

COMMONWEALTH OF MASSACHUSETTS
BARNSTABLE, SS.

SUPERIOR COURT DEPARTMENT
CIVIL ACTION NO. 2472CV00032

FRIENDS OF SEACOAST SHORES, INC.,
DANA RUSSELL DEFURIA, JULIE A. DEFURIA,
JOHN J. GUSHUE, DENISE GUSHUE, ROBERT J.
KOWALEWSKI, JR., PATRICK T. O'REGAN, JR.,
CECILY ANNE O'REGAN, AND VALERIE A.
SAFFRON, Plaintiffs-Defendants-in-Counterclaim

v.

SEACOAST SHORES ASSOCIATION, INC.,
Defendant-Plaintiff-in-Counterclaim

**AFFIDAVIT OF CHRISTOPHER J. GALLAGHER IN SUPPORT OF PLAINTIFFS'
MOTION TO DISMISS COUNTERCLAIMS**

I, Christopher J. Gallagher, on oath, depose and state as follows:

1. I am a landowner in Seacoast Shores and a member of the Board of Directors of Friends of Seacoast Shores, Inc.
2. I make this affidavit upon facts personally known to me, or upon facts which I reasonably believe to be true, as may be indicated.
3. I own and reside part-time in Seacoast Shores at 132 Edgewater Drive East, East Falmouth, MA 02536.
4. I first purchased the property at 132 Edgewater Drive East in 1998, and since May 14, 2018 I have been sole owner. See attached Gallagher Exhibit 1 [Deed, 31262-257, 5/14/18].

5. My title to 132 Edgewater Drive East is derived from a 1951 deed from a successor developer (Sailcoast Shores, Inc.) to Penniman. See attached Gallagher Exhibit 2 [Deed, Book-Page 737-47, 9/9/1951].

6. My title to 132 Edgewater Drive East contains the 1948 Beach and Recreation Area Clause, but does not contain any homeowners' association (HOA) clause.

7. I was a voluntary, dues-paying members of Defendant SSAI from about 2000 through 2012.

8. I am employed in the engineering and land surveying business, and am certified as a Land Surveyor In Training (certificate #1016) and Registered Professional Engineer (#35842) in Massachusetts.

9. In my occupation, I regularly search and review registry of deed records of all types.

10. I am familiar with and knowledgeable of application of the Massachusetts Derelict Fee Statute, G.L.c. 183, §58. See attached Gallagher Exhibit 3 [copy of G.L.c.183, s.58].

11. The original subdivision plans for Seacoast Shores included 22 water access ways rights-of-way (ROW), located along both sides of the peninsula, where water access was accessible. These ROWs are shown on the original Seacoast Shores subdivision plan recorded in the Barnstable County Registry of Deeds Plan Book 78, Pages 11, 13 and 89, and Plan Book 77, Page 123. This plan also shows 9 portions of subdivision roadways that abut the waterways.

12. I have reviewed the Barnstable registry of deeds records for all of the ROWs and roadway sections that Defendant SSAI claims to own.

13. I am aware that Defendant SSAI claims to be the owner (title holder) of 17 ROWs, by virtue of a 1981 deed from a prior grantor-developer, McCartin Leisure Industries,

Inc. Three of which (23W, 27W and 3W are actually roadway sections (ROW labeled 31W was actually a portion of a Town-owned road at the time of the McCartin conveyance). See attached Gallagher Exhibit 4 [ROW Inventory and Title Review, 1947-1981, including the 1981 McCartin deed to Defendant SSAI, Book-Page 3401-65, 11/27/1981].

14. I am also aware that Defendant SSAI claims to be the owner (title holder) of an 18th right-of-way - ROW #12E - by virtue of a 1980 deed from Mark Sullivan. See attached Gallagher Exhibit 5 [ROW 12E Title Review, 1978-1980, McCartin deed to Sullivan, Sullivan deed to Defendant SSAI].

15. Under the statute, every deed of real estate abutting a way includes the fee interest of the grantor in the way -- to the centerline if the grantor retains property on the other side of the way or for the full width if he does not -- unless "the instrument evidences a different intent by an express exception or reservation and not alone by bounding by a side line." A leading case on this is Tattan v. Kurlan, 32 Mass. App. Ct. 239, 243 (1992).

16. There are no express exceptions or reservations of the fee interest in any of the ROWs in Seacoast Shores by any of the grantor-developers, by any prior or successor neighborhood developers: Stotter (1947-1948), Sailcoast Shores, Inc. (1948-1957), Gateway Development Corp. (1957-1976), Joseph Joubert (1968-1978), and McCartin Leisure Industries, Inc. (1971-1986).

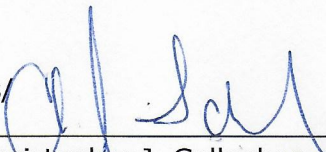
17. Consequently, all deeds issued for lots abutting all of the ROWs are deemed by operation of the Derelict Fee Statute to have conveyed ownership of the fee interests in the ROWS to the abutting lot owners; no ownership interests in the ROWs were expressly retained or reserved by any grantor-developer.

18. Therefore, the McCartin deeds to Sullivan (1978) and Defendant SSAI (1981) and the Sullivan deed to Defendant SSAI (1980) did not convey any ROW ownership interests to Defendant SSAI, because McCartin could not convey what he did not own. In Massachusetts land survey law this is known as "Senior Rights". A leading case on this "unity of title doctrine" is *Kitras v. Town of Aquinnah*, 64 Mass. App. Ct. 285, 291-292 (2005). Also, McCartin had no title interest in Seacoast Shores until July 6, 1973. All lots abutting ROWs, including fee ownership, were deeded out prior to McCartin taking title.

19. The ROWs claimed by Defendant SSAI in Seacoast Shores are owned by the abutting lots owners, either in full or to the centerlines.

SIGNED UNDER THE PENALTY OF PERJURY.

Dated: April 28, 2025

/s/ 

Christopher J. Gallagher
132 Edgewater Drive East
East Falmouth, MA 02536
508-728-5867

We **Christopher J. Gallagher and Julie Braga Gallagher** of 35 Gallagher Place, Raynham,
Bristol County, Massachusetts

for consideration paid, and in full consideration of **One and 00/100 (\$1.00) Dollar**
grant to **Christopher J. Gallagher** of 35 Gallagher Place, Raynham, MA

MA 01946: P.O. Box 53, " " 02767

with quitclaim covenants

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the land with buildings and improvements thereon situated in that part of the Town of Falmouth
known as East Falmouth, Barnstable County, Commonwealth of Massachusetts, bounded and
described as follows:

NORTHWESTERLY by Edgewater Drive East, as shown on the plan hereinafter referred to,
seventy-five (75) feet;

NORTHEASTERLY by Columbus Drive, as shown on said plan, one hundred twenty-five (125)
feet, more or less;

SOUTHEASTERLY by Childs River, as shown on said plan, seventy-five (75) feet, more or
less; and

SOUTHWESTERLY by Lot 11 (Section F), as shown on said plan, one hundred ten (110) feet,
more or less.

Said premises are shown as LOT 12 in Section F on a plan entitled " 'Seacoast Shores' Sections
E, F & G" dated April 15, 1947, surveyed by Frederick C. Hahn - Surveyor New Haven, Conn.,
Scale 1 in = 100 ft., which said plan is recorded with the Barnstable County Registry of Deeds in
Plan Book 78, Page 15.

Together with the right to use and enjoy the beach areas and moor and dock boats as appears in
the records of the Barnstable County Registry of Deeds. Subject to and with the benefit of the
restrictions, reservations, and encumbrances of record, particularly those set forth in a deed
running from Sailcoast Shores Inc., a Massachusetts corporation, to Elisha Penniman of
Elmwood, Connecticut which is dated October 24, 1951 and recorded with the Barnstable
County Registry of Deeds in Book 797, Page 47.

Meaning and intending to convey the same premises described in a deed from Josephine C.
Timmons, recorded in the Barnstable County Registry of Deeds in Book 11864, Page 302.

PROPERTY ADDRESS: 132 Edgewater Drive East, East Falmouth, MA

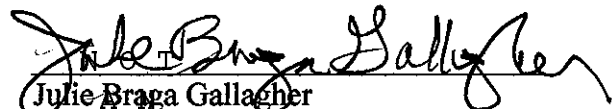
The undersigned Grantors hereby release any and all Rights of Homestead in the above described
property. The Grantors also hereby state that at the time of this conveyance, there are no other
persons entitled to this protection of the Homestead Act with respect to the property conveyed
hereby.

Witness our hands and seals this 2nd day of May, 2018. N O T

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C O P Y


Christopher J. Gallagher
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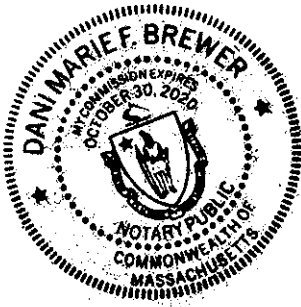
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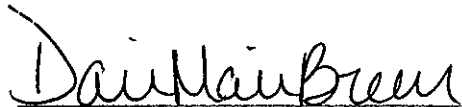

Julie Braga Gallagher
A N
O F F I C I A L
C O P Y

COMMONWEALTH OF MASSACHUSETTS

Barnstable County, ss:

On this 2nd day of May, 2018, before me the undersigned Notary Public personally appeared **Christopher J. Gallagher** and **Julie Braga Gallagher** and proved to me through satisfactory evidence of identification which was/were Massachusetts drivers license as identification to be the people whose names and signatures appeared on this document and proved to me that they signed it voluntarily, knowingly and for its stated purpose.




Notary Public:

My Commission Expires 10/30/2020

BARNSTABLE REGISTRY OF DEEDS
John F. Meade, Register

737
47

husband of said

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DOCUMENTARY

THE UNITED STATES OF AMERICA

THE UNTOLOADED GUN

TED KATZ

THE UNITED STATES OF AMERICA

INTERNAL REVENUE

• ONE DOLLAR •

1

Plymouth

SS.

November 8.

19 51

Edward J. McGrath.

Notary Public—~~Notary Public~~

My commission expires March 26, 19 54

Barnstable, ss., Received November 9, 1951, and is recorded.

of Elmwood, Connecticut with quitclaim covenants
the land in Falmouth, Barnstable County, Massachusetts being shown as Lots Number Eight (#8), Nine
#9), Ten (#10), Eleven (#11) and Twelve (#12) in Section F
on a plan entitled "Seacoast Shores, Sections E, F & G" dated May 15, 1947 by Fredrick C.
Hahn, Surveyor, recorded with Barnstable Registry of Deeds, Plan Book 78 Page 89.

Being the same premises conveyed to the grantor by deed of Seacoast Shores, Inc.

Being the same premises now known as and numbered Lots Number Eight (#8), Nine (#9), Ten (#10), Eleven (#11) and Twelve (#12) in Section F, as shown on said plan.

The Grantee shall have the right to use and enjoy, in common with other owners of the property on the premises known as Seacoast Shores, any and all beaches and recreation areas established by the Grantor on said Seacoast Shores.

Said premises are conveyed subject to the following restrictions, reservations, and encumbrances:

1. No tents or trailers, or temporary buildings, may be placed on said lot.
2. That no building or structure shall be erected or constructed on said premises unless the plans therefor and side-line and street-line setbacks have been approved in writing by the Grantor.

3. There shall be no building constructed or erected on this property other than one family dwelling, with private garage and boat house, for private use only, which must conform with said dwelling. All buildings constructed of wood or metal must be shingled, stained, or painted with two coats of paint.

4. There shall be no livestock, animal or poultry, kept or maintained on the premises other than household pets.

5. The parcels hereby conveyed shall be used only for residential purposes.

6. No outside toilet shall be erected on the premises, nor shall signs for advertising purposes be erected or placed on the premises.

7. Every structure, or addition thereto, shall be built upon a masonry foundation.

8. All structures must comply with municipal and governmental laws, ordinances, and regulations and if any restrictions or conditions herein, do not comply therewith, it shall not be construed as a waiver by the Grantor of compliance with such laws, ordinances, and regulations.

9. That sewage from any buildings erected on the premises shall be cared for by the owners or occupants installing a septic tank which shall at all times be maintained on said premises.

10. No motor boat nor any boat propelled by a gasoline motor may be docked or moored within fifty feet of any community bathing beach as designated by the Seller, and owners of motor propelled boats agree to moor or dock them only at places designated by the Grantor, unless otherwise specifically approved in writing by the Grantor.

Permission is granted to moor or dock boats of any type, either gas or sail, along the shore of above lots, except within 50 feet of the right of way of Columbus Drive.

The foregoing restrictions shall be deemed and considered covenants running with said premises and shall be binding upon the Grantee's heirs, executors, administrators, and assigns.

The Grantor reserves the privilege and right to grant easements and give authority to any companies or municipalities to install electric, telephone, telegraph poles and wires, gas and water mains, sewers, and to such companies or municipalities to operate and maintain its equipment over and in any and all roads, streets, avenues, or ways as shown on plan of SEACOAST SHORES, Inc., as well as in and about the docked boats on the beach.

For title references see Deed of Raymond H. Stotter et ux to Seacoast Shores, Inc. dated July 21, 1947, recorded with Barnstable Registry of Deeds, Book 675, Page 299; and Deed of Seacoast Shores, Inc. to Sailcoast Shores, Inc. dated May 22, 1948, and resolution of directors and stockholders of Seacoast Shores, Inc. dated May 11, 1948, and resolution of directors of Sailcoast Shores, Inc. dated May 18, 1948; all of which are recorded with Barnstable Registry of Deeds on May 27, 1948.

In Witness Whereof the said SAILCOAST SHORES, INC., has caused its corporate seal to be hereto affixed and these presents to be signed, acknowledged and delivered in its name and behalf by A. Charles Tanner its treasurer hereto duly authorized, this twenty-fourth

day of October in the year one thousand nine hundred and fifty-one.

SAILCOAST SHORES, INC.

by

A. Charles Tanner
Charles Tanner, Treasurer

The Commonwealth of Massachusetts

Suffolk, ss.

October 24,

Then personally appeared the above named A. Charles Tanner, Treasurer as aforesaid, and acknowledged the foregoing instrument to be the free act and deed of the said SAILCOAST SHORES, INC.

before me,

Melvin Newman
Melvin Newman, Notary Public
My commission expires Oct. 30, 1953

Barnstable, ss., Received November 9, 1951, and is recorded.

J. May R. Thatcher

of Garnmouth, Barnstable County, Massachusetts,
being unmarried, for consideration paid, grant to

Ronald Baldwin

of that part of South Fox, known as Foxville with quitclaim covenants

the land in Barnstable, Mass. lying near Kiner Pond

United States Revenue Stamp in the
Amount of \$3.50 were affixed to this
instrument and were cancelled.

Massachusetts General Laws Annotated

Part II. Real and Personal Property and Domestic Relations (Ch. 183-210)
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Title I. Title to Real Property (Ch. 183-189)

Chapter 183. Alienation of Land (Refs & Annos)
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M.G.L.A. 183 § 58

Real estate abutting a way, watercourse, wall, fence, or other monument

Every instrument passing title to real estate abutting a way, whether public or private, watercourse, wall, fence or other similar linear monument, shall be construed to include any fee interest of the grantor in such way, watercourse or monument, unless

- (a) the grantor retains other real estate abutting such way, watercourse or monument, in which case,
 - (i) if the retained real estate is on the same side, the division line between the land granted and the land retained shall be continued into such way, watercourse or monument as far as the grantor owns, or
 - (ii) if the retained real estate is on the other side of such way, watercourse or monument between the division lines extended, the title conveyed shall be to the center line of such way, watercourse or monument as far as the grantor owns, or
- (b) the instrument evidences a different intent by an express exception or reservation and not alone by bounding by a side line.

[Added by St.1971, c. 684, § 1. Amended by St.1973, c. 185, § 1; St.1990, c. 378, § 1.]

[St.1990, c. 378 , was approved Dec. 21, 1990. Emergency declaration by the Governor was filed Dec. 31, 1990.]

Section 2 of St. 1990, 378 [not codified as part of Mass. General Laws] provides as follows [Bold face numbers and letters in brackets added by Michael Pill, Esq. as an aid in parsing the statutory language]:

- “[1] The provisions of section one shall take effect on January the first, nineteen hundred and ninety-one and shall apply to instruments executed on and after said effective date
- [2] and to instruments executed prior thereto, except that as to such prior executed instruments this act shall not apply
 - [a] to land registered and confirmed under the provisions of chapter one hundred and eighty-five of the General Laws before said effective date
 - [b] or to the extent that any person or his predecessor in title has changed his position as a result of a decision of a court of competent jurisdiction.”

M.G.L.A. 183 § 58, MA ST 183 § 58
Current through the 2017 1st Annual Session

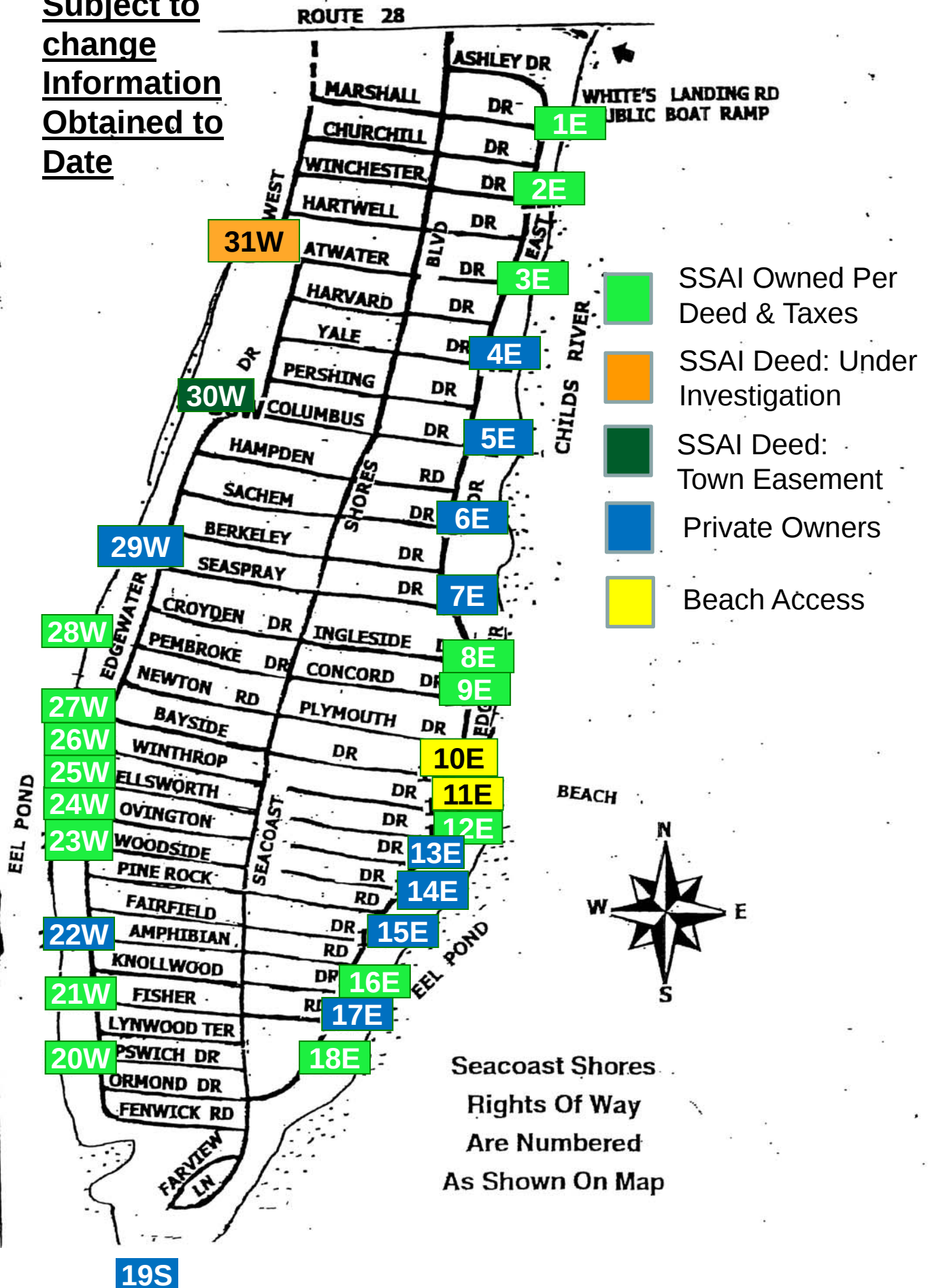
ROW Inventory - McCartin Deed to SSAI B3401-65 11-27-1981

ROW (see attached ROW Map)	CURRENT REC. OWNER	MCCARTIN GRANTEE	DATE	BOOK-PAGE	NOTES
1E Marshall	SSAI	SSAI	11/28/81	3401-65	
2E Winchester	SSAI	SSAI	11/28/81	3401-65	
3E Atwater	SSAI	SSAI	11/28/81	3401-65	
9E Concord	SSAI	SSAI	11/28/81	3401-65	
16E Knollwood	SSAI	SSAI	11/28/81	3401-65	
18E Edgewater Dr E	SSAI	SSAI	11/28/81	3401-65	
20W Ipswich	SSAI	SSAI	11/28/81	3401-65	
21W Fisher (Forest)	SSAI	SSAI	11/28/81	3401-65	
23W Woodside	Not a ROW Town Easement for Woodside Dr layout	SSAI	11/28/81	3401-65	Layout 1980 PB 342-80
24W Ovington (Wedgewood)	SSAI	SSAI	11/28/81	3401-65	
25W Ellsworth	SSAI	SSAI	11/28/81	3401-65	
26W Winthrop	SSAI	SSAI	11/28/81	3401-65	
27W Bayside (Bayview)	SSAI	SSAI	11/28/81	3401-65	
28W Pembroke	SSAI	SSAI	11/28/81	3401-65	

ROW Inventory - McCartin Deed to SSAI B3401-65 11-27-1981

ROW	CURRENT REC. OWNER	MCCARTIN GRANTEE	DATE	BOOK-PAGE	NOTES
29W Seaspray (Winchendon)	SSAI	SSAI	11/28/81	3401-65	
30W Columbus	SSAI	SSAI	11/28/81	3401-65	
31W Atwater	SSAI	SSAI	11/28/81	3401-65	
ROW 12E Conveyed to SSAI by Sullivan					
12E Ellsworth	SSAI	Sullivan	10/11/78	2799-210	Deed 6/3/80 To SSAI From Sullivan B3105-135

Subject to
change
Information
Obtained to
Date



Click on the Column Headings to sort accordingly.
Click on the Parcel ID to view the parcel detail.

Parcel ID	Location	Owner	Built Type	Total Value	Beds Baths	Lot size Fin area	LUC Description	NHood	Sale date Sale price	Book Page
41 02 000 000K	0 EDGEWATER DR EAST	SEACOAST SHORES ASSOC INC		\$300		4,356	201 OPEN SP	W5	11/27/1981	03401-0065
41 03 000K 001A	0 EDGEWATER DR EAST	SEACOAST SHORES ASSOC INC		\$2,100		34,848	201 OPEN SP	W5	11/23/1976	02430-0081
41 06 000D 000	0 FARVIEW LN	SEACOAST SHORES ASSOC INC		\$31,000		14,401	132 UNDEV-R	R16	1/1/1952	00824-0003
41 06 000A 000	7 FARVIEW LN	SEACOAST SHORES ASSOC INC	2012 Frtnl/Club	\$1,184,200	0	60,548	369	W5	8/26/1952	820-115
41 06 000B 000	0 FENWICK RD OFF	SEACOAST SHORES ASSOC INC		\$700	0	4,399	CULTRAL	W5	1/1/1952	00820-0114
32 00 000B 000B	0 SEACOAST ROW	SEACOAST SHORES ASSOC INC		\$100		2,261	201 OPEN SP	W6	11/27/1981	03401-0065
32 00 000B 000C	0 SEACOAST ROW	SEACOAST SHORES ASSOC INC		\$300		5,205	201 OPEN SP	W6	11/27/1981	03401-0065
32 11 000B 000A	0 SEACOAST ROW	SEACOAST SHORES ASSOC INC		\$200		2,849	201 OPEN SP	W6	11/27/1981	03401-0065
32 15 000F 000A	0 SEACOAST ROW	SEACOAST SHORES ASSOC INC		\$2,600		43,560	132 UNDEV-R	W5	11/27/1981	03401-0065
32 16 000G 000I	0 SEACOAST ROW	SEACOAST SHORES ASSOC INC		\$200		3,960	201 OPEN SP	W5	11/27/1981	03401-0065
32 16 000J 000H	0 SEACOAST ROW	SEACOAST SHORES ASSOC INC		\$200		3,180	201 OPEN SP	W5	11/27/1981	03401-0065
32 17 000H 000D	0 SEACOAST ROW	SEACOAST SHORES ASSOC INC		\$100		1,429	201 OPEN SP	W6	11/27/1981	03401-0065
32 17 000H 000E	0 SEACOAST ROW	SEACOAST SHORES ASSOC INC		\$100		1,708	201 OPEN SP	W5	11/27/1981	03401-0065
41 02 000 000D	0 SEACOAST SHORES ROW	SEACOAST SHORES ASSOC INC		\$200		3,528	201 OPEN SP	W5	11/27/1981	03401-0065
41 02 000 000E	0 SEACOAST SHORES ROW	SEACOAST SHORES ASSOC INC		\$100		793	201 OPEN SP	W5	11/27/1981	03401-0065
41 02 000 000G	0 SEACOAST SHORES ROW	SEACOAST SHORES ASSOC INC		\$100		1,860	201 OPEN SP	W5	11/27/1981	03401-0065
41 03 000K 000B	0 SEACOAST SHORES ROW	SEACOAST SHORES ASSOC INC		\$100		2,100	201 OPEN SP	W5	11/27/1981	03401-0065
41 03 000K 010A	0 SEACOAST SHORES ROW	SEACOAST SHORES ASSOC INC		\$300		4,800	201 OPEN SP	W5	11/27/1981	03401-0065
41 06 000 000F	0 SEACOAST SHORES ROW	SEACOAST SHORES ASSOC INC		\$200		3,393	201 OPEN SP	W5	11/27/1981	03401-0065
41 06 000 000G	0 SEACOAST SHORES ROW	SEACOAST SHORES ASSOC INC		\$200		3,328	201 OPEN SP	W5	11/27/1981	03401-0065
41 06 000 000J	0 SEACOAST SHORES ROW	SEACOAST SHORES ASSOC INC		\$300		4,356	201 OPEN SP	W5	11/27/1981	3401-65

McCARTIN LEISURE INDUSTRIES, INC.

a corporation duly established under the laws of Commonwealth of Massachusetts,
and having its usual place of business at 31 Milk Street,
Boston, Suffolk County, Massachusetts, for consideration paid
grants to SEACOAST SHORES ASSOCIATION, INC., a corporation duly established under
the laws of the Commonwealth of Massachusetts, and having its usual place of
business at P.O. Box 768
of East Falmouth, Barnstable County, Massachusetts 02536 with quitclaim covenants
the land in ALL REMAINING RIGHTS OF WAY ALONG EDGEWATER DRIVE EAST AND EDGEWATER
DRIVE WEST in the development known as Seacoast Shores located in East Falmouth,
Massachusetts.

Specifically excluded are any rights of way previously conveyed and any
rights of way taken by the Town of Falmouth prior to this conveyance.

The rights of way conveyed herein include but are not limited to the
following:

Along Edgewater Drive East:

Marshall Drive, between Lots 104 and 105, Section B;
Winchester Drive, between Lots 96 and 97, Section B;
Atwater Drive, between Lot 89, Section B and Lot 1, Section D
Concord Drive, between Lots 6 and 7, Section H;
Knollwood Drive, between Lots 9 and 10, Yacht Club Section;
Off Edgewater Drive East, between Lots 17 and 18, Yacht Club Section.

Along Edgewater Drive West:

Ipswich Drive, between Lots 53 and 54, Yacht Club Section;
Forest Road, between Lots 58 and 59, Yacht Club Section;
Woodside Road, between Lot 70, Yacht Club Section and Lot 1, Section J;
Wedgewood (Ovington) Drive, between Lots 4 and 5, Section J;
Ellsworth Drive, between Lots 8 and 9, Section J;
Winthrop Drive, between Lots 12 and 13, Section J;
Bayview (Seaspray) (Bayside) Drive, between Lot 15, Section J and Lot 1,
Section G;
near Pembroke Drive, between Lots 6 and 7, Section G;
Winchendon Road (Seaspray Drive), between Lot 14, Section G and Lot 1,
Section E;
Columbus Drive, between Lot 14, Section E and Lot 17, Section C;
Atwater Drive, between Lot 1, Section C and Lot 19, Section A.

For title see foreclosure deed of Milton Savings Bank dated November 25,
1975, and recorded with Barnstable Deeds, Book 2271, Page 1, and see deed of Joseph
J. Joubert to McCartin Leisure Industries, Inc. dated July 6, 1973, recorded with
Barnstable Deeds, Book 1896, Page 266.

See also plans recorded Plan Book 78, Page 11, Plan Book 77, Page 123,
Plan Book 78, Page 15, Plan Book 78, Page 13 and Plan Book 78, Page 89, Barnstable
County Registry of Deeds.

CONSIDERATION FOR THIS CONVEYANCE IS \$3,400.00



In witness Whereof the said McCARTIN LEISURE INDUSTRIES, INC.

has caused its corporate seal to be hereto affixed and these presents to be signed, acknowledged and delivered in its name and behalf by J. JOSEPH MALONEY, its Treasurer hereto duly authorized, this 5th day of November in the year one thousand nine hundred and eighty-one.

Signed and sealed in presence of

[Signature]

McCARTIN LEISURE INDUSTRIES, INC.

by *J. Joseph Maloney, Treas.*
J. JOSEPH MALONEY, Treasurer

The Commonwealth of Massachusetts

Suffolk ss.

11/5 19 81

Then personally appeared the above named J. JOSEPH MALONEY, Treasurer of McCARTIN LEISURE INDUSTRIES, INC.

and acknowledged the foregoing instrument to be the free act and deed of the said McCARTIN LEISURE INDUSTRIES, INC.

before me

Linda M. Daly

Notary Public

My commission expires

2/1



RECORDED NOV 27 81

NOT
OFFICIAL
COPY

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COPY

MILTON SAVINGS BANK

a corporation duly established under the laws of Massachusetts
and having its usual place of business at 40 Adams Street
of Milton, Norfolk County, Massachusetts, in consideration of

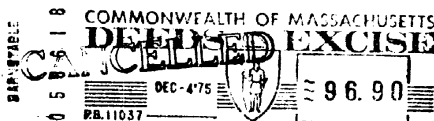
releases
-----FORTY-TWO THOUSAND, FIVE HUNDRED (\$42,500.00) DOLLARS--
to McCartin Leisure Industries, Inc., a Massachusetts corporation

of 31 Milk Street, Boston, Suffolk County, Massachusetts

the land in
XXXXXX

with quitclaim to the same

Certain parcels of land situated in Falmouth, Barnstable
County, Massachusetts, more particularly described in a foreclosure
deed of Milton Savings Bank to Milton Savings Bank dated August 13,
1975, recorded with Barnstable Registry of Deeds in Book 2223, Page
86 to which foreclosure deed reference is hereby made for a more
particular description of the said premises.



In Witness Whereof the said MILTON SAVINGS BANK

has caused its corporate seal to be hereto affixed and these presents to be signed, acknowledged and
delivered in its name and behalf by Richard B. Paige
its President hereto duly authorized, this twenty-fifth
day of November in the year one thousand nine hundred and seventy-five.

MILTON SAVINGS BANK

For Authority, see Vote
filed with Barnstable
Registry District of the
Land Court as Document
No. 191,344.

by Richard B. Paige, President

The Commonwealth of Massachusetts

Norfolk,

ss.

November 25,

1975

Then personally appeared the above named Richard B. Paige, President as aforesaid

and acknowledged the foregoing instrument to be the free act and deed of the Milton Savings Bank

before me

Notary Public
My commission expires

My commission expires

Notary Public
XXXXXX

RECORDED DEC 475

NOT
AN
OFFICIAL
COPY
MASSACHUSETTS FORECLOSURE DEED BY CORPORATION (LONG FORM) 81A L
BOOK 2223 PAGE 086

NOT
AN
OFFICIAL
COPY
Milton Savings Bank, I C I A L
a corporation duly established under the laws of the Commonwealth of Massachusetts

and having its usual place of business at 40 Adams Street, Milton, Norfolk
County, Massachusetts,
holder of a mortgage

from Gateway Development Corp

to said Milton Savings Bank

dated December 14, 1966 recorded with Barnstable Registry of Deeds

book 1354 , page 239 , by the power conferred by said mortgage and
every other power, for Twenty thousand and-----00/100 dollars

paid, grants to Milton Savings Bank, a corporation duly established under
the Laws of the Commonwealth of Massachusetts and located at 40 Adams
Street, Norfolk County, Milton

the premises conveyed by said mortgage. (except such portion which has been partially
released as of record.



NOT
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COPY

Witness the execution and the corporate seal of said corporation this

day of August 13 1975

MILTON SAVINGS BANK

For authority see vote filed with
Barnstable Registry District of
the Land Court Document No. 191344.

By Lawrence D. Duncan, Vice Pres.



The Commonwealth of Massachusetts

Norfolk

ss.

August 13 19 75

Then personally appeared the above named Lawrence D. Duncan, Vice President as
aforesaid

and acknowledged the foregoing instrument to be the free act and deed of the Milton Savings

Bank,

before me,

JOHN P. FURRA
NOTARY PUBLIC

John P. Furra
Notary Public — Justice of the Peace

My commission expires.....19.....

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 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.

NOT
AFFIDAVIT
BOOK 223 PAGE 088
OFFICIAL COPY

Affidavit
I, Lawrence D. Duncan, Vice President,
Milton Savings Bank, named in the foregoing deed, make
oath and say that the principal interest and taxes

obligation

mentioned in the mortgage above referred to were not paid or tendered or performed when due or prior to
the sale, and that I published on the

15, 22 and 29

day of July 19 75

in the Falmouth Enterprise

a newspaper published or by its title page purporting to be published in Falmouth

and having a circulation therein, a notice of which the following is a true copy

(INSERT ADVERTISEMENT)

See Schedule "A"

Pursuant to said notice at the time and place therein appointed, sale was held on the last parcel
described in the mortgage being a portion of the mortgaged premises not
partially released as of record; and said Milton Savings Bank

sold the mortgaged premises at public auction by

Nelson M. Silk, an auctioneer, to Milton Savings Bank

above named, for Twenty thousand and-----00/100 dollars

bid by said Milton Savings Bank

, being the highest bid made therefor at said auction.

Lawrence D. Duncan
Lawrence D. Duncan, Vice President

Signed and sworn to by the said Lawrence D. Duncan, Vice President as aforesaid
August 13 19 75, before me,

JOHN P. CURRAN
NOTARY PUBLIC
Commission Expires August 13, 1976

Notary Public — Justice of the Peace
My commission expires.....19.....

Witness our hand and seal this nineteenth day of June 1957

Joseph E. Corkin
Herbert I. Corkin
Alfred P. Corkin
d/b/a/ Corkin Enterprises

977
31

Commonwealth of Massachusetts

Norfolk, ss. June 19, 1957

Then personally appeared the above named Herbert I. Corkin

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

Richard C. Monahan
Notary Public

Barnstable, ss., Received June 25, 1957, and is recorded.

Sailcoast Shores, Inc.

a corporation duly established under the laws of the Commonwealth of Massachusetts

and having its usual place of business at Randolph, Norfolk County, Massachusetts

~~XXXXXX~~ for consideration paid,

grant to Gateway Development Corp., a corporation duly established under the laws of the Commonwealth of Massachusetts and having its usual place of business in Hanover, Plymouth County, Massachusetts,

~~XX~~ with quitclaim covenants

~~XXXXXX~~

[Description and encumbrances, if any]

A certain parcel of land with the buildings thereon containing 300 acres more or less on Jenkins Neck so-called situated on the southerly side of Waquoit Road, Falmouth, Barnstable County, Massachusetts and being shown as sections A, B, C, and D on a plan entitled "Seacoast Shores Falmouth, Mass." surveyed by Frederick C. Hahn, Surveyor, dated Apr. 15, 1947 recorded with Barnstable County Registry of Deeds, Plan Book 78, Page 13; sections E, F, and G on a plan entitled "Seacoast Shores Falmouth Mass." surveyed by Frederick C. Hahn, Surveyor dated Apr. 15, 1947 revised May 15, 1947 and recorded with said Registry Plan Book 78, Page 89; sections H, J and K on a plan entitled "Seacoast Shores Falmouth, Mass." surveyed by Frederick C. Hahn, Surveyor dated Apr. 10, 1947 recorded with said Registry of Deeds, Plan Book 77, Page 123; and the Yacht Club section on a plan entitled "Seacoast Shores Falmouth, Mass." surveyed by Frederick C. Hahn, Surveyor dated Apr. 15, 1947 and recorded with said Registry of Deeds, Plan Book 78, Page 11.

Excepting however, from this conveyance those lots on said plans which have been previously conveyed by deeds duly recorded with the said Barnstable Registry of Deeds.

Excepting also from this conveyance the following described lots, namely: lots 18, 19, 28 and 29 section C, lot 28, 29, 30 and 31 section D, as

See BOOK 3460 PAGE 91

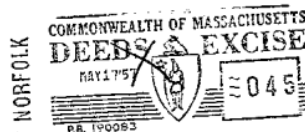
977

32

shown on plan above referred to recorded in Plan Book 78, Page 13; lots 28, 29, 58 and 69 section E, lots 7, 17, 21, 28, 37, 42 and 46 section F and lots 23, 24, 25 and 68 section G as shown on above mentioned plan recorded in Plan Book 78, Page 89; lot 11, section H and Lot 4 section J as shown on above mentioned plan and recorded in Plan Book 77, Page 123; lots 13, 56, 94, 139, 140, 141, 145, 148, 149 and 150 Yacht Club section as shown on above mentioned plan recorded in Plan Book 78, Page 11.

The above described premises are conveyed subject to and with the benefit of restrictions, easements and reservations of record, in so far as they may now be in force and applicable.

Meaning and intending to convey and hereby conveying the same premises conveyed to the grantor by deed of Seacoast Shores, Inc. dated May 22, 1948 recorded with said Registry of Deeds, Book 695, Page 83 as confirmed by deed of Seacoast Shores, Inc. dated June 9, 1949 and recorded as aforesaid, Book 722, Page 330, excepting those lots as hereinbefore specifically excluded.



U.S. REV. STAMPS IN THE AMOUNT OF \$47.50 WERE
AFFIXED TO THIS INSTRUMENT AND WERE CANCELLED.

In witness whereof, the said Seacoast Shores, Inc.

has caused its corporate seal to be hereto affixed and these presents to be signed, acknowledged and

delivered in its name and behalf by Herbert I. Corbin, nineteenth

its Treasurer hereto duly authorized, this XXXXXX

day of June in the year one thousand nine hundred and ~~fifty~~ seventy

Signed and sealed in the presence of

Richard C. Monahan

by

SAILCOAST SHORES, INC.
Herbert I. Corkin
Treasurer



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33

The Commonwealth of Massachusetts

Norfolk,

ss.

June X, 1957

Then personally appeared the above named Herbert I. Corkin, Treasurer

and acknowledged the foregoing instrument to be the free act and deed of Sailcoast Shores, Inc.

before me

Richard C. Monahan
Notary Public

My commission expires

10/9/57

June 19, 1957

Extract from records of a special combined meeting of the stockholders and directors of Sailcoast Shores, Inc. duly called and held on the nineteenth of June, 1957, at the offices of the corporation. All of said directors and stockholders were present and acting throughout.

Upon motion duly made and seconded, it was unanimously

VOTED:

That the corporation sell to Gateway Development Corp. the real estate located in Falmouth, Barnstable County, Massachusetts, being 300 acres more or less on Jenkins Neck, sometimes known as Seacoast Shores, as shown on the following plans duly recorded with the Barnstable Registry of Deeds, Plan Book 78, Pages 11, 13, 15 and 89 and Plan Book 77, Page 123. Excepting therefrom those lots which have been previously conveyed by deeds duly recorded with the Barnstable Registry of Deeds.

Excepting also the following described lots: Lots 18, 19, 28 and 29, Section C, and Lots 28, 29, 30 and 31, Section D, as shown on a plan recorded with said Deeds, Plan Book 78, Page 13; Lots 28, 29, 58 and 69, Section E, Lots 7, 17, 21, 28, 37, 42 and 46 Section F and Lots 23, 24, 25 and 68, Section G, as shown on a plan recorded with said Deeds, Plan Book 78, Page 89; Lot 11, Section H and Lot 4, Section J, as shown on a plan recorded with said Deeds, Plan Book 77, Page 123; Lots 13, 56, 94, 139, 140, 141, 145 and 148, 149 and 150 Yacht Club Section, as shown on a plan recorded with said Deeds, Plan Book 78, Page 11.

The treasurer of the corporation be and he hereby is authorized and directed to convey said real estate to Gateway Development Corp. for such price and upon such terms as he may deem for the best interests of the corporation. In pursuance of the above the treasurer be and he hereby is authorized and directed to execute, seal with the corporate seal, acknowledge and deliver to said Gateway Development Corp. for and in behalf of the corporation a quitclaim deed of said real estate and to do all things necessary or expedient to carry out the purposes of this vote. The execution of a deed by said treasurer shall be conclusive evidence that this vote has been fully complied with and such instrument or instruments shall be valid and binding upon this corporation.

3 4

Clerk

Clerk

Gateway Development Corp.

having its usual place of business at Hanover

Plymouth

County, Massachusetts, for consideration paid, grants to

Joseph Z. Corkin, Herbert I. Corkin and Alvan R. Corkin d/b/a/

Corkin Enterprises of Randolph

with mortgage covenants, to secure the payment of. **THIRTY THOUSAND**

...Dollars

as provided in one note of even date

[illegible]

XXXXXXXXXXXX
Semi-annual

~~XXXXXXXXXXXXXXXXXXXXX as provided in XXXXXXXXXXXXXXXXXXXXXXXX note~~

XXXXXXXXXX

[Description and encumbrances, if any]

A certain parcel of land with the buildings thereon situated in Falmouth, Barnstable County, Massachusetts containing 300 acres more or less on Jenkins Neck so-called situated on the southerly side of Waquoit Road, and being shown as sections A, B, C, and D on a plan entitled "Seacoast Shores, Falmouth, Mass." surveyed by Frederick C. Hahn, Surveyor, dated Apr. 15, 1947 recorded with Barnstable County Registry of Deeds, Plan Book 78, Page 13; sections E, F, and G on a plan entitled "Seacoast Shores Falmouth, Mass." surveyed by Frederick C. Hahn, Surveyor dated Apr. 15, 1947 revised May 15, 1947 and recorded with said Registry Plan Book 78, Page 89; sections H, J and K on a plan entitled "Seacoast Shores Falmouth, Mass." surveyed by Frederick C. Hahn, Surveyor dated Apr. 10, 1947 recorded with said Registry of Deeds, Plan Book 77, Page 123; and the Yacht Club section on a plan entitled "Seacoast Shores Falmouth, Mass." surveyed by Frederick C. Hahn, Surveyor dated Apr. 15, 1947 and recorded with said Registry of Deeds, Plan Book 78, Page 11.

Excepting however, from this conveyance those lots on said plans which have been previously conveyed by deeds duly recorded with the said Barnstable Registry of Deeds.

Excepting also from this conveyance the following described lots, namely: lots 18, 19, 28 and 29 section C, lot 28, 29, 30 and 31 section D, as shown on plan above referred to recorded in Plan Book 78, Page 13, lots 28, 29, 58 and 69 section E, lots 7, 17, 21, 28, 37, 42 and 46 section F and lots 23, 24, 25 and 68 section G as shown on above mentioned plan recorded in Plan Book 78, Page 89; lot 11, section H and Lot 4 section J as shown on above mentioned plan and recorded in Plan Book 77, Page 123; lots 13, 56, 94, 139, 140, 141, 145, 148, 149 and 150 Yacht Club section as shown on above mentioned plan recorded in Plan Book 78, Page 11.

and directed to execute and deliver to said Sandy Beach Shores, Inc. or its nominee for and in behalf of the corporation and under its corporate seal a good and sufficient deed to said land and to do all things necessary and proper to consummate said sale and to carry out and execute this vote."

I hereby certify the foregoing to be a true extract from the records of the meeting above mentioned; that at said meeting there were present all the Directors and all the Stockholders of the corporation; that the stock of the corporation issued and outstanding at the time of said meeting was 100 shares, and that all of said shares were voted in the affirmative, and no shares were voted in the negative.

I further certify that RAYMOND H. STOTTER is the President and Treasurer of said Seacoast Shores, Inc.



Lawrence D. Luce
Clerk, Seacoast Shores, Inc.

COMMONWEALTH OF MASSACHUSETTS

Barnstable, SS

Falmouth, Massachusetts

Then personally appeared the above-named LAWRENCE D. LUCE who made oath that he is the Clerk of Seacoast Shores, Inc., and that the above is a true record of a vote taken at a special combined meeting of the stockholders and Directors of said Seacoast Shores, Inc. held May 11, 1948, before me this 25th day of May, 1948.

John P. Sylvester Jr.
Notary Public
My commission expires March 12, 1954
JOHN P. SYLVESTER JR.

Barnstable, ss., Received May 27, 1948, and is recorded.

SEACOAST SHORES, INC., a corporation duly organized and existing under the laws of the Commonwealth of Massachusetts, with its principal place of business in Falmouth, Barnstable County, Massachusetts, for consideration paid, grants to SAILCOAST SHORES, INC. - - - - - a corporation duly organized and existing under the laws of said Commonwealth of Massachusetts and having its principal place of business in Boston, Suffolk County, in said Commonwealth, with QUITCLAIM COVENANTS, a certain parcel of land situated in Falmouth, Barnstable County, Massachusetts, on Jenkins' Neck, so-called, containing 300 acres of land more or less, being three contiguous parcels bounded and described as follows:-

FIRST PARCEL:

BEGINNING at a stone bound located on the boundary line between the properties formerly of Foster Jenkins and land formerly of John H. Robinson, said stone bound being about two rods from Childs' River, so-called;

THENCE running Westerly in said boundary line to a stonebound standing

See Confirmatory Deed in Book 1922, Page 330

by an old road and cranberry bog property now or formerly of William A. Tobey;

THENCE Northerly by said old road to the County Road;

THENCE Easterly by said County Road to an old road leading from Fresh Pond to Jenkins' Wharf;

THENCE Southeasterly by last named road to a stone bound in said road;

THENCE in the line of an old road to the Southwesterly corner of Jenkins' Wharf, marked by a stone bound;

THENCE by said wharf to Childs' River;

THENCE Southerly by Childs' River to a stone bound standing on the Nottherly side of Robinson's Wharf;

THENCE North 44° 30' West eighty-one feet to a stone bound;

THENCE South 22° West two hundred eighty-three feet to a stone bound;

THENCE South 64° East forty-nine and 7/10 feet to a stone bound and Childs' River;

THENCE South by said River to the first-named boundary line and other land formerly of Adelaide Ovington;

THENCE West about two rods to the point of beginning.

Subject to the rights, if and in so far as the same are now in legal force and applicable, of William A. Tobey, (or his heirs and assigns) over a right of way in the line of the Fresh Pond Road from Jenkins' Wharf to the County Road; also subject to the rights, if and in so far as the same are now in legal force and applicable, of said William A. Tobey, his heirs and assigns forever, to cut and to keep clear of bushes and trees a strip of land fifty feet in width parallel to and adjoining his cranberry bog property, together with the privilege to take therefrom sand and other materials for cranberry bog purposes that may be required from time to time as set forth in deed from William A. Tobey to said Adelaide Ovington, dated April 24, 1913, and recorded with Barnstable Deeds, Book 323, Page 381.

For title reference to the above described premises see deeds William A. Tobey to Adelaide Ovington dated April 24, 1913 and recorded with said Barnstable County Deeds, Book 323, Page 381 and dated May 14, 1913 and recorded with Barnstable County Deeds, Book 320, Page 365. Reference is also made to the plan entitled "Plan of the Northern End of Jenkins' Neck, East Falmouth, Mass." dated April 3, 1913 and drawn by W. A. Tobey, being the same plan referred to in said deed first above referred to, being filed in said Barnstable

County Registry of Deeds.

SECOND PARCEL:

Also one other parcel of land formerly known as West Wharf or as Robinson's Wharf, situated near the Northeasterly part of the hereinbefore described premises, near White's Landing, and is bounded on all the landward sides by the hereinbefore described premises and on the Easterly side by Childs' River.

For title references see deed William B. Shaddock to William A. Tobey dated March 21, 1913, recorded with Barnstable County Deeds, Book 320, Page 336, and the above first-mentioned deed from William A. Tobey to Adelaide Ovington recorded with said Deeds, Book 323, Page 381.

THIRD PARCEL:

Also another certain tract of land situated on said Jenkins' Neck, so-called, and bounded and described as follows:-

BEGINNING at a stone bound located on the boundary line between the properties formerly of Foster Jenkins and of John H. Robinson, deceased and about two rods from Childs' River (so-called);

THENCE running Easterly in the same range to said Childs' River;

THENCE Southerly by said River to Bel Pond, so-called;

THENCE by the margin of said Pond in a varying Southerly and Westerly direction around the point and continuing by said margin Northerly and Northeasterly to the headwaters thereof to land now or formerly of W. A. Tobey;

THENCE by said Tobey's land to a stone bound located at the Westerly end of the aforesaid Jenkins-Robinson boundary line;

THENCE Easterly in said boundary line, (a ridge and marked trees) to the first-mentioned bound and point of beginning.

Together with a right of way to and from said granted premises

over a dyke or dam now or formerly of W. A. Tobey and following the travelled road by an old cemetery near the land formerly of William Crocker to the State Highway;

Also with a right of way to and from said premises over a road or avenue through the centrally located land now or formerly of said Tobey extending from the granted premises Northerly to the said State Road in a straight line, as set forth in deed from Howard Swift to said Adelaide Ovington, dated July 2, 1912, and recorded with said Barnstable Deeds, Book 313, Page 319.

There is excepted from the foregoing granted and described premises a certain parcel of land which is a public landing of the Town of Falmouth located on Childs' River between land formerly of William A. Tobey, now of Harold A. Davis et ux and that parcel of land shown as "Robinson Wharf" on said W. A. Tobey plan dated April 3, 1913 hereinabove referred to and the land contained in the public way extending from the County Road to said Town Landing.

There are also expressly excepted from the foregoing granted and described premises and excluded therefrom certain lots of land hereto^{ore} conveyed or sold therefrom which parcels of land so excepted and excluded are as follows:-

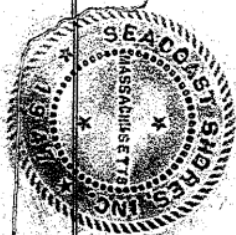
Those Lots numbered 58, 15, 13, 62, 90, 28, 12, 9, 5, 6, 7, 8, 10, and 14, all in Section K and the Lot numbered 59 in Section H, which said Lots are shown on a subdivision plan entitled "SEACOAST SHORES Falmouth, Mass. Sections H - J & K, Surveyed by Frederick C. Hahn - Surveyor, New Haven, Conn. Scale 1 in. = 100 Ft. Apr. 10-1947" which plan is filed with Barnstable County Registry of Deeds, Plan Book 77, Page 123; and also there is expressly excepted from the foregoing granted and described premises and excluded therefrom the Lot numbered 56 in Section D. which said Lot is shown on a Plan entitled "SEACOAST SHORES Falmouth, Mass. Sections - A - B - C - D Surveyed by Frederick C. Hahn, Surveyor, New Haven, Conn. Scale 1 in. = 100 Ft. Apr. 15-1947"

filed in Barnstable County Registry of Deeds, Plan Book 78, Page 13.

For title references, see deed Amos L. Taylor and Orvil W. Smith, Trustees of the Ovington Point Trust to Raymond H. Stotter dated January 8, 1946 and recorded with Barnstable County Deeds, Book 640, Page 145 and deed of Raymond H. Stotter to Seacoast Shores, Inc. dated July 21, 1947 and recorded with Barnstable County Deeds, Book 675, Page 299.

Said premises are conveyed subject to a Mortgage given by Raymond H. Stotter to Amos L. Taylor and Orvil W. Smith, Trustees of the Ovington Point Trust, dated January 8, 1946 and recorded with Barnstable County Deeds, Book 640, Page 148.

IN WITNESS WHEREOF the said Seacoast Shores, Inc. has caused its corporate seal to be hereto affixed and these presents to be signed, acknowledged and delivered in its name and behalf by Raymond H. Stotter, its President and Treasurer, and Lawrence D. Luce, its Clerk, they being hereto duly authorized, this 22 day of May in the year one thousand nine hundred and forty-eight.



Raymond H. Stotter
President and Treasurer
Lawrence D. Luce
Clerk

STATE OF NEW YORK

County of *Westchester*

22 May 1948

Personally appeared the above-named RAYMOND H. STOTTER, its President and Treasurer, and ~~Raymond H. Stotter, its Clerk~~, and acknowledged the foregoing instrument to be the free act and deed of SEACOAST SHORES, INC.,

695

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1-21.00 Revenue Stamp Cancelled 5/21/48

Before me,

Idah G. Flewwellin

Notary Public

My commission expires

IDAH G. FLEWELLIN

Notary Public in the State of New York
appointed for Westchester County
Commission Expires March 30, 1950State of New York,
County of Westchester,

ss.:}

Nº 5344

I, Robert J. Field, Clerk of the County of Westchester, and also Clerk of the Supreme and County Courts in and for the said County, the same being Courts of Record,
DO HEREBY CERTIFY that *Idah G. Flewwellin*
whose name is subscribed to the deposition or certificate of the Proof or acknowledgment of the annexed instrument, said *Idah G. Flewwellin* at the time of taking such deposition, or proof and acknowledgment, a Notary Public in and for said County, duly commissioned and sworn, and authorized by the laws of said State, to take depositions and to administer oaths to be used in any Court of said State and for general purposes, and also to take acknowledgments and proofs of deeds, of conveyances of land, tenements or hereditaments in said State of New York. And further, that I am well acquainted with the handwriting of such Notary Public or have compared the signature of such officer upon the original certificate with a specimen of his signature filed or deposited in this office pursuant to law, and verily believe that the signature to said deposition or certificate of proof or acknowledgment is genuine.

No seal required by the laws of the State of New York.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of the said Courts and County, the 22 day of May 1948.

Robert J. Field
Clerk

COMMONWEALTH OF MASSACHUSETTS

Barnstable ss.

May 25, 1948

Personally appeared the above-named LAWRENCE D. LUCE, Clerk, and
acknowledged the foregoing instrument to be the free act and deed of
SEACOAST SHORES, INC.,

Before me,

John P. Sylvester, Jr.
Notary Public

My commission expires

JOHN P. SYLVESTER, JR.



Excerpt from the First Meeting of the Board of Directors of
Sailcoast Shores, Inc., duly called and held on the 18th day
of May, 1948 at 1:00 P.M., 70 State Street, Boston, Mass.

I, the undersigned, Clerk of Sailcoast Shores, Inc., do hereby
certify that upon motion duly made, seconded and unanimously carried at the
above meeting, it was
VOTED....that the Treasurer, A. Charles Tanner, be and he hereby is authorized
and empowered in the name and behalf of the corporation to buy, sell, lease,
mortgage or otherwise deal with the real estate or mortgages now or in the
future owned by the corporation, and said officer is empowered and authorized
in the name and on behalf of this corporation to foreclose under the power of
sale, any mortgage or mortgages now held or which may in the future be held by
this corporation and for that purpose to make an entry to foreclose and do all
other acts and things necessary to complete such foreclosure sale; and said
officer is further empowered and authorized in the name and behalf of the cor-
poration to make, sign, seal with the corporation seal, execute, acknowledge
and deliver any notes, deeds, foreclosure deeds, mortgages, assignments of
mortgages, both real and personal, and other instruments in writing which the
Treasurer may deem advantageous or desirable for this corporation, and any
instrument in writing so made by the Treasurer, acting in the name and behalf
of this corporation, shall be valid and binding upon this corporation.

A true record.

Attest:

Leonard W. Tanner
Leonard W. Tanner, Clerk

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss.

May 18, 1948

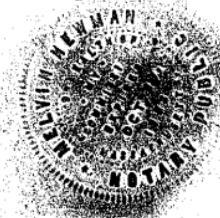
Then personally appeared the above-named Leonard W. Tanner, duly
elected Clerk of Sailcoast Shores, Inc., and made oath that the above is a
true record of a vote taken at the first meeting of the Board of Directors of
Sailcoast Shores, Inc., before me this 20th day of May, 1948.

Melvin Newman

Notary Public

MELVIN NEWMAN

My commission expires:





and deed of the Town of Falmouth, before me.



John O. Lyons Jr.
Notary Public

My commission expires March 20, 1947

Barnstable, ss., Received August 1, 1947, and is recorded.

1-1057
675
299
"Revenue Stamp Cancelled 5/14/43."

I, RAYMOND H. STOTTER, of Scarsdale, in the County of Westchester, State of New York, being married, for consideration paid, grant to SEACOAST SHORES, INC., a corporation duly organized and existing under the laws of the Commonwealth of Massachusetts with its principal place of business in Falmouth, Barnstable County, Massachusetts, with QUITCLAIM COVENANTS, a certain parcel of land situated in Falmouth, Barnstable County, Massachusetts, on Jenkins' Neck, so-called, containing 300 acres of land more or less, being three contiguous parcels bounded and described as follows:-

FIRST PARCEL:-

BEGINNING at a stone bound located on the boundary line between the properties formerly of Foster Jenkins and land formerly of John H. Robinson, said stone bound being about two rods from Childs' River, so-called;

THENCE running Westerly in said boundary line to a stone bound standing by an old road and cranberry bog property now or formerly of William A. Tobey;

THENCE Northerly by said old road to the County Road;

THENCE Easterly by said County Road to an old road leading from Fresh Pond to Jenkins' Wharf;

THENCE Southeasterly by last named road to a stone bound in said road;

THENCE in the line of an old road to the Southwesterly corner of Jenkins' Wharf, marked by a stone bound;

THENCE by said wharf to Childs' River;

THENCE Southerly by Childs' River to a stone bound standing on the Northerly side of Robinson's Wharf;

THENCE North 44° 30' West eighty-one feet to a stone bound;

THENCE South 22° West two hundred eighty-three feet to a stone bound;

THENCE South 64° East forty-nine and 7/10 feet to a stone bound and Childs' River;

THENCE South by said River to the first-named boundary line and other land formerly of Adelaide Ovington now of the grantors;

THENCE West about two rods to the point of beginning.

Subject to the rights, if and in so far as the same are now in legal force and applicable, of William A. Tobey, (or his heirs and assigns) over a right of way in the line of the Fresh Pond Road from Jenkins' Wharf to the County Road; also subject to the rights, if and in so far as the same are now in legal force and applicable, of said William A. Tobey, his heirs and assigns forever, to cut and to keep clear of bushes and trees a strip of land fifty feet in width parallel to and adjoining his cranberry bog property, together with the privilege to take therefrom said and other materials for cranberry bog purposes that may be required from time to time as set forth in deed from William A. Tobey to said Adelaide Ovington, dated April 24, 1913, and recorded with Barnstable Deeds, Book 323, Page 331.

72-109

For title reference to the above described premises see deeds William A. Tobey to Adelaide Ovington dated April 24, 1913 and recorded with said Barnstable County Deeds, Book 323, Page 381 and dated May 14, 1913 and recorded with Barnstable County Deeds, Book 320, Page 365. Reference is also made to the plan entitled, "Plan of the Northern End of Jenkins' Neck, East Falmouth, Mass." dated April 3, 1913 and drawn by W. A. Tobey, being the same plan referred to in said deed first above referred to, being filed in said Barnstable County Registry of Deeds.

SECOND PARCEL:-

Also one other parcel of land formerly known as West Wharf or as Robinson's Wharf, situated near the Northeasterly part of the hereinbefore described premises, near White's Landing, and is bounded on all the landward sides by the hereinbefore described premises and on the Easterly side by Childs' River.

For title references see deed William B. Shaddock to William A. Tobey dated March 21, 1913, recorded with Barnstable County Deeds, Book 320, Page 336, and the above first-mentioned deed from William A. Tobey to Adelaide Ovington recorded with said Deeds, Book 323, Page 381.

THIRD PARCEL:-

Also another certain tract of land situated on said Jenkins' Neck, so-called, and bounded and described as follows:-

BEGINNING at a stone bound located on the boundary line between the properties formerly of Foster Jenkins and of John H. Robinson, deceased and about two rods from Childs' River (so-called);
 THENCE running Easterly in the same range to said Childs' River;
 THENCE Southerly by said River to Bel Pond, so-called;
 THENCE by the margin of said Pond in a varying Southerly and Westerly direction around the point and continuing by said margin Northerly and Northeasterly to the headwaters thereof to land now or formerly of W. A. Tobey;
 THENCE by said Tobey's land to a stone bound located at the Westerly end of the aforesaid Jenkins-Robinson boundary line;
 THENCE Easterly in said boundary line, (a ridge and marked trees) to the first-mentioned bound and point of beginning.

Together with a right of way to and from said granted premises over a dyke or dam now or formerly of W. A. Tobey and following the travelled road by an old cemetery near the land formerly of William Crocker to the State Highway;

Also with a right of way to and from said premises over a road or avenue through the centrally located land now or formerly of said Tobey extending from the granted premises Northerly to the said State Road in a straight line, as set forth in deed from Howard Swift to said Adelaide Ovington, dated July 2, 1912, and recorded with said Barnstable Deeds, Book 313, Page 319.

There is excepted from the foregoing granted and described premises a certain parcel of land which is a public landing of the Town of Falmouth located on Childs' River between land formerly of William A. Tobey, now of Harold A. Davis et ux and that parcel of land shown as "Robinson Wharf" on said W. A. Tobey plan dated April 3, 1913 hereinabove referred to and the land contained in the public way extending from the County Road to said Town Landing.

Being and hereby conveying those parcels of land described in deed from Amos L. Taylor and Orvil W. Smith, Trustees of the Ovington Point Trust to the grantor Raymond H. Stotter, dated January 8, 1946 and recorded on January 22, 1946 with Barnstable Registry of Deeds Book 640, Page 145.

Said premises are conveyed subject to a mortgage given by Raymond H. Stotter to said Amos L. Taylor and Orvil W. Smith, Trustees of the Ovington Point Trust, dated January 8, 1946 and recorded with said Barnstable County Deeds, Book 640 Page 148 which mortgage the grantee herein hereby assumes and agrees to pay.

WITNESS our hands and seals this 21st day of July 1947



Barnstable ss.

July 21, 1947

Then personally appeared the above named RAYMOND H. STOUTER and acknowledged the foregoing instrument to be his free act and deed, before me.

Notary Public
My commission expires

Barnstable, ss., Received August 1, 1947, and is recorded.

of Somerville, Middlesex County, Massachusetts,
being unmarried, for consideration paid, grant to Harold Clifford Soule

the land in Provincetown together with the building thereon known as no. 497 Commercial Street bounded and described as follows:-

(Description and encumbrances, if any)

Northweste-ly by Commercial Street twenty-four and 92/100
(24.92) feet,

Easterly by land of Alth us I. Freeman one hundred thirty-four (134) feet,

Southerly by Provincetown Harbor twenty-six (26) feet,

Westerly by land of Louis Silva one hundred thirty-five and 22/100 (135.22) feet,

For more particular description see plan of land in Provincetown
belonging to Anna Slasher dated June 1947 Francis J. Alves C.E.
Provincetown to be recorded herewith.

For title see will of Manuel D. James duly probated Barnstable County Probate Case no. 27302.



Witness my hand and seal this 16th day of July 19 47

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1-11/00 Revenue Stamp Cancelled P. 24. 28. 7/13/1894 7.
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(see plan still in plan book 79, page 37)

I, MARK J. SULLIVAN N O T
 A N
of 35 Trefton Drive, Bellingham, L. Norfolk County, Massachusetts
 C O P Y
being ~~xxx~~ married, for consideration paid, and in full consideration of One (\$1.00) Dollar paid,
grants to Seacoast Shores Association, Inc., a Massachusetts corporation *
of P.O. Box 768 - Seacoast Shores
 East Falmouth, Barnstable County, Mass. with quitclaim covenants
the land in East Falmouth, Barnstable County, Massachusetts

[Description and encumbrances, if any]

shown as a right of way in Section K on a plan entitled "Seacoast Shores, Falmouth, Mass, Sections H-J-& K" dated April 10, 1947 by Frederick C. Hahn, Surveyor, recorded in Barnstable County Registry of Deeds, Plan Book 77, Page 123, being more fully described as follows:

BEGINNING	at a point in the southeastern line of Edgewater Drive East; thence
SOUTHEASTERLY	from said Edgewater Drive East along the southwestern boundary of Lot 10, Section K, seventy-five (75) feet; thence
NORTHEASTERLY	along a southeastern boundary of said Lot 10, twenty (20) feet; thence
SOUTHEASTERLY	along a southwestern boundary of said Lot 10, eighty (80) feet, more or less, to Eel Pond; thence
SOUTHWESTERLY	along Eel Pond, fifty (50) feet, more or less; thence
NORTHWESTERLY	along a northeastern boundary of Lot 11, Section K, ninety (90) feet, more or less; thence
NORTHEASTERLY	along a southeastern boundary of said Lot 11, twenty (20) feet; thence
NORTHWESTERLY	along a northeastern boundary of said Lot 11, seventy-five (75) feet, to said Edgewater Drive East; and thence
NORTHEASTERLY	by Edgewater Drive East, ten (10) feet, to Lot 10 and the point of beginning.

Containing five thousand (5,000) square feet, more or less.

For Grantor's title, see deed of McCartin Leisure Industries, Inc. to Mark J. Sullivan, recorded in Barnstable County Registry of Deeds Book 2799, Page 210.

Subject to all restrictions, reservations, and encumbrances of record which may be in force and applicable, including the rights of other owners of property in the development known as Seacoast Shores to use said premises (hereby conveyed) for passage to recreational areas.

NOT
AN
OFFICIAL COPY
I, ROSEMARY SULLIVAN, wife of Mark J. Sullivan, Grantor, hereby
release any rights I may have to dower in these premises and
join in this conveyance.
AN
OFFICIAL COPY
Witness our hand and seal this 3rd day of MAY, 1980

Mark J. Sullivan
MARK J. SULLIVAN

Rosemary Sullivan
ROSEMARY SULLIVAN

The Commonwealth of Massachusetts

BARNSTABLE, ss.

May 3,

19 80

Then personally appeared the above named

MARK J. SULLIVAN and ROSEMARY SULLIVAN

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

Winnifred Woods
Winnifred Woods, Notary Public -- ~~RENEWED~~

My Commission Expires February 25, 1983



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 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.

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QUITCLAIM DEED

MCCARTIN LEISURE INDUSTRIES, INC., a corporation duly established under the laws of The Commonwealth of Massachusetts and having its usual place of business at 31 Milk Street, Boston, Suffolk County, Massachusetts, in consideration of One Hundred Fifty and no/100 (\$150.00) Dollars paid, grants to MARK J. SULLIVAN of 35 Treifton Drive, Braintree, Norfolk County, Massachusetts, with QUITCLAIM COVENANTS, a certain parcel of land in East Falmouth, Barnstable County, Massachusetts, shown as a right of way in Section K on a plan entitled "Seacoast Shores, Falmouth, Mass, Sections H-J-& K" dated April 10, 1947 by Frederick C. Hahn, Surveyor, recorded in Barnstable County Registry of Deeds, Plan Book 77, Page 123, being more fully described as follows:

BEGINNING	at a point in the southeastern line of Edgewater Drive East; thence
SOUTHEASTERLY	from said Edgewater Drive East along the southwestern boundary of Lot 10, Section K, seventy-five (75) feet; thence
NORTHEASTERLY	along a southeastern boundary of said Lot 10, twenty (20) feet; thence
SOUTHEASTERLY	along a southwestern boundary of said Lot 10, eighty (80) feet, more or less, to Eel Pond; thence
SOUTHWESTERLY	along Eel Pond, fifty (50) feet, more or less; thence
NORTHWESTERLY	along a northeastern boundary of Lot 11, Section K, ninety (90) feet, more or less; thence
NORTHEASTERLY	along a southeastern boundary of said Lot 11, twenty (20) feet; thence

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NORTHWESTERLY along a northeastern boundary of said Lot 11, seventy-five (75) feet, to said Edgewater Drive East; and thence

NORTHEASTERLY by Edgewater Drive East, ten (10) feet, to Lot 10 and the point of beginning.

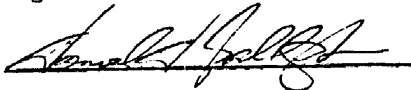
Containing five thousand (5,000) square feet, more or less.

For Grantor's title, see deed of Joseph H. Joubert to McCartin Leisure Industries, Inc., recorded in Barnstable County Registry of Deeds Book 1896, Page 265.

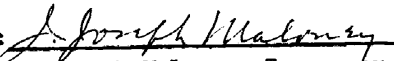
Subject to all restrictions, reservations, and encumbrances of record which may be in force and applicable, including the rights of other owners of property in the development known as Seacoast Shores to use said premises (hereby conveyed) for passage to recreational areas.

IN WITNESS WHEREOF, the said MCCARTIN LEISURE INDUSTRIES, INC. has caused its corporate seal to be hereto affixed and these presents to be signed, acknowledged and delivered in its name and behalf by J. JOSEPH MALONEY, its Treasurer hereto duly authorized this 4th day of October in the year one thousand nine hundred and seventy-eight.

Signed and sealed in the presence of



McCartin Leisure Industries, Inc.

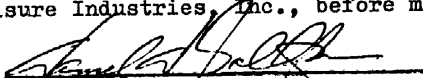
by: 
J. Joseph Maloney, Treasurer

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss.

October 4, 1978

Then personally appeared the above-named J. Joseph Maloney, Treasurer, and acknowledged the foregoing instrument to be the free act and deed of McCartin Leisure Industries, Inc., before me


DANIEL J. GALLAGHER, Notary Public
My Commission expires: DEC. 15, 1978

BARNSTABLE

087375

COMMONWEALTH OF MASSACHUSETTS
DEEDS & EXCISE

OCT 11 1978

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RECORDED OCT 11 1978