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SEPTIC EASEMENT DEED

THE TOWN OF DURHAM, a municipal body politic, with a mailing address 15 Newmarket Road, Durham , New Hampshire 03824 ("Grantor"), for consideration paid, does hereby grant unto **WILLIAM H. MABEY AND PATRICIA A. MABEY**, husband and wife, as joint tenants with the right of survivorship, of 1 Water Street, Apartment 713, Haverhill, Massachusetts 01830, ("Grantee"), a certain perpetual right and easement over, across and under a certain portion or parcel of land, located in the Town of Durham, County of Strafford, State of New Hampshire, being more particularly bound and described as follows (the "Easement Area") for the limited purpose described herein:

A portion of Cedar Point Road, Town of Durham, County of Strafford, State of New Hampshire, and shown as "Septic Pipe Easement" on a Plan of Land entitled, "Standard Boundary Survey Plan with detail of Septic Pipe Easement for land known as Tax Map 12, Lot 1-23 and Lot 1-24, owned by William H. & Patricia A. Mabey, situated along Cedar Point Road, Durham, New Hampshire, County of Strafford" dated Dec, 2000, Scale 1"=20', prepared by Knight Hill Land Surveying Services, Inc. and recorded in the Strafford County Registry of Deeds as Plan No. _____ (the "Plan"), described as follows:

Beginning at an iron pin w/ cap set on the northerly side line of Cedar Point Road and running S 88° 15' 30" W a distance of 48.79 feet to an iron pin w/ cap set at the northwesterly corner of Lot 1-23; thence

N 81° 44' 07" E along said Lot 1-23, as shown on said Plan, a distance of 30.27 feet to a point; thence

N 84° 45' 43" E along said Lot 1-23, as shown on said Plan, a distance of 29.73 feet to an iron pipe found at the northeasterly corner of land now or formerly of Gregg L. Carol L. and M. Ferne Gentile; thence

N 88° 15' 30: W a distance of 93.80 feet across Cedar Point Road to an iron pin found at

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the southeasterly corner of Lot 1-24 as shown on said Plan; thence

S 59° 56' 55" W a distance of 16.84 feet to the iron pin w. cap set at the point of beginning.

The purpose of the within easement is to allow Grantee, their contractors, invitees and licensees, a right across Grantor's land, as described above, to construct and maintain sewage piping to connect a leach field on Lot 1-24, as shown on said Plan, to the building on Lot 1-23, as shown on said Plan and to allow sewage effluent to be pumped from Lot 1-23 to Lot 1-24.

The Grantee shall obtain an excavation permit from the Department of Public Works of the Town of Durham prior to any excavation within the Easement Area pursuant to this Deed and will comply with all terms and conditions of such permit and otherwise with applicable regulations, laws and ordinances in proceeding with the excavation, construction and operation of the septic pipe.

This easement shall be binding on the Town and its successors and assigns and the benefit of the Easement shall run with Lots 1-23 and 1-24 as shown on the Plan. This conveyance is a non-contractual transfer under RSA 78-B:2, IX.

IN WITNESS WHEREOF, the parties have hereunto set their hands this 27 day of August, 2001.

GRANTOR:

Town of Durham

By: [Signature]
Name: Todd Selig
Title: Town Administrator

[Signature]
Witness

STATE OF NEW HAMPSHIRE
COUNTY OF Sufford

The foregoing instrument was acknowledged before me this 27th day of August 2001, by Todd Selig, Town Administrator, on behalf of the Town.

[Signature]
Justice of the Peace/Notary Public
Printed Name: Linda L. Ekdahl
My commission expires: 03/03/04
(Seal)

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