

08-25-1997 @ 03:06

FIDUCIARY DEED

DORIS F. HIRSCH, of 1 Regency Plaza, Apartment 1112, Providence, RI 02903, Executrix of the Estate of Norton Hirsch, pursuant to power of sale in the Will of Norton Hirsch, Barnstable Probate No. 96P-1375-EP1, in consideration of ONE HUNDRED FIFTY-FIVE THOUSAND FIVE HUNDRED DOLLARS (\$155,500.00), paid, grants to ALAN W. SOMERVILLE and DOROTHY D. SOMERVILLE, husband and wife as tenants by the entirety, of 4 Susan Lane, Brewster, MA 02631, WITH QUITCLAIM COVENANTS,

The unit ("Unit") known as **Unit O-5** of Sea Pines Condominium IV, Sea Pines Drive, Brewster, Barnstable County, Massachusetts, a condominium established by Corcoran, Mullins, Jennison, Inc., a Massachusetts corporation having its principal place of business in Quincy Massachusetts, pursuant to Massachusetts General Laws, Chapter 183A by Master Deed dated June 5, 1978 and recorded June 7, 1978 with Barnstable Registry of Deeds at Book 2721, Page 293 as amended ("Master Deed") which Unit is shown on the floor plans filed simultaneously with said Master Deed in Barnstable Deeds and on the copy of a portion of said plans attached to the deed from said Corcoran, Mullins, Jennison, Inc., to Norton Hirsch and Doris F. Hirsch, recorded at Barnstable Deeds, Book 3015, Page 117, to which is affixed the verified statement of a registered architect in the form required by Section 9 of said Chapter 183A. See amendments in Book 2801, Page 202; Book 2882, Page 151; Book 2932, Page 18 and Book 2972, Page 15.

Said Unit is conveyed together with:

1. An undivided 2.2 percent interest in the 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 the parking space adjacent to the Unit as shown on plans filed with the Master Deed, and the right to one additional unassigned parking space on the property.
3. An exclusive right to use the patio 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 come into existence hereafter as a result of settling or shifting of any 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 an alteration or repair to the Common Elements made by or with the consent of the Board of Managers.

5. An easement in common with the owners of other Units to use any pipes, wires, ducts, flues, cables, conduits, public utility lines and other Common Elements located in any of the other units or elsewhere on the Property, and serving the Unit.

The land comprising the condominium is shown as LOT #4 on plan entitled "Plan of Sea Pines Brewster, Mass." dated 2/7/77 and recorded with said Registry of Deeds in Plan Book 311 Page 27 to which reference is made for a more complete description.

This instrument relates to a condominium and is subject to the provisions of Chapter 183A of the General Laws.

Said Unit is conveyed subject to and with the benefit of:

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 any building, or which may come into existence hereafter as a result of settling or shifting of any 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 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 a part of the Master Deed, as the same may be amended from time to time by instrument recorded in Barnstable 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 herein.

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

For title see deed of Norton Hirsch and Doris F. Hirsch to Norton Hirsch, dated July 21, 1989, recorded at Barnstable Registry of Deeds in Book 6820, Page 339.

Property address: 15 Overlook Drive, Sea Pines, Brewster, MA 02631.

WITNESS my hand and seal this 31 day of July, 1997.

Doris F. Hirsch
Doris F. Hirsch, Executrix of the Estate of Norton Hirsch

STATE OF RHODE ISLAND

COUNTY OF Providence ss. August 1, 1997

Then personally appeared the above named Doris F. Hirsch, Executrix of the Estate of Norton Hirsch and acknowledged the foregoing instrument to be her free act and deed, before me,

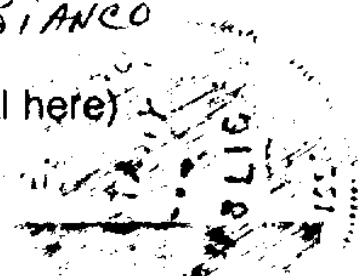
BARNSTABLE REGISTRY OF DEEDS

Agnes E. Bianco
Notary Public
AGNES E. BIANCO

My commission expires:

5/28/98

(place notary seal here)



CANCELLED
1515A
EXCISE TAX
14:03

08/25/97
DEEDS REG 01
BARNSTABLE

#01 #1111 14:01
COUNTY EXCISE TAX
0024

08/25/97
TAX 354.54
TOTAL 354.54
CHECK 354.54

BARNSTABLE COUNTY
REGISTRY OF DEEDS
COUNTY EXCISE TAX