



WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS, that I, KRISTI A. NIEDERMANN, whose mailing address is 66 Broad Cove Lane, Cushing, Maine 04563, for consideration paid, grant to INHABITANTS of the TOWN OF CUSHING (hereinafter “the Town”), a municipality located in, Knox County and State of Maine with a mailing address of 39 Cross Road, Cushing, ME 04563, with **WARRANTY COVENANTS**, a certain lot or parcel of land, situated in, Cushing, County of Knox and State of Maine, bounded and described as follows:

Beginning at the westerly end of Long Creek bridge; thence southerly and westerly and northerly by said Creek and by the waters of St. Georges River at Broad Cove, so called, to the head of Broad Cove at land formerly owned by William Rice, deceased; thence by the town road leading to Thomaston easterly to the first bounds, containing fifteen (15) acres, more or less.

Subject to grant of waiver for a subsurface waste disposal system dated February 28, 1989 and recorded in the Knox County Registry of Deeds in Book 1334, Page 112.

Excepting and reserving, however, to Barbara Lash, an easement for the purpose of access to Broad Cove and unobstructed view from the house conveyed to her by Lizzie F. Fales, which easement shall affect the westerly-most two hundred fifty (250) feet of the lot conveyed herein, said easement being described in a deed recorded in Book 1334, Page 110.

FOR REFERENCE see deed from Marie F. Pease to Thelma N. Dodge and Kristi A. Niedermann dated November 16, 2016 and recorded in the Knox County Registry of Deeds Book 5110, Page 69. Kristi A. Niedermann is the surviving joint tenant, Thelma N. Dodge having died on November 17th, 2016.

This property is conveyed subject to the following restrictive covenants, the purpose of which are to preserve and protect the above described property for access through the property and to the water by the general public and to keep the above-described property in substantially natural undeveloped and scenic condition; to insure the continued enjoyment of the property by the general public as a park for low impact outdoor recreation nature observation and study and to ensure that the above-described property remains under the ownership of the Town of Cushing dedicated to the uses contemplated hereunder.

These covenants shall run with the land and be binding in perpetuity upon the Inhabitants of the Town of Cushing, its successors and assigns forever for the benefit of the general public:

1. The above-described property may not be divided nor used to increase the density of development of other land.

2. The above-described property shall be used as a park to be named the “Good Neighbor Park”.

3. The Town shall have the right to install and maintain only minor structures necessary or appropriate for low impact outdoor recreation nature observation including but not limited to stone benches, a gravel parking area for no more than 5-6 cars (not to be paved), picnic tables, a boat rack, steps or a ramp for access to the shore, a sign in the parking lot explaining the name and history of the Park, and an enclosed porta potty, erosion control devices and barriers to protect the fragile areas and prevent inappropriate use. Notwithstanding the foregoing the following is specifically prohibited on the above-described property: campgrounds, recreational courts and playing fields.

The Town shall have the right to alter the surface of the soils only to the minimum extent necessary and appropriate to install and maintain the improvements permitted herein.

No overboard discharge and no dumping, storage or burial of waste material of any nature shall be permitted on the property.

The Town agrees to permit and will refrain from prohibiting or discouraging day time low impact outdoor recreational use of the property by the general public, such as walking, hiking, nature observation, and picnicking, that are consistent with the protection and preservation of the scenic and natural character of the property. Access to the water for fishing, clamming, worming and other similar uses shall be allowed, subject to generally applicable laws, ordinances and regulations.

The Town agrees to establish a Trust fund for the benefit of the Good Neighbor Park. The Trust shall accept donations from the general public and the funds will be used for the care, maintenance and improvement of the Park. The Town Selectman shall be responsible for overseeing and managing the fund.

Enforcement of these covenants is reserved to the grantor and granted to the Inhabitants of the Town of Cushing.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this _____ day of _____, 2017.

Witness

Kristi A. Niedermann

STATE OF MAINE

County of _____, 2017

Personally appeared the above named Kristi A. Niedermann and acknowledged the foregoing instrument to be her free act and deed.

Before me,

Notary Public/Attorney at Law

PROPOSED