

1911

Two deed to town

Falmouth Foreside

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BOOK 3175

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18897 (24)

### Know all Men by these Presents,

That THE NATURE CONSERVANCY OF THE PINE TREE STATE, INC.

a Corporation organized and existing under the laws of the State of Maine and located at Augusta

in the County of Kennebec and State of Maine

in consideration of One Dollar and other valuable considerations

paid by the Town of Falmouth, Maine, a body corporate, existing under the laws of the State of Maine and located at Falmouth, in the County of Cumberland and State of Maine.

the receipt whereof it does hereby acknowledge, does hereby receive,

release, bargain, sell and convey, and forever quit-claim unto the said

Town of Falmouth, Maine, as aforesaid,

their successors ~~heirs~~ and assigns forever,

a certain lot or parcel of land with the buildings thereon situated on the Northerly side of the Falmouth Foreside Road in the Town of Falmouth, County of Cumberland and State of Maine and bounded and described as follows: Beginning at an iron stake on the Northerly side of said Foreside Road, distant Easterly along said road 212.64 feet from the Southwesterly corner of land conveyed to Francis Cole Saunders by deed dated March 20, 1905, which point of beginning is the Southwesterly corner of land conveyed to Marion Brown Payson by deed of February 2, 1949; thence along said Foreside Road on a course South 71°46' West, 40.06 feet to an iron marking the Southeasterly corner of land now or formerly of John H. Lunt; thence by said Lunt's land on a course of North 15°02' West, 141.92 feet to a stake at said Lunt's Northeast corner; thence by said Lunt's land on a course of South 76°58' West 202.7 feet to a post at land conveyed by Edward H. Sargent et als to George D. Sargent on October 9, 1911, and recorded in Cumberland County Registry of Deeds in Book 882, page 296; thence by said Sargent land on a course of North 44°54' West, 219.5 feet to an iron; thence by said Sargent's land on a course of South 43°18' West, 75.6 feet to an iron; thence on a course of South 38°26' East by said Sargent's land 298.3 feet to said Foreside Road; thence by said Foreside Road on a course of South 88°27' West, 143.4 feet to an iron at land conveyed by Edward and Joseph E. Davis to James W. Lord by deed dated March 16, 1853, and recorded in said Registry in Book 244, page 379; thence by said Lord's land in a course of North 37°57' West 335.7 feet to an iron at said Lord's Northerly corner; thence by land of said Lord on a course of South 52°10' West, 157.75 feet to the center of a stone wall and land now or formerly of Benjamin Lord; thence by land of said Benjamin Lord in a straight line and on a course of about North 38° West, 2,800 feet, more or less to the Southerly line of the new State Highway to Yarmouth; thence Northeasterly along said Highway 1,200 feet more or less to land formerly of Oakley C. Curtis; thence South 38°42' East along said Curtis land 375 feet more or less to land formerly of said Francis Cole Saunders; thence on a course South 45°14' West 489.5 feet along said Saunders land to a stake; thence by land of said Saunders South 38°09' East, 2,830 feet more or less to an iron marking the Northeasterly corner of land conveyed this day to Marion Brown Payson; thence South 66°29' West, 115.37 feet to an iron; thence South 15°02' East, 232.04 feet to an iron at the Northerly side of the said Foreside Road and the point of beginning, containing about 60 acres. Said courses are magnetic and of the date of 1921.

Meaning and intending to convey and hereby conveying the same premises conveyed by Warranty Deed of Marion Brown Payson, Elizabeth Brown Dessau and Simmons Brown to Paul Brown dated February 2, 1949 and recorded in the Cumberland County Registry of Deeds in Book 1946 page 293; but excluding therefrom the following conveyances:

1. Warranty Deed of Paul Brown to John J. Morris Jr. dated September 23, 1949 and recorded in said registry in Book 1973 page 429.

2. Warranty deed of Paul Brown to Warren S. Brown and Charles H. Knight Jr. dated August 6, 1954 and recorded in said registry in Book 2191 page 347.

3. Warranty Deed of Paul Brown to Warren S. Brown and Charles H. Knight Jr. dated August 6, 1954 and recorded in said Registry in Book 2191 page 348.

4. Deed of Perpetual easement by Trustees under the will of Paul Brown to the Town of Falmouth dated November 24, 1969 and recorded in said Registry in Book 3116 page 704.

Reference should also be made to transactions involving exchange of rights of way recorded in said Registry in Book 2238 pages 338 and 356 and in Book 2246 at page 383.

The foregoing conveyance is made subject to all other easements of record.

The Grantee covenants and agrees:

1. It will establish at least three trails for foot or equestrian use between Route 88 and Mill Creek no later than December 31, 1973.

2. No powered recreational vehicles (excepting automobiles in a restricted parking area) will be permitted in the above described area.

3. No bulldozers or like heavy equipment will be used within the area for construction of trails.

This conveyance is made subject to the express condition and limitation that the premises herein conveyed shall forever be held as a nature preserve for scientific, educational and esthetic purposes, and as an area where all persons may go for the enjoyment of nature, and shall be kept entirely in their natural state, without any disturbance whatever of habitat, plant or animal populations, excepting the maintenance of such fences, foottrails and bridal paths as may be appropriate to effectuate the foregoing purposes without impairing the essential natural character of the premises. Should the premises cease to be used solely as provided herein, then the estate hereby granted to the town of Falmouth, its successors and assigns, shall cease and determine and shall revert to and vest in The Nature Conservancy of the Pine Tree State, Inc. its successors and assigns, the said reversion and vesting to be automatic and not requiring any re-entry or other act or deed.

To Have and to Hold the same, together with all the privileges and appurtenances thereunto belonging, to them the said Town of Falmouth, Maine, their successors and

~~XXXXXXXXXX~~ Assigns forever.

And the said Grantor Corporation does covenant with the said Town of Falmouth, Maine their successors and

~~XXXXXXXXXX~~ Assigns, that it will Warrant and Forbear Defend the premises to them the said Grantees, their successors

~~XXXXXXXXXX~~ Assigns forever, against the lawful claims and demands of all persons claiming by, through, or under it.

In Witness Whereof, the said NATURE CONSERVANCY OF THE PINE TREE STATE, INC.

has caused this instrument to be sealed with its corporate seal and signed in its corporate name by E. R. Kingman

, its Vice President

thereunto duly authorized, this 7th day of June

in the year one thousand nine hundred and seventy-one.

Signed, Sealed and Delivered in presence of

The Nature Conservancy of the Pine Tree State, Inc.

*Patrick F. Doonan*  
Asst's Secretary

By *E. R. Kingman*  
Its Vice-President

(Corporate Seal)

Virginia  
State of Maine  
County of Cumberland

June 7th, 1971.

Personally appeared the above named E. R. Kingman, the Vice President of said Grantor Corporation as aforesaid, and acknowledged the foregoing instrument to be his free act and deed in his said capacity, and the free act and deed of said corporation.

Before me,

*Tamara Peters*  
Justice of the Peace.

Notary Public.



My Commission Expires 12/16/1974

REGISTRY OF DEEDS, CUMBERLAND COUNTY, MAINE JUN 15 1971

Received at 1 58 W.M. and recorded in

BOOK 3175 PAGE 404 *W. Keith Kingman* Register

