

Lots 1, 3, 4, 5, 7.

# SELLER'S PROPERTY DISCLOSURE - LAND ONLY

PROPERTY LOCATED AT: SAND POINT ROAD SUBDIVISION LOTS, BAR HARBOR, ME 04609

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: NA

B. OTHER HAZARDOUS MATERIALS - Current or previously existing (such as Toxic Material, Land Fill, Radioactive Material, etc.):  
NO  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: DEEDED COVENANTS AND RIGHT OF WAY ROAD  
 What is your source of information: DEED AND OWNER

Are there any shoreland zoning, resource protection or other overlay zone requirements on the property?  Yes  No  Unknown  
 IF YES: Explain: NA  
 What is your source of information: NA

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: LARGER PIECE PURCHASED RECENTLY AND SUBDIVIDED BY TOWN CODE  
 What is your source of information: OWNER AND TOWN RECORDS

Are you receiving a tax exemption or reduction for this property for any reason including but not limited to: Tree Growth, Open Space or 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: LOT 4 HAS WELL IN PLACE.

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

Brian D Shaw 5/1/09  
 SELLER DATE SELLER DATE  
**BRIAN D SHAW**

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



**QUITCLAIM DEED WITH COVENANT**

KNOW ALL MEN BY THESE PRESENTS, that **BLUEBERRY HILL DEVELOPMENT CORP.**, a Maine corporation having a principal place of business in the Town of Bar Harbor, Hancock County, Maine, and a mailing address of 41 Holland Avenue, Bar Harbor, ME 04609, for consideration paid, **GRANTS** to **BRIAN D. SHAW** whose mailing address is 4 Woodland Path, Mount Desert, ME 04860, with QUITCLAIM COVENANT, a certain lot or parcel of land situated in the Town of Bar Harbor, County of Hancock, State of Maine, as described in Exhibit A annexed hereto, incorporated herein and made a part hereof.

Together with all rights, easements, privileges and appurtenances belonging to the granted estate.

IN WITNESS WHEREOF, BLUEBERRY HILL DEVELOPMENT CORP. has caused this instrument to be executed and sealed with its corporate seal in its name and behalf by Ronald P. MacQuinn, its President hereunto duly authorized, this 1<sup>st</sup> day of February, 2008.

BLUEBERRY HILL DEVELOPMENT CORP.

Ronald P. MacQuinn  
By: Ronald P. MacQuinn  
Its: President

STATE OF MAINE  
COUNTY OF HANCOCK

February 1<sup>st</sup>, 2008

Personally appeared the above named Ronald P. MacQuinn and acknowledged the foregoing Instrument to be his free act and deed in his capacity as President of Blueberry Hill Development Corp. and the free act and deed of Blueberry Hill Development Corp..

Before me,

B. B. Chapman  
Notary Public/Attorney at Law

Douglas B. Chapman  
Notary: Print or Type Name  
My Commission Expires:

EXHIBIT A TO QUITCLAIM DEED WITH COVENANT  
FROM BLUEBERRY HILL DEVELOPMENT CORP.  
TO BRIAN D. SHAW

A certain lot or parcel of land situated easterly of the Sand Point Road in the Town of Bar Harbor, Hancock County, Maine, bounded and described as follows, to wit:

Beginning at a one (1) inch iron bolt set in the ground at an angle point in the southerly line of a lot of land conveyed to Brian D. Shaw from Blueberry Hill Development Corp. in a deed dated July 11, 2007 and recorded in the Hancock County Registry of Deeds in Book 4809, Page 157, being North 9 degrees 49 minutes 53 seconds East (N. 09° 49' 53" E) two hundred ninety-four and sixty-two hundredths (294.62) feet from a one (1) inch iron bolt set in the ground at the northeasterly corner of a lot of land conveyed to Maurice E. and Charla J. Drown from John M. O'Donnell dated September 12, 1986 and recorded in the Hancock County Registry of Deeds in Book 1604, Page 310; thence North 72 degrees 54 minutes 13 seconds East (N. 72° 54' 13" E.) by and along said southerly line of land of Shaw, two hundred ninety and ninety-six hundredths (290.96) feet to a one (1) inch iron bolt set in the ground; thence North 57 degrees 09 minutes 13 seconds East (N. 57° 09' 13" E.) by and along said southerly line of land of Shaw, one hundred sixty and fifty-three hundredths (160.53) feet to the westerly line of a lot of land conveyed to said Brian D. Shaw from Christopher B. Swan in a deed dated July 5, 2007 and recorded in the Hancock County Registry of Deeds in Book 4801, Page 182; thence South 23 degrees 35 minutes 47 seconds East (S. 23° 35' 47" E.) by and along said westerly line of land of Shaw, thirty and forty hundredths (30.40) feet to a point which bears North 57 degrees 09 minutes 13 seconds East (N. 57° 09' 13" E.) from a one (1) inch iron bolt set in the ground; thence South 57 degrees 09 minutes 13 seconds West (S. 57° 09' 13" W.) by and along the line of remaining land of Blueberry Hill Development Corp., one hundred fifty-nine and seventy-nine hundredths (159.79) feet to said bolt; thence South 72 degrees 54 minutes 13 seconds West (S. 72° 54' 13" W.) by and along said line of remaining land of Blueberry Hill Development Corp., three hundred ten and thirty-five hundredths (310.35) feet to a ship spike set in ledge on the aforementioned southerly line of land of Shaw; thence North 9 degrees 49 minutes 53 seconds East (N. 09° 49' 53" E.) by and along said southerly line of land of Shaw, thirty-three and sixty-five hundredths (33.65) feet to the point of beginning and containing 0.32 acres.

The above-described premises are a portion of those premises conveyed to Blueberry Hill Development Corp. by Jean P. Register in the deed dated November 15, 1968 and recorded in the Hancock County Registry of Deeds in Book 1071, Page 92.

The above mentioned bearings are oriented to Grid North, NAD 83.

Ret: Ross + King L.D.

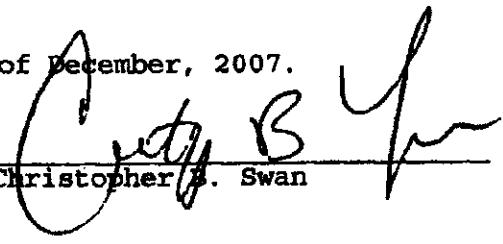
Portion

**QUITCLAIM DEED WITH COVENANT**

KNOW ALL MEN BY THESE PRESENTS, That I, **CHRISTOPHER B. SWAN**, having a mailing address of P.O. Box 63, Bar Harbor, Maine 04609, for consideration paid, **GRANT** to **BRIAN D. SHAW**, having an address of 4 Woodland Path, Mount Desert, Maine 04660, with **QUITCLAIM COVENANT**, a certain lot or parcel of land, together with the buildings thereon, situated in Bar Harbor, Hancock County, Maine, more particularly described in **EXHIBIT A** attached hereto and incorporated herein.

WITNESS my hand this 27<sup>th</sup> day of December, 2007.

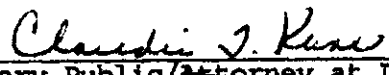
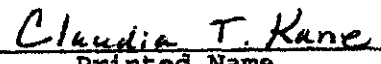
MAINE REAL ESTATE  
TRANSFER TAX PAID

  
Christopher B. Swan

STATE OF MAINE  
COUNTY OF HANCOCK

December 27, 2007.

Personally appeared the above-named Christopher B. Swan and acknowledged the above instrument to be his free act and deed.  
Before me,

  
Notary Public/Attorney at Law  
  
Printed Name

**SEAL**

**EXHIBIT A**

**Deed from Christopher B. Swan  
To  
Brian D. Shaw**

A certain lot or parcel of land, together with the buildings thereon, situated in Bar Harbor, Hancock County, Maine, bounded and described as follows:

All and the same premises (except as hereinafter noted) described as conveyed in the deed dated April 5, 2006, recorded in Book 4468, Page 186 of the Hancock County Registry of Deeds from Bernard C. Staples and Jeanette S. Staples to Christopher B. Swan as follows:

\*three (3) certain lots or parcels of land, together with the buildings thereon, situated in Bar Harbor, Hancock County, Maine, being all and the same premises described in the deed dated May 4, 1989, recorded in Book 1750, Page 246 of the Hancock County Registry of Deeds from Clark R. Staples to Olive L. Staples as follows:

'FIRST LOT: All and the same land conveyed by Jere C. Hamor to Granville H. Hamor and Irving G. Hamor by deed dated August 20, 1910, and recorded in Book 472, Page 334 of the Hancock County Registry of Deeds, described therein as follows:

Beginning at a point in the center of the brook at the southwest corner of land of Harry E. Stearns, and running from thence North 72° 15' East, following the south line of land of Harry E. Stearns and land of Florence Bowden, two hundred and seventy two and four tenths (272.4) feet to the west line of land of Granville H. Hamor; thence following said west line of said land of Granville H. Hamor to the southwest corner of said land; thence south 22° 15' East six hundred and eighty five (685) feet; thence south 72° 15' West three hundred and fifty (350) feet more or less to the east line of land of Orrington Hamor; thence following said east line of land of said Orrington Hamor and the east line of land of Harry E. Stearns to the place of beginning and containing four (4) acres. Meaning and intending to convey four full acres of land lying south of and adjoining land of Harry E. Stearns and Florence Bowden, to each of said Grantees one undivided one half part.

Reference is also made to deed from Granville H. Hamor to

Irving G. Hamor, dated January 9, 1914, recorded in Book 503, Page 236 of said Registry, conveying his one-half interest in the above-described property.

SECOND LOT: All and the same land conveyed by Jerry C. Hamor to Irving Hamor by deed dated January 31, 1913, and recorded in Book 503, Page 238 of said Registry, described therein as follows:

Beginning at an Iron Pipe driven in the ground at the South Westerly corner of Granville Hamor home lot, thence following southerly line of said home lot N. 69° 30' E. Two Hundred (200) feet to a Birch Tree, Thence S. 23° 00' E. Seven Hundred and one (701) feet to a stake driven in the ground in an old wood road, thence S. 71° 30' W. Two Hundred (200) feet to a drill hole in ledge Boulder Marking the Southeasterly corner of another lot of land owned by said Granville Hamor; thence N. 23° 00' W. following the Easterly line of said Lot Six Hundred and Ninety Seven (697) feet to the place of beginning containing Three and 21/100 (3.21) acres more or less, as surveyed by E. W. Hill surveyor Jany. 27, 1913.

THIRD LOT: All and the same land conveyed by Granville H. Hamor to Irving G. Hamor by deed dated July 17, 1937, and recorded in Book 664, Page 355 of said Registry, described therein as follows:

Beginning on the south side of the town road leading from the cement road around Sand Point at the northeast corner of land now or formerly of Rebecca Rinaldo and following said road north seventy-five degrees and fifteen minutes east eleven rods and four links to a stake; thence south eleven degrees east passing through a hackmatack tree twenty rods and six links to a stake on the north line of land now or formerly of J. C. Hamor; thence following said Hamor's line south seventy degrees and ten minutes West eleven rods and four links to said Rebecca Rinaldo's southeast corner; thence on said Rinaldo's east line north eleven degrees west twenty-one and one half rods to the place of beginning and contains one and one half acre, more or less.

Meaning and intending hereby to convey all of the same premises conveyed to the grantor herein by Hosea K. Hamor, by deed dated September 28, 1883, and recorded in the Hancock County, Maine, Registry of Deeds, in Book 207, Page 415, to which deed and the record thereof express reference is hereby made.

Excepting from the First Lot above described the following

lot or parcel of land conveyed as the Second Lot in deed from Irving G. Hamor to Abram T. Kerr et al dated August 6, 1924, and recorded in Book 590, Page 3, and described therein as follows:

SECOND LOT:- Beginning at a birch tree in the western line of land of Granville Hamor and in the southern line of land of Florence A. Bowden; thence South five degrees East by said land of Granville Hamor thirty-four feet to a piece of iron pipe driven in the ground; thence South seventy-four degrees West ninety-one and eight-tenths feet to a piece of iron pipe driven in the ground; thence North five degrees West twenty-seven feet more or less to a piece of iron pipe driven in the ground in said southern line of land of Florence A. Bowden; thence North seventy degrees East by said land of Florence A. Bowden ninety-one feet to the point of beginning.

Excepting from the above described premises and not hereby conveying all and the same premises described as conveyed to James H. Kitler et al. by deed of Clark R. Staples and Olive L. Staples, dated December 22, 1986, recorded in Book 1617, Page 2, of the Hancock County, Maine, Registry of Deeds, and being described in said deed as follows, to wit:

A certain lot or parcel of land situated southerly of the Ovens Road a/k/a the Sand Point Road in the Town of Bar Harbor, Hancock County, Maine, and being more particularly bounded and described as follows, to wit:

Beginning at a point on the southerly line of land described as the THIRD LOT in deed of Robert J. Hylander et al. to the grantors herein, dated August 27, 1968 and recorded in Book 1066, Page 370 of the Hancock County, Maine, Registry of Deeds, said point bears North seventy-five degrees and no minutes East (N. 75° 00' E.) of and one hundred (100) feet from an iron pipe set in the ground marking the southwesterly corner of said THIRD LOT; thence South twenty-three degrees and fifty-four minutes East (S. 23° 54' E.) and crossing remaining land of the grantors, a distance of one hundred seventy-five (175) feet to a point; thence South seventy-four degrees and thirty minutes West (S. 74° 30' W.) and crossing remaining land of the grantors, a distance of three hundred fifty-eight (358) feet more or less to the centerline of a brook and on line of land now or formerly of Thomas and Olga Bowden; thence in a northerly and northwesterly direction but always following the centerline of said brook and line of land of Bowden, a distance of one hundred seventy-five (175) feet, more or less, to the point where the southerly line of land now or formerly of Jonathan and Frances Sherman

intersects with the centerline of said brook, which point also marks the southwestern corner of said land of Sherman; thence North seventy-four degrees and thirty minutes East (N. 74° 30' E.) but always following line of Sherman, a distance of one hundred sixty-two (162) feet, more or less to an iron pipe marking a corner of land of Sherman; thence South twelve degrees and ten minutes East (S. 12° 10' E.), but always following line of land of Sherman, a distance twenty-seven (27) feet to a point; thence North seventy-seven degrees and fifty-three minutes East (N. 77° 53' E.) but always following line of land of Sherman, a distance of ninety-one and eight tenths (91.8) feet to a point; thence North twelve degrees and thirty-six minutes East (N. 12° 36' E.), but always following line of Sherman, a distance of thirty-four (34) feet to an iron pipe marking the southwestern corner of said THIRD LOT; thence North seventy-five degrees and no minutes East (N. 75° 00' E.) and following the southern line of said THIRD LOT, a distance of one hundred (100) feet to the point of beginning; containing 1.3745 acres more or less.

The above described lot is a part of the premises described as the FIRST LOT and SECOND LOT in deed of Robert J. Hylander et al to the grantors herein, noted above.'

Reference is hereby made to the following deeds:

1. Deed of Distribution dated April 12, 2005, recorded in Book 4171, Page 233 of the Hancock County Registry of Deeds from Bernard C. Staples, Personal Representative of the Estate of Olive L. Staples, to Bernard C. Staples; and

2. deed dated April 12, 2005, recorded in Book 4171, Page 238 in said Registry of Deeds from Bernard C. Staples to Bernard C. Staples and Jeanette S. Staples."

**EXCEPTING FROM THE ABOVE-DESCRIBED PREMISES AND NOT HEREBY CONVEYING**, all and the same premises described as conveyed in the deed dated July 5, 2007, recorded in Book 4801, Page 182 of said Registry of Deeds from Christopher B. Swan to Brian D. Shaw.

