

01-12-1999 @ 02:33

**FIDUCIARY DEED
9-F Sea Pines, 41 Grove Lane
Brewster, Massachusetts**

Robert D. Perkins, of Hampton Falls, New Hampshire, in his capacity as Executor under the Will of Doris H. Welsh and not individually, pursuant to Article 3rd of said Will and all other powers conferred upon him, for ^{nominal} consideration paid, grants to Evelyn E. Hurlbut, having an address of 15 Merchant Street, Sharon, Massachusetts,

the Unit ("Unit") known as UNIT F in BUILDING 9 ("Building") of Sea Pines Condominium II, Sea Pines Drive, Brewster, Barnstable County, Massachusetts, a condominium established pursuant to Massachusetts General Laws, Chapter 183A by Master Deed, dated August 7, 1974, recorded with said Deeds on August 8, 1974 in Book 2081, Page 126 ("Master Deed"), which Unit is shown on the floor plans of the Building filed simultaneously with said Master Deed with said Deeds.

Said Unit is conveyed together with:

1. An undivided 4.07 percent interest in common areas and facilities of the property described in said Master Deed ("Common Elements") attributable to the Unit as that undivided interest may change upon amendment to said Master Deed pursuant to Article 12 and Schedule A thereof.
2. An exclusive right to use garage parking space Number 13 as shown on the plans filed with the Master Deed, and the right to use one open parking space within the open parking area shown on the plans filed with the Master Deed.
3. An exclusive right to use (i) the patio and (ii) any immediately adjacent attic or storage areas to which there is direct access from the Unit.
4. An easement for the continuance of all encroachments by the Unit on any adjoining units or Common Elements existing as a result of construction of the Building in which the Unit is located, or which may come into existence hereafter as a result of settling of shifting of the Building, or as a result of repair or restoration of the Building or of the Unit, after damage or destruction by fire or other casualty, or after taking in condemnation or eminent domain proceedings, or by reason of alteration or repair to the Common Elements made by or with the consent of the Board of Managers.
5. As easement in common with the owners of other units to use any pipes, wires, ducts, flues, cable, conduits, public utility lines and other Common Elements located in any of the other units or elsewhere on the property and serving the Unit.

41 Grove Lane, Brewster

Said Unit is conveyed subject to: **BK 11985 PG 183 281 1**

1. All easements, restrictions and encumbrances set forth in the Master Deed.
2. Easements in favor of adjoining units and in favor of the Common Elements for the continuance of all encroachments of such adjoining units or Common Elements on the Unit, now existing as a result of construction of the Building, or which may come into existence hereafter as a result of settling or shifting of the Building, or as a result of repair or restoration of the Building or of any adjoining unit or of the Common Elements after damage or destruction by fire or other casualty or after a taking in condemnation or eminent domain proceedings, or by reason of an alteration or repair to the Common Elements made by or with the consent of the Board of Managers.
3. An easement in favor of the other unit owners to use the pipes, wires, ducts, flues, conduits, cables, public utility lines and other Common Elements located in the Unit or elsewhere on the property and serving such other units.
4. Exclusive rights in favor of the owner of any unit to use designated Parking Spaces.
5. Exclusive rights in favor of the owner of any unit having sole access to a patio, attic or storage space directly from the interior of such unit to use such space.
6. The provisions of the Master Deed, By-Laws, Land Plan and floor plans of the Condominium recorded simultaneously with and as part of the Master Deed, as the same may be amended from time to time by instrument recorded with Barnstable Registry of Deeds, which provisions, together with any amendments thereto, shall constitute covenants running with the land and shall bind any person having at any time any interest or estate in the Unit, his family, servants, lessees and visitors, as though such provisions were recited and stipulated at length therein.

The Unit is intended only for residential purposes. No use may be made of the Unit except as a residence for the Owner thereof or of his permitted lessees and the members of their immediate families.

The land comprising the condominium is shown as Phase II on a plan recorded with Barnstable Registry of Deeds in Plan Book 286, Page 91 to which reference is made for a more complete description.

For grantor's title, see Deed of Doris H. Welsh and Kurt A. James, Trustees of The Doris H. Welsh 1992 Trust to Doris Welsh, dated as of January 30, 1998, recorded with said Deeds in Book 11207, Page 142; Death Certificate of Doris H. Welsh recorded herewith; and Probate of the Estate of Doris H. Welsh, filed with Barnstable Registry of Probate, Docket No. 98P 1533EP-1 .

WITNESS the execution hereof as a sealed instrument as of the 22nd day of December, 1998.

Robert D Perkins

Robert D. Perkins, Executor as aforesaid and not individually

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss.

December 22, 1998.

Then personally appeared the above-named Robert D. Perkins, Executor as aforesaid, and acknowledged the foregoing instrument to be his free act and deed, as Executor as aforesaid, before me,

Barbara L. Gordon

Notary Public

My commission expires: 9/16/2005

BARNSTABLE REGISTRY OF DEEDS

BARBARA L. GORDON

Notary Public

My Commission Expires: 09/16/2005

