

# SELLER'S PROPERTY DISCLOSURE - LAND ONLY

PROPERTY LOCATED AT: Luce Lane, Hope, Me 04847

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? \_\_\_\_\_

What materials are, or were, stored in the tank(s)? \_\_\_\_\_

Age of tank(s): \_\_\_\_\_ Size of tank(s): \_\_\_\_\_

Location: \_\_\_\_\_

Have you experienced any problems such as leakage? \_\_\_\_\_

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: \_\_\_\_\_

B. OTHER HAZARDOUS MATERIALS - Current or previously existing (such as Toxic Material, Land Fill, Radioactive Material, etc.):

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: common right-of-way; covenants

What is your source of information: Deed

Are there any shoreland zoning, resource protection or other overlay zone requirements on the property?  Yes  No  Unknown

IF YES: Explain: Resource protection

What is your source of information: Town records

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: \_\_\_\_\_

What is your source of information: \_\_\_\_\_

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: \_\_\_\_\_

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: \_\_\_\_\_

Additional Information: \_\_\_\_\_

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

Wm M By 09/29/2009  
SELLER DATE 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

**Warranty Deed**

Doc# 6101  
BKT 3216 P11

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We, **ROBERT J. PUSHAW and MARY D. PUSHAW**, whose mailing address is 106 Terra Alta Circle, Havertown, Pennsylvania 19083, for consideration paid, grant to **LISA M. BYRNE and MICHAEL P. MORGAN**, whose mailing address is 16 Field Avenue, York, Maine 03909, as **JOINT TENANTS with WARRANTY COVENANTS**, a certain lot or parcel of land situated in Hope, in the County of Knox and State of Maine, bounded and described as follows:

That tract of land on the southeasterly side of Hobbs Pond, approximately 1100 feet northeasterly along a camp road from Crabtree Road, in the Town of Hope, County of Knox and State of Maine, more particularly described as follows:

Beginning at a 5/8 inch rebar set in 2003 at the intersection of the southeasterly corner of the lot herein described and the southwesterly corner of land now or formerly of Garrigan as described in a deed dated October 31, 2003 and recorded at the Knox County Registry of Deeds Book 3115, Page 5; Thence running South 52 deg. 31 min. 56 sec. West a distance of fifty-nine and thirteen hundredths (59.13) feet to a 5/8" rebar set by Raynold R. Holmes in 1985 on the southeasterly line of Donald G. and Laura J. Pushaw (Book 178, Page 324); Thence continuing South 52 deg. 31 min. 57 sec. West a distance of one hundred seventy-nine and forty-five hundredths (179.45) feet to a 5/8" rebar set in 2003; Thence continuing South 52 deg. 31 min. 57 sec. West a distance of one hundred seventy-eight and eighty-seven hundredths (178.87) feet to a 5/8" rebar set in 2003; Thence running North 13 deg. 58 min. 58 sec. West along land to be retained by these Grantees a distance of seven hundred eight and thirty-one hundredths (708.31) feet to a 5/8" rebar set in 2003; Thence continuing North 13 deg. 58 min. 58 sec. West a distance of twelve (12) feet to the high water line of Hobbs Pond; Thence southeasterly along the high water line of Hobbs Pond a distance of four hundred forty-four (444) feet; Thence South 12 deg. 34 min. 45 sec. East a distance of four (4) feet to a 5/8" rebar set in 2003, said rebar being South 58 deg. 53 min. 17 sec. West a distance of seventy-six and twenty-five hundredths (76.25) feet from a 5/8" rebar set by Raynold Holmes in 1985 and North 66 deg. 21 min. 09 sec. East a distance of fifty-four and sixty-six hundredths (54.66) feet from a 5/8" rebar set by Raynold Holmes in 1985; Thence South 12 deg. 34 min. 55 sec. East a distance of three hundred ninety-one and one hundredth (391.01) feet by and along land of said Garrigan to a 5/8" rebar at the point of beginning.

MAINE REAL ESTATE TRANSFER  
TAX PAID

Meaning and intending to convey 4.72 acres of land. All bearings are oriented to Magnetic North 1985.

Excepting and reserving from the above described conveyance an easement to run with the land for the benefit of Karen R. Pushaw, Mary Anne Pushaw, Cynthia M. Reeves, Robert J. Pushaw, Jr. and Christopher E. Pushaw, their heirs, successors and assigns, for swimming, boating and water access on the shore of Hobbs Pond, more particularly bounded and described as follows:

Beginning at the shore of Hobbs Pond at the northwesterly corner of Lot 6 as shown on plan entitled "Hobbs Pond Subdivision II, land of Robert J. Pushaw, Town of Hope, Knox County, Maine" by Raynold R. Holmes in November 1985; Thence S 12 deg. 34 min. 55 sec. E along the southwesterly line of said Lot 6, a distance of 11 feet to a 5/8 inch rebar set by Raynold R. Holmes as shown on plan entitled "Hobbs Pond Subdivision II, land of Robert J. Pushaw, Town of Hope, Knox County, Maine" by Raynold R. Holmes in November 1985; Thence S 12 deg. 34 min. 55 sec. e along the southwesterly line of said Lot 6, a distance of 63.65 feet to the northwesterly side of a camp road as shown on said plan; Thence N 70 deg. 09 min. 35 sec. E along the northwesterly line of said camp road, a distance of 33.92 feet; Thence N 12 deg. 34 min. 55 sec. W and 72 feet to the shore of Hobbs Pond; Thence northwesterly along the shore of Hobbs Pond, a distance of 34 feet back to the point of beginning.

Also conveying the right to use the right of way known as "Luce Lane" as now laid out in common with others.

The premises are conveyed together with and subject to any and all easements or appurtenances of record, insofar as the same are in force and applicable.

The above described property is conveyed subject to restrictive covenants which shall run with the land, said restrictive covenants are more particularly set forth in a deed of Robert J. Pushaw and Mary D. Pushaw to Karen R. Pushaw, et al. dated February 26, 2004 and recorded in the Knox County Registry of Deeds Book 3165, Page 52.

For reference, see deed from Vivian Irene Pushaw to Robert J. Pushaw and Mary D. Pushaw dated May 30, 1991 and recorded in the Knox County Registry of Deeds Book 1498, Page 153 and deed of Robert J. Pushaw to Robert J. Pushaw and Mary D. Pushaw dated December 4, 1981 and recorded in said Registry in Book 974, Page 52.

WITNESS our hands and seals on this 17<sup>TH</sup> day of MAY, 2004.

Witness

Robert J. Pushaw  
Robert J. Pushaw

By Richard H. Whelan His Attorney-in-fact

Witness

Mary D. Pushaw  
Mary D. Pushaw

By Richard H. Whelan Her Attorney-in-fact

STATE OF: MAINE  
COUNTY OF: KNOX

MAY 17, 2004

Then personally appeared the above named Robert J. Pushaw and acknowledged the foregoing instrument to be his free act and deed.

Before me

Notary Public

BAIRD E. WATKINSON  
ATTORNEY AT LAW  
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NOV 14 2004  
KNOX COUNTY REGISTRY OF DEEDS

Beginning at the shore of Hobbs Pond at the northwesterly corner of Lot 6 as shown on plan entitled "Hobbs Pond Subdivision II, land of Robert J. Pushaw, Town of Hope, Knox County, Maine" by Raynold R. Holmes in November 1985; Thence S 12 deg. 34 min. 55 sec. E along the southwesterly line of said Lot 6, a distance of 11 feet to a 5/8 inch rebar set by Raynold R. Holmes as shown on plan entitled "Hobbs Pond Subdivision II, land of Robert J. Pushaw, Town of Hope, Knox County, Maine" by Raynold R. Holmes in November 1985; Thence S 12 deg. 34 min. 55 sec. e along the southwesterly line of said Lot 6, a distance of 63.65 feet to the northwesterly side of a camp road as shown on said plan; Thence N 70 deg. 09 min. 35 sec. E along the northwesterly line of said camp road, a distance of 33.92 feet; Thence N 12 deg. 34 min. 55 sec. W and 72 feet to the shore of Hobbs Pond; Thence northwesterly along the shore of Hobbs Pond, a distance of 34 feet back to the point of beginning.

Also conveying the right to use the right of way known as "Luce Lane" as now laid out in common with others.

The premises are conveyed together with and subject to any and all easements or appurtenances of record, insofar as the same are in force and applicable.

The above described property is conveyed subject to the following restrictive covenants which shall run with the land for the benefit of the parties, their heirs, successors and assigns. In addition, these covenants shall also be made applicable to and run with the 4.72 acres of land reserved from the above described property.

1. The above described parcel may be subdivided up to, but not more than, four lots which will share common waterfront area.
2. The 4.72 acre parcel reserved from the above described description may be divided only into two lots.
3. All lots conveyed shall be used for residential purposes only limited to the construction of single family residence with not more than one private garage and not more than two other accessory structures per lot.
4. No commercial use shall be made of any premises, but this shall not limit the right of owners to engage in a home occupation business so long as that business does not violate any other state or local laws or zoning. In no case shall an auto repair or auto body business be allowed. The foregoing shall not be construed to prevent the renting of any premises for private residential use.
5. No mobile home or house trailer shall be placed on any of the lots.
6. Any single family residence erected or placed on the lots shall have a permanent foundation.
7. Construction of any buildings on the lots are to be at the point of "framed and closed in" within twelve months after commencing. Such structures are to be

completed on the exterior within eighteen months of commencing construction barring acts of God or illness.

8. All residences constructed on the lots are to contain a minimum of 784 square feet of livable space if a single story dwelling or 1200 square feet of livable space if a two or more story dwelling.

9. No more than one unregistered motor vehicle shall be allowed on any lot.

10. It is understood and agreed that the protective covenants contained here shall attach to and run with the land and it shall be lawful not only for the Grantors, their heirs and assigns, but also for owners of any lot or lots deriving title from or through the Grantors to institute and prosecute any proceedings at law or in equity against the person or persons violating or threatening to violate the same.

WITNESS our hands and seals on this 26<sup>th</sup> day of February, 2004.

Judith A. Jervis  
Witness

Robert J. Pushaw  
R. J. Pushaw  
Robert J. Pushaw

Judith A. Jervis  
Witness

Mary D. Pushaw  
Mary D. Pushaw

STATE OF: ~~Delaware~~ Pennsylvania  
COUNTY OF: Delaware

Feb. 26, 2004.

Then personally appeared the above named Robert J. Pushaw and acknowledged the foregoing instrument to be his free act and deed.

Before me,

Judith A. Jervis  
Notary Public/Attorney at Law  
Print Name: Judith A. Jervis

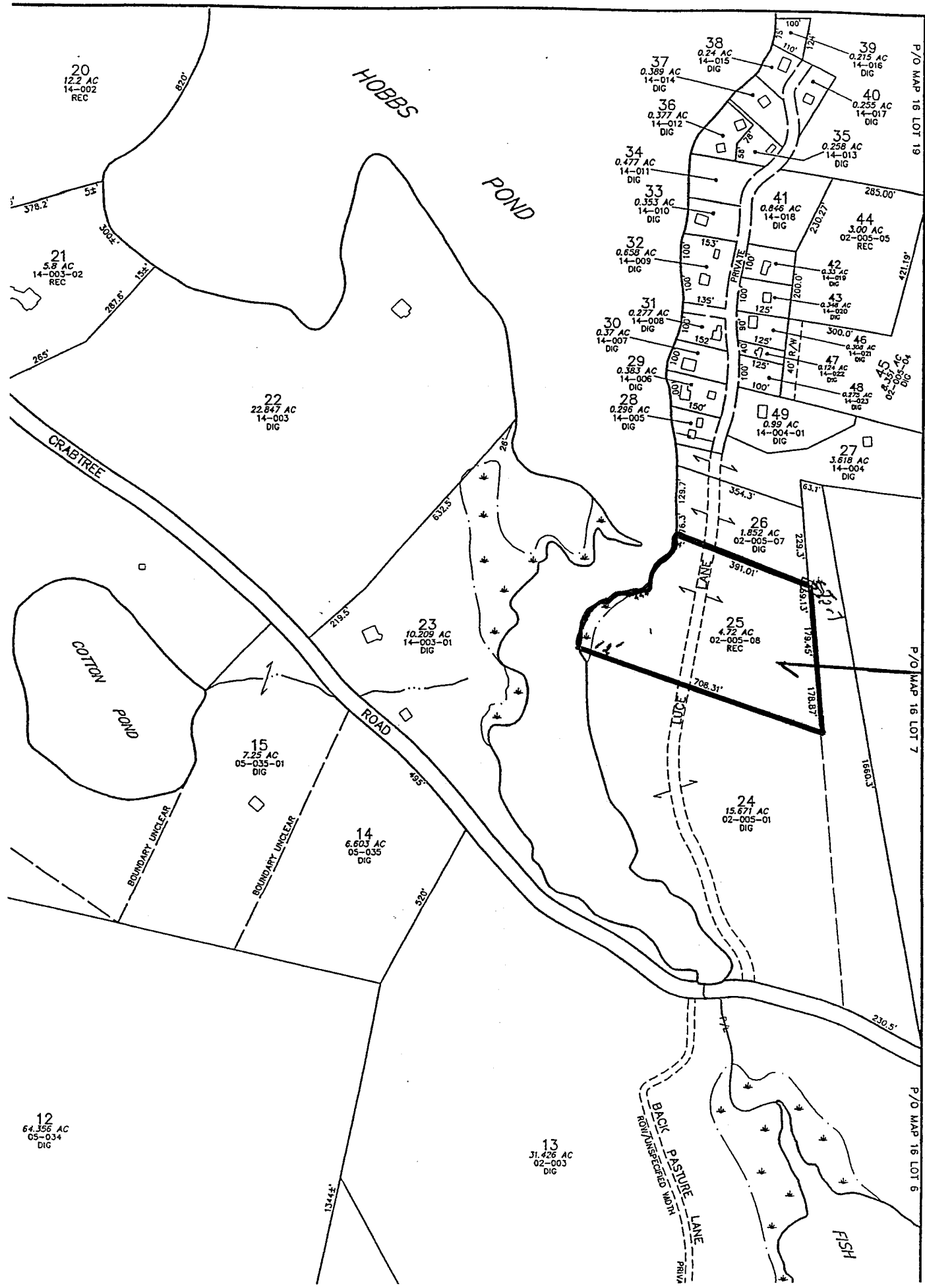
**SEAL**

NOTARIAL SEAL  
JUDITH A. JERVIS, Notary Public  
Haverford Twp., Delaware County  
My Commission Expires May 2, 2005

**KNOX SS: RECEIVED**

**On: Mar 01, 2004 at 12:48:12P**

**ATTEST: LISA J MORANG  
REGISTER OF DEEDS**



20  
12.2 AC  
14-002  
REC

HOBBS  
POND

37  
0.389 AC  
14-014  
DIG

38  
0.24 AC  
14-015  
DIG

30  
0.215 AC  
14-016  
DIG

P/O MAP 16 LOT 19

36  
0.377 AC  
14-012  
DIG

40  
0.255 AC  
14-017  
DIG

35  
0.258 AC  
14-013  
DIG

34  
0.477 AC  
14-011  
DIG

33  
0.353 AC  
14-010  
DIG

41  
0.846 AC  
14-018  
DIG

44  
3.00 AC  
02-005-05  
REC

32  
0.658 AC  
14-009  
DIG

42  
0.23 AC  
14-008  
DIG

43  
0.349 AC  
14-008  
DIG

31  
0.277 AC  
14-008  
DIG

46  
0.308 AC  
14-008  
DIG

47  
0.124 AC  
14-002  
DIG

48  
0.235 AC  
14-003  
DIG

45  
0.309 AC  
14-003  
DIG

22  
22.847 AC  
14-003  
DIG

30  
0.37 AC  
14-007  
DIG

29  
0.583 AC  
14-006  
DIG

28  
0.296 AC  
14-005  
DIG

49  
0.99 AC  
14-004-01  
DIG

27  
3.618 AC  
14-004  
DIG

23  
10.209 AC  
14-003-01  
DIG

26  
1.852 AC  
02-005-07  
DIG

25  
4.72 AC  
02-005-08  
REC

24  
15.671 AC  
02-005-01  
DIG

P/O MAP 16 LOT 7

COTTON  
POND

15  
7.25 AC  
05-035-01  
DIG

14  
6.603 AC  
05-035  
DIG

BOUNDARY UNCLEAR

BOUNDARY UNCLEAR

ROAD

JUDGE  
LANE

BACK  
PASTURE  
LANE

FISH

P/O MAP 16 LOT 6

12  
64.356 AC  
05-034  
DIG

13  
31.426 AC  
02-003  
DIG

Common Lot 34'x72' (approx)

