

FAX TO: 207 669 8319

SELLER'S PROPERTY DISCLOSURE - LAND ONLY

PROPERTY LOCATED AT: VISTA WAY, MOUNT DESERT, ME 04660

Under Maine Law, certain information must be made available to buyers prior to or during preparation of an offer. This statement has been prepared to assist prospective buyers in evaluating this property. This disclosure is not a warranty of the condition of the property and is not part of any contract between the Seller and any buyer. The Seller authorizes the Listing Broker in this transaction to disclose the information in this statement to other real estate licensees and to prospective buyers of this property. The Seller agrees to notify the Listing Broker promptly of any changes in the information and this form will be appropriately changed with an amendment date. Inspections are highly recommended.

NOTE: DO NOT LEAVE ANY QUESTIONS BLANK. WRITE N/A (NOT APPLICABLE) OR UNKNOWN IF NEEDED.

SECTION I. HAZARDOUS MATERIAL

The Seller makes the following representations regarding known hazardous materials that are currently or previously existing in or on the real estate:

A. UNDERGROUND STORAGE TANKS - Current or previously existing:
 Are there now, or have there ever been, any underground storage tanks on your property? Yes No Unknown
 IF YES: Are tanks in current use? Yes No
 IF NO above: How long have tank(s) been out of service? NA
 What materials are, or were, stored in the tank(s)? NA
 Age of tank(s): NA Size of tank(s): NA
 Location: NA
 Have you experienced any problems such as leakage? NA
 Are tanks registered with the Dept. of Environmental Protection? Yes No Unknown
 If tanks are no longer in use, have tanks been abandoned according to D.E.P.? Yes No Unknown
 Comments: INFORMATION FROM FORMER OWNER

B. OTHER HAZARDOUS MATERIALS - Current or previously existing (such as Toxic Material, Land Fill, Radioactive Material, etc.):
NA Yes No Unknown
 Attachment explaining current problems, past repairs or additional information to any of the above hazardous materials? Yes No

Buyers are encouraged to seek information from professionals regarding any specific issue or concern.

SECTION II. GENERAL INFORMATION

Is the property subject to or have the benefits of any encroachments, easements, rights-of-way, leases, rights of first refusal, life estates or restrictive covenants on the property? Yes No Unknown
 IF YES: Explain: RIGHT OF WAY TO ABUTTING PROPERTY
 What is your source of information: SURVEY
 Are there any shoreland zoning, resource protection or other overlay zone requirements on the property? Yes No Unknown
 IF YES: Explain: LAKE FRONT PROPERTY
 What is your source of information: SIGHT
 Is the subject property the result of a division of property within the last five years (for example, subdivision)? Yes No Unknown
 IF YES: Explain: DONE JUST 5 YEARS AGO
 What is your source of information: DEEDS
 Are you receiving a tax exemption or reduction for this property for any reason including but not limited to: Tree Growth, Open Space and Farmland, Blind, Working Waterfront? Yes No Unknown
 IF YES: Explain: NA
 Has property ever been soil tested? Yes No Unknown If YES, are the results available? Yes No
 Are mobile/manufactured homes allowed? Yes No Unknown Are modular homes allowed? Yes No
 Has the property been surveyed? Yes No Unknown If YES, is the survey available? Yes No
 ATTACHMENTS: Yes No
 Additional Information: NA

Seller shall be responsible and liable for any failure to provide known information about property defects to Buyer.

SELLER: Howard K Mason DATE: 6/27/09
 SELLER: _____ DATE: _____

I/We have read and received a copy of this disclosure and understand that I/we should seek information from qualified professionals if I/we have questions or concerns.

BUYER: _____ DATE: _____ BUYER: _____ DATE: _____

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**EXHIBIT A TO QUITCLAIM DEED WITH COVENANT
FROM BRIAN D. SHAW AND MICHELLE N. SHAW
TO HOWARD K. MASON**

A certain lot or parcel of land situated in the Town of Mount Desert, Hancock County, Maine, described as follows:

Lot 2-1 as depicted on the *Plan* prepared by Civil Engineering Services, Inc., dated October 5, 2004, entitled "Final Subdivision Plan of Long Pond Vista II, A Second Revision of the Farnum Subdivision, Ripples Road - Long Pond, Town of Mount Desert, Hancock County, Maine", approved by the Town of Mount Desert Planning Board on October 25, 2004 and recorded in the Hancock County Registry of Deeds on October 26, 2004 in File 33, Number 95.

Being a portion of the premises described as conveyed in the Deed from Henry W. Farnum to Brian D. Shaw and Michelle N. Shaw, dated August 15, 2003 and recorded in the Hancock County Registry of Deeds in Book 3713, Page 131.

SUBJECT TO the Declaration of Protective Covenants and Restrictions of Long Pond Vista Subdivision, Town of Mount Desert, ME, recorded in Book 4009, Page 289 of the Hancock County Registry of Deeds on September 3, 2004.

SUBJECT TO the rights of the public and others entitled thereto in and to any portion of the insured premises lying within the normal bounds of the roadways and common areas as depicted on the plat of a subdivision entitled, "Final Subdivision Plan of Long Pond Vista, A Revision of the Farnum Subdivision, Ripples Road - Long Pond, Town of Mount Desert, Hancock County, Maine", approved by the Town of Mount Desert Planning Board and recorded in the Hancock County Registry of Deeds on February 27, 2004 in File 32, Number 103.

SUBJECT TO the following restrictive covenants which shall be binding on and exercisable by the respective heirs, executors, administrators, successors and assigns of the Grantee and the Grantor and will extend to and be binding upon each and every transfer of the lot and each deed in the chain of title shall make specific reference to these restrictions, but failure to make such reference shall not invalidate or render unenforceable any of the restrictions:

- 1) The residence will be 3,000 to 5,000 square feet;
- 2) The height of the structures will be in compliance with the Town of Mount Desert's Shoreland Zoning Ordinance;
- 3) The garage, attached or detached, will accommodate two to four vehicles;
- 4) A guest house may be constructed with no more than two bedrooms and two baths; and
- 5) The structures will comply with the design criteria set forth in the Declaration at Article 3, Paragraph (c), Subparagraphs (i) through (v)

The above restrictions shall be covenants running with the land and shall be binding upon and shall apply only to the subject premises.

Together with Sellers' Agreement that, pursuant to that Declaration of Protective Covenants and Restrictions of Long Pond Vista Subdivision, Town of Mount Desert, Maine, recorded in Book 4009, Page 289 of the Hancock County Registry of Deeds, Sellers, as Declarant and Developer, will approve plans and specifications from time to time for the construction and/or remodel of a residence, a garage, a guest house and other structures on aesthetic grounds if the plans and specifications for such structures comply with the design criteria set forth in said Declaration in Article 3, (c), (i) through (v).

By acceptance of this deed, the Grantors agree to become members of the Vista Way Road Property Owner's Association.

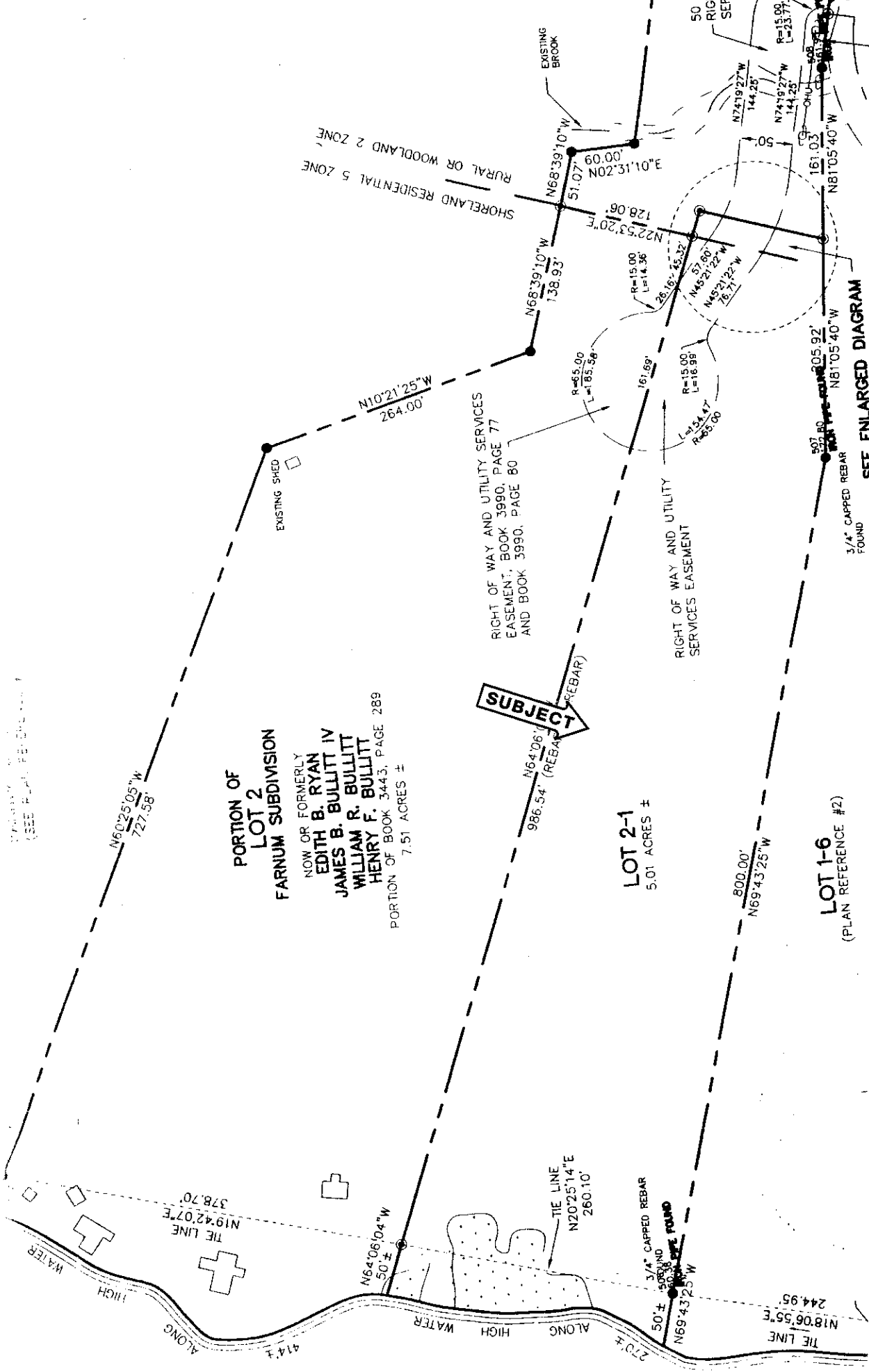
**PORTION OF
LOT 2
FARNUM SUBDIVISION**

NOW OR FORMERLY
**EDITH B. RYAN
JAMES B. BULLITT IV
WILLIAM R. BULLITT
HENRY F. BULLITT**
PORTION OF BOOK 344.3, PAGE 289
7.51 ACRES ±

SUBJECT

LOT 2-1
5.01 ACRES ±

LOT 1-6
(PLAN REFERENCE #2)



SEE ENLARGED DIAGRAM

3/4" CAPPED REBAR FOUND

PROPERTY RECORDS (SEE PLAN REFERENCE #1)

11

