

**GRANT OF CONSERVATION
RESTRICTION [LOT 5] [LARGE]**

408419

Rodgers Development Company (the "Grantor"), having a mailing address of 843 West Hollis Street, Nashua, New Hampshire 03060, grants to the Town of Tilton (the "Grantee"), a municipal corporation, having a mailing address of 145 Main Street, Tilton, New Hampshire 03276, the benefit of and the right to enforce a conservation restriction in and on a certain portion (the "Conservation Area") of certain property (the "Property") of the Grantor located in Tilton, County of Belknap and State of New Hampshire shown as Lot 5 on a plan (the "Plan") entitled "Easement Plan, Rodgers Development Company, Tilton, NH," dated July 8, 1994, as revised, prepared by Holden Engineering & Surveying, Inc., and recorded or to be recorded with the Belknap County Registry of Deeds. The Conservation Area is more particularly bounded and described as follows:

A certain easement in Tilton, Belknap County, New Hampshire beginning at the intersection of the centerline of Wentworth Avenue, a 50 foot private way, and the westerly sideline of Sherwood Drive, a 50 foot private way; thence South 85° 39' 12" West 90.10 feet to the northeast corner of the herein described easement; thence over Lot 5

1. South 00° 38' 54" East 263.46 feet to a point; thence
2. South 14° 02' 40" West 185.03 feet to a point; thence
3. South 50° 38' 47" West 109.65 feet to a point; thence
4. South 02° 43' 14" West 259.06 feet to a point; thence
5. South 22° 32' 27" East 206.66 feet to a point at Lot 2; thence by said Lot 2
6. South 75° 48' 40" West 53.58 feet to a 1 3/4" axle found a land of George H., Catherine W., and Daniel Ryan; thence by said Ryan land
7. South 71° 38' 50" West 35.35 feet to a drill hole found; thence
8. South 74° 13' 12" West 268.04 feet to a drill hole found; thence
9. South 82° 24' 34" West 248.04 feet to a point on a stone wall; thence over Lot 5

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10. North 09° 41' 04" West 474.67 feet to a drill hole found at an intersection of stone walls at land of Bernard Filion & Rene Fauteux; thence by said Filion & Fauteux land
11. North 84° 36' 06" East 389.05 feet to a drill hole found; thence
12. South 80° 55' 54" East 96.40 feet to a point; thence
13. North 33° 28' 45" West 57.22 feet to a point; thence
14. North 48° 44' 48" West 174.73 feet to a point; thence
15. North 41° 34' 52" West 261.79 feet to a point; thence
16. North 31° 35' 02" West 173.82 feet to a point; thence
17. North 26° 39' 22" West 102.88 feet to a point; thence
18. North 17° 22' 04" West 73.85 feet to a point at land of the Estate of Winnifred H. Wadleigh; thence by said Wadleigh land
19. North 81° 07' 46" East 12.96 feet to a point; thence
20. North 64° 58' 15" East 87.85 feet to a point; thence
21. North 78° 13' 02" East 84.53 feet to a point; thence
22. North 63° 01' 25" East 82.20 feet to a point at land of Rodgers Development Co.; thence by said Rodgers Development land
23. South 17° 17' 49" East 202.38 feet to a point; thence
24. North 85° 39' 12" East 434.99 feet to the point of beginning.

All distances being more or less.

Meaning and intending to convey an approximately 13.047 acre conservation restriction over a portion of Lot 5.

The term "conservation restriction" as used herein shall mean that the Grantor will not, except as otherwise provided herein, conduct or permit the following activities in the Conservation Area:

- (a) construction or placing of buildings, mobile homes, structures of any kind or nature, parking lots, paved roadways, or other improvements on or above the ground; and
- (b) dumping or placing of any trash, rubbish, vehicle bodies or parts, debris, junk, waste or unsightly and offensive materials.

Notwithstanding anything contained above, the Grantor reserves the right to conduct or permit on or within the Conservation Area the following:

- (a) the planting of trees, shrubs and other vegetation, and the mowing of grass;
- (b) activities such as landscaping and regrading of the Conservation Area;
- (c) pruning, cutting and removal of trees, brush and other vegetation consistently with sound forestry conservation practices or to implement disease prevention measures;
- (d) activities required for the installation of lines, conduits, pipes, mains, wires and cables together with necessary poles, manholes and other appurtenances for the conveyance or transmission of electricity, water, gas, sewer, drainage, telephone or any other utility of any nature on, under or over the Conservation Area;
- (e) the inspection, maintenance, repair and replacement of the existing well(s), pump house(s), and all other appurtenances related to the domestic water supply existing on the date hereof; and
- (f) the construction, inspection, maintenance, repair and replacement of a storage shed, the gross floor area of which shall not exceed 1400 square feet and the height of which shall not exceed 30 feet, and any signage.

The intent of the foregoing restriction is to retain the Conservation Area in a predominantly unimproved and open condition, subject to the exceptions set forth above. The restriction shall be administered and enforced by the Grantee.

The conservation restriction hereby conveyed does not grant to the Grantee or the general public any right to enter upon the Conservation Area except that the

Grantee, through one or more duly designated officers, employees or at reasonable times and in a reasonable manner, for the purpose of inspecting the Conservation Area to assure compliance with the terms of this conservation restriction. The right hereby granted shall be in addition to any other remedies available to the Grantee for the enforcement of the foregoing restrictions.

This conservation restriction shall be binding upon and may be enforced against the Grantor, its successors and assigns by the Grantee and its successors as holders of this conservation restriction.

This is not a homestead property.

For Grantor's title see deed dated December 23, 1987, and recorded with the Belknap County Registry of Deeds at Book 1035, Page 718.

Executed as a sealed instrument this 20th day of July, 1994.

RODGERS DEVELOPMENT COMPANY

By: [Signature]
Its: Manager, Belknap

STATE OF NEW HAMPSHIRE
COUNTY OF Madawask, SS

Then personally appeared before me this 20th day of July, 1994, the above-named Eric Rodgers, the Manager of Rodgers Development Company and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of Rodgers Development Company.

[Signature]
Notary Public/Justice of the Peace
My commission expires: _____

RECEIVED
Rachel M. Normandin
94 JUL 21 AM 10:38
REGISTRY OF DEEDS
BELKNAP COUNTY
Registrar

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