

Deed / E. Sage

EASEMENT DEED
(for right to monitor and enforce restrictions)

I, **DAVID W. SWETLAND** of Alna, County of Lincoln and State of Maine, for consideration paid, GRANT to **HONOR FOX SAGE** and **LOUIS E. SAGE** of Alna, County of Lincoln and State of Maine (whose mailing address is: 133 Head Tide Road, Alna, ME 04535), the following Easement Rights in relation to property of the Grantor.

PURPOSE

This Easement is to give the Grantees, as owners of property abutting the property of Grantor, the right to monitor and enforce the restrictions being imposed on Grantor's property (Servient Estate). See separate companion Deed of even date, to be recorded herewith. The Easement is further described below.

DOMINANT AND SERVIENT ESTATES ARE AS FOLLOWS:

Dominant Estate: Property of **Louis E. Sage and Honor Fox Sage** located in Alna, County of Lincoln and State of Maine, as described in Deed from David W. Swetland dated March 6, 2007 and recorded in Book 2224, Page 129 at the Lincoln County Registry of Deeds (being shown as Lot 36, on Alna Tax Map R-7).

Servient Estate: Property of **David W. Swetland**, located in Alna, County of Lincoln and State of Maine, as described in companion Deed from David W. Swetland to David W. Swetland, of even date, to be recorded herewith at said Registry of Deeds.

EASEMENT DESCRIPTION:

The Grantees, as owners of the Dominant Estate, are hereby given the right to monitor and enforce the following restrictions on the Grantor's property, which restrictions shall run with the land and be perpetual restrictions on the Grantor's property (Servient Estate), and which restrictions shall be monitored and enforced by the Grantees, as owners of abutting land (Dominant Estate):

- The property (Servient Estate) must remain as one parcel, in single ownership;
- The property may only be used as a single family residence, with no commercial use, but this restriction on commercial use shall not prohibit any agricultural and/or sylvicultural "commercial" uses or activities, nor shall it prohibit any "home occupations" that comply with local land use ordinances;
- The property may not be subdivided, whether by creation of separate lots, or by any other functionally separate areas or uses that are inconsistent with the above-noted restrictions;

and

- The hardwood trees (many old, and some newly planted) located within 100' of the high water line of the Sheepscot River shall be protected from cutting, removal or any other human action that would shorten their natural life. Trees that are naturally damaged or diseased may be trimmed or removed, if and as necessary to protect the riverbanks and the natural beauty of the trees within the 100'-wide shoreline corridor along the river.
- The approximately 50 acres of wood lot located in the Southwest corner of the property between Route 218 and Dock Road shall remain undisturbed wood lot property.

These restrictions shall be monitored and enforced by the Grantees, and their successor owners, as owners of abutting property (Dominant Estate), individually or jointly, so that any one or more owners of the abutting property may act to monitor and enforce.

APPURTENANT TO GRANTEES' LAND:

This Easement shall run with and be appurtenant to Grantees' land (Dominant Estate).

WITNESS my hand and seal this 9th day of January, 2009.



WITNESS




DAVID W. SWETLAND

STATE OF MAINE
COUNTY OF LINCOLN, SS.

January 9, 2009

Personally appeared before me the above-named DAVID W. SWETLAND and acknowledged the foregoing instrument to be his free act and deed.

Before me,



Notary Public

Print Name: Eliot Field

Commission Expires: NA



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RETTD

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**MAINE REVENUE SERVICES
REAL ESTATE TRANSFER TAX
DECLARATION**

TITLE 36, M.R.S.A. SECTIONS 4641-4641N

PLEASE TYPE OR PRINT CLEARLY

7205

1. COUNTY
LINCOLN**DO NOT USE RED INK!**2. MUNICIPALITY/TOWN/SHP
ALNA

BOOK/PAGE—REGISTRY USE ONLY

3. GRANTEE/
PURCHASER
3a) Name (LAST, FIRST, MI)
SAGE, HONOR FOX
3b) SSN or Federal ID
3c) Name (LAST, FIRST, MI)
SAGE, LOUIS E.
3d) SSN or Federal ID
3e) Mailing Address
133 HEAD TIDE ROAD
3f) City
ALNA
3g) State
ME
3h) Zip Code
045354. GRANTOR/
SELLER
4a) Name (LAST, FIRST, MI)
SWETLAND, DAVID W.
4b) SSN or Federal ID
4c) Name (LAST, FIRST, MI)
4d) SSN or Federal ID
4e) Mailing Address
P.O. BOX 106
4f) City
ALNA
4g) State
ME
4h) Zip Code
045355. PROPERTY
5a) Map Block Lot Sub-Lot
5b) Physical Location
E. OF RTE 218, N. OF DOCK RD
Check any that apply:
 No tax maps exist
 Multiple parcels
 Portion of parcel
5c) Type of property—Enter the code number that best describes the property being sold. (See instructions)
5d) Acreage:6. TRANSFER TAX
6a) Purchase Price (If the transfer is a gift, enter "0") 6a \$ 0.00
6b) Fair Market Value (enter a value only if you entered "0" in 6a) or (if 6a) was of nominal value) 6b \$ 0.00
6c) Exemption claim - Check the box if either grantor or grantee is claiming exemption from transfer tax and explain.7. DATE OF TRANSFER (MM-DD-YYYY)
01-09-2009
MONTH DAY YEAR
8. WARNING TO BUYER—if the property is classified as Farmland, Open Space or Tree Growth, a Substantial financial penalty could be triggered by development, subdivision, partition or change in use. CLASSIFIED9. SPECIAL CIRCUMSTANCES—Were there any special circumstances in the transfer which suggest that the price paid was either more or less than its fair market value?
If yes, check the box and explain:
Transfer of right to enforce nominal restrictions, which have no discernable value.10. INCOME TAX WITHHELD—Buyer(s) not required to withhold Maine income tax because:
 Seller has qualified as a Maine resident
 A waiver has been received from the State Tax Assessor
 Consideration for the property is less than \$50,00011. OATH
Aware of penalties as set forth by Title 36 §4641-K, we hereby swear or affirm that we have each examined this return and to the best of our knowledge and belief it is correct, and complete. Grantee(s) and Grantor(s) or their authorized agent(s) are required to sign below.
Grantee [Signature] Date 1-9-09 Grantor David W. Swetland Date 1-9-09
Grantee [Signature] Date Grantor12. PREPARER
Name of Preparer Eliot Field Law Office Phone Number (207) 882-9446
Mailing Address PO Box 583 I-Mail Address eliot@fieldlaw.us
Wiscasset, ME 04578