WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that I, **G. Ramsey Yoder, TRUSTEE of the G. Ramsey Yoder Trust dated June 8, 1980**, of Tinmouth, in the County of Rutland and State of Vermont, **GRANTOR**, in the consideration of One Dollar and Other Good and Valuable Consideration paid to my full satisfaction by **Robert Biddlecombe and Jessica Hope**, husband and wife, as tenants by the entirety, of Hampton Lodge, Andoversford, Cheltenham, England, **GRANTEES**, by these presents do freely GIVE, GRANT, SELL, CONVEY AND CONFIRM unto the said **GRANTEES, Robert Biddlecombe and Jessica Hope**, husband and wife, as tenants by the entirety, and their heirs and assigns forever, a certain piece of land in the Town of Tinmouth, in the County of Rutland, and State of Vermont described as follows, viz:

Being 5 parcels of land, with buildings, conveyed to G. Ramsey Yoder Trustee by Deed of G. Ramsey Yoder Trustee in the following three warranty deeds:

The descriptions recited herein are taken from the deeds and surveys referred to herein. In the event of ambiguity or error, the original instruments and surveys, whichever is appropriate, shall control.

DEED #1: Being all and the same lands and premises conveyed by G. Ramsey Yoder, Trustee of the Patricia Barrett Yoder Trust No. 2 dated December 12, 1991 to G. Ramsey Yoder Trustee of the G. Ramsey Yoder Trust dated June 8, 1980, by Trustee's deed dated August 21, 2006 recorded in the Town of Tinmouth Land Records in Book 36 at Page 5. **(26.75 acres)**

Being all and the same lands and premises conveyed to Patricia Barrett Yoder, Trustee of the Patricia Barrett Yoder Trust dated December 12, 1991 by warranty deed of Patricia Barrett Yoder dated July 8, 1996, recorded in the Town of Tinmouth Land Records in Book 27 at Page 668.

Being all and the same lands and premises conveyed to Patricia B. Yoder by H. Victor Rickman and Beth Rickman, as Trustee for the Davis Family Trust by warranty deed dated May 25, 1995 recorded in the Town of Tinmouth Land Records in Book 27 at page 322, and by Correction warranty deed dated May 20, 1996 recorded May 22, 1996 in Book 27 Page 623.

DEED #2: Being all and the same lands and premises conveyed by G. Ramsey Yoder, Trustee of the Patricia Barrett Yoder Trust No. 2 dated December 12, 1991 to G. Ramsey Yoder Trustee of the G. Ramsey Yoder Trust dated June 8, 1980 by Trustee's deed dated August 21, 2006 recorded in the Town of Tinmouth Land Records on August 21, 2006 in Book 36 at Page 8 **(295.25 acres)**

Being all and the same lands and premises conveyed to Patricia Barrett Yoder, Trustee under a certain Trust agreement dated December 12, 1991 by quit claim deed of Patricia Barrett Yoder dated December 12, 1991 recorded in the Town of Tinmouth Land Records in Book 25 at Page 476.

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Being also all and the same lands and premises conveyed to Patricia B. Yoder by warranty deed of Virginia Packard Carrick dated October 5, 1988 recorded in the Town of Tinmouth Land Records on October 7, 1988 in Book 24 at Page 265.

DEED #3: Being all and the same lands and premises conveyed by G. Ramsey Yoder to G. Ramsey Yoder, Trustee of the G. Ramsey Yoder Trust dated June 8, 1980 by warranty deed dated December 28, 2006 recorded in the Town of Tinmouth Land Records on December 28, 2006 in Book 36 at page 269. (**11.71 acres**)

Being all and the same lands and premises conveyed to G. Ramsey Yoder by Trustee's deed of C. Shane Yoder and G. Ramsey Yoder, Trustees of the C. Shane Yoder Trust dated June 5, 1991 recorded in the Town of Tinmouth Land Records on August 21, 2006 in Book 36 at Page 12.

The five (5) parcels conveyed herein are more particularly described as follows:

DEED #1: Parcel #1 conveyed herein:

Being Parcel 2 reflected on a survey plat prepared by **Tinker Surveys** dated May 16, 1995 recorded in the Land Records of the Town of Tinmouth in Book 37 at page 319 entitled "SUBDIVISION SURVEY OF LANDS OF H. VICTOR & BETH RICKMAN AND BETH RICKMAN, TRUSTEE OF DAVIS FAMILY TRUST - TOWN HIGHWAY No.'s 2, 20, 22 & 23 TOWN OF TINMOUTH, VERMONT."

Beginning at a 5/8 inch iron pin set in the easterly line of Town Highway No. 20 which marks a southwesterly corner of the herein described parcel and the northwesterly corner of parcel No. 3 described in a deed from Patricia Barrett Yoder to Patricia Barrett Yoder, Trustee dated December 12, 1991 recorded in Book 25 at Page 476 of the Land Records of the Town of Tinmouth, thence from the 5/8 inch iron pin marking the point of beginning running northerly along the easterly line of Town Highway No. 20 for the following courses:

N13-26E a distance of one hundred fifty seven and nine tenths (157.9) feet;

N16-10E along a stonewall a distance of two hundred fourteen and thirty five hundredths (214.35) feet;

N17-43-40E along a stonewall a distance of three hundred forty four (344) feet;

N16-16-15E along a stonewall a distance of three hundred eighty six and four tenths (386.4) feet to a 5/8 inch iron pin set; thence S74-45E along other lands now or formerly of Davis Family Trust, along Parcel 3 depicted on the referenced survey made by Tinker Surveys, and along a blazed line a distance of six hundred seventy seven and four tenths (677.4) feet to an existing 5/8 inch iron pin marking the northeasterly corner of the herein described parcel, the southeasterly corner of said Parcel 3, the southwesterly corner of Parcel 4 on the referenced survey made by Tinker Surveys, and the northwesterly corner of the same lands and premises conveyed to Martin J. Stavis, Jr. and Ellen S. Stavis by H. Victor Rickman and Beth Rickman, and Beth Rickman, Trustee of the Davis Family Trust by deed recorded in Book 27 at Pages 102-104 of the Land Records of the Town of Tinmouth; thence from the last mentioned 5/8 inch iron

pin running S15-48-40W along the westerly line of lands of said Stavis a distance of one thousand three hundred ninety seven and thirty five hundredths (1397.35) feet to an existing 5/8 inch iron pin which marks the southwesterly corner of lands of said Stavis and the northwesterly corner of Parcel 1 depicted on the referenced survey made by Tinker Surveys; thence S15-40-20W along the westerly line of said Parcel 1 and along a blazed line a distance of seven hundred five and twenty five hundredths (705.25) feet to a 5/8 inch iron pipe set in the northerly line of Town Highway No. 23; thence N77-32-20W along a stonewall and the northerly line of Town Highway No. 23 a distance of four hundred nine and eight tenths (409.8) feet to an existing iron pipe marking the southeasterly corner of lands of the aforementioned Patricia Barrett Yoder, Trustee; thence running along said lands of Patricia Barrett Yoder, Trustee, for the following courses:

N16-17-20E along a wire fence line a distance of five hundred forty two and one tenths (542.1) feet to a 5/8 inch iron pin set at the southerly end of a stonewall;

N15-39-35E along a stonewall a distance of four hundred seventy three and seven tenths (473.7) feet to a 5/8 inch iron pin set in a stonewall corner;

N73-48-35W along a stonewall a distance of two hundred eighty two and sixty three hundredths (282.63) feet to the 5/8 inch iron pin marking the point of beginning.

The above described parcel contains twenty six and seventy five hundredths (**26.75**) acres of land.

The above described parcel is SUBJECT to existing power distribution lines crossing over said parcel accruing to the Central Vermont Public Service Corporation.

In order to comply with the Town of Tinmouth Subdivision Regulations on the Subdivision of lands and disposal of waste including sewage, the grantee shall not construct or erect a structure or building on the parcel of land conveyed herein, the useful occupancy of which will require the installation of plumbing and sewage treatment facilities or convey this land without first complying with said Town regulations. The grantee by acceptance of this deed acknowledges that this lot may not qualify for approval for development under the appropriate Town environmental protection or health regulation and that the Town may deny an application to develop the lot.

DEED #2: Parcel #2 conveyed herein:

Beginning at a point marked with an iron pin set at an angle in a stonewall at the westerly boundary of Tinmouth Town Highway No. 20, so-called, said point also being the southeast corner of lands now or formerly of Mrs. Walter Merrill; thence southwesterly along the westerly boundary of said Town Highway 2 [sic-TH#20], 192 feet more or less to a point marked with an iron pin set at an angle in a stonewall, the closure between the last two described points bearing S03°00'00"W 2,191.10 feet; thence N88°01'50"W along said stonewall and lands of Richard C. Carrick and Anna V. C. Carrick 702.63 feet to a point at an angle in said stonewall; thence S04°30'30"E along said stonewall 276.72 feet to a point marked with an iron pin set in said stonewall; thence S85°00'15"W along aforesaid Carrick lands 219.63 feet to a point in a stonewall; thence S80°48'20"W along said stonewall and said Carrick lands 1,158.52 feet to a point at an angle in said stonewall thence S81°21'20"W along said Carrick lands 1,893.72 feet to

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a point marked with an iron pin driven in the ground; thence N03°10'10"E along lands formerly of Wilbur 2,215.55 feet to a point marked with an iron pin driven in the ground; thence N85°52'10W along said former Wilbur lands 726.00 feet to a point marked with an iron pin driven in the ground; thence N04°07'50"E in a straight line 1,419.00 feet to a point marked with a nail set in a ledge; thence S88°46'30"E in a straight line 1,168.31 feet to a point marked with an iron pin driven in the ground; thence S02°14'45"W along aforesaid lands now or formerly of Mrs. Walter Merrill 317.85 feet to a point marked with an iron pin set at the westerly extremity of a stonewall; thence S86°36'15"E along said Merrill lands 816.28 feet to a point marked with an iron pin driven in the ground; thence S03°23'45"W along said Merrill land 258.28 feet to a point marked with an iron pin driven in the ground; thence S87°43'25"E along said Merrill lands 2,576.07 feet to the point and place of beginning and contains **272.09** acres by measure.

The bearings in the above description are with respect to approximate true north.

This parcel is subject to a condition set forth in the deed of Virginia Packard Carrick to Patricia B. Yoder dated October 5, 1988 recorded in Book 24 at Page 265 that no more than four (4) additional parcels may be erected from the entire premises **containing 293± acres** therein conveyed.

Deed # 2: Parcel #3 conveyed herein:

Beginning at a point marked with an iron pin set at the easterly extremity of a stonewall at the intersection of the westerly boundary of Tinmouth State Aid Highway No. 2, so-called, and the southerly boundary of Tinmouth Town Highway No. 23, so-called; thence southeasterly along the westerly boundary of said Highway No. 2, 513 feet more or less to a point marked with an iron pin set in a stonewall, the closure between the last two described points bearing S11°07'40"E 512.45 feet; thence N88°27'35"W along lands of Richard C. Carrick and Anna V. C. Carrick 1,271.54 feet to a point in a stonewall; thence N88°21'30"W along said Carrick lands 295.25 feet to a point marked with an iron pin set in a stonewall at the easterly boundary of Tinmouth Town Highway No. 20, so-called; thence northeasterly along said Town Highway 465 feet more or less to a point, the closure between the last two described points bearing N02°59'55"E 464.57 feet; thence S89°51'05"E along the southerly boundary of aforesaid Town Highway No. 23, 308.42 feet to a point at a stonewall intersection; thence S89°51'05"E along said stonewall and said southerly boundary of Town Highway No. 23 1,134.61 feet to the point and place of beginning and contain **16.68± acres** by measure. Bearings in the above description are with respect to approximate true north.

Deed #2: Parcel #4 conveyed herein:

Beginning at a point at the intersection of the northerly boundary of Tinmouth Town Highway No. 23, so-called, and the easterly boundary of Tinmouth Town Highway No. 20, so-called; thence northeasterly along said easterly boundary of Town Highway No. 20, 1,030 feet more or less to a point marked with an iron pin set at an angle in a stonewall, the closure between the last two described points bearing N02°59'55"E 1,029.26 feet; thence S87°02'30"E along said stonewall and lands now or formerly of George Davis 274.90 feet to a point marked with an iron pin set at an angle in said stonewall; thence S02°52'55"W along said stonewall and Davis lands 1,015.67 feet to a point marked with an iron pin set at an angle in said stonewall at the northerly boundary of aforesaid Town Highway No. 23; thence N89°51'05"W along said highway 277.31

feet to the point and place of beginning and contains **6.48± acres** by measure. Bearings in the above description are with respect to approximate true north.

DEED #3: Parcel #5 conveyed herein:

Being Parcel 1 reflected on a survey plat prepared by Tinker Surveys dated May 16, 1995 to be recorded in the Land Records of the Town of Tinmouth entitled 'SUBDIVISION SURVEY OF LANDS OF H. VICTOR & BETH RICKMAN AND BETH RICKMAN, TRUSTEE OF DAVIS FAMILY TRUST - TOWN HIGHWAY NOS. 2, 20, 22 & 23 TOWN OF TINMOUTH VERMONT."

Commencing at a point marked by an iron pin on the west side of Town Highway No. 2, said pin also marking the southeast corner of lands of Phillips, thence running N74°31'W 310.09 feet to an iron pin; thence N12°38'E 110 feet to an iron pin; thence N73°12'W 420.4 feet to an iron pin; thence S15°40'20"W 705.25 feet to a point (an unmonumental point) an iron pipe; thence S75°00'45"E 261.65 feet to a monument; S76°25'40'E 262.75 feet to a point (an unmonumental point); thence S77°23'45"E 228.06 feet to an iron pin; thence S77°23'45"E 40 feet to the west line of Town Highway No. 2; thence northerly along the west line of said highway 562 feet, more or less, to the place of beginning. The above-described parcel contains **11.17 acres** more or less. Subject to utility lines of record.

In order to comply with the Town of Tinmouth Subdivision regulations, on the subdivision of lands and disposal of waste including sewage, the Grantee shall not construct or erect a structure or building on the above-described parcel, the useful occupancy of which will require the installation of plumbing and sewage treatment facilities or convey this land without first complying with said Town regulations. The Grantee, by acceptance of this deed, acknowledges that this lot may not qualify for approval for development under the appropriate Town environmental protection or health regulation and that the Town may deny an application to develop the lot.

Said lands and premises described above as five (5) Parcels, for a total of 333.17 acres, are **subject to** the following:

1) A portion of the Premises, 327.17 acres, is **Enrolled Land in the Agricultural and Forest Land Use Value Appraisal Program**, subject to the applicable provisions of 32 V.S.A., Chapter 124 and the regulations and use values as adopted and prescribed by the Current Use Advisory Board, there is a **lien** on the Premises to secure payment of the land use change tax to the State of Vermont upon development of the parcel; the lien runs with the land, and the landowner bears the recording costs.

2) **Easement and right of way** over and upon a portion of lands and premises granted by G. Ramsey Yoder, Trustee of the G. Ramsey Yoder Trust dated June 11, 2016 recorded in the Town of Tinmouth Land Records on June 17, 2016 in Book 44 at page 335; which grants the exclusive right to use "Stand 2", "Stand 5" and "Stand 6" and to obtain maple sap therefrom for production of maple syrup, and an easement and right of way for the tubing and piping from the trees.

The easement benefits the lands and premises of Shane Yoder and Catherine Yoder at 393 Mountain View Road, Tinmouth, Vermont and their successors and assigns.

The easement and right of way are for a period of 12 years, and may be extended for 2 additional terms of 5 years each upon written notice at least 30 days prior to termination/ expiration of the term grantees are obliged to pay according to a formula explained in the Easement.

3) The following **utility easements**:

(i) to Green Mountain Power dated October 13, 2014 recorded in the Town of Tinmouth Land Records in Book 43 at Page 188;

(ii) power distribution lines to Central Vermont Public Service Corporation (CVPS) over Parcel 1;

(iii) utility pole line easements granted by Anna V. Carrick to CVPS dated October 24, 1941 recorded in Book 14 at Page 62 and August 30, 1945 recorded in Book 14 at Page 248.

4) The terms and conditions of "**Grant of Development Rights and Conservation Restrictions**" to Vermont Land Trust, Inc. dated December 28, 2006 by G. Ramsey Yoder Trustee of the G. Ramsey Trust dated June 8, 1980 recorded in the Town of Tinmouth Land Records in Book 36 at Page 276.

5) **Deferral of permit** in favor of the Town of Tinmouth proscribing/prohibiting erection of a structure or building on Parcel #5 (11.71 acres) and Parcel #1 (26.75 acres), the useful occupancy of which will require installation and plumbing and sewage treatment, without first complying with Town Regulations - Town Subdivision Permit – Subdivision Deferral recorded in Book 36 at Page 269, and Book 36 at Page 5, respectively.

In aid of the property descriptions set forth herein, reference is hereby made and had to the following and the references contained herein:

a) **Survey of Michael Engineering Company**, Ralph Michael Licensed Surveyor entitled Portion of Lands of Richard V. Carrick and Anna V. C. Carrick recorded in the Town of Tinmouth Land Records in Book 25, Page 476;

b) **Survey of Tinker Surveys**, Robert Tinker, licensed land surveyor entitled "Subdivision Survey of Lands of H. Victor & Beth Rickman, Beth Rickman, Trustee of Davis Family Trust – Town Highway Nos. 2, 20, 22 & 23 dated May 18, 1995 recorded in Book 27 at page 319.

c) Town of Tinmouth **tax map** depicting parcel #0200160, which depicts the parcels, the configuration or each lot, and the location in respect to each other. The tax map is not a survey and may or may not accurately depict the location of boundaries or the size; it is included for reference only.

d) **Two ortho photo maps**:

(i) Labeled "VT Land Trust, property: Yoder. Location: Tinmouth, VT" and

(ii) A second entitled "G. Ramsey Yoder Trust Stands and Fields, Tinmouth, VT" on file in the Tinmouth Town Clerk's Office.

TO HAVE AND TO HOLD said granted premises with all the privileges and appurtenances thereof, to the said **GRANTEES, Robert Biddlecombe and Jessica Hope,** husband and wife, as tenants by the entirety, and their heirs and assigns to their use and behoof forever;

And, I, **G. Ramsey Yoder, TRUSTEE of the G. Ramsey Yoder Trust dated June 8, 1980,** the said **GRANTOR,** for myself and my heirs and assigns, do covenant with the said **GRANTEES, Robert Biddlecombe and Jessica Hope,** husband and wife, as tenants by the entirety and their heirs and assigns, that until the ensealing of these presents, I am the sole owner of the premises and have good right and title to convey the same in manner aforesaid, that the premises are FREE FROM EVERY ENCUMBRANCE, except as aforesaid; and I hereby engage to WARRANT AND DEFEND the same against all lawful claims whatsoever, except as set forth in the aforesaid deed.

IN WITNESS WHEREOF, I hereunto set my hands and seal this 26th day of August, 2016.

G. Ramsey Yoder Trust dated June 8, 1980

By: G. Ramsey Yoder Trustee
G. Ramsey Yoder, Trustee

STATE OF VERMONT
RUTLAND COUNTY, ss.

At Rutland, Vermont, this 26th day of August, 2016, G. Ramsey Yoder, Trustee of the G. Ramsey Yoder Trust dated June 8, 1980, personally appeared and he acknowledged this instrument by him, sealed and subscribed, to be his free act and deed for himself and as Trustee of the G. Ramsey Yoder Trust dated June 8, 1980.

Before me,
Notary Public, Comm. Exp. 02/10/19
Stephen C.H. Cassarino

8010-002 / 679982

TINMOUTH TOWN CLERK'S OFFICE
RECEIVED FOR RECORD
August 29 A.D. 2016
AT 2 O'CLOCK 30 MINUTES P M
RECORDED IN BOOK 41 PAGE 373-379
ATTEST: Gail Fallar TOWN CLERK

Vermont Property Transfer Tax
32 V.S.A. Chap. 231
-ACKNOWLEDGMENT-
RETURNS RECEIVED
Return No. 16-17
Signed Gail Fallar, Clerk
Date 8-29-16