be used to supplant or replace public assistance benefits of any state or federal agency which has a legal responsibility to serve persons with illnesses or handicaps which are the same as or similar to his disorders.

5. Protection of the Trust Property

No interest in the principal or income of the trust share set aside for my son shall be anticipated, assigned, or encumbered, or shall be subject to any creditor's claim or to legal process, prior to its actual receipt by my son. My son is specifically prohibited from any right to receive, demand, secure, give, assign, transfer, mortgage, borrow against, or will any trust assets or income.

It is my intention to conserve and maintain this trust share for my son's special needs. Therefore, no part of this trust share, neither principal nor undistributed net income, shall be subject to the claims of voluntary or involuntary creditors for the provisions of care and services, including residential care, by any public entity, office, department, or agency of any state or government agency, or of the federal government of the United States.

In determining whether the existence of the trust share has the effect of rendering my son ineligible to receive any governmental assistance benefits, my Trustees are hereby granted full and complete discretion to initiate administrative or judicial proceedings for the purpose of determining such eligibility. All costs related thereto, including reasonable attorney's fees, shall be a proper charge to this trust share.

6. Early Termination of the Trust

Upon the death of my son, any remaining income and principal shall be distributed to any non-profit agencies or organizations

that have contributed to the care and treatment of my son, said agencies and organizations chosen by my Trustees, in their sole discretion.

7. Trustees.

I hereby appoint R. KENNETH LINDELL as my Trustee for Personal Matters, and I appoint BANGOR SAVINGS BANK, of Bangor, Maine, as Trustee for Administrative Matters, acting together for the benefit of my son. If R. Kenneth Lindell is not able or willing to act as the Personal Matters Trustee, he may appoint his successor. If he is not able to, or does not appoint his successor, the Administrative Matters Trustee shall appoint his successor.

My Administrative Trustee shall have sole authority and responsibility for all matters other than decisions regarding distributions to my son, and decisions regarding the acquisition and disposition of assets for my son's use and care. Administrative matters include, but are not limited to, tax matters, investments, bookkeeping, but no authority to decide distributions as set forth above in subsections 2 and 3 of this Article.

My Personal Trustee shall have sole authority and responsibility for all matters regarding distributions to my son or, and decisions regarding the acquisition and disposition of assets for his use and well-being.

My Personal Trustee's decision to acquire an asset for my son's use, or to make a distribution, shall take priority over my Administrative Trustee's authority to invest trust assets.

My Personal Trustee shall have the power to remove said Administrative Trustee, but must first replace said Administrative Trustee with another Administrative Trustee who is a corporate fiduciary.

ARTICLE VII - TRUSTS FOR MY GRANDCHILDREN

I direct my Personal Trustee to distribute one-third of my residuary estate to my

Trustees, hereinafter named, for the establishment of separate trusts for the benefit of my then living grandchildren. Said separate trusts shall be administered and distributed as follows:

1. The Purpose of These Trusts.

The purpose of these trusts is to benefit each grandchild when they are over the age of 50 and moving into their retirement years.

2. Income Distributions in My Trustees' Discretion

My Trustees may apply to or for the benefit of a grandchild as much of the net income of his or her trust share as my Trustees, in their sole and absolute discretion, deem necessary or advisable for a grandchild's education and health needs.

3. Principal Distributions to my Grandchildren

When a grandchild reaches 50 years of age, and is not disabled as defined in this Will, my Trustees shall distribute to said grandchild the remaining principal and income in his or her trust share, outright and free from trust.

4. On the Death of a Grandchild

Upon the death of a grandchild prior to the full distribution of his or her trust share, any remaining income and principal shall be distributed to a grandchild's descendants, *per stirpes*, outright and free from trust. However, if a descendant is under the age of twenty-five (25) years, said trust share shall be held in trust under the same terms and conditions as above stated for my grandchildren, and distributed outright when said beneficiary turns age 25 and is not disabled as defined in this Will. If a grandchild dies not leaving any descendants, his/her share shall be distributed to my remaining grandchildren, *per stirpes*.

If at my death I have no living grandchildren, this share of my estate shall be distributed to the charities named in the following Article.

5. Trustees.

I hereby appoint R. KENNETH LINDELL as the Trustee for Personal Matters, and I appoint BANGOR SAVINGS BANK, of Bangor, Maine, as Trustee for Administrative Matters, acting together for the benefit of my grandchildren. If R. Kenneth Lindell is not able or willing to act as the Personal Matters Trustee, he may appoint his successor. If he is not able to, or does not appoint his successor, the Administrative Matters Trustee shall appoint his successor.

My Administrative Trustee shall have sole authority and responsibility for all matters other than decisions regarding distributions to or on behalf of said beneficiaries. Administrative matters include, but are not limited to, tax matters, investments, bookkeeping, but no authority to decide distributions as set forth above in subsection 2 and 3 of this Article.

My Personal Trustee shall have sole authority and responsibility for all matters regarding distributions to said beneficiaries and decisions regarding the acquisition and disposition of assets for said beneficiaries.

My Personal Trustee's decision to acquire an asset, or to make a distribution, shall take priority over my Administrative Trustee's authority to invest trust assets.

My Personal Trustee shall have the power to remove said Administrative Trustee, but must first replace said Administrative Trustee with another Administrative Trustee who is a corporate fiduciary.

ARTICLE VIII - DISTRIBUTIONS TO CHARITIES

I give, devise and bequeath the balance of my estate, in equal shares, to the following named charities, and as well as to those additional charities my Personal Representatives shall choose, in their sole discretion, as long as said charities are ones with the following primary focuses: (a) historical preservation; (b) diabetes; (c) helping the disabled and/or elderly; (d) respite care and daycare for Alzheimers victims, and (d) museums. The named charities are as follows:

1. The Belfast, Maine YMCA for exercise programs for the elderly, and to build a swimming pool.
2. The Waldo County Hospital, in Belfast, Maine.
3. The Belfast Historical Society.
4. The Ellsworth Historical Society.

ARTICLE IX - EXCLUDED BENEFICIARIES

I have purposely and intentionally excluded from my Will my children, DANIEL A. POOR and JANET E. ECKROTE, as I and my deceased husband have provided for them during my lifetime and as well have provided for them with annuities payable upon my death.

ARTICLE X - TRUSTEE PROVISIONS

A. Bond and Powers. I direct that no bond be required for my Trustees faithful performance as trustee or successor trustee. The trustees and successor trustees shall have all of the discretionary powers granted Trustees under the Maine Uniform Probate Code, 18-A MRSA §7-401, et seq.

B. Successor trustees. If there is only one remaining Trustee, that Trustee shall have the right to appoint a successor Trustee or Trustees by an instrument in writing, such appointment to take effect upon the death, resignation, or incapacity of the appointing Trustee.

C. Appointment of co-trustees. The Trustees may appoint an individual, bank trust department, or trust company as a co-trustee. The Trustees may desire to exercise such authority if administrative duties become burdensome for the then acting trustee(s). A co-trustee so named shall serve only as long as the Trustee or Trustees who appointed such co-trustee. Such co-trustee shall not become a successor trustee upon the death, resignation, or disability of the Trustee who appointed such co-trustee, unless such co-trustee is elected as successor Trustee pursuant to this Article.

D. Powers and Liabilities of Successor Trustees. Any successor Trustee, whether corporate or individual, shall have all of the rights, powers, and privileges, and be subject to all of the obligations and duties, both discretionary and ministerial, as given to the original Trustees. Any successor Trustee shall be subject to any restrictions imposed on the original Trustees. No successor Trustee shall in any way be responsible for any act or omission to act on the part of any previous Trustees.

E. Delegation among the Trustees. Any Trustee may delegate to any other Trustee the power to exercise any or all powers granted my Trustees herein, including those that are discretionary, if allowed by law. My delegating Trustee may revoke any such delegation at will. The delegation of any such power, as well as the revocation of any such delegation, shall be evidenced by an instrument in writing executed by the delegating Trustee.

As long as any such delegation is in effect, any of the delegated powers may be exercised by the Trustee or Trustees receiving such delegation with the same force and effect as if the delegating Trustee had personally joined in the exercise of such power.

For purposes of this section, a delegation with regard to the management of a particular investment account may be indicated by the signature of the delegating Trustee on appropriate signature authorization forms. The signature authorization forms shall satisfy the requirement of "an instrument in writing" under this section. The Trustee's signature authorizing another Trustee to act alone (through signature authority) on any investment account shall constitute that Trustee's concurrence and joinder with all actions taken regarding said account unless and until the signature authorization form is changed or the financial institution is expressly notified in writing of a Trustee's withdrawal or concurrence.

F. Fees to Personal Representatives and Trustees. My Personal Representatives and Trustees shall be entitled to fair and reasonable compensation for the services rendered as fiduciaries. The amount of compensation shall be an amount equal to the customary and prevailing charges for services of a similar nature during the same period of time and in the same geographic locale. My Personal Representatives and Trustees shall be reimbursed for the reasonable costs and expenses incurred in connection with their fiduciary duties under this Will.

G. My Trustees' Responsibility to Make Information Available to Beneficiaries. My Trustees shall report, at least annually, to the beneficiaries then eligible to receive mandatory or discretionary distributions of net income from the various trusts created in this Will all of the receipts, disbursements, and distributions occurring during the reporting period along with a complete statement of the trust property.

The trust's books and records along with all trust documentation shall be available and open at all reasonable times to the inspection of the trust beneficiaries and their representatives. My Trustees shall not be required to furnish trust records or documentation to any individual, corporation, or other entity that is not a beneficiary, does not have the express written approval of a beneficiary, or is not requesting such pursuant to a court order.

H. Termination of Trust. If my Trustees shall determine, in their sole and absolute discretion, that any trust created under this Will has become uneconomical to administer due to the high cost of administration relative to the value of the trust property, my Trustees may terminate such trust or trusts and distribute the trust property, including any accrued but undistributed net income outright and free from trust to the beneficiaries of the trust.

ARTICLE XI - ADMINISTRATIVE MATTERS

A. Distribution of Income and Principal. In determining whether to make discretionary distributions of principal or income permitted under this Will, my trustees may, but need not, take into account the income and assets available otherwise than pursuant to this Will to support any person to whom the distribution might be made. My trustees may make any discretionary distribution of income or principal authorized under this Will utterly without regard to the effect of the distribution on the interest of any remainder beneficiary of the trust from which the distribution is made.

B. Protection of a Beneficiary's Interest. The interest of each beneficiary in the income or principal of any trust established under this Will shall not be subject to attachment or capable of anticipation or alienation, whether voluntary or involuntary.

C. No Duty to Inquire. No person who deals with any Fiduciary named in or pursuant to this Will shall have any duty to investigate the authority of the

Fiduciary to enter into any transaction or to ascertain whether assets paid or transferred to the Fiduciary are properly applied.

D. Exculpation of Fiduciaries. The judgment of any Fiduciary named in or pursuant to this Will as to any matter left to the Fiduciary's discretion shall be absolutely final and shall not result in any liability for the Fiduciary unless it is shown that the Fiduciary acted in bad faith or with reckless disregard of the Fiduciary's duties. No Fiduciary serving under this Will shall be held personally liable or subject to surcharge for any decision the Fiduciary made or for any action the Fiduciary took or failed to take, as long as the Fiduciary acted in good faith and without a reckless disregard of the Fiduciary's duties. No Fiduciary shall incur any personal liability for any action taken or not taken by any Co-Fiduciary or for any action taken or not taken by any predecessor Fiduciary.

E. Contest Clause. If any person, including a beneficiary, shall in any manner, directly or indirectly, attempt to contest or oppose the validity of this Will, then in such event such person shall forfeit his or her share, cease to have any right or interest in my estate, and shall be deemed to have predeceased me.

F. Definition of Disability. Any beneficiary may be treated as disabled, incompetent, or legally incapacitated if:

The beneficiary has been declared or adjudicated as such by a court of competent jurisdiction, or

A guardian, conservator, or other personal representative of such beneficiary's person or estate has been appointed by a court of competent jurisdiction, or

The beneficiary has been certified as such in writing by at least two licensed physicians, or

The beneficiary has disappeared or is absent for unexplained reasons, or the beneficiary is being detained under duress where the beneficiary is unable to effectively manage his or her property or financial affairs.

The beneficiary suffers from a drug, alcohol, chemical, gambling or other dependency addiction, as certified in writing by my Trustees and at least one licensed physician.

G. Definition of Education. As used in this Will, "education" shall include:

Any course of study or instruction at an accredited college or university granting undergraduate or graduate degrees.

Any course of study or instruction at any institution for specialized, vocational, or professional training.

Any curriculum offered by any institution that is recognized for purposes of receiving financial assistance from any state or federal agency or program.

Any course of study or instruction which may be useful in preparing a beneficiary for any vocation consistent with the beneficiary's abilities and interests.

Distributions for education may include tuition, fees, books, supplies, living expenses, travel, and spending money to the extent that they are reasonable.

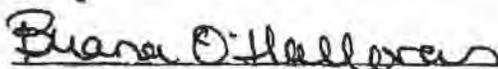
H. Survival. Where it is required by this Will that any person shall have survived me, that requirement means that the person shall have survived me by at least thirty days.

IN WITNESS WHEREOF, I have hereunder set my hand this 21st day of January, 2005.


PHYLLIS J. POOR

The foregoing Will was signed, sealed, published and declared by the Testatrix, PHYLLIS J. POOR, as and for her Last Will and Testament, in the presence of us, who, in her presence, at her request, and in the presence of each

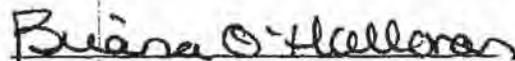
other, all being present at the same time, have hereunto subscribed our names as witnesses.

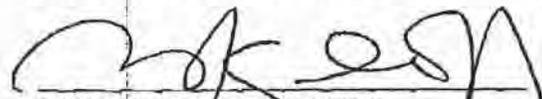

BRIANA O'HALLORAN
546 Airline Road
Amherst, ME 04605


ROBERTA S. KURILOFF
20 Oak Street
Ellsworth, ME 04605

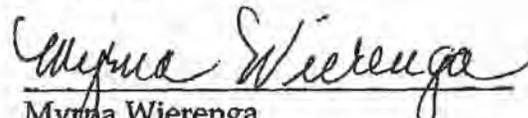
State of Maine
County of Hancock, ss.

We, BRIANA O'HALLORAN and ROBERTA S. KURILOFF, who have subscribed our names as witnesses to the foregoing Will, being duly sworn, do hereby declare to the undersigned authority that the Testatrix, PHYLLIS J. POOR, signed and executed this instrument before us as her Last Will and Testament and that she had signed willingly, and that she executed it as her free and voluntary act for the purposes herein expressed; and that each of the witnesses, in the presence and hearing of the Testatrix, signed as witnesses and that to the best of our knowledge and belief, the Testatrix was at the time 18 years of age or older, of sound mind and under no undue constraint or influence.


BRIANA O'HALLORAN


ROBERTA S. KURILOFF

Subscribed and sworn to before me this 21st day of January, 2005.


Myrna Wierenga
Notary Public

MYRNA WIERENGA
Notary Public, Maine
My Commission Expires August 12, 2006

Doc# 6502
Bk: 3666 Pg: 57 A

N-121
(Rev. 9-16-81)
Page 3 of 3

12. Following is a list of Heirs or of all persons who are or may be Devises of real estate. (List heirs only when there is no probated will. If there is a probated will, list devisees of real estate.)

R. Kenneth Lindell, Trustee
Bangor Savings Bank, Trustee
Waldo County (Belfast) YMCA
Waldo County General Hospital
Belfast Historical Society
Ellsworth Historical Society

13. I certify that the foregoing statements are accurate so far as they may be determined from the will or the petition or application upon which the appointment was made.

WALDO SS: RECEIVED
Jul 12, 2012
at 09:56A
ATTEST: Deloris Puse
REGISTER OF DEEDS

Dated: July 10, 2012

Sharon W. Peavey
Register of Probate
Sharon W. Peavey

See 18-A M.R.S.A. §1-504.

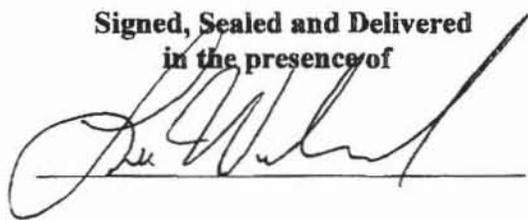
DEED OF SALE BY PERSONAL REPRESENTATIVE
(Testate)
Maine Statutory Short Form

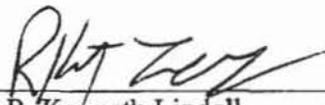
**"MAINE REAL ESTATE
TRANSFER TAX PAID"**

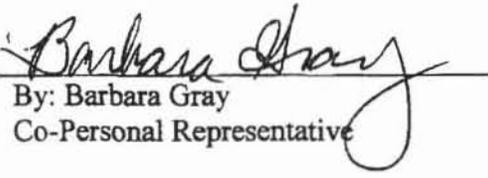
Know All Persons by these Presents that R. KENNETH LINDELL, of Bangor, County of Penobscot, State of Maine, and BARBARA GRAY of Dayton, Ohio, duly appointed and acting co-personal representatives of the ESTATE OF PHYLLIS J. POOR, deceased testate, as shown by the probate records of the County of Waldo, State of Maine, and having given notice to each person succeeding to an interest in the real property described below at least ten (10) days prior to the sale, by the power conferred by the Probate Code, and every other power, for consideration paid, grants to RICHARD ECKROTE and JANET ECKROTE as joint tenants, and not as tenants in common, of Lincoln Park, New Jersey, and whose mailing address is 42 Grandview Avenue, Lincoln Park, NJ 07035,

That certain lot or parcel of land, together with buildings and improvements thereon, situated in the City of BELFAST, County of Waldo, State of Maine, more particularly bounded and described in Schedule A, attached hereto and made a part hereof.

Witness my hand and seal this 15th day of October, 2012.

Signed, Sealed and Delivered
in the presence of


Estate of Phyllis J. Poor

By: R. Kenneth Lindell
Co-Personal Representative

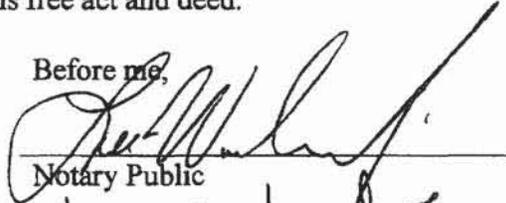

By: Barbara Gray
Co-Personal Representative

State of Maine, County of Waldo

October 15, 2012

Then personally appeared the above named R. Kenneth Lindell in his said capacity and acknowledged the foregoing instrument to be his free act and deed.

Before me,



Notary Public

Lee Woodward, Jr.
Printed Name

My Commission Expires 1-1-2016

LW/ch
RE-Belfast-Poor to Eckrote dos

SCHEDULE A

A certain lot or parcel of land, together with buildings thereon, situated in the City of Belfast, County of Waldo, State of Maine, more particularly bounded and described as follows:

Beginning at a 5/8" capped rebar set on the southeasterly line of Northport Ave. (U.S. Route One), in the center of a concrete culvert crossing said Northport Avenue, said rod marking the northwesterly corner of land now or formerly of Larry Theye and Betty Becker-Theye (reference Waldo County Registry of Deeds Book 1303, Page 184);

Thence N 31° 10' 24" E along said Northport Avenue a distance of four hundred eighty-one and three hundredths (481.03) feet to a 5/8" capped rebar set in the southwesterly corner of land now or formerly of Lyndon Morgan (for reference see deed recorded in the Waldo County Registry of Deeds in Book 1804, Page 307, parcel #1);

Thence S 39° 49' 26" E along land of said Morgan a distance of four hundred twenty-eight and ninety-seven hundredths (428.97) feet to an iron rod found;

Thence continuing S 39° 49' 26" E along land of said Morgan a distance of twenty-four (24) feet, more or less, to the high water mark of Penobscot Bay;

Thence generally southwesterly along said Bay a distance of four hundred twenty-five (425) feet, more or less, to a 5/8" capped rebar set in the end of a ditch marking land now or formerly of Larry Theye and Betty Becker-Theye, said rebar being located S 70° 54' 45" W a distance of three hundred twenty-two and ninety-one hundredths (322.91) feet from the last mentioned iron rod found and S 83° 52' 14" E a distance of two hundred nineteen and eighty-three (219.83) feet from the rebar at the point of beginning.

Thence northwesterly along the bottom of a ditch marking land now or formerly of Larry Theye and Betty Becker-Theye a distance of two hundred fifty (250) feet, more or less, to the point of beginning, containing 2.8 acres, more or less.

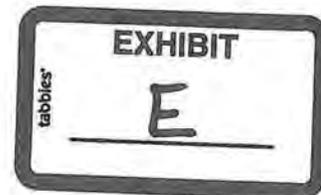
Meaning and intending to convey and hereby conveying the same premises described in a deed from William O. Poor to Phyllis J. Poor, dated July 1, 1991, recorded in the Waldo County Registry of Deeds in Book 1228, Page 346, and premises conveyed to said Phyllis and William Poor by deed from Frederick C. and Priscilla B. Kelly by deed recorded in said Registry in Book 957, Page 306. For further reference see deeds to William and Phyllis Poor from Frederick Poor recorded in Book 691, Page 44, and from Douglas and Marion Tozier recorded in Book 724, Page 415.

The description above is based on a survey entitled "Boundary Survey of the Property of Phyllis J. Poor Estate" dated August 31, 2012, oriented to magnetic north, August, 2012, by Good Deeds, Inc.

ALSO releasing all right, title and interest to any land located between the northeasterly bound of the premises above described and land now or formerly of Lyndon Morgan as described in Waldo County Registry of Deeds Book 1804, Page 307

LW/ch
RE-Schedule A-Poor-Northport Avenue

WALDO SS: RECEIVED
Oct 15, 2012
at 10:36A
ATTEST: Deloris Page
REGISTER OF DEEDS



Gartley & Dorsky
ENGINEERING & SURVEYING

May 16, 2019

Erik Heim
President, Nordic Aquafarms
Via email @: erik.heim@nordicaquafarms.com

RE: Ownership of Intertidal Zone in front of Eckrote Property
Northport Avenue, Belfast, Maine

Dear Mr. Heim:

I am writing this letter to you at the request of David Kallin, Esq. of Drummond Woodsum. The purpose of this letter is to address a conclusion made by another surveyor, Donald R. Richards, PLS of Richards, Cranston & Chapman, LLC, in a letter to David Losee, Esq. dated April 30, 2019 that the intertidal zone in front of the Eckrote property is owned by Jeffrey R. Mabee and Judith B. Grace. I disagree with Mr. Richards' conclusion.

The property in Belfast along the shore of Penobscot Bay from the Little River northerly for more than 1,600 feet (this would end more than four current-day parcels northerly of the Eckrote property) was owned in 1946 by Harriet L. Hartley.

The first parcel that Hartley conveyed along this shoreline included the shore frontage now owned by the Eckrotes (Tax Map 29, Lot 36) and Lyndon G. Morgan (Tax Map 29, Lot 35) and was described in a deed to Fred R. Poor dated January 25, 1946 and recorded in Book 452, Page 205 of the Waldo County Registry of Deeds. Mr. Richards interprets this deed as severing the intertidal zone or flats from the upland. Mr. Richards concludes that Hartley retained the flats in front of the upland she conveyed to Poor.

The series of conveyances thereafter, do not support the conclusion that the intertidal zone would convey to the predecessors in interest of Mabee/Grace. The second parcel that Hartley conveyed along this shoreline included the shore frontage now owned by Helmers (Tax Map 29, Lot 34), Kent (Tax Map 29, Lot 33), Giles (Tax Map 29, Lot 32) and a small amount beyond Giles northerly line. This second parcel was described in a deed to Sam M. Cassida dated October 25, 1946 and recorded in Book 438, Page 497 of the Waldo County Registry of Deeds. This deed from Hartley to Cassida clearly conveyed the flats with the upland by stating "*Also conveying whatever right, title or interest I may have in and to the land between high and low water marks of Penobscot Bay in front of the above described lot*". This conveyance created a boundary line across the flats between the flats northerly of this line that were conveyed to Cassida and the flats southerly of this line that Hartley would have still owned in front of Poor (now Eckrote and Morgan) and southerly to the Little River.

The third parcel that Hartley conveyed along this shoreline included the shore frontage now owned by Theye (Tax Map 29, Lot 37) and Mabee/Grace (Tax Map 29, Lot 38). This third parcel was described in a deed to William P. Butler and Pauline H. Butler dated September 22, 1950 and recorded in Book 474, Page 387 of the Waldo County Registry of Deeds. This deed from Hartley to the Butlers described the land being conveyed as "*Northerly by land of Fred R. Poor; easterly by Penobscot Bay; southerly by Little River and westerly by the Atlantic Highway, so-called*". Mr. Richards concluded that this description "*necessarily includes the shore and the flats in front of the Eckrote property and northerly to the extent of the Fred R. Poor tract*". I disagree. The call to be bounded by Penobscot Bay does cause the conveyance to include the flats with the upland. However, I believe that the northerly limit of the flats that were conveyed to the Butlers should be determined by applying what is known as the Colonial Method, which would create another boundary line across the flats, as happened in the Cassida deed. The westerly or landward end of this boundary line is at the common corner between the land conveyed to Poor and the land conveyed to the Butlers at the high water mark. This would be a boundary line between flats owned by the Butlers to the south and land retained by Hartley to the north.

The description in the deed to the Butlers is what is sometimes referred to as an "abutters description". It is not a "metes and bounds" description that would include measurements around the property. In an abutters description the boundaries are described by calling for the adjoining property owners or monuments around the perimeter of the property being described. If Harriet Hartley had intended to convey to the Butlers the flats in front of the land she had conveyed to Fred R. Poor, the abutters description would have also stated *Northerly by land of Sam M. Cassida* since Cassida was a northerly abutter to Hartley's remaining flats.

It is common for deeds conveying land along the shore, even when the language in the description clearly includes the flats, to not specify what portion of the flats is being conveyed. When the description fails to clearly describe the boundaries of the flats being conveyed, Maine courts have long held that the method for determining those limits, or the direction of the property line from high to low water, is the Colonial Method.¹ Since the abutters description from Hartley to the Butlers does not call for Cassida as a northerly abutter, it reads like a deed describing the upland portion being conveyed along with a call to the Bay, which would include the flats in front of that upland, but that does not clearly describe the limits of the flats being conveyed. Again, this is a common method of describing shorefront properties without defining the direction of the property line being created across the flats.

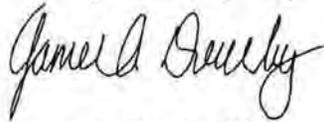
Ernest J. and Marjorie N. Bell, successors in title to the Butlers, conveyed what is now the Theye property to John and Catherine Grady in 1964 (Book 621, Page 288) without the flats. The Bells then conveyed their remaining property to Willis C. and Virginia K. Trainor in 1966 (Book 652, Page 116) by using the same abutters description that had been used in the Hartley to Butler deed and then excepted what they had conveyed to the Gradys in 1964. This same language has been carried forward to the deed to Jeffrey R. Mabee and Judith B. Grace (Book 1221, Page 347) resulting in Mabee and Grace owning the flats in front of their upland property and the flats in front of the Theye's upland property.

¹ Emerson v. Taylor, 9 Me. 42 (1832); Portsmouth Harbor, Land & Hotel Co. v. Swift, 82 A. 542, 109 Me. 17

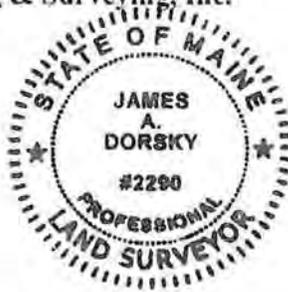
I should also point out that, separate from a record title issue, the Eckrotes may have an adverse possession claim to the intertidal zone in front of their property. I have been told, but have not independently verified, that one the Eckrotes is a grandchild of Frederick Poor. It appears that the Eckrote property has been in the same family since the conveyance from Harriet Hartley. There is a plaque on the house near the shore that says "The Eckrote House, Est. 1949" suggesting the age of the house. There are two sets of steps leading to the shore from the upland near the house. One set is a combination of stone and wood. The other is a set of stone steps. Both sets of steps appear to have been there a long time. Your legal counsel will be able to help you review this information along with their own research to help determine the status of the actual ownership of the intertidal zone in front of the Eckrote property.

Sincerely,

Gartley & Dorsky Engineering & Surveying, Inc.



James A. Dorsky, PLS
Senior Vice President



Cc: David M. Kallin, Esq.
Drummond Woodsum

CHAIN OF TITLE TO
LYNDON W. MORGAN parcel
(Belfast Tax Map 29, Lot 35)

Eva T. Burd and Edwin D. Burd
Warranty deed
Book 343, Page 497 dated 3/3/1924
to
Arthur Hartley
Warranty deed
Book 386, Page 452 dated 8/27/1934
to
Genevieve E. Hargrave
Quitclaim with covenant deed
Book 386, Page 453 dated 8/27/1934
to
Arthur Hartley and Harriet L. Hartley, as joint
tenants
upon Arthur's death 2/10/1935, Harriet L.
Hartley became sole owner

Harriet L. Hartley
Warranty Deed
Book 452, Page 205; dated 1-25-1946
to
Fred R. Poor
Frederic R. Poor
Warranty Deed
Book 691, Page 44; dated 7/29/1971
to

Harriet L. Hartley
Warranty Deed
Book 438, Page 497; dated 11/7/1946
to
Sam M. Cassida
Warranty Deed
Book 608, Page 290; dated 4/17/1963
to
Douglas I. Tozier and Marion Tozier
Warranty Deed
Book 717, Page 341; dated 8/28/1974
to

William O. Poor and Phyllis J. Poor, as joint tenants
Quitclaim with covenant deed
Book 724, Page 413; dated 6/18/1975
to

Douglas I. Tozier and Marion Tozier, as joint tenants

Corrective Warranty deed
Book 724, page 415; dated 7/8/1975
to
William O. Poor & Phyllis J. Poor, jt tenants
Warranty Deed
Book 752, Page 242; dated 3/27/1978
to

↓
Warranty Deed
Book 826, Page 429; dated 6/29/1984
to

Frederick C. Kelly and Priscilla Bryant Kelly, as joint tenants
Exchange of deeds to shore up boundary
Quitclaim with covenant – Book 957, Page 304; dated 5/4/1987 (Poor to Kelly)
Quitclaim with covenant – Book 957, Page 306; dated 5/1/1987 (Kelly to Poor)

Frederick C. Kelly and Priscilla Bryant Kelly, as joint tenants

Warranty deed

Book 957, page 85; dated 5/1/1987

To

Lyndon Morgan and Cathy Morgan

Warranty Deed

Book 1180, Page 281; dated 9/11/1990

to

Cathy G. Morgan

Warranty deed

Book 1804, Page 307; dated 7/9/1998

to

Lyndon W. Morgan

343-497

3-3-24

3-14-24

Vol. 343.

407

(5)

KNOW ALL MEN BY THESE PRESENTS,

That we, Eva T. Burd of Winchester in the State of Massachusetts, widow of Edwin D. Burd, late of West Hartford, deceased, and Edwin D. Burd of said Winchester, son and sole heir at law of said Edwin D. Burd in consideration of one dollar and other valuable considerations paid by Arthur Bartley of Philadelphia in the State of Pennsylvania the receipt whereof we do hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said Arthur Bartley, his heirs and assigns forever,

A certain lot or parcel of land situated in Belfast in the County of Waldo and State of Maine, bounded and described as follows, to wit: Bounded northerly by land of Adoniram Moody and land owned by W. L. West, deceased, at the time of his decease; easterly by Penobscot Bay; southerly by Little River and land of Belfast Water District and westerly by land conveyed by us to Milton B. Ellis by deed recorded in Waldo Registry of Deeds.

Excepting and reserving from the foregoing conveyance the two cottages and out-buildings thereon, that are owned by Clarence Poor and by Miss Couillard.

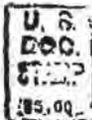
This conveyance being made subject to a right of way across the same as conveyed to said Milton B. Ellis under said deed and subject to a certain lease given by us to Adoniram Moody which expires April 1, 1925 and subject to the rights of the public over the highway crossing said real estate. Also reserving the right to enter the buildings on said premises and remove therefrom all personal property belonging to us.

TO HAVE AND TO HOLD the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said Arthur Bartley, his heirs and assigns, to his and their use and behoof forever.

And we do Covenant with the said Grantee, his heirs and assigns, that we are lawfully seized in fee of the premises, that they are free of all incumbrances; that we have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that we and our heirs shall and will Warrant and Defend the same to the said Grantee, his heirs and assigns forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, we the said Edwin D. Burd and Eva T. Burd wife of the said joining in this deed as Grantor, and relinquishing and conveying right by descent and all other rights in the above described premises, have hereunto set our hands and seals this third day of March in the year of our Lord one thousand nine hundred and twenty-four.

Signed, Sealed and Delivered in presence of
Kate Bargent
E. T. Couillard



Edwin D. Burd L. S.
Eva T. Burd L. S.

STATE OF MASSACHUSETTS, Middlesex co. March 7, 1924.

Personally appeared the above named Edwin D. Burd and acknowledged the above instrument to be his free act and deed.

Before me,

T. Price Wilson

Notary Public.

My commission expires August 15, 1924



Waldo co. Received March 14, 1924, at 2h. 30m., P. M.

Recorded and compared. Attest:

Louis F. [Signature]

Register of Deeds

386-458
8-27-34
8-29-34

(9308)

KNOW ALL MEN BY THESE PRESENTS,

That I, Arthur Hartley of Philadelphia in the State of Pennsylvania in consideration of one dollar and other valuable considerations paid by Genevieve E. Hargrave of said Philadelphia the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said Genevieve E. Hargrave, her heirs and assigns forever,

A certain lot or parcel of land situated in Belfast in the County of Waldo and State of Maine, bounded and described as follows, to wit: Bounded northerly by land of Adoniram Moody and land owned by W. L. West, deceased, at the time of his decease; easterly by Penobscot Bay; southerly by Little River and land of Belfast Water District and westerly by land conveyed by Eva T. Burd and Edwin D. Burd to Milton B. Hills by deed recorded in Waldo Registry of Deeds.

This conveyance being made subject to the rights of the public over the highway crossing said real estate, and also subject to a certain mortgage given by me to The City National Bank of Belfast dated September 10, 1930, and recorded in Waldo Registry of Deeds, Book 367, Page 286.

Also excepting and reserving from the foregoing conveyance the cottage and out-buildings thereon, owned by Clarence Poor.

TO HAVE AND TO HOLD the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said Genevieve E. Hargrave her heirs and assigns, to her and their use and behoof forever.

And I do Covenant with the said Grantee, her heirs and assigns, that I am lawfully seized in fee of the premises, that they are free of all incumbrances, except said mortgage to said The City National Bank of Belfast that I have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that I and my heirs shall and will warrant and defend the same to the said Grantee, her heirs and assigns forever, against the lawful claims and demands of all persons, except for said mortgage. *Dis*

IN WITNESS WHEREOF, I the said Arthur Hartley, and Harriet L. Hartley wife of the said Arthur Hartley joining in this deed as Grantor, and relinquishing and conveying her right by descent and all other rights in the above described premises, have hereunto set our hands and seals this twenty-seventh day of August in the year of our Lord one thousand nine hundred and thirty-four.

Signed, Sealed and Delivered
in presence of
John R. Dunton
to both



Arthur Hartley L.S.
Harriet L. Hartley L.S.

STATE OF MAINE, Waldo ss.

August 25 1934.

Personally appeared the above named Arthur Hartley and acknowledged the above instrument to be his free act and deed.

Before me, John R. Dunton

Justice of the Peace.

Waldo ss. Received August 29, 1934, at 9h., 35m., A. M.

Recorded and compared. Attest:

Louis Royal

Register of Deeds.

396.453
P.02
8:27-34
8:29-34

453

Vol. 386

(8308)

KNOW ALL MEN BY THESE PRESENTS,

That I, Genevieve E. Hargrave of Philadelphia in the State of Pennsylvania in consideration of one dollar and other valuable considerations paid by Arthur Hartley and Harriet L. Hartley, his wife, both of said Philadelphia the receipt whereof I do hereby acknowledge, do hereby remise, release, bargain, sell and convey, and forever quit-claim unto the said Arthur Hartley and Harriet L. Hartley, his wife, and the survivor of them as joint tenants and not as tenants in common, their heirs and assigns forever,

A certain lot or parcel of land situated in Belfast in the County of Waldo and State of Maine, bounded and described as follows, to wit: Bounded northerly by land of Adoniram Woody and land owned by W. L. West, deceased, at the time of his decease; easterly by Penobscot Bay; southerly by Little River and land of Belfast Water District and westerly by land conveyed by Eva T. Burd and Edwin D. Burd to Milton B. Hills by deed recorded in Waldo Registry of Deeds.

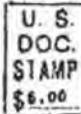
This conveyance being made subject to exceptions, reservations, rights of the public and mortgage as set forth in deed of said Arthur Hartley to me bearing even date herewith to be recorded herewith in Waldo Registry of Deeds. Being the same real estate conveyed to me by said deed of said Arthur Hartley.

TO HAVE AND TO HOLD the same, together with all the privileges and appurtenances therunto belonging, to the said Arthur Hartley and Harriet L. Hartley and the survivor of them in joint tenancy and not as tenants in common, their heirs and assigns forever.

And I do Covenant with the said Grantees, their heirs and assigns, that I will warrant and forever defend the premises to them the said Grantees, their heirs and assigns forever, against the lawful claim and demands of all persons claiming by, through, or under me.

In WITNESS WHEREOF, I the said Genevieve E. Hargrave, have hereunto my hands and seals this twenty-seventh day of August in the year of our Lord one thousand nine hundred and thirty-four.

Signed, Sealed and Delivered
in presence of
John R. Dunton



Genevieve E. Hargrave L.S.
L.S.

STATE OF MAINE, Waldo ss.

August 26 1934.

Personally appeared the above named Genevieve E. Hargrave and acknowledged the above instrument to be her free act and deed.

Before me, John R. Dunton

Justice of the Peace.

Waldo ss. Received August 28, 1934, at 9h., 35m., A. M.

Recorded and compared. Attest:

Louis Royal

Register of Deeds.

(8308)

KNOW ALL MEN BY THESE PRESENTS,

That I, George Parker Cook of Belfast in the County of Waldo and State of Maine in consideration of one dollar and other valuable considerations paid by William W. Dickey of Swanville in said County and State the receipt whereof I do hereby acknowledge, do hereby remise, release, bargain, sell and convey, and forever quit-claim unto the said William W. Dickey, his heirs and assigns forever,

A certain lot or parcel of land with the buildings thereon, situated in the city of Belfast, and bounded and described as follows, to wit: Beginning at the intersection of the south line of land formerly of the late Daniel Hinde, with the westerly line of Northport Avenue; thence easterly on said Hinde southerly line, eighteen rods (18) to stake and stones;

Vol. 452

Christine Decker by Maurice L. Decker by deed dated May 8, 1914, recorded in Waldo Registry of Deeds, Book 313, Page 386; conveying to Mabel Thomas by said deeds an undivided one-third interest in said real estate and the entire interest of the said minors, to all of which deeds and the records thereof reference may be had for a more complete description.

Meaning and intending to convey the same premises as conveyed to John F. Fitzgerald by Mabel Thomas by her deed dated January 8, 1938, recorded in Waldo Registry of Deeds, Book 406, Page 151; and conveying the same premises as deeded to Robert H. Karns by Alexander R. Gillmor by Quit-claim Deed dated December 27, 1945 and recorded in Waldo County Registry of Deeds, Book 441, Page 120.

TO HAVE AND TO HOLD the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said Fred O. Dodge, aforesaid, his heirs and assigns, to his and their use and behoof forever.

And I do Covenant with the said Grantee, his heirs and assigns, that I am lawfully seized in fee of the premises that they are free of all incumbrances; that I have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that I and my heirs shall and will warrant and defend the same to the said Grantee, his heirs and assigns forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, I the said Robert H. Karns and Thelma A. Karns wife of the said Robert H. Karns joining in this deed as Grantor, and relinquishing and conveying her right by descent and all other rights in the above described premises, have herunto set our hands and seals this sixth day of August in the year of our Lord one thousand nine hundred and forty-six.

Signed, Sealed and Delivered
in presence of

Hillard H. Buzzell
Linwood H. Robertson



Robert H. Karns L.S.
Thelma A Karns L.S.

STATE OF MAINE, Waldo ss.

August 6 1946.

Personally appeared the above named Robert H. Karns and acknowledged the foregoing instrument to be his free act and deed.

Before me,

Hillard H. Buzzell
Justice of the Peace

Received August 6, 1946, at 11h., 55m., A. M.

4450

KNOW ALL MEN BY THESE PRESENTS,

That I, Harriet L. Hartley of Philadelphia in the Commonwealth of Pennsylvania, single woman in consideration of one dollar and other valuable considerations paid by Fred R. Poor of Belfast in the County of Waldo and State of Maine the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said Fred R. Poor, his heirs and assigns forever,

A certain lot or parcel of land situated in Belfast in the County of Waldo and State of Maine, bounded and described as follows, vizi Beginning at the head of a gully in the

center of a concrete culvert which is on or near the Southerly bound of the Atlantic Highway; thence Southeasterly following the bottom of the gully 275 ft. more or less to an iron bolt in the mouth of a brook; thence Easterly and Northeasterly along high water mark of Penobscot Bay 410 ft. more or less to a stake at the outlet of a gully; thence Northerly up the bottom of the said gully 100 ft.; thence West 507 ft. to the center of a gully on or near the Southerly bound of the Atlantic Highway; thence Westerly along the Southerly bound of said highway 206 ft. to the point of beginning. Said lot contains 2.23 acres, more or less. Being a portion of the premises conveyed by Genevieve E. Hargrave to Arthur and Harriet L. Hartley by deed dated August 27, 1934 and recorded in Waldo Registry of Deeds, Book 386, Page 453.

TO HAVE AND TO HOLD the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said Fred R. Poor, his heirs and assigns, to his and their use and behoof forever.

And I do Covenant with the said Grantee, his heirs and assigns, that I am lawfully seized in fee of the premises, that they are free of all incumbrances; that I have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that I and my heirs shall and will Warrant and Defend the same to the said Grantee, his heirs and assigns forever, against the lawful claims and demands of all persons.

The lot or parcel of land herein described is conveyed to Fred R. Poor with the understanding it is to be used for residential purposes only, that no business for profit is to be conducted there unless agreed to by Harriet L. Hartley, her heirs or assigns.

IN WITNESS WHEREOF, I the said Harriet L. Hartley have hereunto set my hand and seal this twenty-fifth day of January in the year of our Lord one thousand nine hundred and forty-six.

Signed, Sealed and Delivered
in presence of

John B. McGann
Samuel U. Levin



Harriet L. Hartley L.S.

STATE OF PENNSYLVANIA
City and County of Philadelphia ss.

June 19 - 1946.

Personally appeared the above named Harriet L. Hartley and acknowledged the above instrument to be her free act and deed.



Before me,
Samuel U. Levin
Notary Public
My Commission expires 3/19/1947

IN THE COURTS OF COMMON PLEAS OF PHILADELPHIA COUNTY

STATE OF PENNSYLVANIA)
County of Philadelphia, ss.) I, Meredith Hanna, Prothonotary of the Courts of Common Pleas of said county, which are Courts of Record having a common seal, being the officer authorized by the laws of the State of Pennsylvania to make the following Certificate, acting by my Deputy, John J. Hoerr.

do Certify, That Samuel U. Levin Esquire, whose name is subscribed to the certificate of the acknowledgment of the annexed instrument and thereon written, was at the time of such acknowledgment a Notary Public for the Commonwealth of Pennsylvania, residing in the County aforesaid, duly commissioned and qualified to administer oaths and affirmations and to take acknowledgments and proofs of Deeds or Conveyances for lands, tenements and hereditaments to be recorded in said State of Pennsylvania, and to all those acts, as such, full faith and credit are and ought to be given, as well in Courts of Judicature as elsewhere; and that I am well acquainted with the handwriting of the said Notary Public and verily believe the signature thereto is genuine, and I further certify that the said instrument is executed and acknowledged in conformity with the laws of the State of Pennsylvania.

The impression of the seal of the Notary Public is not required by law to be filed in this office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court, this 10th day of June in the year of our Lord one thousand nine hundred forty-six (1946)

Received August 6, 1946, at 12h. 15m., P.M.

Meredith Hanna, Prothonotary
Deputy Prothonotary
Durante Absentia, Secundum Legem.



(5961)

KNOW ALL MEN BY THESE PRESENTS,

That I, Charles E. Keene of Bangor, County of Penobscot and State of Maine, having received the amount secured by a certain mortgage deed dated April 16, 1943 given by Fortis A. Dodge recorded in Waldo Registry of Deeds, Vol. 424 Page 10 do hereby discharge the same in full.

Signed and Sealed this fifth day of February, 1947.

Witness

Cornelius J. O'Leary

Charles E. Keene L.S.

Penobscot ss. February 5, 1947.

Personally appeared Charles E. Keene and acknowledged the above discharge to be his free act and deed. Before me,

Cornelius J. O'Leary

Justice of the Peace.

Received February 21, 1947, at 3h., P. M.

(5966)

KNOW ALL MEN BY THESE PRESENTS,

That I, Harriet L. Bartley of Philadelphia in the Commonwealth of Pennsylvania, single woman in consideration of one dollar and other valuable considerations paid by Sam M. Cassida of Belfast in the County of Waldo and State of Maine the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said Sam M. Cassida, his heirs and assigns forever,

A certain lot or parcel of land situated in said Belfast, bounded and described as follows: Beginning at an iron bolt on the southerly bound of the Atlantic Highway and at the southwest corner of land of Samuel Cassida; thence south 81° 51' east along the southerly bound of land of said Cassida 687 ft. to an iron bolt on the top of the bank of Penobscot Bay; thence continuing same course 12 ft. more or less to high water mark of said Bay; thence southwesterly and westerly along high water mark of said Bay 650 ft. more or less to a stake at the mouth of a gully on the southeast corner of land of Fred R. Poor; thence northerly up the bottom of the gully 100 ft. along land of said Poor; thence west along land of said Poor 507 ft. to the center of a gully on the southerly bound of the Atlantic Highway near the end of a culvert; thence northeasterly along the southerly bound of said Highway 311 ft. to the point of beginning. Said lot contains 5.55 acres more or less. Also conveying whatever right, title or interest I may have in and to the land between high and low water marks of Penobscot Bay in front of the above described lot. Being a portion of the premises conveyed by Genevieve E. Hargrave to Arthur and Harriet L. Bartley by deed dated August 27, 1934, recorded in Waldo Registry of Deeds, Book 366, Page 453. Courses given in the above description are by magnetic meridian as observed by J. H. Tubnan, C. E. October 5, 1945.

TO HAVE AND TO HOLD the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said Sam M. Cassida, his heirs and assigns, to his and their use and benefit forever.

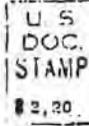
And I do Covenant with the said Grantee, his heirs and assigns, that I am lawfully seized in fee of the premises, that they are free of all incumbrances, that I have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that I and my heirs shall and will warrant and defend the same to the said Grantee, his heirs and assigns forever, against the lawful claims and demands of all persons.

498

Vol. 438

IN WITNESS WHEREOF, I the said Harriet L. Hartley, have hereunto set my hand and seal this twenty-fifth day of October in the year of our Lord one thousand nine hundred and forty-six.

Signed, Sealed and Delivered in presence of Sarah Powell



Harriet L. Hartley L.S.

COMMONWEALTH OF PENNSYLVANIA

vs.

1946.

Personally appeared the above named Harriet L. Hartley and acknowledged the above instrument to be her free act and deed.

Before me, Samuel U. Levin

Notary Public

My Commission expires 3/19/1947

IN THE COURTS OF COMMON PLEAS OF PHILADELPHIA COUNTY STATE OF PENNSYLVANIA I, Meredith Hearn, Prothonotary of the Courts of Common Pleas of said County, which are Courts of Record having a common seal, being the officer authorized by the laws of the State of Pennsylvania to make the following Certificate... I, Meredith Hearn, Prothonotary of the Courts of Common Pleas of said County, which are Courts of Record having a common seal, being the officer authorized by the laws of the State of Pennsylvania to make the following Certificate...

The impression of the seal of the Notary Public is not required by law to be filed in this office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court, this 7th day of November in the year of our Lord one thousand nine hundred forty-six (1946)

Meredith Hearn, Prothonotary.

By John J. Hoerr

Deputy Prothonotary

Turante Absentia, Secundum Legem.

Received February 24, 1947, at 10E., 15E., A. M.

(3e72)

STATE OF MAINE

WALDO, SS:

January 10th, 1947.

I, Ross St. Germain, of Bangor in the County of Penobscot, attorney of record for Norman Marois, in an action against H. C. McCarrison & Son, Inc., which said action is dated the 5th day of December, 1946, and returnable to the Superior Court at its April Term, 1947, held at Belfast in said County of Waldo, in which action an attachment of real estate of said defendant was made on said real estate in December, 1946, hereby certify that I acknowledge the discharge

608 290

Know All MEN by These Presents.

That we, SAM M. CASSIDA (sometimes known as Samuel M. Cassida) and RUTH W. CASSIDA, both of Belfast, Waldo County, Maine,

in consideration of one dollar and other valuable considerations

paid by DOUGLAS I. TOZIER and MARION R. TOZIER, both of Chevy Chase, Montgomery County, Maryland,

the receipt whereof we do hereby acknowledge, do hereby give, grant, bargain, sell and convey unto the said DOUGLAS I. TOZIER and MARION R. TOZIER to hold as joint tenants according to the principles of joint tenancy and not as tenants in common, their **heirs and assigns forever, ~~and their heirs and assigns forever~~** all our land and buildings situated on the southeasterly side of U. S. Route #1, and in Belfast, Waldo County, Maine, and more particularly described of record as follows:

A certain lot or parcel of land, together with buildings thereon, bounded on the north by land now or formerly owned by William K. MacNeil and by land now or formerly of Frank R. Wiggin; on the east by the shore of Penobscot Bay; on the south by land formerly of Edwin Burd; and on the west by the said U. S. Route #1; meaning and intending to describe the premises which were conveyed by Frederic R. Poor to Samuel M. Cassida and Ruth W. Cassida by his warranty deed dated October 20, 1937, and recorded in Waldo County Registry of Deeds, Book 407, Page 411; excepting and reserving therefrom a small triangular shaped parcel of land described as follows: BEGINNING in the northerly line of the above described premises and at the high water mark of Penobscot Bay; thence southwesterly along the said high water mark of Penobscot Bay forty-eight (48) feet to a stake; thence northwesterly ninety (90) feet to a point in the northerly line of the above described premises and near the corner of the Dickey barn, so called; thence easterly or northeasterly along the said northerly line to the point of beginning;

Also another lot or parcel of land, together with any buildings thereon described as follows: BEGINNING at an iron bolt on the southerly bound of U. S. Route #1 (otherwise known as the Atlantic Highway) and at the southwesterly corner of the above described premises; thence south 81°51' east along the said southerly bound of above described premises eight hundred and eighty-seven (887) feet to an iron bolt on top of the bank of Penobscot Bay; thence continuing the same course twelve (12) feet, more or less, to the high water mark of Penobscot Bay; thence southwesterly and westerly along the said high water mark six hundred and fifty (650) feet, more or less, to a stake at the mouth of a gully on the southeast corner of land now or formerly of Fred R. Poor; thence northerly up the bottom of the said gully one hundred (100) feet along line of land of said Poor; thence westerly along the line of land of said Poor five hundred and seven (507) feet to the center of a gully on the southerly bound of the said U. S. Route #1 near the end of a culvert; thence northeasterly along the southerly bound of

608 PAGE 291

the said U.S. Route #1 three hundred and eleven (311) feet to the point of beginning; the said lot containing 5.55 acres, more or less; meaning and intending to describe the premises which were conveyed by Harriet L. Hartley to Sam M. Cassida by her warranty deed dated October 25, 1946, and recorded in Waldo County Registry of Deeds, Book 438, Page 497;

Also all our right, title or interest in and to the land between high and low water marks of Penobscot Bay in front of the above described premises.

Together also with all contents and furnishings of cottages situated on the above-described premises and all equipment and supplies there situated which pertain to the motel business conducted thereon.



To have and to hold the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said DOUGLAS I. TOZIER and MARION R. TOZIER to hold as joint tenants according to the principles of joint tenancy and not as tenants in common, their heirs and assigns, to them and their use and behoof forever.

And we do covenant with the said Grantees, their heirs and assigns, that we are lawfully seized in fee of the premises, that they are free of all incumbrances; except 1963 real estate taxes assessed by the City of Belfast which taxes are to be prorated between the parties as of the date of this instrument;

that we have good right to sell and convey the same to the said Grantees to hold as aforesaid; and that we and our heirs shall and will warrant and defend the same to the said Grantees, their heirs and assigns forever, against the lawful claims and demands of all persons.

In Witness Whereof, we the said SAM M. CASSIDA and RUTH W. CASSIDA, husband and wife,

and

wife ~~XXXXXXXXXX~~

608 PAGE 292

joining in this deed as Grantors, and relinquishing and conveying all right by descent and all other rights in the above described premises, have herunto set our hands and seals this seventeenth day of April in the year of our Lord one thousand nine hundred and sixty-three.

Signed, Sealed and Delivered in presence of

David Nichols
(to both)

Samuel Cassida
Ruth W. Cassida

State of Maine, Waldo, ss. April 17, 1963.

Personally appeared the above named

Sam M. Cassida and Ruth W. Cassida

and acknowledged the foregoing instrument

to be their free act and deed.

Before me,

David Nichols
Notary Public

813

Warranty Deed

FROM

SAM M. CASSIDA and RUTH W. CASSIDA
TO

DONALD I. TOZIER and MARION R. TOZIER

Deed: April 17, 1963

State of Maine.

Waldo, ss. Registry of Deeds

Recorded: April 17, 1963

at 2 P. M., and recorded in Book 608 Page 290

ATTEST: *Francis Demerits* Registrar

FROM THE OFFICE OF

LAW OFFICES
DAVID A. NICHOLS
BROOKFIELD FRUIT BUILDING
CAMDEN, MAINE

D. A. NICHOLS, Notary Public, ss. - OFFICE MULTIPLE LISTED IN REGISTRY
REGISTRY OF DEEDS, WALDO, MAINE
MAINE'S REGISTRY NO. 1 - BROADWAY REGISTER FROM

2807

WARRANTY DEED

I, FREDERIC R. POOR, of Belfast, Waldo County, Maine, an unmarried widower, for consideration paid, grant to WILLIAM O. POOR and PHYLLIS J. POOR, husband and wife, both of Northport, Suffolk County, New York, as joint tenants, with Warranty Covenants, a certain lot or parcel of land, together with the buildings thereon, situated in said BELFAST and more particularly bounded and described as follows, to wit:

Consideration is such that no transfer tax is due.

Beginning at the head of a gully in the center of a concrete culvert which is on or near the southerly bound of the Atlantic Highway, so-called; thence southeasterly following the bottom of the gully along the northeasterly bound of land of Joseph Grady two hundred seventy-five (275) feet, more or less, to a point in the mouth of a brook; thence easterly and northeasterly along high-water mark of Penobscot Bay four hundred ten (410) feet, more or less, to a point at the outlet of a gully; thence northerly up the bottom of said gully, along the westerly bound of land of Douglas Tozier, one hundred (100) feet; thence west along the line of said Tozier five hundred seven (507) feet to the center of a gully on or near the southerly bound of the Atlantic Highway; thence westerly along the southerly bound of said highway two hundred six (206) feet to the point of beginning. Said lot contains two and twenty-three hundredths (2.23) acres, more or less.

Meaning and intending to convey and hereby conveying the same premises described in a deed from Harriet L. Hartley to said Frederic R. Poor, under the name of Fred R. Poor, dated January 25, 1946, and recorded in Waldo County Registry of Deeds in Book 452, Page 205.

Witness my hand and seal this twenty-eighth day of July one thousand nine hundred and seventy-one.

Signed, Sealed and Delivered in presence of

Dennis J. Thibodeau Frederic R. Poor

State of Maine

County of Waldo, SS.

July 29, 1971

Then personally appeared the above-named Frederic R. Poor and acknowledged the foregoing instrument to be his free act and deed.

Before me,

2807

Dennis J. Thibodeau
Justice of the Peace (or Notary Public)

State of Maine, Waldo ss. Registry of Deeds
Received July 29 1971 at 3:11 PM
and recorded in Book 691 Page 44

Attest: *Roberta Riley* Register

ROGER F. BLAKE
ATTORNEY AT LAW
OF MAIN STREET
BALFOUR, MAINE



Know all Men by these Presents,

That we, Douglas I. Tozier and Marion Tozier, both of Belfast in the County of Waldo and State of Maine, whose mailing address is Northport Avenue, Belfast, Maine 04915,

in consideration of one dollar and other valuable considerations

paid by William O. Poor and Phyllis J. Poor, both of 282 Club House Drive, Willingboro, New Jersey,

the receipt whereof we do hereby acknowledge, do hereby give, grant, bargain, sell and convey unto the said William O. Poor and Phyllis J. Poor

as joint tenants and not as tenants in common, their heirs and assigns forever, a certain lot or parcel of land together with the buildings thereon situate in Belfast in the County of Waldo and State of Maine more particularly bounded and described as follows, to wit:

Beginning at an iron pin driven into the ground in the easterly bound of the road leading from Northport to Belfast, commonly known and designated as U. S. Route #1 in the southerly bound of land to be retained by the within Grantors; thence South 57°04' 05" East by and along the southerly bound of land of the within Grantors one hundred sixty and five tenths (160.5) feet to an iron pin driven into the ground; thence turning and running South 84°23'54" East ninety-six and five tenths (96.5) feet to an iron pin driven into the ground at land to be retained by the within Grantors; thence turning and running South 26°23'45" East by land to be retained by the within Grantors two hundred five and one tenth (205.1) feet to an iron pipe driven into the ground; thence turning and running South 89°48' West upon a line delineated by iron pipes driven into the ground five hundred (500) feet, more or less, by and along the northerly bound of other land of the within Grantees to the headwall of a culver passing beneath the aforementioned U. S. Route #1; thence turning and running in a course of North 32°20'15" East by and along the easterly bound of the aforementioned Route #1 four hundred seventy-six (476) feet, more or less, to the iron pin at the point of beginning.

Being a portion of the same premises conveyed to these Grantors by deed of Sam M. Cassida, et ux. dated April 17, 1963, recorded in Waldo County Registry of Deeds, Book 608, Page 290.

To have and to hold the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said William O. Poor and Phyllis J. Poor

as joint tenants and not as tenants in common, their heirs and assigns, to their own use and behoof forever.

And we do warrant with the said Grantees, as aforesaid, that we are lawfully seized in fee of the premises, that they are free of all encumbrances; reserving, nevertheless, the right to use and occupy the premises until the first day of October, 1974;

that we have good right to sell and convey the same to the said Grantees to hold as aforesaid; and that we and our heirs shall and will warrant and defend the same to the said Grantees, their heirs and assigns against the lawful claims and demands of all persons.

In Witness Whereof, we, the said Douglas I. Tozier and Marion Tozier, being husband and wife and mutually

~~xxxx~~

~~xxxx~~

~~xxxxxxxxxxxx~~

joining in this deed as Grantors, and relinquishing and conveying our right by descent and all other rights in the above described premises, have hereunto set our hands and seal this twenty-eighth day of August in the year of our Lord one thousand nine hundred and seventy-four.

Signed, Sealed and Delivered
in presence of

Helen L. Sorbest (T. D. T.)

Douglas I. Tozier
Marion Tozier

State of Maine, Waldo ss. August 28 18 74

Personally appeared the above named Douglas I. Tozier

and acknowledged the foregoing instrument to be his free act and deed.

4160 Before me, *Helen L. Sorbest*
State of Maine, Waldo ss. Registry of Deeds
Received August 29 1974 11:15 A.M. Justice of the Peace.
and recorded in Book 717 Page 341 Notary Public.
James Clement Register

724-413
4-24-75
7-15-75

3425

(REV. 1957)

Know All Men by These Presents,

That we, William O. Poor and Phyllis J. Poor both of Belfast, in the County of Waldo and State of Maine,

in consideration of one dollar and other valuable considerations,

paid by Douglas I. Tozier and Marion Tozier, both of Belfast, in the County of Waldo and State of Maine,

the receipt whereof we do hereby acknowledge, do hereby remise, release, bargain, sell and convey, and forever quit-claim unto the said

Douglas I. Tozier and Marion Tozier

as joint tenants and not as tenants in common, their heirs and assigns forever, a certain lot or parcel of land, together with the buildings thereon situate in Belfast in the County of Waldo and State of Maine more particularly bounded and described as follows, to wit:

Beginning at an iron pin driven into the ground in the easterly bound of the road leading from Northport to Belfast, commonly known and designated as U. S. Route #1 in the southerly bound of land to be retained by Douglas I. Tozier, et ux.; thence South 57° 04' 05" East by and along the southerly bound of land of said Douglas I. Tozier, et ux. one hundred sixty and five tenths (160.5) feet to an iron pin driven into the ground; thence turning and running South 84° 23' 54" East ninety-six and five tenths (96.5) feet to an iron pin driven into the ground at land to be retained by the within Tozier; thence turning and running South 26° 23' 45" East by land to be retained by the within Tozier two hundred five and one tenth (205.1) feet to an iron pipe driven into the ground; thence turning and running South 89° 48' West upon a line delineated by iron pipes driven into the ground five hundred (500) feet, more or less, by and along the northerly bound of other land of the said Tozier to the headwall of a culvert passing beneath the aforementioned U. S. Route #1; thence turning and running in a course of North 32° 20' 15" East by and along the westerly bound of the aforementioned Route #1 four hundred seventy-six (476) feet, more or less, to the iron pin at the point of beginning.

Being all and the same premises conveyed by deed of Douglas I. Tozier, et ux. to William O. Poor, et ux. dated August 28, 1974, recorded in Waldo County Registry of Deeds, Book 717, Page 161.

The purpose of this deed is to facilitate the correction of an error in the aforementioned deed to the within Grantors, the Grantees herein having executed simultaneously with this instrument a new deed correcting said error.

724 pg 414

We have and to hold the same, together with all the privileges and appurtenances thereto belonging, to the said Douglas I. Tozier and Marion Tozier

as joint tenants and not as tenants in common, their heirs and assigns, to their own use and behoof forever.

And we do represent with the said Grantees, their heirs and assigns, and the survivor of them and the heirs and assigns of the survivor of them, that we shall and will warrant and forever defend the same to the said Grantees, their heirs and assigns against the lawful claims and demands of all persons claiming by, through or under us.

In Witness Whereof, we the said William O. Poor and Phyllis J. Poor, being husband and wife, and mutually

with

joining in this deed as Grantors, and relinquishing and conveying our right by descent and all other rights in the above described premises, have hereunto set our hands and seals this twenty-four day of April in the year of our Lord one thousand nine hundred and seventy-five.

WITNESSETH

Phyllis J. Poor
William O. Poor

NEW JERSEY,
County of *Burlington* June 11 1975

Personally appeared the above named William O. Poor and Phyllis J. Poor and acknowledged the foregoing instrument to be their free act and deed,

Before me, *James Hall*

My Commission expires *Notary Public*
(Notarial Seal)

3425
State of New Jersey
County of *Burlington*
July 15 1975 5:30 P.M.
and recorded in Book 724 Page 413
Delaware Trust Co.



724-415
4-24-75
7-15-75

3426

(500)

Know all Men by these Presents,

That We, Douglas I. Tozier and Marion Tozier, both of Belfast, in the County of Waldo and State of Maine, whose mailing address is Northport, Maine, Belfast, Maine 04915

in consideration of one dollar and other valuable considerations,

paid by William O. Poor and Phyllis J. Poor, both of Belfast, in the County of Waldo and State of Maine,

the receipt whereof we do hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said

William O. Poor and Phyllis J. Poor,

as joint tenants and not as tenants in common, their heirs and assigns forever, a certain lot or parcel of land together with the buildings thereon situate in Belfast in the County of Waldo and State of Maine more particularly bounded and described as follows, to wit:

Beginning at an iron pin driven into the ground in the easterly bound of the road leading from Northport to Belfast, commonly known and designated as U. S. Route #1 in the southerly bound of land to be retained by the within Grantors; thence South 37°04' 03" east by and along the southerly bound of land of the within Grantors one hundred sixty and five tenths (160.5) feet to an iron pin driven into the ground; thence turning and running South 84° 23' 54" East ninety-six and five tenths (96.5) feet to an iron pin driven into the ground at land to be retained by the within Grantors; thence turning and running South 26° 23' 45" East by land to be retained by the within Grantors two hundred five and one tenth (205.1) feet to an iron pipe driven into the ground; thence turning and running South 89° 48' West upon a line delineated by iron pipes driven into the ground five hundred (500) feet, more or less, by and along the northerly bound of other land of the within Grantees to the headwall of a culvert passing beneath the aforementioned U. S. Route #1; thence turning and running in a course of North 32° 20' 15" East by and along the easterly bound of the aforementioned Route #1 three hundred fifty (350) feet more or less, to the iron pin at the point of beginning.

Being a portion of the same premises conveyed to these Grantors by deed of Sam M. Cassida, et ux. dated April 17, 1963, recorded in Waldo County Registry of Deeds, Book 608, Page 290.

This deed is given to correct an error in the description in a deed given by the within Grantors to William O. Poor, et ux. dated August 28, 1974, recorded in Waldo County Registry of Deeds, Book 717, Page 341.

724 415

Do hereby hold the aforesaid and bargained premises with all the privileges and appurtenances thereof, to the said

William O. Poor and Phyllis J. Poor,

as joint tenants and not as tenants in common, their heirs and assigns, to their own use and behoof forever.

And we do covenant with the said Grantees, as aforesaid, that we are lawfully seized in fee of the premises, that they are free of all encumbrances;

that we have good right to sell and convey the same to the said Grantees to hold as aforesaid; and that we and our heirs shall and will warrant and defend the same to the said Grantees, their heirs and assigns against the lawful claims and demands of all persons.

In Witness Whereof, we the said Douglas I. Tozier and Marion Tozier being husband and wife, and mutually,

XXXX

XXXX

at the which

Joining in this deed as Grantors, and relinquishing and conveying our right by descent and all other rights in the above described premises, have hereunto set our hands and seals this twenty-fourth day of April in the year of our Lord one thousand nine hundred and seventy-five.

Signed, Sealed and Witnessed in presence of

Helena Sander (G.R.D.T.)

Douglas I. Tozier

Marion Tozier



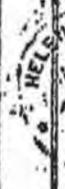
State of Maine, County of Waldo, ss. July 8 1975

Personally appeared the above named Douglas I. Tozier

and acknowledged free act and deed.

The foregoing instrument to be his Before me,

Helena Sander, Notary Public.



5426

Notary of Maine, Waldo as Registry of Deeds

July 15 1975 3 30 P.M.

724 415

Debra L. Tozier, Dr.

1415

Know all Men by these Presents,

That we, WILLIAM O. POOR and PHYLLIS J. POOR, husband and wife, both of Willingboro, County of Burlington and State of New Jersey

in consideration of one dollar and other valuable considerations

paid by FREDERICK C. KELLY and PRISCILLA B. KELLY, husband and wife, both of Northport, County of Waldo and State of Maine

and whose mailing address is RFD, Belfast, Maine 04915

the receipt whereof we do hereby acknowledge, do hereby

give, grant, bargain, sell and convey, unto the said

Frederick C. Kelly and Priscilla B. Kelly

as joint tenants and not as tenants in common, their heirs and assigns, and to the survivor of them and the heirs and assigns of the survivor of them ~~assigns forever, ~~BOOK 752 PAGE 242~~~~

A certain lot or parcel of land, together with the buildings thereon, situate in BELFAST, County of Waldo and State of Maine and more particularly bounded and described as follows, to wit:

Beginning at an iron pin driven into the ground on the easterly bound of the road leading from Northport to Belfast, commonly known and designated as U. S. Route #1 in the southerly bound of land now or formerly of Douglas Tozier et ux; thence South 57°04'05" East by and along the southerly bound of land of the said Tozier one hundred sixty and five tenths (160.5) feet to an iron pin driven into the ground; thence turning and running South 84°23'54" East ninety-six and five tenths (96.5) feet to an iron pin driven into the ground at land to be retained by the said Tozier; thence turning and running South 26°23'45" East by land to be retained by the said Tozier, two hundred five and one tenth (205.1) feet to an iron pipe driven into the ground, which said iron pipe marks generally southeasterly corner of land described in a deed from Douglas I. Tozier et ux to William O. Poor et ux, dated April 24, 1975 and recorded in the Waldo County Registry of Deeds in Book 724, Page 415, which said point is also the generally northeasterly corner of land described in a deed from Frederic R. Poor to William O. Poor et ux, dated July 28, 1971 and recorded in said Registry in Book 691, Page 44; thence by the same course South 26°23'45" East along generally easterly bound of land conveyed by Frederic R. Poor to William O. Poor et ux by deed aforesaid one hundred (100) feet, more or less, to an iron stake driven into the ground on the shore of Penobscot Bay; thence westerly and southwesterly by the shore of Penobscot Bay, one hundred and twenty-five (125) feet, more or less, to an iron stake driven into the ground; thence at a bearing calculated to be North 43° West by land of the Grantors, one hundred fifty-five (155) feet, more or less, to a point on the generally southerly line of land conveyed by Tozier to Poor by deed aforesaid; thence by the same course calculated to be North 43° West by land of the Grantors, two hundred and ninety-five (295) feet, more or less, to an iron stake driven into the ground on the generally easterly bound of U. S. Route #1 aforesaid; thence North 32°20'15" East by and along the easterly bound of the aforesaid Route #1, seventy-five (75) feet, more or less, to the point of beginning.

MEANING AND INTENDING TO CONVEY and hereby conveying a portion of the premises described in two deeds as follows, to wit: One from Douglas I. Tozier and Marion Tozier to us, William O. Poor and Phyllis J. Poor, dated April 24, 1975 and recorded in the Waldo County Registry of Deeds in Book 724, Page 415; and one from Frederic R. Poor to

us, William O. Poor and Phyllis J. Poor, dated July 28, 1971 and ^{REG. 752} recorded in said Registry in Book 691, Page 44. ^{PAGE} 243

To have and to hold the aforegranted and bargained premises, with all the privileges and appurtenances thereof, to the said

Frederick C. Kelly and Priscilla B. Kelly

as joint tenants and not as tenants in common, their heirs and assigns, and to the survivor of them and the heirs and assigns of the survivor of them ~~and assigns~~, to their own use and behoof forever.

And we do covenant with the said Grantees, as aforesaid, that we are lawfully seized in fee of the premises, that they

are free of all encumbrances; subject to the prorata share of real estate taxes assessed against the premises as of April 1, 1978, which said share the Grantees by their acceptance of this deed assume and agree to pay

that we have good right to sell and convey the same to the said Grantees to hold as aforesaid; and that we and our heirs shall and will Warrant and Defend the same to the said Grantees, their heirs and assigns ~~against the lawful claims and demands of all persons~~ and the survivor of them, and the heirs and assigns of the survivor of them forever, against the lawful claims and demands of all persons.

In Witness Whereof, we the said William O. Poor and Phyllis J. Poor, being husband and wife, and mutually,

and:

wife: ~~xxxxxxx~~

joining in this deed as Grantors, and relinquishing and conveying all rights by descent and all other rights in the above described premises, have hereunto set our hands and seals this thirteenth day of March in the year of our Lord one thousand nine hundred and seventy-eight.

Signed, Sealed and Delivered

In presence of

Sheldon W. Clark
Sheldon W. Clark

William O. Poor
William O. Poor
Phyllis J. Poor
Phyllis J. Poor



~~New Jersey~~
State of ~~Maine~~ MAINE ss. March 27 19 78

Personally appeared the above named William O. Poor and Phyllis J. Poor

and acknowledged the foregoing instrument to be their free act and deed.

1415
State of Maine, Waldo Co. Registry of Deeds
Received April 3 1978 11:45 A.M. P.S.
and recorded in Book 752 Page 242
Attest *Jennie Conner* Register

Before me, *Sheldon W. Clark*
Notary Public.
XXXXXX
XXXXXX

WARRANTY DEED
Joint Tenancy

4269

Know all Men by these Presents,**"Maine Real Estate Transfer Tax Paid"****That** we, DOUGLAS I. TOZIER and MARION R. TOZIER, both of Northport,

County of Waldo, State of Maine,

in consideration of one dollar and other valuable considerations

paid by FREDERICK C. KELLY and PRISCILLA BRYANT KELLY, both of Belfast, County of
Waldo, State of Maine,

whose mailing address is P.O. Box 353, Belfast, Maine 04915,

the receipt whereof we do hereby acknowledge, do hereby give, grant, bargain, sell and
convey unto the said Frederick C. Kelly and Priscilla Bryant Kellyas joint tenants and not as tenants in common, their heirs and assigns forever, a certain lot or parcel
of land situate in BELFAST, County of Waldo, State of Maine, more particularly
bounded and described as follows, to wit:

BEGINNING at a point in the general southeasterly bound of the Atlantic Highway also commonly known and designated as U.S. Route No. 1, said point being the northwesterly corner of property conveyed to Frederick C. Kelly and Priscilla Bryant Kelly by deed of William O. Poor, et ux as recorded in the Waldo County Registry of Deeds in Book 752, Page 242; thence generally southeasterly along said Kelly's bound one hundred and sixty and five tenths (160.5) feet to a point marked for a corner; thence more easterly as said boundary of Kelly runs ninety-six and five tenths (96.5) feet to a corner in the generally westerly bound of land now or formerly of Phyllis H. Burbank as recorded in said Registry in Book 757, Page 46; thence generally northerly one hundred sixty (160) feet, more or less, to the general southerly bound of Tozier Street, so-called; thence generally northwesterly in the southerly bound of Tozier Street one hundred and seventy (170) feet, more or less, to the general easterly bound of the Atlantic Highway also commonly known as U.S. Route No. 1; thence southwesterly along said highway's generally southeasterly bound one hundred and ten (110) feet, more or less, to the place of beginning.

MEANING AND INTENDING TO CONVEY and hereby conveying a parcel of land said to contain .65 acres, more or less, and being designated on the City of Belfast Tax Maps as Map U-1, Lot 9D and being a portion of the premises conveyed to Douglas I. Tozier and Marion R. Tozier by deed of Sam Cassida as recorded in the Waldo County Registry of Deeds in Book 608, Page 290, dated April 17, 1984.

To have and to hold the aforegranted and bargained premises, with all the privileges and appurtenances thereof, to the said Frederick C. Kelly and Priscilla Bryant Kelly as joint tenants and not as tenants in common, their heirs and assigns, to their own use and behoof forever.

And we do covenant with the said Grantees, their heirs and assigns, that we lawfully seized in fee of the premises, that they are free of all encumbrances

that we have good right to sell and convey the same to the said Grantees to hold as aforesaid; and that we and our heirs shall and will warrant and defend the same to the said Grantees, their heirs and assigns forever, against the lawful claims and demands of all persons.

In Witness Whereof, we the said Douglas I. Tozier and Marion R. Tozier, being husband and wife and mutually

~~XXXX~~

~~Instrument of Conveyance~~

joining in this deed as Grantors, and relinquishing and conveying all rights by descent and all other rights to the above described premises, have hereunto set our hands and seals this 29th day of the month of June, A.D. 19 84.

Signed, Sealed and Delivered in presence of

[Signature]

Douglas I. Tozier
Douglas I. Tozier
Marion R. Tozier
Marion R. Tozier



State of Maine, County of Waldo, ss. June 29th 19 84.

Then personally appeared the above named Douglas I. Tozier and Marion R. Tozier

and acknowledged the foregoing instrument to be their free act and deed.

Before me,

[Signature]
Notary Public

4269
State of Maine, Waldo ss. Registry of Deeds
Received JULY 1 1984 at 10:00 A.M.
and recorded in Book 826 Page 429
Attest *[Signature]* Registrar

Stanley W. Brown, Jr.
NOTARY PUBLIC
MY COMMISSION EXPIRES SEPT. 14, 1988
Notary Public please print full name here.

QUITCLAIM DEED
With Covenant

02959

Know all Men by these Presents,

That WILLIAM O. POOR and PHYLLIS J. POOR of Willingboro, County of Burlington, State of New Jersey

in consideration of one dollar and other valuable consideration

paid by FREDERICK C. KELLY and PRISCILLA BRYANT KELLY of Northport, County of Waldo, State of Maine

whose mailing address is Northport Avenue
Maine 04915

the receipt whereof we do hereby acknowledge, do hereby remise, release, bargain, sell and convey, and forever quitclaim unto the said Frederick C. Kelly and Priscilla Bryant Kelly

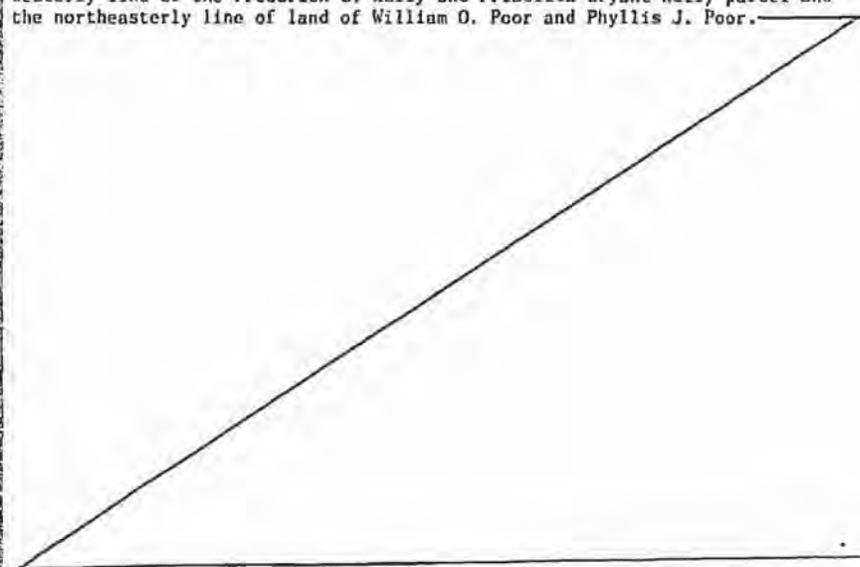
their heirs and assigns forever,

All land in Belfast northeasterly of a certain line bounded and described as follows:

Beginning at an iron pin in the easterly bound of U.S. Route #1 which said iron pin marks a corner of land conveyed to Frederick C. Kelly and Priscilla Bryant Kelly in Book 752, Page 242 and marking the corner of land of William O. Poor and Phyllis J. Poor; thence South 35° 56' 50" East four hundred fifty-four and two tenths (454.2) feet to an iron pin; thence continuing on the same course nineteen (19) feet more or less, to the high water mark of Penobscot Bay. Said line being the southwesterly line of land conveyed to Frederick C. Kelly and Priscilla Bryant Kelly by William O. Poor and Phyllis J. Poor by deed dated April 3, 1978 in which said line was described in said deed as having a "bearing calculated to be North 43° West."

The purpose of this deed is to correct and permanently establish the southwesterly line of the Frederick C. Kelly and Priscilla Bryant Kelly parcel and the northeasterly line of land of William O. Poor and Phyllis J. Poor.

No Transfer Tax Paid



To have and to hold the same, together with all the privileges and appurtenances thereunto belonging, to the said Frederick C. Kelly and Priscilla Bryant Kelly

their heirs and assigns forever.

And we do covenant with the said Grantees, their heirs and assigns, that they shall and will warrant and defend the premises to the said Grantee s, their heirs and assigns forever, against the lawful claims and demands of all persons claiming by, through, or under

In Witness Whereof, we, the said William O. Poor and Phyllis J. Poor

XXXX

~~HUSBAND AND WIFE~~

~~XXXXXXXXXXXX~~ as Grantor s, and relinquishing and conveying all rights by descent and all other rights in the above described premises, have hereunto set their hands and seals this 4th day of the month of May, A.D. 1987.

Signed, Sealed and Delivered in presence of

Samuel A. H... ..
.....
.....
.....
.....

William O. Poor
William O. Poor
Phyllis J. Poor
Phyllis J. Poor



State of Maine, County of Waldo ss. May 4, 1987.

Then personally appeared the above named William O. Poor and Phyllis J. Poor an attorney at law of the State of New Jersey admitted to practice November 30, 1971 and remain in good standing. and acknowledged the foregoing instrument to be their free act and deed.

Before me,

Thomas J. Scattergood
.....
Notary Public
THOMAS J. SCATTERGOOD Attorney at Law
AN ATTORNEY AT LAW OR R. L.

RECEIVED
WALDO COUNTY
REGISTER OF DEEDS
1987 MAY -7 AM 8:10
BOOK 957
PAGE 304
ATTEST *Janis* REG.
Pittsfield, Dep

QUITCLAIM DEED
With Covenant

02960

Know all Men by these Presents,

That FREDERICK C. KELLY and PRISCILLA BRYANT KELLY of Northport,
County of Waldo, State of Maine

in consideration of one dollar and other valuable consideration

paid by WILLIAM O. POOR and PHYLLIS J. POOR of Willingboro, County of Burlington,
State of New Jersey

whose mailing address is 282 Club House Drive
Willingboro, NJ 08046

the receipt whereof we do hereby acknowledge, do hereby remise, release, bargain,
sell and convey, and forever quitclaim unto the said William O. Poor and Phyllis J. Poor

their heirs and assigns forever,

All land in Belfast southwesterly of a certain line bounded and described as follows:

Beginning at an iron pin in the easterly bound of U.S. Route #1 which said iron pin marks a corner of land conveyed to Frederick C. Kelly and Priscilla Bryant Kelly in Book 752, Page 242 and marking the corner of land of William O. Poor and Phyllis J. Poor; thence South 35° 56' 50" East four hundred fifty-four and two tenths (454.2) feet to an iron pin; thence continuing on the same course nineteen (19) feet more or less, to the high water mark of Penobscot Bay. Said line being the northeasterly line of land conveyed to Frederick C. Kelly and Priscilla Bryant Kelly by William O. Poor and Phyllis J. Poor by deed dated April 3, 1978 in which said line was described in said deed as having a "bearing calculated to be North 43° West."

The purpose of this deed is to correct and permanently establish the north-easterly line of the Frederick C. Kelly and Priscilla Bryant Kelly parcel and the southwesterly line of land of William O. Poor and Phyllis J. Poor.

No Transfer Tax Paid

To have and to hold the same, together with all the privileges and appurtenances thereunto belonging, to the said William O. Poor and Phyllis J. Poor

their heirs and assigns forever.

And we do covenant with the said Grantees, their heirs and assigns, that we shall and will warrant and defend the premises to the said Grantees, their heirs and assigns forever, against the lawful claims and demands of all persons claiming by, through, or under them

In Witness Whereof, we, the said Frederick C. Kelly and Priscilla Bryant Kelly

XXX

XXXXXXXXXXXXXXXXXXXX

XXXXXXXXXXXXXXXXXXXX as Grantors, and relinquishing and conveying all rights by descent and all other rights in the above described premises, have hereunto set their hands and seals this First day of the month of May, A.D. 19 87.

Signed, Sealed and Delivered in presence of

.....
.....
.....
.....
.....
.....

Frederick C. Kelly
Frederick C. Kelly
Priscilla Bryant Kelly
Priscilla Bryant Kelly



State of Maine, County of Waldo ss. May 1, 19 87.
Then personally appeared the above named Frederick C. Kelly and Priscilla Bryant Kelly

and acknowledged the foregoing instrument to be their free act and deed.

Before me,

RECEIVED
WALDO COUNTY
REGISTER OF DEEDS
1907 MAY -7 AM 8:10
BOOK 957
PAGE 306
ATTEST [Signature] REG.
[Signature] Dep

Valerie J. Moody
Notary Public
VALERIE J. MOODY
NOTARY PUBLIC, MAINE
MY COMMISSION EXPIRES OCTOBER 1, 1992

WARRANTY DEED
Joint Tenancy

02860 Know all Men by these Presents,

That FREDERICK C. KELLY and PRISCILLA BRYANT KELLY both of Northport,
County of Waldo, State of Maine

in consideration of one dollar and other valuable consideration

paid by LYNDON MORGAN and CATHY MORGAN of Belfast, County of Waldo, State of Maine

whose mailing address is 37 Congress Street
Belfast, Maine 04915

the receipt whereof we do hereby acknowledge, do hereby give, grant, bargain, sell and
convey unto the said Lyndon Morgan and Cathy Morgan

their heirs and assigns forever,

A certain lot or parcel of land together with the buildings thereon, situate
in BELFAST, County of Waldo and State of Maine and more particularly bounded
and described as follows, to wit:

Beginning at an iron pin driven into the ground on the easterly bound of the
road leading from Northport to Belfast, commonly known and designated as U.S.
Route #1 in the southerly bound of land now or formerly of Douglas Tozier et
ux; thence South 57° 04' 05" East by and along the southerly bound of land of
the said Tozier one hundred sixty and five tenths (160.5) feet to an iron pin
driven into the ground; thence turning and running South 84° 23' 54" East
ninety-six and five tenths (96.5) feet to an iron pin driven into the ground
at the line of land to be conveyed to the Grantees herein, which land is the
second parcel herein described; thence turning and running South 26° 23' 45"
East by land formerly held by the said Tozier, two hundred five and one tenth
(205.1) feet to an iron pipe driven into the ground which said iron pipe marks
the generally southeasterly corner of land described in a deed from Douglas I.
Tozier et ux to William O. Poor et ux, dated April 24, 1975 and recorded in the
Waldo County Registry of Deeds in Book 724, Page 415, which said point is also
the generally northeasterly corner of land described in a deed from Frederick
R. Poor to William O. Poor et ux, dated July 28, 1971 and recorded in said
Registry in Book 691, Page 44; thence by the same course South 26° 23' 45" East
along generally easterly bound of land conveyed by Frederick R. Poor to William
O. Poor et ux by deed aforesaid one hundred (100) feet, more or less, to an iron
stake driven into the ground on the shore of Penobscot Bay; thence westerly and
southwesterly by the shore of Penobscot Bay, one hundred and twenty-five (125)
feet, more or less, to a point on the shore which is on a course of South 35°
56' 50" East from an iron pin; thence from said point on the shore North 35°
56' 50" West nineteen (19) feet, more or less, to said iron pin; thence
continuing on same course and in the Northeasterly line of land of Poor four
hundred fifty-four and two tenths (454.2) feet to an iron stake driven into the
ground on the generally easterly bound of U. S. Route #1 aforesaid; thence North
38° 43' 10" East by and along the easterly bound of the aforesaid Route #1,
seventy-five (75) feet, more or less, to the point of beginning.

MEANING AND INTENDING TO CONVEY and hereby conveying the same premises as
described in a Warranty Deed from William O. Poor and Phyllis J. Poor to
Frederick C. Kelly and Priscilla Bryant Kelly recorded April 3, 1978 in the
Waldo County Registry of Deeds in Book 752, Page 242.

Also conveying a certain lot or parcel of land situate in BELFAST, County of
Waldo, State of Maine, more particularly bounded and described as follows, to
wit:

"BEGINNING at a point in the general southeasterly bound of the Atlantic Highway
also commonly known and designated as U.S. Route No. 1, said point being the

Maine Real Estate Transfer Tax Paid

northwesterly corner of property conveyed to Frederick C. Kelly and Priscilla Bryant Kelly by deed of Douglas I. Tozier, et ux as recorded in the Waldo County Registry of Deeds in Book 752, Page 242; thence generally southeasterly along said Kelly's bound one hundred and sixty and five tenths (160.5) feet to a point marked for a corner; thence more easterly as said boundary of Kelly runs ninety-six and five tenths (96.5) feet to a corner in the generally westerly bound of land now or formerly of Phyllis H. Burbank as recorded in said Registry in Book 757, Page 46; thence generally northerly one hundred sixty (160) feet, more or less, to the general southerly bound of Tozier Street, so-called; thence generally northwesterly in the southerly bound of Tozier Street one hundred and seventy (170) feet, more or less, to the general easterly bound of the Atlantic Highway also commonly known as U.S. Route No. 1; thence southwesterly along said highway's generally southeasterly bound one hundred and ten (110) feet, more or less, to the place of beginning."

MEANING AND INTENDING TO CONVEY and hereby conveying the same premises as described in a Warranty Deed from Douglas I. Tozier and Marion R. Tozier to Frederick C. Kelly and Priscilla Bryant Kelly and recorded in the Waldo County Registry of Deeds in Book 826 at Page 429.

The first parcel described herein is subject to an exchange of deeds by and between Frederick C. and Priscilla B. Kelly and William O. and Phyllis J. Poor, which exchange of deeds clarifies the southwesterly boundary of the first parcel described herein; said deeds to be recorded in The Waldo County Registry of Deeds.

P.B.K.
F.C.K.

To have and to hold the aforegranted and bargained premises, with all the privileges and appurtenances thereof, to the said Lyndon Morgan and Cothy Morgan as joint tenants and not as tenants in common, their heirs and assigns, to them and their use and behoof forever.

And we do warrant with the said Grantee, their heirs and assigns, that we are lawfully seized in fee of the premises, that they are free of all encumbrances

that we have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that we and our heirs shall and will warrant and defend the same to the said Grantees their heirs and assigns forever, against the lawful claims and demands of all persons.

In Witness Whereof, we, the said Frederick C. Kelly and Priscilla Bryant Kelly

XXXX

~~XXXXXXXXXXXXXXXXXXXX~~

~~XXXXXXXXXXXXXXXXXXXX~~ As Grantors, and relinquishing and conveying all rights by descent and all other rights in the above described premises, have hereunto set their hands and seals this First day of the month of May, A.D. 19 87.

Signed, Sealed and Delivered in presence of

..... Frederick C. Kelly
..... Frederick C. Kelly
..... Priscilla Bryant Kelly
..... Priscilla Bryant Kelly



State of Maine, County of Waldo SS. May 1, 19 87.

Then personally appeared the above named Frederick C. Kelly and Priscilla Bryant Kelly

and acknowledged the foregoing instrument to be their free act and deed.

Before me,

Valerie J. Moody
VALERIE J. MOODY
NOTARY PUBLIC, MAINE
MY COMMISSION EXPIRES OCTOBER 1, 1992.



RECEIVED
WALDO COUNTY
REGISTER OF DEEDS
1987 MAY -4 P11 2:30
BOOK 957
PAGE 85
ATTEST. *Delores* REG.
Page

Do Give and to Hold the aforesaid and bargained premises with all the privileges and appurtenances thereof to the said CATHY G. MORGAN, her

heirs and assigns, to them and their use and behoof forever.

And I do COVENANT with the said Grantee, her heirs and assigns, that I am lawfully seized in fee of the premises that they are free of all encumbrances:

that I have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that I and my heirs shall and will WARRANT and DEFEND the same to the said Grantee, her heirs and assigns forever, against the lawful claims and demands of all persons.

In Witness Whereof, I, the said LYNDON W. MORGAN,

my hand and seal this 11th day of September in the year of our Lord one thousand nine hundred and ninety.

Signed, Sealed and Delivered

In presence of R. P. ...

Lyndon W. Morgan

State of Maine, Knox } ss.

September 11 1990

Personally appeared the above named LYNDON W. MORGAN,

and acknowledged the above

instrument to be his free act and deed.

RICHARD A. McKITTICK NOTARY PUBLIC, MAINE MY COMMISSION EXPIRES JULY 9, 1992 (Typed or printed name)

Before me, Richard A. McKittick Justice of the Peace. Notary Public



EXHIBIT A

two certain lots or parcels of land, together with the buildings thereon, situate in Belfast, County of Waldo and State of Maine, and more particularly bounded and described as follows, to wit:

PARCEL ONE: BEGINNING at an iron pin driven into the ground on the easterly bound of the road leading from Northport to Belfast, commonly known and designated as U. S. Route 1, in the southerly bound of land now or formerly of Douglas Tozier, et ux; thence South 57°04'05" East by and along the southerly bound of land of said Tozier one hundred sixty and five-tenths (160.5) feet to an iron pin driven into the ground; thence turning and running South 84°23'54" East ninety-six and five-tenths (96.5) feet to an iron pin driven into the ground at the line of land of Lyndon Morgan and Cathy Morgan, now or formerly, which land is the second parcel herein described; thence turning and running South 26°23'45" East by land formerly held by said Tozier, two hundred five and one-tenth (205.1) feet to an iron pipe driven into the ground which said iron pipe marks the generally southeasterly corner of land described in a deed from Douglas I. Tozier, et ux, to William O. Poor, et ux, dated April 24, 1975, and recorded in the Waldo County Registry of Deeds in Book 724, Page 415, which said point is also the generally northeasterly corner of land described in a deed from Frederick R. Poor to William O. Poor, et ux, dated July 28, 1971, and recorded in said Registry in Book 691, Page 44; thence by same course South 26°23'45" East along generally easterly bound of land conveyed by Frederick R. Poor to William O. Poor, et ux, by deed aforesaid one hundred (100) feet, more or less, to an iron stake driven into the ground on the shore of Penobscot Bay; thence westerly and southwesterly by the shore of Penobscot Bay, one hundred twenty-five (125) feet, more or less, to a point on the shore which is on a course of South 35°56'50" East from an iron pin; thence from said point on the shore North 35°56'50" West nineteen (19) feet, more or less, to said iron pin; thence continuing on same course and in the northeasterly line of land of said Poor four hundred fifty-four and two-tenths (454.2) feet to an iron stake driven into the ground on the generally easterly bound of U. S. Route 1 aforesaid; thence North 38°43'10" East by and along the easterly bound of the aforesaid U. S. Route 1, seventy-five (75) feet, more or less, to the point of beginning.

PARCEL TWO: BEGINNING at a point in the general south-easterly bound of the Atlantic Highway also commonly known and designated as U. S. Route 1, said point being the northwesterly corner of property conveyed to Frederick C. Kelly and Priscilla Bryant Kelly by deed of Douglas I. Tozier, et ux, as recorded in the Waldo County Registry of Deeds in Book 752, Page 242; thence generally southeasterly along said Kelly's bound one hundred sixty and five-tenths (160.5) feet to a point marked for a corner; thence more easterly as said boundary of Kelly runs ninety-six and five-tenths (96.5) feet to a corner in the generally westerly bound of land now or formerly of Phyllis H. Burbank as recorded in said Registry in Book 757, Page 46; thence generally northerly one hundred sixty (160) feet, more or less, to the general southerly bound of Tozier Street, so-called;

BK 1180 PG 284

thence generally northwesterly in the southerly bound of Tozier Street one hundred seventy (170) feet, more or less, to the general easterly bound of the Atlantic Highway also commonly known as U. S. Route 1; thence southwesterly along said highway's generally southeasterly bound one hundred ten (110) feet, more or less, to the place of beginning.

MEANING AND INTENDING to describe and to convey herein the same premises conveyed by deed of Frederick C. Kelly and Priscilla Bryant Kelly to Lyndon Morgan and Cathy Morgan, dated May 1, 1987, and recorded at the Waldo County Registry of Deeds in Book 957, Page 85.

The purpose of the within conveyance is to vest sole ownership of the above-described premises in the within Grantee, Cathy G. Morgan.

RECEIVED
WALDO COUNTY
REGISTER OF DEEDS

1990 SEP 12 AM 10:52

BK 1180 PG 281

ATTEST: *Dilvo Page*
REGISTER

07719

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS

That I, CATHY G. MORGAN, of Belfast, Waldo County, Maine, in consideration of One Dollar and other valuable consideration paid by LYNDON W. MORGAN, of Belfast, Waldo County, Maine, whose mailing address is 1 Tozier Street, Belfast, Maine, the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey unto the said LYNDON W. MORGAN, his heirs and assigns forever,

See Schedule A attached hereto

TO HAVE AND TO HOLD the aforegranted and bargained premises with all the privileges and appurtenances thereof to the said LYNDON W. MORGAN, his heirs and assigns, to them and their use and behoof forever.

AND I do COVENANT with the said Grantee, his heirs and assigns, that I am lawfully seized in fee of the premises; that they are free of all encumbrances; that I have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that I and my heirs shall and will warrant and defend the same to the said Grantee, his heirs and assigns forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, I, the said CATHY G. MORGAN have hereunto set my hand and seal this 9th day of July, 1998.

No Transfer Tax Paid

Signed, Sealed and Delivered in the Presence of:

[Signature]
Witness

Cathy G. Morgan
CATHY G. MORGAN

STATE OF MAINE
County of Knox, ss.

Dated: July 9, 1998

Personally appeared before me the above-named CATHY G. MORGAN and acknowledged the above instrument to be her free act and deed.

[Signature]
Notary Public

RICHARD A. MCKITTRICK
NOTARY PUBLIC MAINE
MY COMMISSION EXPIRES JULY 9, 2002

(type or print name of Notary)



SCHEDULE A
Legal Description

**Parcels Conveyed by Cathy G. Morgan
to Lyndon W. Morgan**

Two certain lots or parcels of land, together with the buildings thereon, situated in Belfast, County of Waldo, State of Maine, and more particularly bounded and described as follows, to wit:

PARCEL ONE: BEGINNING at an iron pin driven into the ground on the easterly bound of the road leading from Northport to Belfast, commonly known and designated as U. S. Route 1, in the southerly bound of land now or formerly of Douglas Tozier, et ux; thence South 57°04'05" East by and along the southerly bound of land of said Tozier one hundred sixty and five-tenths (160.5) feet to an iron pin driven into the ground; thence turning and running South 84°23'54" East ninety-six and five-tenths (96.5) feet to an iron pin driven into the ground at the line of land of Lyndon Morgan and Cathy Morgan, now or formerly, which land is the second parcel herein described; thence turning and running South 26°23'45" East by land formerly held by said Tozier, two hundred five and one-tenth (205.1) feet to an iron pipe driven into the ground which said iron pipe marks the generally southeasterly corner of land described in a deed from Douglas I. Tozier, et ux, to William O. Poor, et ux, dated April 24, 1975, and recorded in the Waldo County Registry of Deeds in Book 724, Page 415, which said point is also the generally northeasterly corner of land described in a deed from Frederick R. Poor to William O. Poor, et ux, dated July 28, 1971, and recorded in said Registry in Book 691, Page 44; thence by same course South 26°23'45" East along generally easterly bound of land conveyed by Frederick R. Poor to William O. Poor, et ux, by deed aforesaid one hundred (100) feet, more or less, to an iron stake driven into the ground on the shore of Penobscot Bay; thence westerly and southwesterly by the shore of Penobscot Bay one hundred twenty-five (125) feet, more or less, to a point on the shore which is on a course of South 35°56'50" East from an iron pin; thence from said point on the shore North 35°56'50" West nineteen (19) feet, more or less, to said iron pin; thence continuing on same course and in the northeasterly line of land of said Poor four hundred fifty-four and two-tenths (454.2) feet to an iron stake driven into the ground on the generally easterly bound of U. S. Route 1 aforesaid; thence North 38°43'10" East by and along the easterly bound of the aforesaid U. S. Route 1, seventy-five (75) feet, more or less, to the point of beginning.

PARCEL TWO: BEGINNING at a point in the general southeasterly bound of the Atlantic Highway also commonly known and designated as U. S. Route 1, said point being the northwesterly corner of property conveyed to Frederick C. Kelly and Priscilla Bryant Kelly by deed of Douglas I. Tozier, et ux, as recorded in the Waldo County Registry of Deeds in Book 752, Page 242; thence generally southeasterly along said Kelly's bound one hundred sixty and five-

tenths (160.5) feet to a point marked for a corner; thence more easterly as said boundary of Kelly runs ninety-six and five-tenths (96.5) feet to a corner in the generally westerly bound of land now or formerly of Phyllis H. Burbank as recorded in said Registry in Book 757, Page 46; thence generally northerly one hundred sixty (160) feet, more or less, to the general southerly bound of Tozier Street, so-called; thence generally northwesterly in the southerly bound of Tozier Street one hundred seventy (170) feet, more or less, to the general easterly bound of the Atlantic Highway also commonly known as U. S. Route 1; thence southwesterly along said highway's generally southeasterly bound one hundred ten (110) feet, more or less, to the place of beginning.

The first parcel described herein is subject to an exchange of deeds by and between Frederick C. and Priscilla B. Kelly and William O. and Phyllis J. Poor, which exchange of deeds clarifies the southwesterly boundary of the first parcel described herein; which deeds are dated May 4, 1987 and May 1, 1987, recorded at the Waldo County Registry of Deeds in Book 957, Page 304, and Book 957, Page 306.

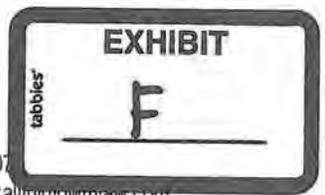
Reference is made to deed of Frederick C. Kelly and Priscilla Bryant Kelly to Lyndon Morgan and Cathy Morgan, dated May 1, 1987, recorded at the Waldo County Registry of Deeds in Book 957, Page 85.

MEANING AND INTENDING to describe and to convey herein the same premises conveyed by deed of Lyndon W. Morgan to Cathy G. Morgan, dated September 11, 1990, recorded at the Waldo County Registry of Deeds in Book 1180, Page 281.

The purpose of the within conveyance is to vest sole ownership of the above-described premises in the within Grantee, Lyndon W. Morgan.

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1998 JUL 16 AM 10:08

ATTEST: *Deloris Page*
REGISTER OF DEEDS



June 10, 2019

Melanie Loyzim, Deputy Commissioner
Maine Department of Environmental Protection
17 State House Station
Augusta, ME 04333

Carol DiBello, Submerged Lands Coordinator
Submerged Lands Program, Bureau of Parks and Lands
Maine Department of Agriculture, Conservation and Forestry
22 State House Station
Augusta, ME 04333

RE: Nordic Aquafarms, Inc.'s Site Location of Development
Act Application and Natural Resources Development Act
Application, DEP #L-28319-26-A-N/L-28319-TG-B-N/L-
28319-4E-C-N/L-28319-L6-D-N, Minor New Source and
MEPDES Applications and Bureau of Parks and Lands
Submerged Land Lease Application

Dear Deputy Commissioner Loyzim and Coordinator DiBello:

At the request of the Department of Environmental Protection, this letter responds to right, title, and interest issues in the intertidal zone raised with regard to the above referenced applications of Nordic Aquafarms, Inc. ("NAF").

Here, NAF's administrative standing is being challenged under opponents' interpretation of two aspects of a deed to Fred R. Poor dated January 25, 1946 and recorded in Book 452, Page 205 of the Waldo County Registry of Deeds. The first is an alleged severance of the intertidal zone from the upland, and the second is an alleged private restrictive covenant contained in that deed. Even if the Department could look to a prior deed from 1946 as part of its standing analysis, which it cannot do, *see Britton I*, 2009 ME 60, ¶ 6 & n.3, neither issue impacts NAF's administrative standing.

Unobjected to submissions by Upstream Watch and Maine Lobstering Union include a letter from the surveyor Don Richards that concedes that the 2012 deed to the Eckrotes creates "color of title" to the intertidal zone through its use of a monument "along said Bay." As explained below, under the Right, Title and Interest standard, this color of title definitively establishes sufficient right, title, and interest for administrative standing, even if that "color of

title” were later determined in a Court action to be, in Mr. Richards’ words, “only a semblance of title based on a defective description.”

Moreover, as explained below, I disagree with Mr. Richards’ conclusions that the 1946 deed to Fred Poor unambiguously excluded the intertidal zone, and that even if it had, I disagree that the chain of title to Jeffrey R. Mabee and Judith B. Grace that was bounded “northerly by land of Fred R. Poor” could be read to describe the intertidal zone in front of the land formerly owned by Fred R. Poor.

I. The Right, Title and Interest Standard is a Low Bar

The administrative standard for sufficient right, title, and interest differs dramatically from an actual determination of property rights. The mere possibility (such as the arguments created here by project opponents) that applicants do not have the actual rights to use the property as they seek, and that any approval might later be revoked, does not deprive applicants of administrative standing or defeat a showing of sufficient right title and interest. *Southridge Corp. v. Bd. of Env'tl. Prot.*, 655 A.2d 345, 348 (Me. 1995). This is in part because it “is an elementary principle of administrative law that an agency has only those powers expressly conferred by statute or such as arise therefrom by necessary implication to allow the agency to carry out the powers accorded them” and is “not the proper forum to determine existing property rights” in a contested strip of land. *Rockland Plaza Realty Corp. v. LaVerdiere's Enterprises, Inc.*, 531 A.2d 1272, 1273–74 (Me. 1987).

Put simply, sufficient right, title, and interest does not mean quiet title. In *Southridge* the Law Court reversed a lower court’s determination that the applicant lacked sufficient title, right, or interest. *Id.* The applicant was seeking authorizations relating to land that it had no deeded-interest in, but on which the applicant had installed a septic system. *Id.* The septic system had been in place for some time and thus, the applicant had an adverse possession claim to the property. *Id.* The Law Court “fully acknowledge[d]” that the applicant may not prevail in the adverse possession claim, in which case, his permit might be revoked. *Id.* That possibility however, “neither deprives [the applicant] and those he represents of their current interest in the land nor their administrative standing.” *Id.*

Likewise, an applicant need not have unrestricted rights in the property at issue in order to establish right, title, and interest. *Picker v. State Dep't of Env'tl. Prot.*, No. CIV.A. AP-01-75, 2002 WL 1023629, at *2 (Me. Super. Apr. 6, 2002) (holding that the Department’s conclusion that the applicant lacked sufficient title, right, or interest for a NRPA permit was legal error not withstanding that opponents of the project “have the right to seek an injunction of petitioner’s activity if in violation of the restrictive covenant” mandating that “a 75 foot buffer strip be maintained from the mean high tide line of the Cove in lots 16, 17, 18, 19, and 20”).

NAF’s applications contain documentation of legally protected rights to use the entirety of lands subject to those applications that goes far beyond that required by the right, title, and interest standard. NAF’s option to purchase an easement from the Eckrotes is sufficient to establish administrative standing: both the Law Court and the Superior Court have recognized that an option to purchase an easement confers sufficient right title and interest for administrative

review. *Murray v. Inhabitants of the Town of Lincolnville*, 462 A.2d 40, 43 (Me. 1983); *Nangle v. Town of Windham*, No. CUMSC-AP-15-0040, 2016 WL 1706549, at *5 (Me. Super. Feb. 23, 2016) (collecting cases). The *Nangle* Court contains a thorough discussion of administrative standing generally. Furthermore, even if the Eckrotes intertidal and upland parcels were historically severed (which they were not, as discussed below), NAF obtained direct ownership of any severed intertidal as is also discussed further below.

2. Title to the Intertidal Zone in Front of the Eckrotes

Though, as discussed above, the Department lacks the statutory authority to adjudicate the meaning of the deed to Fred R. Poor dated January 25, 1946 and recorded in Book 452, Page 205 of the Waldo County Registry of Deeds, the opposition's premise that that deed unambiguously severs the flats from the upland is wrong. The deed is not unambiguous.

The seaward boundary of that deed is not described by reference to a single monument. Instead, the two side lot lines terminate in points where a river or gully arguably meet the ocean itself. The seaward boundary of the deed requires analysis of three operative calls as follows:

Thence Southeasterly following the bottom of the gully 275 ft. more or less to an iron bolt in the mouth of a brook; thence Easterly and Northeasterly along high water mark of Penobscot Bay 410 ft. more or less to a stake at the outlet of a gully; thence Northerly up the bottom of said gully 100 ft.

Unlike a deed that unambiguously runs side lot lines "to the high water mark of Penobscot Bay, thence along the high water mark of Penobscot Bay," which would plainly set the boundary monument as "the highwater mark of Penobscot Bay," the seaward bound in the Poor deed actually runs as a line between two monuments: "an iron bolt **in the mouth of a brook**" and "a stake **at the outlet of a gully**." Because the "mouth of a brook" and the "outlet of a gully" are both points where those watercourses arguable intersect with the ocean itself, it is not possible to conclude that the four corners of the deed unambiguously demonstrate an intent to sever the flats from the upland. Absent such unambiguous intent, the presumption under the Colonial Ordinance would convey the flats together with the upland. The principle of extending a line to where it intersects with the ocean itself was recognized by the Law Court with regard to streets. *Stetson v. City of Bangor*, 60 Me. 313, 317 (1872) (Although "strictly measured they do not extend beyond high-water mark on the plan" the Court held that "it was the intention to make a direct and unbroken connection between the street and the river at all times of the tide."). This same reasoning would apply to the side lots lines running to the "mouth of a brook" and "outlet of a gully," which would presume that the brook at its mouth and the gully at its outlet make a connection to the Bay "at all times of the tide," and the Court often applies similar interpretative constructs to roads and watercourses. *Inhabitants of Warren v. Inhabitants of Thomaston*, 75 Me. 329, 332 (1883).

The measurement of 410 feet in the 1946 deed is plainly made "along high water mark of Penobscot Bay," but, as in *Stetson*, the high water mark does not unambiguously serve as a boundary monument. In other words, where the side lot lines terminate at the ocean (and are not limited to the highwater mark) then the measurement "along high water mark of Penobscot Bay

410 ft. more or less” is simply a convenient place to measure, and does not create an unambiguous severance of the flats from the upland. *Snow v. Mt. Desert Island Real Estate Co.*, 84 Me. 14, 24 A. 429, 430 (1891) (if even one side lot line extends to the water, the presumption is that the flats pass with the upland); *Snyder v. Haagen*, 679 A.2d 510, 515 (Me. 1996). The 2012 Good Deeds survey likewise supports the conclusion that the highwater mark was used for measurement, but not as a boundary. That survey depicts landward abutters of the Eckrotes, but does not identify the intertidal zone as separately owned. Instead it labels the Eckrotes’ property as abutting “Penobscot Bay.”

It is my understanding that neither the iron bolt nor the wooden stake referenced in the 1946 deed can be located on the face of the earth. Locating these monument on the face of the earth could have provided some evidence that could be used by a Court in the resolution of any latent ambiguity in the deed, but it is not an analysis that can be undertaken by the Department. Moreover, even if one or both of the stake and iron ring were located, the reference to the natural monuments of the “mouth of the brook” and the “outlet of the gully” could still control over the location of those artificial monuments. See *Baptist Youth Camp v. Robinson*, 1998 ME 175, ¶¶ 5-10, 714 A.2d 809, 811. *Baptist Youth Camp* presented a case regarding a deed reference to a stake in the “mouth of Ohio Stream.” There, the natural location of where the stream empties into Lake Pennamaquon was held to control over the artificial monument of a stake that could be easily moved or lost. Accordingly, it was proper for the trial court to recognize the unreliability of the monuments named in the original deed description, and place “more reliance on the geographic boundaries of the stream and the lake.” *Id.* ¶10.

The plain meaning of the word “mouth” is “that part of a stream where its waters are discharged.” See Webster’s Comprehensive Dictionary of the English Language (1998 Edition). Thus, by definition, the mouth of a stream joins the ocean where the stream’s waters are discharged. Several Court cases support the interpretation that the mouth of a brook is a natural monument where that brook meets the bay. See e.g. *Eaton v. Town of Wells*, 2000 ME 176, ¶ 8, 760 A.2d 232, 237 (Discussing “Wells Harbor” and “the mouth of the Webhannet River” as adjacent waterbodies marking the northerly bounds of an easement); *Baptist Youth Camp v. Robinson*, 1998 ME 175, ¶¶ 5-10, 714 A.2d 809, 811; *State v. Ruvido*, 137 Me. 102, 15 A.2d 293, 296 (1940) (discussing state jurisdiction and quoting a treatise that “mouths of rivers of any State where the tide ebbs” are “portions of the sea”); *Hamor v. Bar Harbor Water Co.*, 92 Me. 364, 42 A. 790 (1899) (the reporter of decisions describes a “mill situated at the mouth of Duck Brook” as located “below the high-tide mark of Frenchman’s Bay”); *Haight v. Hamor*, 83 Me. 453, 22 A. 369, 370 (1891) (a deed call that draws a line with “four rods of land” between the line and a brook, and then crosses a brook “at right angles to the brook, and following the same to its mouth” is shown on a plan to describe a locus parcel where the mouth of the river joins Frenchman’s Bay); *Spring v. Russell*, 7 Me. 273, 293 (1831) (quoting legislative authorization to “open and cut a navigable canal” to “communicate with the sea, at the mouth of said river.”); *Winthrop v. Curtis*, 3 Me. 110, 111 (1824) (discussing a boundary line between the *Kennebec* and *Pejepscot* proprietors as beginning at “the mouth of Cathance river, which empties itself into Merry-meeting-bay.”).

Even if a severance of the intertidal zone as a matter of record-title occurred in 1946, the uninterrupted possession of the intertidal zone by the owners of the upland property since that

time would be sufficient to reunite that title in the upland owners (here the Eckrotes), and even the mere possibility that that may have occurred is sufficient to establish administrative standing. *Southridge Corp. v. Bd. of Envtl. Prot.*, 655 A.2d 345, 348 (Me. 1995); *accord Dunton v. Parker*, 97 Me. 461, 54 A. 1115, 1119 (1903) (similar holding for statutory standing under the Wharves and Weirs Act.) The opposition's unobjected to submissions also include a second letter from Surveyor Richards discussing the difficulty of establishing a general adverse possession claim. Here, the adverse possession claim would be relative to the Mabee/Grace claims. This claim is very straightforward given that the Mabee/Grace's statements that they did not believe that they owned the Eckrote's intertidal for 25 years. *See* Attachment A hereto.

Finally, even if a severance of the intertidal zone as a matter of record-title occurred in 1946, for the reasons explained in the letter of Surveyor James A. Dorsky, PLS, the result would be that that intertidal zone would have been retained by the heirs of Harriet Hartley, not conveyed to the Butlers by an abutters description bounded on the north by the land of Fred Poor. Because Fred Poor's line to the north intersects with the high tide line, the Colonial Method would operate as a matter of law to extend that line from the highwater mark to the low water mark. *Emerson v. Taylor*, 9 Me. 42 (1832); *Portsmouth Harbor, Land & Hotel Co. v. Swift*, 109 Me. 17, 82 A. 542 (1912). NAF obtained release deeds (attached hereto as Attachment B) from heirs of Hartley in order to ensure absolute certainty regarding right, title and interest. Notwithstanding these attached release deeds, NAF recognizes the Eckrotes' and the Morgans' current ownership of the intertidal zone based on its interpretation of the record title that there was no severance in the 1946 deed to Poor, and its belief that any severance would since have been reunited by exclusive possession since that time. NAF views claims to the contrary as creating potential liability for slander of title in the Morgans do not own their intertidal lands in fee. Therefore, NAF wishes to make clear that the submission of the surveys and release deeds showing a potential ownership interest of the intertidal zone in NAF are submitted at the Department's request for the purposes of addressing right, title and interest issues, and not for the purpose of claiming ownership of any portion of the intertidal zone adverse to the Eckrotes or the Morgans.

3. A Private Covenant Cannot Deprive an Applicant of RTI

The Law Court has held that the existence of a private covenant cannot destroy administrative standing. *Our Way Enterprises, Inc. v. Town of Wells*, 535 A.2d 442, 444 (Me.1988). This same line of cases also observes that, because the Department is not a grantee of any private restrictive covenant, the Department cannot take private covenants into account when acting pursuant to its delegated authority under a statute enacted through the Legislature's police-power. *See Lakes Environmental Association v. Town of Naples*, 486 A.2d 91, 96 n. 1 (Me.1984); *Whiting v. Seavey*, 159 Me. 61, 68, 188 A.2d 276, 280 (1963). This line of cases led the Law Court to observe that "it is settled law in Maine" that legislative enactments and private covenants are separate realms of land use control and that neither directly influences the interpretation of the other. *Bennett v. Tracy*, 1999 ME 165, ¶ 11, 740 A.2d 571, 574. Likewise, the Law Court has cautioned that it is reversible error to apply statutory standards to disputes between abutters regarding riparian rights over the intertidal zone. *Britton v. Donnell*, 2011 ME 16, ¶ 4, 12 A.3d 39, 41 (*Britton II*). Under the reasoning in the above cases, the Department

June 10, 2019
Page 6

cannot take into account any aspect of a private restrictive covenant that appeared in a singled deed in 1946, and was never assigned to the Department (or anyone else) to enforce.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. M. Kallin', written in a cursive style.

David M. Kallin



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The Making of Good Neighbors—

Thursday, May 16, 2019 9:42 AM

For the past 25 years, we have owned the shorefront property directly across Route 1 from the Belfast Water District where Nordic Aquafarms is now hoping to build their salmon farm. We were recently informed by the legal team of Upstream Watch that we also owned the intertidal zone in front of the three neighboring properties, which we did not know. A former owner of our house had sold off the neighboring lots in the 1940s, specifically excluding the intertidal zones in those deeds, retaining those with her property. This meant that the intertidal zone in front of the Eckrote property, which NAF was claiming title, right and interest to in their application to the Bureau of Parks and Lands, is land that in our deed shows the title, right and interest to be ours.

When this information became public, Nordic Aquafarms made the following statement on its Facebook page ... "[Upstream Watch has] revealed that some shoreline owners do not own their intertidal, which may be an unpleasant surprise to some owners. We withheld our surveys when we became aware of this situation some months back — it was not our role to reveal such sensitive information to community and owners."

It would be much more than an "unpleasant surprise" to us if we were to learn in the future that NAF had put their pipes over land they knew was ours without getting legal consent from us.

NAF is saying that it knew about our ownership when they submitted their application to the Bureau of Parks and Lands to lay their pipes across this intertidal zone. In fact, Carol DiBello, the Submerged Land Coordinator for the State Bureau of Parks and Lands, gave tentative approval to the application until Upstream Watch submitted the surveys and deeds that were factual. Carol DiBello has subsequently asked NAF to provide proof of title, right and interest, which they do not have.

In her Free Press interview with reporter Ethan Andrews, Marianne Naess of NAF said, "It would have been nice if they (meaning us) talked to us first. We have an open door policy." We think it would have been nice (and the ethical thing to do) if NAF had talked with us, some months back, when their surveys showed them that we owned the land where they planned to lay their pipes. Instead, they went ahead with their plans and made application to the Bureau of Parks and Lands as if they had owner consent to cross that land.

This treatment feels disrespectful to us and not what we would expect from a business that wants to be a good neighbor.

Jeffrey Mahee and Judith Grace, Belfast

Submit a comment

Please fill out the form below to submit a comment.

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RELEASE DEED

KNOW ALL BY THESE PRESENTS, that [REDACTED] having a mailing address in care of [REDACTED] ("Grantor"), for consideration received, RELEASES to **NORDIC AQUAFARMS INC.**, a corporation organized under the laws of Delaware and having a mailing address c/o Erik Heim, Oraveien 2, 1630 Gamle Fredrikstad, Norway, all of the Grantor's right, title and interest in and to certain lands in Belfast, Waldo County, Maine, being more particularly described in a deed from Genevieve E. Hargrave to Arthur Hartley and Harriet L. Hartley dated August 27, 1934 and recorded in the Waldo County Registry of Deeds in Book 386, Page 453.

Meaning and intending to convey, and hereby conveying any and all right, title and interest which I may hold in and to said lands by virtue of [REDACTED]

[REDACTED]
[REDACTED]
being an heir at law of Harriet A. Hartley, who died in [REDACTED]

[REDACTED] Harriet A. Hartley obtained sole title to the subject premises by virtue of being the surviving joint tenant of land conveyed to her and Arthur Hartley by that deed referenced hereinabove.

TO HAVE AND TO HOLD the same, together with all privileges and appurtenances thereto belonging, unto the said Nordic Aquafarms Inc..

In witness whereof, the said [REDACTED] has hereunto set [REDACTED] hand and seal this 15 day of April, 2019.

[REDACTED]

[REDACTED]

On this, the 15 day of April, 2019, before [REDACTED], the undersigned officer, personally appeared [REDACTED] known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that [REDACTED] executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seals.

[REDACTED]

RELEASE DEED

KNOW ALL BY THESE PRESENTS, that [REDACTED], having a mailing address in care of [REDACTED] ("Grantors"), for consideration received, RELEASES to **NORDIC AQUAFARMS INC.**, a corporation organized under the laws of Delaware and having a mailing address c/o Erik Heim, Oraveien 2, 1630 Gamle Fredrikstad, Norway, all of the Grantor's right, title and interest in and to certain lands in Belfast, Waldo County, Maine, being more particularly described in a deed from Genevieve E. Hargrave to Arthur Hartley and Harriet L. Hartley dated August 27, 1934 and recorded in the Waldo County Registry of Deeds in Book 386, Page 453.

Meaning and intending to convey, and hereby conveying any and all right, title and interest which I may hold in and to said lands by virtue of [REDACTED]

[REDACTED]

being an heir at law of Harriet A. Hartley, who died in [REDACTED]

[REDACTED] Harriet A. Hartley obtained sole title to the subject premises by virtue of being the surviving joint tenant of land conveyed to her and Arthur Hartley by that deed referenced hereinabove.

TO HAVE AND TO HOLD the same, together with all privileges and appurtenances thereto belonging, unto the said Nordic Aquafarms Inc..

In witness whereof, the said [REDACTED] has hereunto set [REDACTED] hand and seal this 23rd day of April, 2019,

[REDACTED]

[REDACTED]

On this, the 23rd day of April, 2019, before me [REDACTED]

the undersigned officer, personally appeared [REDACTED] known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that [REDACTED] executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seals.

[REDACTED]

RELEASE DEED

KNOW ALL BY THESE PRESENTS, that [REDACTED] having a mailing address of [REDACTED] ("Grantor"), for consideration received, RELEASES to **NORDIC AQUAFARMS INC.**, a corporation organized under the laws of Delaware and having a mailing address c/o Erik Heim, Oraveien 2, 1630 Gamle Fredrikstad, Norway, all of the Grantor's right, title and interest in and to certain lands in Belfast, Waldo County, Maine, being more particularly described in a deed from Genevieve E. Hargrave to Arthur Hartley and Harriet L. Hartley dated August 27, 1934 and recorded in the Waldo County Registry of Deeds in Book 386, Page 453.

Meaning and intending to convey, and hereby conveying any and all right, title and interest which I may hold in and to said lands by virtue of being the [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED] being an heir at law of Harriet A. Hartley, who died in [REDACTED] [REDACTED]. Harriet A. Hartley obtained sole title to the subject premises by virtue of being the surviving joint tenant of land conveyed to her and Arthur Hartley by that deed referenced hereinabove.

TO HAVE AND TO HOLD the same, together with all privileges and appurtenances thereto belonging, unto the said Nordic Aquafarms Inc..

In witness whereof, the said [REDACTED] has hereunto set [REDACTED] hand and seal this
26th day of March, 2019.

[REDACTED]

[REDACTED]

On this, the 26th day of March, 2019, before me [REDACTED]
the undersigned officer, personally appeared [REDACTED] known to me (or
satisfactorily proven) to be the person whose name is subscribed to the within instrument,
and acknowledged that [REDACTED] executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seals.

[REDACTED]

RELEASE DEED

KNOW ALL BY THESE PRESENTS, that [REDACTED] having a mailing [REDACTED] [REDACTED] (“Grantor”), for consideration received, RELEASES to **NORDIC AQUAFARMS INC.**, a corporation organized under the laws of Delaware and having a mailing address of 511 Congress Street, Suite 500, Portland, ME 04101, all of the Grantor’s right, title and interest in and to certain lands in Belfast, Waldo County, Maine, being more particularly described in a deed from Genevieve E. Hargrave to Arthur Hartley and Harriet L. Hartley dated August 27, 1934 and recorded in the Waldo County Registry of Deeds in Book 386, Page 453.

Meaning and intending to convey, and hereby conveying any and all right, title and interest which I may hold in and to said lands by virtue of being ([REDACTED])

[REDACTED]

[REDACTED] devisee of Harriet A. Hartley, who died in [REDACTED]

[REDACTED]. Harriet A. Hartley obtained sole title to the subject premises by virtue of being the surviving joint tenant of land conveyed to her and Arthur Hartley by that deed referenced hereinabove.

TO HAVE AND TO HOLD the same, together with all privileges and appurtenances thereto belonging, unto the said Nordic Aquafarms Inc..

In witness whereof, the said [REDACTED] has hereunto set [REDACTED] hand and seal this

[REDACTED]

[REDACTED]
[REDACTED]

On this, the 14th day of May, 2019, before me, [REDACTED]

the undersigned officer, personally appeared [REDACTED], known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that [REDACTED] executed the same as [REDACTED] free act and deed and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seals.

[REDACTED]

RELEASE DEED

KNOW ALL BY THESE PRESENTS, that [REDACTED] having a mailing address of [REDACTED] (“Grantor”), for consideration received, RELEASES to **NORDIC AQUAFARMS INC.**, a corporation organized under the laws of Delaware and having a mailing address of 511 Congress Street, Suite 500, Portland, ME 04101, all of the Grantor’s right, title and interest in and to certain lands in Belfast, Waldo County, Maine, being more particularly described in a deed from Genevieve E. Hargrave to Arthur Hartley and Harriet L. Hartley dated August 27, 1934 and recorded in the Waldo County Registry of Deeds in Book 386, Page 453.

Meaning and intending to convey, and hereby conveying any and all right, title and interest which I may hold in and to said lands by virtue of being [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Harriet A. Hartley, who died in [REDACTED]

[REDACTED]. Harriet A. Hartley obtained sole title to the subject premises by virtue of being the surviving joint tenant of land conveyed to her and Arthur Hartley by that deed referenced hereinabove.

TO HAVE AND TO HOLD the same, together with all privileges and appurtenances thereto belonging, unto the said Nordic Aquafarms Inc..

In witness whereof, the said [REDACTED] hereunto set [REDACTED] hand and seal this 14th day of May, 2019.

[REDACTED]

[REDACTED]

On this, the 14 day of May, 2019, before me, [REDACTED], the undersigned officer, personally appeared [REDACTED], known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that [REDACTED] executed the same as [REDACTED] free act and deed and for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seals.

[REDACTED]



ELIZABETH HUNTER

T I T L E A B S T R A C T I N G

995 SAWYER STREET • SOUTH PORTLAND, ME 04106 • TEL 207 799-4224 FAX 207 799-5454

titles@maine.rr.com

To whom it may concern:

I have reviewed various executed deeds to Nordic Aquafarms, Inc. Dated March 26, 2019, April 15, 2019, April 23, 2019 and May 14, 2019 signed by individuals purporting to be heirs of Harriet L. Hartley.

I have worked as a real estate title and genealogical researcher for over thirty years. I conducted the genealogical research to determine the identities of persons who are currently the holders of any real estate interest stemming from Harriet L. Hartley's ownership of land in Belfast, Maine (or elsewhere, for that matter), and I can confirm that those persons executing the above-referenced deeds to Nordic Aquafarms, Inc. are heirs of Harriet L. Hartley.

Best regards,

Elizabeth Hunter

Wayne Marshall

From: "Kim Ervin Tucker" <k.ervintucker@gmail.com>
Date: Wednesday, June 12, 2019 5:53 PM
To: "DEP, Nordic Aqua Farms" <NordicAquaFarms.DEP@maine.gov>
Cc: "Boak, Scott" <Scott.Boak@maine.gov>; "Parker, Lauren" <Lauren.Parker@maine.gov>; "Martin, Kevin" <Kevin.Martin@maine.gov>; "Joanna B. Tourangeau" <JTourangeau@dwmlaw.com>; "Bensinger, Peggy" <Peggy.Bensinger@maine.gov>; "Callahan, Beth" <Beth.Callahan@maine.gov>; "DiBello, Carol" <Carol.DiBello@maine.gov>; "David Losee" <David@loseelaw.com>
Attach: NAF 12th Census of the US Hargrave sisters.pdf
Subject: Re: recent correspondence in Nordic Aquafarms

In our supplement we state that Harriet Hartley and Genevieve Hargrave were sisters. As an additional exhibit to our Supplemental filing today, Upstream and the IMLU file a pdf of a page from the Twelfth U.S. Census, taken in Philadelphia, PA in the year 1900.

The 1900 census verifies the following information:

Harriet L. (Hargrave) Brierly (age 25) is the daughter of Ella L. Hargrave (age 46).

In 1900, Harriet (born in November 1874) was a medical student and a widow.

Harriet had two sisters (Genevieve E. Hargrave (age 23) and Esther S. Hargrave (age 6)) living in the rented house, at 2109 Susquehanna Ave, with their mother in Ward 28 of Philadelphia, PA. This same residence was shared with four Boarders and one servant. One of the Boarders was Arthur "Heartley" [sic] (age 27). We believe that this is the same Arthur "Hartley" who Harriet married and with whom she owned the Little River homestead in Belfast, Maine.

We incorporate this information in to our Supplemental filing as proof of our assertion that Harriet L. Hartley and Genevieve E. Hargrave are/were sisters. Further, we submit that any and all heirs of Harriet L. Hartley are also heirs of Genevieve Hargrave. Thus, all "Hartley heirs" are also Genevieve Hargrave heirs or "Hargrave heirs." As such, all of the so-called "Hartley heirs" are the "heirs of Genevieve Hargrave" about whom the 1970 quiet title action was filed and all of these heirs were or would be defendants in the Ferris v. Hargrave quiet title action, Docket No. 11,275. Accordingly, the Final Decree dated June 26, 2019 barred any and all of these Hargrove-Hartley heirs from asserting any claim against the property that was the subject of that case.

1900 Census

Name:	Harriet L Brierly (this was her first and short marriage) [Harriet L Hargrave] (this is her maiden name)
Age:	25
Birth Date:	Nov 1874

6/27/2019

Birthplace: New York
Home in 1900: Philadelphia Ward 28, Philadelphia, Pennsylvania
Ward of City: 28th
Street: Susquehanna Ave
House Number: 2109
Sheet Number: 8
Number of Dwelling in Order of Visitation: 1
Family Number: 183
Race: White
Gender: Female
Relation to Head of House: Daughter
Marital status: Widowed
Father's Birthplace: Missouri
Mother's name: Ella L Hargrave
Mother's Birthplace: New York
Mother: Number of Living Children: 0
Mother: How Many Children: 0
Occupation: Medical Student
Attended School: 8
Can Read: Yes
Can Write: Yes
Can Speak English: Yes
House Owned or Rented: R
Farm or House: H
Neighbors:

	Name	Age
	Ella L. Hargrave_	46 the Mother
	Genevieve E. Hargrave	23 the sister in the deed
	Esther S. Hargrave_	6
	Harriet L. Brierly	25
Household Members:	Arthur Heartley	27 note the future husband is living there as a boarder
	James H. Heartley	17
	Raymond A. Sloetzner	24
	Hans Sloetzner	17
	Mary E. Jackson	50

On Jun 10, 2019, at 4:12 PM, DEP, Nordic Aqua Farms
 <NordicAquaFarms.DEP@maine.gov> wrote:

6/27/2019

Good afternoon,

As follow-up to Peggy's email, the attached correspondence was received today in response to the Department's May 29, 2019 letter.

Sincerely,

BETH CALLAHAN

Project Manager, Bureau of Land Resources

Maine Department of Environmental Protection

(207) 446-1586

www.maine.gov/dep

From: Bensinger, Peggy

Sent: Monday, June 10, 2019 11:13 AM

To: k.ervintucker@gmail.com

Cc: Boak, Scott <Scott.Boak@maine.gov>; Parker, Lauren <Lauren.Parker@maine.gov>; Callahan,

Beth <Beth.Callahan@maine.gov>; Martin, Kevin

<Kevin.Martin@maine.gov>; jtouangeau@dwmlaw.com

Subject: recent correspondence in Nordic Aquafarms

Good morning.

I just returned from vacation and am catching up. The attached letter was sent to Mr. Heim of Nordic Aquafarms and I'm forwarding it to you. Although a formal adjudicatory proceeding with a mandatory service list is not pending at this point, you have, on behalf of your clients, been very involved in this issue. We will also forward to you any materials the DEP receives in response to this letter.

If you have any questions feel free to call me at 626-8578.

Peggy Bensinger

Assistant Attorney General

<19-06-10 Tourangeau - Loyzim.PDF>

6/27/2019