

96-1449

58801

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT, David R. Cowan a/k/a David Cowan of 46 Friar Lane, Cumberland Center, County of Cumberland and State of Maine, for consideration paid, grant to Ronald L. Treister and Caryn C. Treister of 1042 Pleasant Lane, Glenview, IL, As Joint Tenants With Rights of Survivorship with WARRANTY COVENANTS,

A certain lot or parcel of land located in the Town of Cape Elizabeth, County of Cumberland, and State of Maine, bounded and described as follows:

Beginning at a point in an existing stonewall, said point located SOUTH 24° 28' 07" EAST one hundred forty-five and twenty-two hundredths (145.22) feet from the corner of the stonewall, said corner located approximately 385 feet North East of the North East side of the Eastman Road Right of Way and also approximately, 2,025 feet South-Southeasterly of the intersection of Eastman Road and Sawyer Road and said point also being the South West corner of Lot #1, the Cowan's lots; thence NORTH 76° 29' 04" EAST for a distance of four hundred twenty and sixty-three hundredths (420.63) feet to a point on an existing stonewall, said line also being the Southerly sideline of Lot #1; thence SOUTH 5° 49' 42" EAST for a distance of two hundred twenty (220) feet along an existing stonewall to a point, said line also being the Westerly sideline now or formerly of Lydia E. Freythe (Book 4079, Page 238); thence SOUTH 76° 53' 32" WEST for a distance of three hundred forty and ninety-two hundredths (340.92) feet, to an iron pipe set, said line also being the northerly sideline of Lot #3; thence NORTH 42° 14' 57" WEST for a distance of twenty-seven and fifty-four hundredths (27.54) feet to the corner of the existing stonewall, said line also being the Easterly sideline now or formerly of Weldon M. and Harriet M. MacDonald (Book 2607, Page 348); thence NORTH 24° 28' 07" WEST a distance of one hundred ninety-five (195) feet to the point of beginning. Said parcel of land containing 83,362 square feet.

Reference is made to a plan of Glendale Acres in Cape Elizabeth done by Aliberti, Laroche and Hodson Engineering Corporation of Lewiston, Maine, dated March 28, 1960.

Reference is also made to the plan recorded in the Cumberland County Registry of Deeds in Plan Book 137, Page 62 entitled "The Cowan's Lots", Eastman Road, Cape Elizabeth done by Richard A. Manthorne and dated February 1983, showing said lot as Lot #2.

Also, a Right of Way 50' in width to and from Eastman Road approximately 530' in length extending up to the Northwest corner of Lot #1 and across the entire Westerly sideline of Lot #1 said easement following the Southeasterly sideline of property now or formerly of Robert F. Cowan and adjacent to the Northwesterly sideline of land, now or formerly owned by Weldon M. and Harriet M. MacDonald, then following the Westerly sideline of Lot #1 granted to Michael and Julie Cowan to the Northwest corner of said Lot #2. Said Right of Way is to be shared in common with Lots #1 and #3 as shown on the plan entitled "The Cowan's Lots" above mentioned. The grantee covenants and agrees to bear equally with the owners of Lots #1 and #3 the costs and responsibility for providing proper maintenance of said common Right of Way to allow access at all times to emergency vehicles.

MAINE REAL ESTATE TAX PAID

This conveyance is subject to a Right of Way 50' in width to and from Eastman Road approximately 223' in length, extending all along the Westerly sideline of said lot and connecting with the above mentioned Right of Way to provide access and egress to Lot #3 and all other restrictions of record.

This conveyance is also made subject to the obligation to maintain and keep clear the above described 50' Right of Way and to cut any roadside vegetation, on an "as needed basis" that interferes with the northerly sight distance at the Alexander Road entrance, to insure that adequate sight distance is provided year round.

If the Town of Cape Elizabeth incurs costs in cutting the vegetation, after the Grantor notifies the Grantee of the need for cutting, the Grantee shall be obligated to pay said costs.

The aforesaid obligation shall be perpetual, run with the land and be binding upon the heirs and assigns of the Grantor and Grantee herein.

Meaning and intending to describe and convey all and the same premises as conveyed to David Cowan by Warranty Deed of Robert F. Cowman dated March 31, 1983, recorded with the Cumberland County Registry of Deeds at Book 6161, Page 284.

IN WITNESS WHEREOF, I have hereunto set my hand this 30th day of September, 1996.

[Signature] [Signature]
Witness David R. Cowan

STATE OF Maine
COUNTY OF Cumberland

On this 30th day of September, 1996, personally appeared before me the above-named David R. Cowan, and acknowledged the foregoing to be his free act and deed.

[Signature]
Notary Public/Attorney-at-Law
ANGELA B. McCONNELL
Notary Public, Maine
My Commission Expires April 7, 2003

My Commission Expires:

SEAL

RECEIVED
REGISTRY OF DEEDS
OCT -2 PM 1:21
CUMBERLAND COUNTY
ANGELA B. McCONNELL