

Kim Gorman

From: Mark Scheier [MScheier@skactonlaw.com]
Sent: Thursday, September 26, 2013 3:20 PM
To: Roland Bartl; Kristen Domurad-Guichard; Planning Department
Cc: Mark Gallagher; sealharborllc@gmail.com; Mark Scheier; Regina Buckley
Subject: Pine Ridge Road ANR
Attachments: 20130926151437463.pdf; Mark L Scheier.vcf

Pine Ridge Road has existed as a private way for over 60 years. I believe that we are providing you, in this memo compelling evidence to support the contention that these lots to be created are appropriate for Approval Not Required endorsement. Please call me if you have any questions. Of course, this also means that a very contentious and controversial 40B project will not be implemented. Please feel free to call me with any questions. I trust that this memo and supporting documentation will be sufficient.

Mark

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-----Original Message-----

From: ricoh@skactonlaw.com [mailto:ricoh@skactonlaw.com]
Sent: Thursday, September 26, 2013 11:15 AM
To: Mark Scheier
Subject:

This E-mail was sent from "RNPF2158" (Aficio MP 5000).

Scan Date: 09.26.2013 15:14:37 (+0000)
Queries to: ricoh@skactonlaw.com

Memo

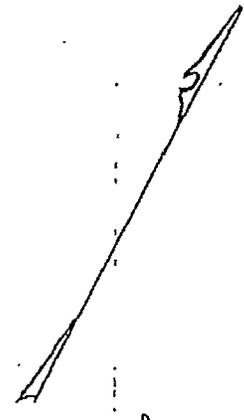
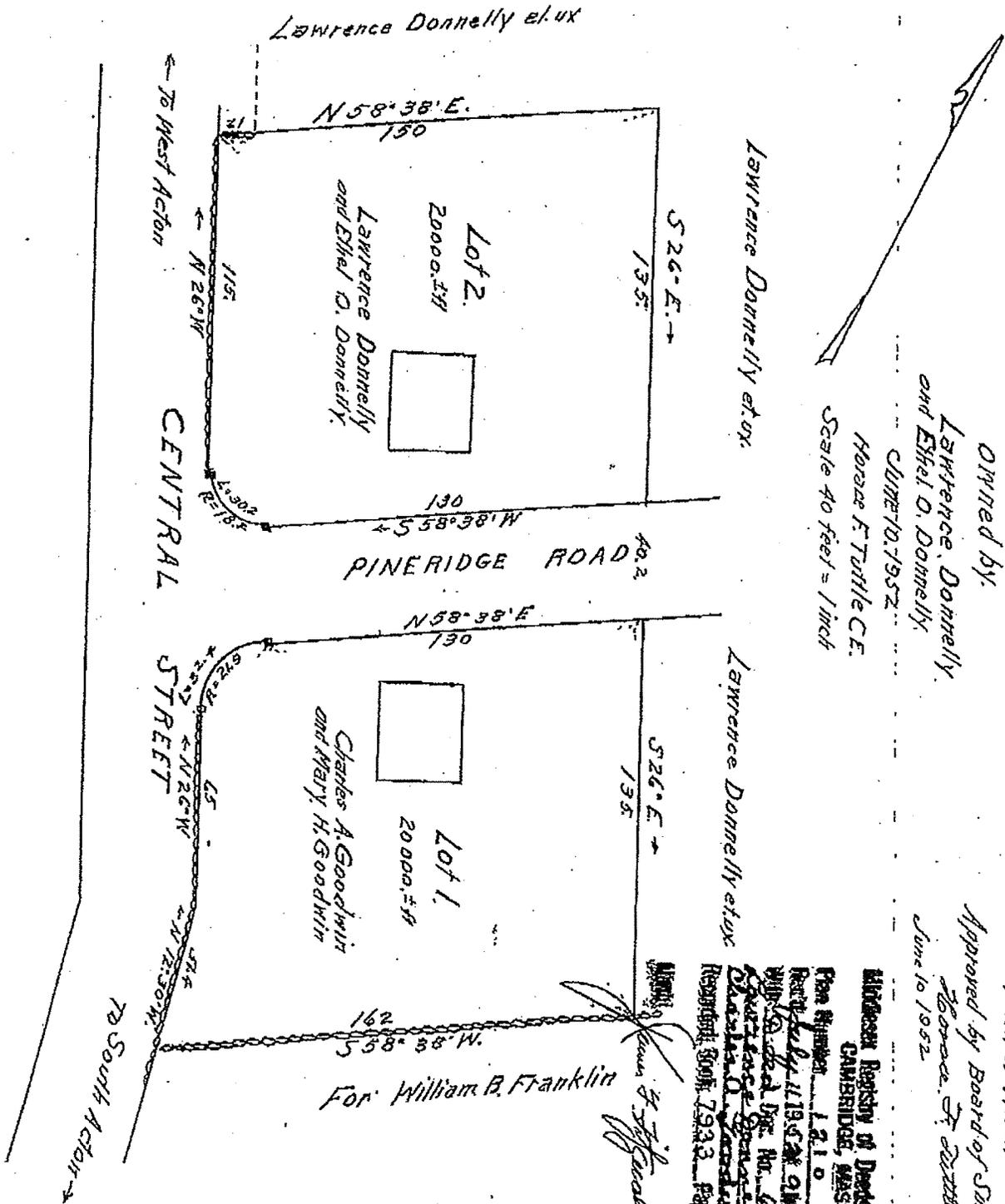
To: Roland Bartl, Director, Town of Acton Planning Department
From: Regina H. Buckley, Esq. – Scheier Katin & Epstein, P.C. *RHB*
CC:
Date: 9/26/2013
Re: Establishment of Pine Ridge Road as a Private Way

The purpose of this memo is to confirm that Pine Ridge Road has been in use as a private way off of Central Street for at least sixty years and that the property at 93 Central Street has had and continues to have access to that private way.

Pine Ridge Road bisects 89 Central Street and 93 Central Street. Lawrence and Ethel Donnelly owned both properties. The deeds to these properties show the establishment and rights in Pine Ridge Road. A deed from Lawrence and Ethel O. Donnelly dated June 11, 1952 and recorded with the Middlesex South Registry of Deeds at Book 7933, Page 145 with its plan is to property which is the front lot of 89 Central Street uses as a boundary Pine Ridge Road in its description (Exhibit A). The plan recorded with that deed shows the road coming off of Central Street. Lawrence Donnelly then deeds the back lot of 89 Central Street in 1968 in a deed recorded at Book 11606, Page 365 that states that the land is "situated on the southeasterly side of Pine Ridge Road, a private way" (Exhibit B). Subsequent deeds to 89 Central Street have retained the description of Pine Ridge Road. (Exhibit C)

The deeds to 93 Central Street are a bit confusing but still show that the intent is that the lot will have access to Pine Ridge Road. Lawrence Donnelly does not convey 93 Central Street out until January of 1972. That deed, which is recorded at Book 12143, Page 2 characterizes Pine Ridge Road as a private driveway and conveys rights to the drive with Lot 2A (Exhibit D). This description carries through in deeds from 1977 and 1992 (Exhibit E). In 1977, both 89 and 93 Central Street came under single ownership and the description of the properties changed. In a 2004 deed, the owner of 93 Central Street was granted the "unobstructed right" to use Pine Ridge Road "for all purposes for which streets and ways may be used in the Town of Acton in common with others entitled thereto" (Exhibit F). That description carried forward to the deed into the current owner (Exhibit G). The road was labeled as a Private Driveway in the last recorded plan (Exhibit H) but the location of the Private Driveway is Pine Ridge Road.

Although the description of Pine Ridge Road has been changed in some deeds in recent years, its usage as a private way dating back to at least 1952 supports the contention that the road has been established and will be used as a private way and rights were granted for its use to those lots now known as 89 and 93 Central Street.



OWNED BY
 Lawrence Donnelly
 and Ethel O. Donnelly
 CLURE 10-1952
 HORACE F. TUTTLE C.F.
 Scale 40 feet = 1 inch

Massachusetts Registry of Deeds, So. Dist.
 CAMBRIDGE, MASS.
 Plan Number 1210 of 1952
 Recorded July 11, 1952 at 9:44 AM
 with Original Doc. No. 64
 Certificate of Originality
 Original Book 7923 Page 145
 Registered Book 7923 Page 145

Approved by Board of Survey
 Horace F. Tuttle, Surveyor
 June 10, 1952

For William B. Franklin

William B. Franklin

Exhibit A

BOOK
7933
PAGE
145

number of which mortgages
is wife
and the mortgagee with the same tenancy by the entirety and the estate of the mortgagee

Witness. Our hand and seal this 11th day of July 1952

Hartley A. Graves, Jr.
Hartley A. Graves, Jr.

Gene Graves
Gene Graves

The Commonwealth of Massachusetts

Middlesex, ss. July 11, 1952

Then personally appeared the above-named Hartley A. Graves, Jr.

and acknowledged the foregoing instrument to be his free act and deed, before me,

Irene Hayden
Irene Hayden - Notary Public - JURESTIPITANTE

My commission expires July 11, 1953

Rec'd & entered for record July 11, 1952 at 9h. 40m. A.M. #63

(89 Central)

Sometimes called Ethel Olive Donnelly
We, Lawrence Donnelly and Ethel O. Donnelly, husband and wife, as tenants by the entirety, both

of Acton Middlesex County, Massachusetts, ~~being unmarried~~, for consideration paid, grant to Charles A. Goodwin and Mary H. Goodwin, husband and wife, as tenants by the entirety, both

of Watertown in said Middlesex County with quitclaim covenants

the land in said Acton shown as Lot 1 on a plan of land in Acton owned by Lawrence Donnelly and Ethel O. Donnelly, by Horace F. Tuttle, dated June 10, 1952, to be recorded herewith, bounded and described as follows:-

(Description and encumbrances, if any)
Beginning at the Southwesterly corner thereof at a stone wall at land formerly of William B. Franklin and Central Street; thence N. 12° 30' W. 51.4/10 feet and N. 26° W. 65 Feet along Central Street to a proposed street shown on said plan as Pine Ridge Road; thence Northerly by a curve, length 32.4/10 feet and radius, 21.9/10 feet to a point; thence N. 59° 38' E. along said Road 130 feet to a corner; thence S. 26° E. by other land of said Donnelly 135 feet to a wall at land formerly of William B. Franklin; thence S. 58° 38' W. by said Franklin land 162 feet to the point of beginning; containing 20000 square feet plus or minus.

Being a part of the premises conveyed to us by Charles E. Richardson et al. by deed dated May 28, 1937, recorded in Middlesex South District

Regis Book 2123, Page 149.

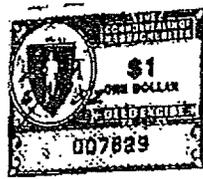


Exhibit A

~~husband of said grantor,~~
~~wife~~

~~release to said grantee all rights of tenancy by the courtesy and other interests therein~~
~~lower and homestead~~

Witness our hands and seals this 11th day of June, 1952

~~Lawrence Donnelly~~
~~Ethel O. Donnelly~~

Lawrence Donnelly
Ethel O. Donnelly

The Commonwealth of Massachusetts

Middlesex ss.

June 11, 1952

Then personally appeared the above named Lawrence Donnelly

and acknowledged the foregoing instrument to be his free act and deed, before me

Harlow E. Tuttle
Notary Public - State of Massachusetts

My commission expires March 2, 1953

Rec'd & entered for record July 11, 1952 at 9h. 42m. A.M. #64

See Discharge, B.L. 169, H. 5, 2, 2

to, Charles A. Goodwin and Mary H. Goodwin, husband and wife,
as tenants by the entirety,
of Watertown, Middlesex

County, Massachusetts, ~~being unmarried~~, for consideration paid, grant to the

WATERTOWN CO-OPERATIVE BANK

situated in Watertown, Middlesex County, Massachusetts, with MORTGAGE COVENANTS, to secure the
payment of ten thousand (10,000)

_____ Dollars
with interest thereon, payable in fixed monthly installments on the 10th day of
each month hereafter, which payments shall first be applied to interest then due and the balance thereof remaining
applied to principal; the interest to be computed monthly in advance on the unpaid balance, together with such fines
on interest and principal in arrears as are provided for by said bank; with the right to make additional payments
on account of said principal sum at any time, except as set forth below; and subject to changes, from time to time,
as provided by General Laws, Chapter 170, Section 24, Sub-section 8, as amended,

all as provided in our note of even date, and such further sums as may be advanced by
the grantee under General Laws, Chapter 183, Sections 28A, as amended, the land with the buildings thereon,
situated in Acton, Middlesex County, Massachusetts, being lot 1 as shown
on a plan entitled "Land in Acton owned by Lawrence Donnelly and
Ethel O. Donnelly" dated June 10, 1952, made by Horace F. Tuttle,
C. E., to be recorded herewith. Said Lot 1 is more particularly,
bounded and described as follows:

beginning at the southwesterly corner thereof at a stone wall
at land formerly of William B. Franklin and Central Street; thence
N. 12° 30' W. fifty-one and 4/10 (51.4) feet and N. 26° W. sixty-
five (65) feet along Central Street to a proposed street shown on
said plan as Pine Ridge Road; thence northeasterly by a curva,

BN 28371 PG 043

Exhibit C

MASSACHUSETTS QUITCLAIM DEED INDIVIDUAL ILONG FORM 662

3

I, DOROTHY E. ZIMAN

of Acton, Middlesex

County, Massachusetts,

being unmarried, for nominal consideration paid, ~~and for consideration of~~

grant to JANICE D. ZIMAN

*

of 89 Central Street, Acton, Massachusetts

with quitclaim covenants

Property Location: 89 Central Street, Acton, MA 01720

SEE RECORD

MSD 03/30/98 10:49:44 602 25.00

~~XXXXXXXX~~

[Description and encumbrances, if any]

A certain parcel of land, with the buildings thereon, situated in said Acton, and being shown as Lot 1 on a plan entitled, "Land in Acton, owned by Lawrence Donnelly and Ethel O. Donnelly," Horace F. Tuttle, C.E., dated June 10, 1952 and recorded with Middlesex South District Deeds, Book 7933, Page 145, and bounded and described as follows:

Beginning at the Southwesterly corner thereof at a stone wall at land now or formerly of William B. Franklin and Central Street; thence N 12° 30' W, fifty-one and 4/10 (51.4) feet; and N 26° W, sixty-five (65) feet along Central Street to a proposed street shown on said plan as Pine Ridge Road; thence Northeasterly by a curve, thirty-two and 4/10 (32.4) feet and radius twenty-one and 9/10 (21.9) feet to a point; thence N 58° 38' E along said road, one hundred thirty (130) feet to a corner; thence S 26° E by other land of said Donnelly, one hundred thirty-five (135) feet to a well at land formerly of William B. Franklin; thence S 58° 38' W by said Franklin land, one hundred sixty-two (162) feet, to the point of beginning.

Containing 20,000 square feet, more or less.

For my title see deed of Charles A. Goodwin, et ux, dated November 18, 1964 and recorded with said Deeds in Book 10694, Page 93.



Also the land in said Acton, situated on the Southeasterly side of Pine Ridge Road, a private way, bounded and described as follows:

Beginning in the Southerly corner of the parcel to be conveyed at land now or formerly of William B. Franklin and at the parcel above described; thence

NORTH 26° WEST by said parcel above described, one hundred thirty-five (135) feet to Pine Ridge Road, a private way; thence

NORTH 58° 38' EAST along said Pine Ridge Road, one hundred fifty (150) feet to a point; thence

SOUTH 27° 06' EAST one hundred thirty and $41/100$ (130.41) feet to a stone wall at land now or formerly of William B. Franklin; and thence

SOUTH 57° WEST by said Franklin land, one hundred fifty-three (153) feet to the point and place of beginning.

Containing 20,004 square feet more or less.

This conveyance is made subject to and with benefit of the right to use said Pine Ridge Road for all purposes for which streets and ways may be used in the Town of Acton in common with others entitled thereto.

Subject to drainage easement as set forth in deed dated November 14, 1968 and recorded with said Deeds in Book 11606, Page 365.

For my title see deed of Lawrence Donnell dated November 14, 1968 and recorded with said Deeds in Book 11606, Page 365.

Albert F. Ziman, a resident of said Acton, died October 31, 1971.

Exhibit C

EX 28371 PD 045

Witness my hand and seal this 6th day of MARCH, 1998

Dorothy E. Ziman
Dorothy E. Ziman

The Commonwealth of Massachusetts

Middlesex ss.

MARCH 6, 1998

Then personally appeared the above named DOROTHY E. ZIMAN

and acknowledged the foregoing instrument to be her free act and deed, before me

Louisa A. Florio
Louisa A. Florio - Notary Public

My commission expires June 7, 2002 **

CHAPTER 183 SEC. 6AS AMENDED BY CHAPTER 497 OF 1969

Every deed presented for record shall contain or have endorsed upon it the full name, residence and post office address of the grantee and a recital of the amount of the full consideration thereof in dollars or the nature of the other consideration therefor, if not delivered for a specific monetary sum. The full consideration shall mean the total price for the conveyance without deduction for any liens or encumbrances assumed by the grantee or remaining thereon. All such endorsements and recitals shall be recorded as part of the deed. Failure to comply with this section shall not affect the validity of any deed. No register of deeds shall accept a deed for recording unless it is in compliance with the requirements of this section.

Exhibit C



Bk: 47617 Pg: 32 Doc: DEED
Page: 1 of 3 05/28/2008 11:25 AM

QUITCLAIM DEED

I, JANICE D. ZIMAN, of Acton, Middlesex County, Massachusetts

in consideration of THREE HUNDRED SIXTY-THREE THOUSAND AND 00/100 (\$363,000.00)
DOLLARS

grant to GWYNN HORSBURGH, an individual of

MASSACHUSETTS EXCISE TAX
Southern Middlesex District ROD # 001
Date: 05/28/2008 11:25 AM
Ctrl# 073631 22288 Doc# 00095521
Fee: \$1,855.28 Cons: \$383,000.00

with Quitclaim Covenants

89 Central Street, Acton

A certain parcel of land, with the buildings thereon, situated in said Acton, Middlesex County, Massachusetts and being shown as Lot 1 on a plan of land entitled "Land in Acton, owned by Lawrence Donnelly and Ethel O. Donnelly," by Horace F. Tuttle, C.E., dated June 10, 1952 and recorded with Middlesex South District Registry of Deeds, Book 7933, Page 145, bounded and described as follows:

Beginning at the Southwesterly corner thereof at a stone wall at land now or formerly of William B. Franklin and Central Street; thence N. 12° 30' W. fifty-one and 4/10 (51.4) feet; and N. 26° W. sixty-five (65) feet along Central Street to a proposed street shown on said plan as Pine Ridge Road; thence Northeasterly by a curve, thirty-two and 4/10(32.4) feet and radius twenty-one and 9/10 (21.9) feet to a point; thence N. 58° 38' E along said road, one hundred thirty (130) feet to a corner; thence S. 26° E by other land of said Donnelly, one hundred thirty-five (135) feet to a well at land formerly of William B. Franklin, thence S. 58° 39' W by said Franklin land, one hundred sixty-two (262) feet, to the point of beginning.

Said lot contains 20,000 square feet of land, more or less, according to said plan.

ALSO, the land in said Acton, situated on the Southeasterly side of Pine Ridge Road, a private way, bounded and described as follows:

Beginning in the Southerly corner of the parcel to be conveyed at land now or formerly of William B. Franklin and at the parcel above described; thence

McWalter, Barron & Boisvert, P.C.
30 Monument Square, Suite 145
Concord, MA 01742-1857

NORTH 26° WEST by said parcel above-described, one hundred thirty-five (135) feet to Pine Ridge Road, a private way; thence

NORTH 58° 38' EAST along said Pine Ridge Road, one hundred fifty (150) feet to a point; thence

SOUTH 27° 06' EAST one hundred thirty and 41/100 (130.41) feet to a stone wall at land now or formerly of William B. Franklin; and thence

SOUTH 57° WEST by said Franklin land, one hundred fifty-three (153) feet to the point of beginning.

Said Lot contains 20,004 square feet of land, more or less, according to said plan.

Subject to a drainage easement as set forth in deed dated November 14, 1968 and recorded with said Deeds, Book 11606, Page 365.

For title to the Grantor, see deed of Dorothy E. Ziman, dated March 6, 1998 and recorded with said Deeds, Book 28371, Page 43.

ALSO, another parcel of land being shown as a "Private Driveway" on a plan of land entitled "Plan of Land in Acton, Mass., surveyed for Lawrence Donnelly" scale 1 inch = 40 feet, January, 7, 1972 by Harlan E. Tuttle, Surveyor, recorded with the Middlesex South District Registry of Deeds, Book 12143, Page 2, more particularly bounded and described as follows:

SOUTHWESTERLY: by Central Street, 80.26 feet, as shown on said plan;

NORTHWESTERLY: by a curve line measuring 30.06 feet, as shown on said plan;

NORTHWESTERLY: by Lot 2A as shown on said plan, 286.22 feet;

NORTHEASTERLY: by land of Module Homes, as shown on said plan, 40.36 feet;

SOUTHEASTERLY: by Lots 3 and 1 as shown on said plan, by two courses measuring respectively, 155.41 feet and 130.00 feet;

SOUTHEASTERLY: by a curved line as shown on said plan, measuring 32.65 feet.

Said Private Driveway contains 12,232 square feet of land, more or less, according to said plan, however otherwise, bounded, measured or described.

Exhibit e

For title to the Grantor, see deed of Dorothy E. Ziman, dated November 26, 1991 and recorded with said Deeds, Book 22164, Page 152.

Executed as a sealed instrument this *25th* day of May, 2006.

X Janice D. Ziman

Janice D. Ziman

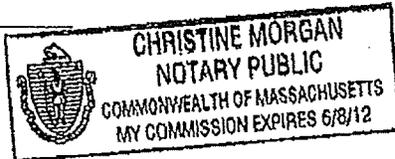
COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this *25th* day of May, 2006, before me the undersigned notary public, personally appeared Janice D. Ziman ~~provel~~ to me through satisfactory evidence of identification, which were ~~Advers license~~, to be the person whose name is signed on the preceding or attached documents, and acknowledged to me that he/she/they signed it voluntarily for its stated purpose.

[Handwritten Signature]

Notary public:
My commission expires:



REGISTRY OF DEEDS
SOUTHERN DISTRICT
ATTEST:

Luzerne C. Brune
REGISTER

Exhibit C

Total Pages = 3

3-4



Bk: 62133 Pg: 291 Doc: DEED
Page: 1 of 3 06/28/2013 11:56 AM

Quitclaim Deed

I, **GWYNN HORSBURGH**, being unmarried of Acton, Middlesex County, Massachusetts

for consideration paid and in full consideration of **THREE HUNDRED THIRTY-SIX THOUSAND AND 00/100 (\$336,000) DOLLARS**

grant to **STEPHEN A. BUDWICK**, individually
of 89 Central Street, Acton, Massachusetts 01720

For Registry Use

with *Quitclaim covenants*

A certain parcel of land, with the buildings thereon, situated in said Acton, Middlesex County, Massachusetts and being shown as Lot 1 on a plan of land entitled "Land in Acton, owned by Lawrence Donnelly and Ethel O. Donnelly," by Horace F. Tuttle, C.E., dated June 10, 1952 and recorded with Middlesex South District Registry of Deeds, Book 7933, Page 145, bounded and described as follows:

Beginning at the Southwesterly corner thereof at a stone wall at land now or formerly of William B. Franklin and Central Street; thence N. 12° 30' W. fifty-one and 4/10 (51.4) feet; and N. 26° W. sixty-five (65) feet along Central Street to a proposed street shown on said plan as Pine Ridge Road; thence Northeasterly by a curve, thirty-two and 4/10 (32.4) feet and radius twenty-one and 9/10 (21.9) feet to a point; thence N. 58° 38' E along said road, one hundred thirty (130) feet to a corner; thence S. 26° E by other land of said Donnelly, one hundred thirty-five (135) feet to a well at land formerly of William B. Franklin, thence S. 58° 38' W by said Franklin land, one hundred sixty-two (162) feet, to the point of beginning.

Said lot contains 20,000 square feet of land, more or less, according to said plan.

ALSO, the land in said Acton, situated on the Southeasterly side of Pine Ridge Road, a private way, bounded and described as follows:

Beginning in the Southerly corner of the parcel to be conveyed at land now or formerly of William B. Franklin and at the parcel above described; thence

NORTH 26° WEST by said parcel above-described, one hundred thirty-five (135) feet to Pine Ridge Road, a private way; thence

NORTH 58° 38' EAST along said Pine Ridge Road, one hundred fifty (150) feet to a point; thence

89 Central Street, Acton, MA 01720
QUITCLAIM DEED
PAGE 1 OF 3

MASSACHUSETTS EXCISE TAX
Southern Middlesex Dist/lot ROD # 001
Date: 06/28/2013 11:56 AM
Cit# 18012831856 Doc# 00140403
Fee: \$1,532.16 Com: \$336,800.00

PROPERTY LOCATION: 89 CENTRAL STREET, ACTON, MA 01720

Exhibit C

SOUTH 27° 06' EAST one hundred thirty and 41/100 (130.41) feet to a stone wall at land now or formerly of William B. Franklin; and thence

SOUTH 57° WEST by said Franklin land, one hundred fifty-three (153) feet to the point of beginning.

Said Lot contains 20,004 square feet of land, more or less, according to said plan.

Subject to a drainage easement as set forth in deed sated November 14, 1968 and recorded with said Deeds, Book 11606, Page 365.

ALSO, another parcel of land being shown as a "Private Driveway" on a plan of land entitled "Plan of Land in Acton, Mass., surveyed for Lawrence Donnelly" scale 1 inch = 40 feet, January 7, 1972 by Harlan E. Tuttle, Surveyor, recorded with the Middlesex South District Registry of Deeds, Book 12143, Page 2, more particularly bounded and described as follows:

SOUTHWESTERLY: by Central Street, 80.26 feet, as shown on said plan;

NORTHWESTERLY: by a curved line measuring 30.06 feet, as shown on said plan;

NORTHWESTERLY: by Lot 2A as shown on said plan, 286.22 feet;

NORTHEASTERLY: by land of Module Homes, as shown on said plan, 40.36 feet;

SOUTHEASTERLY: by Lots 3 and 1 as shown on said plan, by two courses measuring respectively, 155.41 feet and 130.00 feet;

SOUTHEASTERLY: by a curved line as shown on said plan, measuring 32.65 feet.

Said Private Driveway contains 12,232 square feet of land, more or less, according to said plan, however otherwise bounded, measured, or described.

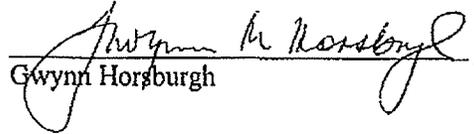
Subject to easements, rights, restrictions and covenants of record if they affect the locus and are in full force and effect, expressly not intending nor meaning to extend the same in the event that they have expired by operation of law or otherwise.

I, Gwynn Horsburgh, hereby revoke, rescind and terminate the Declaration of Homestead, dated May 26, 2006 and recorded with the Middlesex Southern District Registry of Deeds in Book 47517, Page 52, and any and all homestead rights in the herein property, and I do under oath depose and say that there are no other individuals entitled to claim the benefit of the existing estate of homestead in and to the property.

Meaning and intending to convey the same premises as conveyed by virtue of deed of Janice D. Ziman to Gwynn Horsburgh dated May 25, 2006, and recorded with the Middlesex Southern District Registry of Deeds at Book 47517, Page 32.

Exhibit C

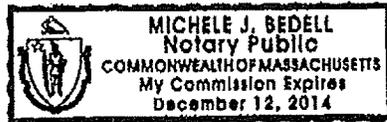
Witness my hand and seal this 21st day of June, 2013.

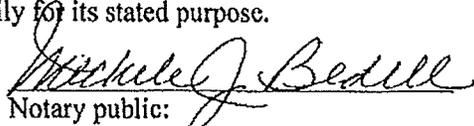

Gwynn Horsburgh

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss:

On this 21st day of June, 2013, before me, the undersigned notary public, personally appeared Gwynn Horsburgh, proved to me through satisfactory evidence of identification, which was driver's license, passport, employee ID card, personally known to me, to be the person whose name is signed on the preceding or attached and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of their knowledge and belief, and acknowledged to me that she signed it voluntarily for its stated purpose.




Notary public:
My commission expires:

BK12143 PG002

57-08

MASSACHUSETTS QUITCLAIM DEED INDIVIDUAL (LONG FORM) 892

LAWRENCE DONNELLY,

of Acton, Middlesex County, Massachusetts

for consideration paid, and in full consideration of \$25,000.00

grants to MARY A. SILVA

of Great Rd., Lincoln, Middlesex County, Mass., with quitclaim covenants

the land in

(Description and circumstances, if any)

Two certain parcels of land, with the buildings thereon, situated on the Northeasterly side of Central Street, Acton, Middlesex County, Massachusetts and being shown as Lot 2A and "Private Driveway" as shown on a plan entitled, "Plan of Land in Acton, Mass., surveyed for Lawrence Donnelly, dated January 7, 1972" Harlan E. Tuttle, Surveyor, to be recorded herewith and bounded and described as follows:

LOT 2A

- SOUTHWESTERLY by Central Street, 114.39 feet, as shown on said plan;
- NORTHWESTERLY by land of Module Homes, 12.00 feet, as shown on said plan;
- SOUTHWESTERLY by land of Module Homes, 1.84 feet, as shown on said plan;
- NORTHWESTERLY by land of Module Homes, 297.02 feet, as shown on said plan;
- NORTHEASTERLY by land of Module Homes, 135.99 feet, as shown on said plan;
- SOUTHEASTERLY by a Private Driveway, 286.22 feet, as shown on said plan; and
- SOUTHEASTERLY by the curved line as shown on said plan, 30.06 feet.

Containing 41,255 square feet of land, more or less as shown on said plan and being Lot 2A as shown on said plan however otherwise bounded, measured or described.

PRIVATE DRIVEWAY

- SOUTHWESTERLY by Central Street, 80.26 feet, as shown on said plan;
- NORTHWESTERLY by a curved line measuring 30.06 feet, as shown on said plan;
- NORTHWESTERLY by Lot 2A as shown on said plan, 286.22 feet;
- NORTHEASTERLY by land of Module Homes, as shown on said plan, 40.36 feet;
- SOUTHEASTERLY by Lots 3 and 1 as shown on said plan, by two courses measuring respectively, 155.41 feet and 130.00 feet;
- SOUTHEASTERLY by a curved line as shown on said plan, measuring 32.65 feet.

containing 12,232 square feet of land, more or less, as shown on said plan and being the parcel marked "Private Driveway" as shown on said plan however otherwise bounded, measured or described.

For my title to said premises see deed of Charles E. Richardson et al to Lawrence Donnelly and Ethel Olive Donnelly, husband and wife, as tenants by the entirety, recorded with Middlesex South District Deeds, Book 6123, Page 149. The said Ethel Olive Donnelly having died on August 1, 1967. See Death Certificate recorded in Book 11457, Page 211.

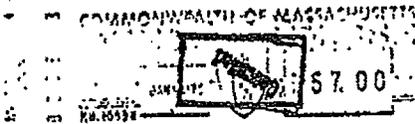
(*Individual—Joint Tenants—Tenants in Common—Tenants by the Entirety.)

001***19961 0422: 12/21-11/19/96

43
RECORDED IN DEED BOOK 12143 PAGE 062

Exhibit C

BK12143 PG003



Witness my hand and seal this 21st day of September 1971

Lawrence Donnelly

Lawrence Donnelly

The Commonwealth of Massachusetts

Middlesex,

ss.

Sept. 21 1971

Then personally appeared the above named

LAWRENCE DONNELLY

and acknowledged the foregoing instrument to be HIS free act and deed, before me

Charles E. Shuff

Notary Public

My Commission Expires

Nov. 12 1976

CHAPTER 183 SEC. 6 AS AMENDED BY CHAPTER 497 OF 1969

Every deed presented for record shall contain or have endorsed upon it the full name, residence and post office address of the grantee and a recital of the amount of the full consideration thereof in dollars or the nature of the other consideration therefor, if not delivered for a specific monetary sum. The full consideration shall mean the total price for the conveyance without deduction for any liens or encumbrances assumed by the grantee or retaining thereon. All such endorsements and recitals shall be recorded as part of the deed; failure to comply with this section shall not affect the validity of any deed. No register of deeds shall accept a deed for recording unless it is in compliance with the requirements of this section.

Witnesses hands and seals this first day of March 1977

Emily T. Shurling
EMILY T. SHURLING
Robert J. Silva
ROBERT J. SILVA
Ethel B. Shaw
ETHEL B. SHAW

Emily T. Shurling
EMILY T. SHURLING, EXECUTRIX OF THE
ESTATE OF "ALICE M. CAREW", DECEASED, NO. 497687
Walter J. Silva
WALTER J. SILVA
Mary R. Caldwell
MARY R. CALDWELL
Manuel H. Silva
MANUEL H. SILVA

The Commonwealth of Massachusetts

MIDDLESEX ss

Then personally appeared the above named

March 1977
Emily T. Shurling

and acknowledged the foregoing instrument to be

her free act and deed, before me
Paul J. [Signature]
Notary Public

My Commission Expires 12-17-78

CHAPTER 183 SEC. 6 AS AMENDED BY CHAPTER 491 OF 1969

Every deed presented for record shall contain or have endorsed upon it the full name, residence and post office address of the grantee and a recital of the amount of the full consideration thereof in dollars or the nature of the other consideration therefor, if not delivered for a specific monetary sum. The full consideration shall mean the total price for the conveyance without deduction for any liens or encumbrances assumed by the grantee or remaining thereon. All such endorsements and recitals shall be recorded as part of the deed. Failure to comply with this section shall not affect the validity of any deed. No register of deeds shall accept a deed for recording unless it is in compliance with the requirements of this section.

3 2 2 1 6 4 0 1 5 2

Exhibit E

MASSACHUSETTS QUITCLAIM DEED INDIVIDUAL (LONG FORM) 822

I, Dorothy E. Ziman
of Acton, Middlesex County, Massachusetts
being unmarried, for nominal consideration paid, and in full consideration of
grant to Janice D. Ziman

of 89 Central Street, Acton, Massachusetts 01720 with quitclaim warranties
hereinafter

[Description and encumbrances, if any]

the land containing two parcels of land, with the buildings thereon, situated on the
Northeasterly side of Central Street, Acton, Middlesex County, Massachusetts and
being shown as Lot 2A and "Private Driveway" as shown on a plan entitled, "Plan of
Land in Acton, Mass., surveyed for Lawrence Donnelly, dated January 7, 1972" Harlan
E. Tuttle, Surveyor, recorded Middlesex South District Registry of Deeds Book 12143
Page 2, and bounded and described as follows:

LOT 2A

SOUTHWESTERLY by Central Street, 114.39 feet, as shown on said plan;
NORTHWESTERLY by land of Module Homes, 72.00 feet, as shown on said plan;
SOUTHWESTERLY by land of Module Homes, 1.84 feet, as shown on said plan;
NORTHWESTERLY by land of Module Homes, 297.02 feet, as shown on said plan;
NORTHEASTERLY by land of Module Homes, 135.99 feet, as shown on said plan;
SOUTHEASTERLY by a private driveway, 286.22 feet, as shown on said plan; and
SOUTHEASTERLY by the curved line as shown on said plan, 30.06 feet.
Containing 41,255 square feet of land, more or less as shown on said plan and being
Lot 2A as shown on said plan however otherwise bounded, measured or described.

PRIVATE DRIVEWAY

SOUTHWESTERLY by Central Street, 80.26 feet, as shown on said plan;
NORTHWESTERLY by a curved line measuring 30.06 feet, as shown on said plan;
NORTHWESTERLY by Lot 2A as shown on said plan, 286.22 feet;
NORTHEASTERLY by land of Module Homes, as shown on said plan, 40.36 feet;
SOUTHEASTERLY by Lots 3 and 1 as shown on said plan, by two courses measuring
respectively, 155.41 feet and 130.00 feet;
SOUTHEASTERLY by a curved line as shown on said plan, measuring 32.65 feet.
Containing 12,232 square feet of land, more or less, as shown on said plan and being
the parcel marked "Private Driveway" as shown on said plan however otherwise
bounded, measured or described.
Being the same premises conveyed to me by Deed of Emily T. Shurling, et als dated
March 1, 1977 and recorded with said Deeds Book 13198, Page 510.
Reserving to the Grantor the right to occupy, rent and improve the granted premises
during her lifetime.

Property Address: 93 Central Street, Acton, MA 01720

MSD 06/29/92 12:48:20 464 25.00

(*Individual — Joint Tenants — Tenants in Common.)

NOTARY PUBLIC
MIDDLESEX COUNTY
STATE OF MASSACHUSETTS

Witness my hand and seal this 26th day of November, 1991

Dorothy E. Ziman

By Commission of Massachusetts

MIDDLESEX, ss.

November 26 19 91

Then personally appeared the above named

Dorothy E. Ziman

and acknowledged the foregoing instrument to be her

free act and deed, before me

Louis A. Florio
Louis A. Florio - Notary Public

My commission expires June 22 19 95

CHAPTER 183 SEC. 6 AS AMENDED BY CHAPTER 497 OF 1969

Every deed presented for record shall contain or have endorsed upon it the full name, residence and past office address of the grantor and a recital of the amount of the full consideration thereof in dollars or the nature of the other consideration therefor, if not delivered for a specific monetary sum. The full consideration shall mean the total price for the conveyance without deduction for any liens or encumbrances assumed by the grantor or arising thereon. All such endorsements and recitals shall be recorded as part of the deed. Failure to comply with this section shall not affect the validity of any deed. No register of deeds shall accept a deed for recording unless it is in compliance with the requirements of this section.

MASSACHUSETTS QUITCLAIM DEED INDIVIDUAL (LONG FORM) 682

I, JANICE D. ZIMAN

of 89 Central Street, Acton, Massachusetts 01720 County, Massachusetts,

being unmarried, for consideration paid, and in full consideration of \$351,000.00

grant to BRIAN J. MATTHEWS,

of 28 Belknap Street, Arlington, Massachusetts

~~the land~~

with quitclaim covenants



Bk: 43297 Pg: 53 Doc: DEED
Page: 1 of 2 07/15/2004 02:37 PM

[Description and encumbrances, if any]

The land with the buildings thereon, situated on the Northeasterly side of Central Street, Acton, Middlesex County, Massachusetts, and being shown as Lot 2A on a plan entitled, "Plan of Land in Acton, Mass., surveyed for Lawrence Donnelly, dated January 7, 1972" Harlan E. Tuttle, Surveyor, recorded with Middlesex South District Registry of Deeds Book 12143, Page 2, and bounded and described as follows:

LOT 2A

- SOUTHWESTERLY by Central Street, 114.39 feet, as shown on said plan;
- NORTHWESTERLY by land of Module Homes, 12.00 feet, as shown on said plan;
- SOUTHWESTERLY by land of Module Homes, 1.84 feet, as shown on said plan;
- NORTHWESTERLY by land of Module Homes, 297.02 feet, as shown on said plan;
- NORTHEASTERLY by land of Module Homes, 135.99 feet, as shown on said plan;
- SOUTHEASTERLY by a private driveway, 286.22 feet, as shown on said plan; and
- SOUTHEASTERLY by the curved line as shown on said plan, 30.06 feet.

Containing 41,255 square feet of land, more or less as shown on said plan and being Lot 2A as shown on said plan however otherwise bounded, measured or described.

Also granting to the Grantee, his heirs and assigns, the unobstructed right to use the parcel entitled "Private Driveway" on said plan for all purposes for which streets and ways may be used in the Town of Acton in common with others entitled thereto.

For my title see deed of Dorothy B. Ziman to me dated November 26, 1991 and recorded with said Deeds in Book 22164, Page 152.

MASSACHUSETTS EXCISE TAX
Southern Middlesex District ROD # 001
Date: 07/15/2004 02:37 PM
Ctrl# 034047 07299 Doc# 00185539
Fee: \$1,800.58 Cons: \$351,000.00

Property Location: 93 Central Street, Acton, MA 01720 Lot 2A

GOLD LAW FIRM
57 RIVER ST SUITE 302
WOBURSBURY MA 02481

Witness my hand and seal this 30th day of June, 2004

Janice D. Ziman
Janice D. Ziman

The Commonwealth of Massachusetts

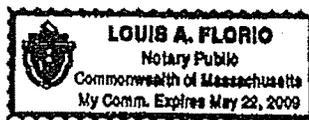
Middlesex, ss.

JUNE 30, 2004

On this 30th day of JUNE, 2004, before me, the undersigned notary public, personally appeared Janice D. Ziman, proved to me through satisfactory evidence of identification, which were Massachusetts Driver's License and personal knowledge of identity, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.

Louis A. Florio

Louis A. Florio - Notary Public
My Commission Expires:
May 22, 2009



James C. Brown
Attest. Middlesex S. Register

Exhibit 6

Bk: 47301 Pg: 104

Total Pages = 2



Bk: 47301 Pg: 104 Doc: DEED
Page: 1 of 2 04/19/2008 11:11 AM

RETURN TO:
Charles D. Micol
93 Central Street
Acton, MA 01720

MASSACHUSETTS EXCISE TAX
Southern Middlesex District ROD # 001
Date: 04/19/2008 11:11 AM
Ctrl# 071412 18418 Doc# 00068774
Fee: \$1,710.00 Cons: \$375,000.00

Quitclaim Deed

I, **BRIAN J. MATTHEWS**, of Acton, Middlesex County, Massachusetts

for consideration paid and in full consideration of **THREE HUNDRED SEVENTY FIVE THOUSAND and 00/100 (\$375,000.00) DOLLARS**

grant to **CHARLES D. MICOL**,

of 93 Central Street, Acton, Massachusetts

with *Quitclaim covenants*

the following property in Acton, Middlesex County, Massachusetts

[Description and encumbrances, if any]

A certain parcel of land, with the building(s) and improvements thereon, situated on the Northeasterly side of Central Street, Acton, Middlesex County, Massachusetts and being shown as Lot 2A on a plan entitled, "Plan of Land in Acton, Mass., surveyed for Lawrence Donnelly, dated January 7, 1972" Harlan E. Tuttle, Surveyor, recorded with Middlesex South District Registry of Deeds Book 12143, Page 2, and bounded and described as follows:

LOT 2A

SOUTHWESTERLY by Central Street, 114.39 feet, as shown on said plan;

NORTHWESTERLY by land of Module Homes, 12.00 feet, as shown on said plan;

SOUTHWESTERLY by land of Module Homes, 1.84 feet, as shown on said plan;

NORTHWESTERLY by land of Module Homes, 297.02 feet as shown on said plan;

NORTHEASTERLY by land of Module Homes, 135.99 feet, as shown on said plan;

SOUTHEASTERLY by a private driveway, 286.22 feet as shown on said plan; and

SOUTHEASTERLY by the curved line as shown on said plan, 30.06 feet.

93 Central Street, Acton, Massachusetts 01720
QUITCLAIM DEED
PAGE 1 OF 2

93 Central Street, Acton, Massachusetts 01720

Containing 41,255 square feet of land, more or less as shown on said plan and being Lot 2A as shown on said plan however otherwise bounded, measured and described.

Also granting to the Grantee, his heirs and assigns, the unobstructed right to use the parcel entitled "Private Driveway" on said plan for all purposes for which streets and ways may be used in the Town of Acton in common with others entitled thereto.

Subject to easements, restrictions and covenants of record if they affect the locus and are in full force and effect, expressly not intending nor meaning to extend the same in the event that they have expired by operation of law or otherwise.

For title see deed of Janice D. Ziman to Brian J. Matthews dated June 30, 2004, and recorded with Middlesex South District Registry of Deeds in Book 43297, Page 53.

Witness my hand and seal this 18 day of April, 2006.

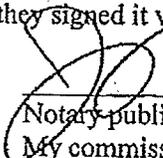


Brian J. Matthews

COMMONWEALTH OF MASSACHUSETTS

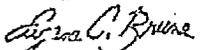
Middlesex, ss:

On this 18th day of April, 2006, before me, the undersigned notary public, personally appeared Brian J. Matthews, proved to me through satisfactory evidence of identification, which was driver's license / passport / employee ID card / to be the person whose name is signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.



Notary public:
My commission expires:

REGISTRY OF DEEDS
SOUTHERN DISTRICT
ATTEST


REGISTER



J. SAMATHA GOULD
Notary Public
Commonwealth of Massachusetts
My Commission Expires
November 3, 2011