

TRUSTEE'S DEED

KNOW ALL PERSONS BY THESE PRESENTS that I, **Rose Torrey, Trustee of the M. Hartley MacFadden Trust**, of Brandon, Vermont, Grantor, in the consideration of TEN OR MORE DOLLARS paid to my full satisfaction by _____, of _____, Vermont, Grantee, by these presents do freely GIVE, GRANT, SELL, CONVEY AND CONFIRM unto the said Grantee, _____, his/her heirs and assigns forever, certain lands and premises in Cornwall, in the County of Addison and State of Vermont, described as follows, viz:

A parcel of land containing 4.14 acres, more or less, depicted as Lot 3 on a map entitled "plat showing a proposed subdivision of lands of M. Hartley MacFadden, 625 VT Route 30, Cornwall, Addison County, Vermont," prepared by LaRose Surveys, P.C., dated March 1, 2022, revised May 11, 2022, and recorded as Map _____ in the Cornwall Land Records (the "Plat").

Being a portion only of the lands and premises described in the Warranty Deed of M. Hartley MacFadden to Rose Torrey, Trustee of the M. Hartley MacFadden Trust, dated August 25, 2022, and recorded in Book 93 at Page 103 of the Cornwall Land Records.

The herein conveyed Lot 3 is more particularly described and depicted on the Plat as follows:

Beginning at corner "5," a rebar set in a westerly corner of Lot 3 and the southerly corner of lands now or formerly of the Wheeler & Hammerlind Living Trust;

Thence N 45° 23' 12" E 287.42 feet along said lands of Wheeler/Hammerlind to corner "4," a rebar set in the southwesterly corner of Lot 2;

Thence S 85° 12' 05" E 130.74 feet to corner "19," a point located in the approximate centerline of the private roadway known as Bardon Drive, marking the northeasterly corner of Lot 3 and the northwesterly corner of Lot 1;

Thence along the westerly line of Lot 1, following the centerline of Bardon Drive as it gradually curves to the right, 927 feet, more or less, to corner "10," a point at the southeasterly corner of Lot 3;

Thence following two courses along lands now or formerly of Palmer:

- (1) S 87° 21' 49" W 141.22 feet to corner "9," an iron pipe marking the southwesterly corner of Lot 3;
- (2) N 12° 35' 35" E 203.02 feet to corner "8," an iron pipe marking a southeasterly corner of lands now or formerly of Francia;

Thence following three courses along lands now or formerly of Francia:

- (1) N 12° 29' 50" E 61.67 feet to corner "7," an iron pipe;
- (2) N 82° 45' 52" E 177.77 feet to corner "6," an iron pipe;
- (3) N 05° 29' 00" W 325.0 feet to corner "5" and the point of beginning.

Containing 4.14 acres, more or less.

The herein conveyed Lot 3, together with Lots 1 and 2 as shown on the Plat, is **subject to and benefited by** the following restrictive covenants, which shall run with the land and be enforceable by the owners of Lots 1, 2, and 3 and their heirs, successors and assigns:

- a. Each Lot shall be developed with no more than one single-family residence, together with one accessory dwelling if authorized by applicable State and municipal laws and regulations.
- b. No Lot shall be further subdivided without approval of the other Lot Owners and receipt of all required state and municipal permits. A boundary line adjustment between two Lots that does not create any additional parcels shall not be considered a subdivision within the meaning of this covenant.
- c. No single- or double-wide mobile homes shall be constructed on any Lot.
- d. Campers, motor homes, or similar vehicles may be parked or stored on a Lot, but shall not be occupied for residential purposes for more than 14 days within any calendar year.
- e. No unregistered, inoperative, or “junk” vehicles shall be permitted on any Lot unless stored out of sight inside a garage or similar structure.

The herein conveyed Lot 3 is **subject to and benefited by** an Easement and Road Maintenance Agreement between Rose Torrey, Trustee of the M. Hartley MacFadden Trust, and Michael P. Palmer and Gisela Palmer, dated _____, 2022, and recorded in Book ___ at Page ___ of the Cornwall Land Records. Said Agreement defines the terms of easements and maintenance obligations for access and utility service serving Lots 1 through 3 as well as lands of Palmer located southerly of Lots 1 and 3.

Lot 3 is further **subject to and benefited by** easements and governmental permits of record, provided that nothing in this paragraph shall reinstate obligations previously extinguished by the Vermont Marketable Record Title Act. Without limiting the foregoing, the property is subject to and/or benefited by the following:

1. The 50' wide easement and right of way over the private roadway known as Bardon Drive, as shown on the Plat and as more particularly described in the above-referenced Easement and Road Maintenance Agreement;
2. Easements in favor of third parties over the private roadway known as Andrus Pitch, the centerline of which is shown on the Plat;
3. Final subdivision approval granted by the Cornwall Development Review Board on _____; and
4. State of Vermont Wastewater System and Potable Water Supply Permit No. WW-9-_____, dated _____, and to be recorded in the Cornwall Land Records.

Reference is hereby made to said deeds and their records and to all prior deeds and their records for a further and more complete description of the lands and premises herein conveyed.

TO HAVE AND TO HOLD said granted premises, with all the privileges and appurtenances thereof, to the said Grantee, _____, his/her heirs and assigns, to their own use and behoof forever;

And I, the said Grantor, **Rose Torrey, Trustee of the M. Hartley MacFadden Trust**, for myself and my successors and assigns, do covenant with the said Grantee, his/her successors and assigns, that until the ensealing of these presents I am the sole owner of the premises and have good right and title to convey the same in manner aforesaid, that they are FREE FROM EVERY ENCUMBRANCE; except as aforesaid. And it hereby engages to WARRANT AND DEFEND the same against all lawful claims whatever, except as aforesaid.

IN WITNESS WHEREOF, the Grantor has set its hand and seal this ____ day of _____ 2022.

Rose Torrey, Trustee of the M. Hartley MacFadden Trust

STATE OF VERMONT
ADDISON COUNTY, SS.

This record was acknowledged before me on _____, 202__, by Rose Torrey, Trustee of the M. Hartley MacFadden Trust.

Notary Public