K & K Land Surveyors, Inc.
P. O. Box 596
Oakland, ME 04963
Tel: 1-(207)-465-7077
July 8, 1991

10744

BOUNDARY LINE AGREEMENT
between
JOHN & CONSTANCE BRANDT
ROBERT MARCUS & AMY RITZHAUPT-MARCUS
East Pond Road to East Pond
Smithfield, Maine

BOUNDARY LINE AGREEMENT between Robert M. Marcus and Amy Ritzhaupt-Marcus of Dedham, County of Norfolk and Commonwealth of Massachusetts, herein referred to as Marcus, and John Brandt of Westport, County of Fairfield and State of Connecticut and Constance M. Brandt of Stamford, County of Fairfield and State of Connecticut, herein referred to as Brandt, WITNESSETH THAT:

WHEREAS, Marcus is the owner of property situated in the Town of Smithfield, County of Somerset and State of Maine, which they acquired by deed of George B. Hatley et al., which deed is dated March 11, 1986 and is recorded in the Somerset County Registry of Deeds, Bk. 1249, Pg. 157; and

WHEREAS, Brandt is the owner of property, which abuts the above referenced land of Marcus, said property also situate in said Smithfield, which they acquired by deeds of Francis J. Kilkelly, Personal Representative, which deeds are dated September 21, 1990 and recorded in said Registry Bk. 1640, Pg. 349 and Pg. 351; and

WHEREAS, a dispute has arisen between the parties as to the location of their said common boundary line, said common boundary line running west northwesterly from the westerly right of way line of the East Pond Road, so-called, to the easterly shore of East Pond, so-called. Marcus claims the line fixed by the various deeds in the parties' titles, as located on a the survey of the Marcus land entitled, "Plan of Property known as Lakeridge Condominiums," dated Sept. 1989, by K & K Land Surveyors, Inc., Robert K. Knowlton, L.S. # 1318, said plan recorded in the Somerset Registry of Deeds Plan File # 89-213. Brandt disputes the line as located by said survey.

WHEREAS, the parties agree that the common boundary between their properties is uncertain and that the doubt and uncertainty as to the true location of the common boundary causes an apprehension of future disturbance and litigation and both are desirious of settling this dispute;

NOW THEREFORE, in consideration of One Dollar and other valuable consideration each to the other paid, Robert M. Marcus and Amy Ritzhaupt-Marcus for themselves, their heirs, personal

representatives and assigns, and John Brandt and Constance M. Brandt for themselves, their heirs, personal representatives and assigns do hereby agree to establish and permanently locate their common boundary line as described hereafter.

Beginning at a point in the westerly right of way line of the East Pond Road, so-called, said point being Nineteen and Eighty-two Hundredths (19.82) feet in said road line north-northwesterly of the iron pin shown on the above referenced plan as the southeasterly corner of Lakeridge Condominiums, thence by following courses and distances, to wit:

1) North Eighty-Nine Degrees, Seven Minutes, Forty-three Seconds West (N 89°-07'-43" W), a distance of Thirty-one and Forty-nine Hundredths (31.49) Feet to a point in the southwesterly line of Lakeridge Condominiums as shown on said plan, said point being Forty-one and Nine Hundredths (41.09) Feet in said southwesterly line from the iron pin shown on said plan as the southeasterly corner of said Condominiums;

2) North Sixty-one Degrees, Fourteen Minutes, Forty-two Seconds West (N 61°-14'-42" W) along the southwesterly line of said Condominiums, referenced above, as located on said plan, a distance of One Thousand One Hundred Thirty and Forty-nine Hundredths (1130.49) Feet to a point in said line;

3) North Fifty-Eight Degrees, Fifty-eight Minutes, Four Seconds West (N 58°-58'-04" W) across land of said Condominiums, a distance of Three Hundred Twenty and Forty Hundredths (320.40) Feet to an iron pin set;

4) North Seventy-two Degrees, Forty Minutes, Three Seconds West (N 72°-40'-03" W) across land of said Condominiums, a distance of Sixty-four and Nine Hundredths (64.09) Feet to a drill hole in a rock shown as an iron pin set on the above referenced plan;

5) North Eighty-six Degrees, One Minute, Zero Seconds West (86°-01'-00" W) across land of said Condominiums, a distance of Thirty-eight and Twenty Hundredths (38.20) Feet to an iron pin set;

6) North Thirty-seven Degrees, Thirty-two Minutes, Thirty-two Seconds West (N 37°-32'-32" W) across land of said Condominiums, a distance of Twenty-three and Twenty-six Hundredths (23.26) Feet to an iron pin set;

7) South Sixty-eight Degrees, Twenty-seven Minutes, Thirty Seconds West (S 68°-27'-30" W) across land of said Condominiums, a distance of Seventy-two and Ninety-five Hundredths (72.95) Feet to an iron pin set;

8) Thence continuing on the same bearing a distance of Two (2) Feet, more or less,to the shore of East Pond.

Marcus to hold all the land lying northeasterly and

northwesterly of the above described line and Brandt to hold all the land lying southwesterly and southeasterly of said line. All iron pins called as "set" in the foregoing description are 1/2 inch rebar, capped and labeled "K & K Land Surveyors, Inc., # 1132".

IN WITNESS WHEREOF, the said Robert M. Marcus and Amy Ritzhaupt-Marcus, husband and wife, and John Brandt and Constance M. Brandt, brother and sister, have hereunto set their respective hands this 26 day of August, 1991.

Witness — Robert M. Marcus

Witness — Amy Ritzhaupt-Marcus

Witness — John Brandt

Witness — Constance Brandt

STATE OF MAINE
Somerset, ss.

August 26, 1991

Then personally appeared the above named John Brandt and acknowledged the above instument to be his free act and deed.

Before me,

Jeanie S. Pinney
Notary Public

MY COMMISSION EXPIRES 5/3/96

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Marguerite A. Farrin
REGISTER