

Nov 4 1 40 PM '93

Premises: Long Hill Natural Area, Leverett, MA

WARRANTY DEED

Valley Land Fund, Inc., a Massachusetts not-for-profit corporation with an address of P.O. Box 522, Hadley, MA 01035 for \$1.00

grants to Rattlesnake Gutter Trust, a Massachusetts not-for-profit corporation with a post office address of P.O. Box 195, Leverett, MA

WITH WARRANTY COVENANTS

The land in Leverett, Franklin County, Massachusetts more particularly described in Exhibit A, attached hereto and made a part hereof, and subject to and with the benefit of the easements, rules, regulations, restrictions, rights of way, set forth in said Exhibit A, and with all appurtenant easements.

The premises are conveyed subject to a restriction, to run with the land, that they shall not be subdivided or developed for residences or otherwise developed for other than passive recreational uses and shall be preserved and kept in a natural and undeveloped state for passive recreational uses by foot or cross country skis.

Being the same premises conveyed to Valley Land Fund, Inc. by deeds dated May 15, 1991 and recorded in the Franklin County Registry of Deeds Book 2529 at Page 158 and Page 163.

By acceptance of these premises the grantee hereby covenants and agrees that the premises shall forever remain in a natural and undeveloped state, and, in furtherance of that paramount goal and requirement, the premises shall be subject to the following additional restrictions and conditions: (i) No motorized vehicles or mechanized vehicles (e.g. bicycles) shall be permitted upon the premises, other than in any permitted parking area, (ii) no hunting or playing of electrical or electronically augmented sound shall be permitted upon the premises, (iii) any cutting or trimming of trees shall only be undertaken with a respect for the preservation of the hill top and the hill as a naturally wooded area, and (iv) the roadway now existing on the premises shall not be improved beyond its existing state as a foot path. The foregoing restrictions shall not prohibit any emergency vehicles, in the event of an emergency.

Together with the benefits of the restriction conveyed to Valley Land Fund, Inc. by document dated June 14, 1991 recorded in the Franklin County Registry of Deeds Book 2542, Page 184.

IN WITNESS WHEREOF, the said Valley Land Fund, Inc. has caused its corporate seal to be hereto affixed and these presents to be signed, acknowledged and delivered in its name and behalf by Lawrence Smith, its President, and Mason Phelps, its Treasurer, this 2nd day of October, 1993.

Handwritten signature of Lawrence Smith over a line.

Valley Land Fund, Inc. By: Lawrence Smith, President By: Mason Phelps, Treasurer

THE COMMONWEALTH OF MASSACHUSETTS

Hampshire, SS.

October 20, 1993

Then personally appeared the above named Lawrence Smith and Mason Phelps and acknowledged the foregoing instrument to be the free act and deed of Valley Land Fund, Inc.,

Before me, [Signature] Notary Public My commission expires: 10/11/1996

#7.VLF.DEE



EXHIBIT A

PARCEL A

The land located off the westerly side of Camp Road, so-called, in Leverett, Franklin County, Massachusetts, bounded and described as follows:

Beginning at a point located off the westerly side of said Camp Road, which point marks the northwesterly corner of land now or formerly of Cornelius C. Robb and Irene A. Robb as described in the instrument recorded with the Franklin County Registry of Deeds in Book 1150, Page 287, and also marking the southwesterly corner of land now or formerly of Robert A. Negucci as more particularly described in the instrument recorded with said Registry of Deeds in Book 1140, Page 192, said place of beginning also marks the northerlymost northeasterly corner of Tract 1 of Parcel B, hereof; thence from said place of beginning S. 61° 44' 51" W. a distance of 573 feet to an iron pin; thence N. 57° 42' 23" W. a distance of 673.48 feet to an iron pin; thence S. 32° 05' 22" W. a distance of 200 feet to a point marking the northeasterly corner of Lot #5 as shown on a plan of land hereinafter mentioned, the last three courses running along said Tract 1 of Parcel B, hereof; thence N. 60° 16' 59" W. along said Lot #5 a distance of 90 feet as shown on said plan; the last four courses are more particularly shown on a plan of land entitled "Plan of Land in Leverett, Massachusetts, Prepared for Kenneth J. Suid" dated November 7, 1977, by Almer Huntley, Jr. & Associates, Inc., Surveyors, Engineers, Planners, 125 Pleasant Street, Northampton, Massachusetts, which plan is recorded with the Franklin County Registry of Deeds in Plan Book 45, Page 5; thence N. 4° 55' 03" E. along Lot #3 shown on a plan entitled "Plan of Land in Leverett, Massachusetts Prepared for Geoffrey A. Robinson & Christine Austin," prepared by Almer Huntley, Jr. & Associates, Inc., date: February 21, 1990, Scale: 1" = 100', recorded in the Franklin County Registry of Deeds in Plan Book 78, Page 5 (the "Austin Plan") a distance of 473.11 feet to a point; thence N. 00° 08' 15" W. along Lot #2 shown on the Austin Plan a distance of 225.92 feet to an iron pin, at land now or formerly of Sharon E. Howard and Andrea Ahearns formerly, John A. Grybko; thence N. 89° 51' 45" E. a distance of 36.10 feet to an iron pin; thence S. 85° 14' E. a distance of 662.8 feet to an iron pin; thence N. 13° 53' E. a distance of 159.7 feet to a point; the last courses running along land now or formerly of John A. Grybko; thence S. 84° 10' E. a distance of 75.8 feet to a point; thence S. 88° 49' E. a distance of 117.6 feet to a point; thence S. 60° 27' E. a distance of 129.85 feet to a point, the last courses running along a fence; thence N. 24° 23' E. a distance of 105.44 feet to an iron pin; thence S. 85° 30' E. a distance of 68.25 feet to a point; thence N. 88° 48' E. a distance of 87.55 feet to an iron pin; thence S. 52° 29' E. a distance of 182.2 feet to an iron pin located on the northwesterly corner of land now or formerly of Cole, the last four courses run along a rail fence; thence S. 39° 58' W. along land of said Cole 140.3 feet to an iron pin; thence S. 5° 43' W., 125 feet along land now or formerly of one Negucci to an iron pin; thence S. 42° 44' E., 175 feet along land now or

formerly of said Negucci to an iron pin in the westerly line of the so-called Camp Road; thence S. 18° 51' W. in the westerly line of Camp Road, 45.48 feet to an iron pin at land now or formerly of one Kraemer; thence N. 42° 44' W. along land of said Kraemer and land now or formerly of said Negucci 229 feet to an iron pin; thence S. 16° 18' W. along land now or formerly of Negucci 196.92 feet to an iron pin; thence S. 14° 36' E. along land of said Negucci, now or formerly, 233.58 feet to an iron pin, said iron pin marking the place of beginning. The last seventeen (17) courses and distances are based on a plan of land entitled "Plan of Land Sold by Albert F. Welch in Leverett, Mass." Scale 1" = 100', dated April 11, 1964, prepared by W. C. Wentworth, which is not recorded, a copy of which is on file in the office of Almer Huntley, Jr. & Associates, Inc.

This description creates no new boundaries.

This parcel contains approximately 19 acres, more or less.

All courses, distances and areas are approximate.

Subject to and together with the reservation, rights of way and easement, if any, as more particularly described in the deed of Albert F. Welch, et ux, to W. D. Cowls, Inc., dated July 20, 1964, which is recorded in the Franklin County Registry of Deeds in Book 1169, Page 294.

Being the same premises conveyed by Lynn Nakkim to Geoffrey A. Robinson and G. Christine Austin by deed dated December, 1985 and recorded as aforesaid in Book 1919, Page 193, LESS and EXCLUDING those portions of said Nakkim tract which are included within Lot #2 and Lot #3 on the Austin Plan, recorded in the Franklin County Registry of Deeds in Book of Plans 78, Page 5, which parcels were conveyed by two deeds dated March 20, 1990, one from Geoffrey A. Robinson to Melena Bonello recorded as aforesaid in Book 2423, Page 198, and one from Christine Austin to Laurel S. Kahn recorded as aforesaid in Book 2423, Page 200.

PARCEL B

The land in Leverett, Franklin County, Massachusetts, located on the northeasterly side of Long Hill Road, a town way, bounded and described as follows:

Tract I: Beginning at an iron pin located on the northeasterly side of said Long Hill Road, which point marks the southwesterly corner of land now or formerly of Howard Kobin and Joann M. Kobin as more particularly described with the document recorded with the Franklin County Registry of Deeds in Book 1135, Page 223; thence from said iron pin as shown on a plan of land hereinafter mentioned, N. 62° 53' 37" W. along the northeasterly side of said Long Hill Road a distance of 100.46 feet to a point as shown on said plan; thence N. 69° 58' 35" W. along the

northeasterly side of said Long Hill road a distance of 99.54 feet to an iron pin marking the westerlymost southwesterly corner of the premises herein described and the southeasterly corner of Lot #5 as shown on said plan; thence N. 32° 05' 22" E. partially along said Lot #5 and partially along other land now or formerly of Lynn Nakkim a distance of 708.56 feet to an iron pin as shown on said plan; thence S. 57° 42' 23" E. a distance of 673.48 feet to a point as shown on said plan; thence N. 61° 44' 51" E. a distance of 573 feet to an iron pin as shown on said plan; the last two courses running along other land now or formerly of Lynn Nakkim; thence S. 25° 36' 58" E. along land now or formerly of Cornelius C. Robb and Irene A. Robb, a distance of 119.77 feet to an iron pin as shown on said plan; thence S. 11° 44' 40" E. along land now or formerly of Kenneth Rufus Capen a distance of 214.97 feet to a point as shown on said plan; thence S. 81° 14' 08" E. along land of said Capen a distance of 102.88 feet to a point located on the westerly side of Camp Road, so-called, as shown on said plan; thence S. 09° 47' 48" W. a distance of 153.07 feet to a point as shown on said plan; thence S. 22° 42' 53" W. a distance of 127.75 feet to a point as shown on said plan; thence S. 04° 30' 07" W. 127.75 feet to a point as shown on said plan; thence S. 04° 30' 07" W. a distance of 63.28 feet to a point as shown on said plan; thence S. 22° 12' 53" W. a distance of 63.99 feet to an iron pin as shown on said plan; thence S. 49° 30' 53" W. a distance of 67.69 feet to an iron pin as shown on said plan; thence S. 69° 39' 57" W. a distance of 70.16 feet to an iron pin as shown on said plan; thence S. 72° 50' 32" W. a distance of 60.79 feet to an iron pin as shown on said plan; thence N. 87° 04' 53" W. a distance of 65.17 feet to an iron pin to be set as shown on said plan; thence N. 60° 16' 04" W. a distance of 280.51 feet to an iron pin as shown on said plan; thence S. 50° 27' 56" W. a distance of 382.71 feet to an iron pin marking the southeasterly corner of land now or formerly of Solomon Barkin and Elaine R. Barkin as shown on said plan; the last ten courses running along the westerly, northwesterly, northeasterly and northwesterly side of Camp Road, so-called; thence N. 11° 01' 45" E. a distance of 268.90 feet to an iron pin as shown on said plan; thence N. 72° 27' 16" W. a distance of 192.47 feet to an iron pin at land now or formerly of Howard Kobin and Joann M. Kobin; the last two courses running along land now or formerly of Solomon Barkin and Elaine R. Barkin as shown on said plan; thence N. 29° 36' 47" E. a distance of 258.48 feet to an iron pin as shown on said plan; thence N. 60° 16' 59" W. a distance of 375.01 feet to an iron pin in a pile of stones as shown on said plan; thence S. 32° 22' 19" W. a distance of 487.31 feet to an iron pin marking the place of beginning; the last three courses running along land now or formerly of said Howard Kobin and Joanne M. Kobin, all as shown on said plan. Containing 16.313 acres, more or less.

Meaning and intending to convey Lot No. 6 on a plan of land entitled, "Plan of Land in Leverett, Massachusetts, Prepared for Kenneth J. Suid" dated November 7, 1977, prepared by Almer

222

Huntley, Jr. & Associates, Inc., Registered Land Surveyors, recorded with the Franklin County Registry of Deeds Book of Plans 45, Page 5.

Tract II: Beginning at an iron pin set on the easterly line of said Camp Road, which pin marks the southwesterly corner of the premises herein described and the northwesterly corner of land now or formerly of Welch; thence N. 70° 13' E. a distance of 74.0 feet, more or less, along the easterly line of said Camp Road to a point; thence N. 48° 33' E. a distance of 72.0 feet, more or less, along the easterly line of Camp Road to an iron pin at land now or formerly of one Daviau; thence S. 50° 09' E. a distance of 137.3 feet, more or less, on said Daviau land to an iron pin set near the shore line of Echo Lake; thence southwesterly along the shore of Echo Lake a distance of approximately 255 feet, more or less, to an iron pin at land now or formerly of said Welch; thence N. 09° 14' E. a distance of 47.35 feet, more or less, to the iron pin at the beginning.

Meaning and intending to convey the 0.34 acres land, more or less, conveyed by W.D. Cows, Inc. to Kenneth J. Suid and Richard H. Parrish by deed dated January 12, 1967, and recorded with said Deeds at Book 1207, Page 183. See also plan of land recorded with Franklin County Registry of Deeds at Plan Book 27, Page 64, entitled, "Plan showing 708.7 Square Feet of Land Sit. in Leverett, Franklin Co., Massachusetts, to be conveyed to Roger A. Daviau and Loraine H. Daviau by W.D. Cows, Inc., No. Amherst, Mass."

In addition to the reservations, restrictions, encumbrances and rights of way hereinafter mentioned which the above-described Tract II may be subject, said Tract II is conveyed subject to the rules, regulations or restrictions of the Echo Lake Association or any other like body, as the same may exist and still be in full force and effect (See Book 1214, Page 322 and Book 1281, Page 692).

Subject to easements granted to Western Mass. Electric Co. and New England Telephone and Telegraph C. by deed at Book 911, Page 141, and Book 1056, Page 27, to the extent that they may affect the locus.

Subject to easement referred to in deed of Albert F. Welch et ux to Roger A. Daviau et ux providing access to lake over Tract II, Book 1109, Page 58.

Being the same premises conveyed by deed of Lynn Nakkin dated December, 1985 and recorded as aforesaid in Book 1919, Page 185.

Together with the right to use Camp Road.

RECORDS REC'D
FRANKLIN
11/04/91
CASH
8.00
65764135 13:34
EXCISE TAX

ATTEST: FRANKLIN COUNTY, MASS. Walter T. Kostanski, Jr., Register