

05599

DEED OF CONSERVATION EASEMENT

Know All Men By These Presents, that we HAB-CO DEVELOPMENT CORP., a corporation duly organized and existing under the laws of the State of Maine, whose mailing address is P.O. Box 1330, Route 1, Wells, Maine, the grantor, in consideration of ONE DOLLAR (\$1.00) paid by the UNITED STATES OF AMERICA, One Gateway Center, Suite 700, Newton Corner, Massachusetts, grantee, the receipt whereof, is hereby acknowledged, does hereby give, grant, bargain, sell and convey unto the United States of America and its assigns, forever, a CONSERVATION EASEMENT for the preservation of the habitat in its natural condition for wildlife management purposes including the right of government officials to post the boundary line, the right to prohibit hunting thereon and the right to inspect the area to assure such habitat preservation on the hereinafter-described tract of land located in the State of Maine, York County, Town of Wells, situate approximately 0.6 miles south of Wells Center, east of U.S. Route #1, and north of Pope's Creek, being a portion of the land conveyed to the Hab-Co Development Corporation, a Maine corporation, from Lennart N. and Olive H. Peterson in a Warranty Deed dated January 14, 1986, recorded in Book 3736, Page 32, on file at the Registry of Deeds of said County and State at Alfred, and being more particularly described as follows:

TRACT 184C

Being a tract of land, to be designated as a conservation easement and being more particularly described as follows:

BEGINNING at Corner 150, a standard USF&WS aluminum monument, marked "COR. 150 TR. 184 1987", thence S 76° 54' 35" W, along land of the HAB-CO DEVELOPMENT CORPORATION TRACT (184), passing on line at 375.00 feet a standard USF&WS aluminum monument marked, "W. COR. 165 TR. 184 1987", continuing a total distance of 398 feet, more or less, to Corner 164, in the center line of Pope's Creek; thence Northwesterly, along the said center line meanders of Pope's Creek and land of Russell E. Darling, 253 feet, more or less, to Corner 166, from which a standard USF&WS aluminum monument set as a witness and marked, "W. COR. 166 TR. 184C 1987", bears N 21° 21' 25" E, 14 feet, more or less; thence N 21° 21' 25" E, leaving the said center line, along other land of the Hab-Co Development Corporation, 65.52 feet, more or less, to Corner 155, a standard USF&WS aluminum monument, set without a cap; thence N 77° 06' 28" E, along other land of the Hab-Co Development Corporation, 118.88 feet to Corner 154, a standard USF&WS aluminum monument, set and marked, "COR. 154 TR. 184C 1987"; thence S 75° 46' 58" E, along other land of the Hab-Co Development Corporation, 73.90 feet to Corner 153, a standard USF&WS aluminum monument, set and marked, "COR. 153 TR. 184C 1987"; thence S 43° 02' 00" E, along other land of the Hab-Co Development Corporation, 67.70 feet to Corner 152, a standard USF&WS aluminum monument, set and marked, "COR. 152 TR. 184C 1987"; thence S 69° 15' 42" E, along other land of the Hab-Co Development Corporation, 148.63 feet to Corner 151, a standard USF&WS aluminum monument, set and marked, "COR. 151 TR. 184C 1987"; thence N 14° 56' 48" E, along other land of the Hab-Co Development Corporation, 503.95 feet to Corner 156, a standard USF&WS aluminum monument, set and marked, "COR. 156 TR. 184C 1987"; thence S 70° 58' 12" E, along land, now or formerly, of Henry A. and Barbara B. Beaudoin, 76.05 feet to Corner 157, a 1 inch rebar found; thence S 08° 59' 48" W, along land of the UNITED STATES (TRACT 185), 410.80 feet to Corner 146, a USF&WS concrete monument, being Corner 8, of the UNITED STATES (TRACT 185); thence S 10° 59' 58" E, along land of the UNITED STATES (TRACT 185), 100.00 feet to the PLACE OF BEGINNING, containing 2.7 acres, more or less.

The above-described tract of land containing 2.7 acres, more or less, is delineated on a map tracing designated HAB-CO DEVELOPMENT CORPORATION TRACTS (184,C,-I) bearing date of April 7, 1987, of record in the files of the Department of the Interior, and are being acquired for administration by the Secretary of the Interior through the United States Fish and Wildlife Service.

WHEREAS the Grantors desire to preserve the above-described lands in their natural condition for conservation purposes, and do grant the conservation easement in accordance with the Uniform Conservation Easement Act at Title 33, Section 476 et. seq. of the Maine Revised Statutes annotated, and, under the stipulations set forth in Section 170 (h) of the Internal Revenue Code of 1954, as amended (or successor provisions thereto).

WHEREAS the Grantee offers protection and administration of said lands as part of the National Wildlife Refuge System under the regulations set forth in the Code of Federal Regulations, Title 50.

NOW THEREFORE, this Conservation Easement is granted as an absolute and unconditioned gift, forever and in perpetuity for the following purposes and in accordance with the following terms and conditions.

1. The purpose of this easement shall be to conserve and maintain the described land, the vegetation and wildlife thereon, in their natural condition. No use of this land shall be permitted except that which enhances, or does not conflict with, the goals of conservation.
2. The said lands shall be administered as part of the Rachel Carson National Wildlife Refuge.
3. No buildings, structures, fences or improvements of any kind shall be erected on, over, or under the said land except fences and monuments needed to identify and maintain the boundary.
4. No trees, plants, or shrubs shall be destroyed or removed by either party hereto except as necessary to prevent the spread of plant disease or fire, or as necessary to prevent destruction of natural conditions from some other cause.
5. No filling, excavating, or dumping on this land shall be allowed by either party hereto.
6. The Grantee, from time to time, may remove any debris or refuse which may have accumulated on the land.
7. The Grantor reserves unto himself, his heirs and assigns the right to use the property for all purposes not inconsistent with this grant.
8. The use of motor vehicles or aircraft except in any emergency or when necessary to accomplish the conservation purposes of this grant or the reserved rights of the Grantor, are specifically prohibited.

In witness whereof, the said grantor has set its hand and seal this 10th day of February, 1988.

WITNESS:

HAB-CO DEVELOPMENT CORP. *R*

Stephen M. ...

By:

Robert C. Coughlin
Robert C. Coughlin
President

ACKNOWLEDGMENT

State of Maine)
) ss.
County of York)

Date: February 10, 1988

Then personally appeared the above-named Robert C. Coughlin,
President of HAB-CO DEVELOPMENT CORP. 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 Ralph W. Austin
Atty. at Law Notary Public
RALPH W. AUSTIN

My commission expires:

RETURN TO: REGIONAL DIRECTOR (RE)
U.S. FISH AND WILDLIFE SERVICE
ONE GATEWAY CENTER, SUITE 700
NEWTON CORNER, MA 02158

RECEIVED YORK. SS

1988 FEB 17 AM 10:55

RECORDED REGISTRY OF DEEDS

ATTEST: Gina M. Ponzetti
REGISTER