

178694

Hinesburg, VT Town Clerk's Office  
Received for record 6/10/05  
at 2 o'clock 45 minutes PM  
recorded in Book 178 Page 694-695  
Attest: Cheryl S. Hubbard Town Clerk

**WARRANTY DEED**

KNOW ALL PERSONS BY THESE PRESENTS THAT I, DAVID F. LYMAN, a single person, of Hinesburg, in the County of Chittenden, State of Vermont, Grantor, in consideration of -----TEN AND MORE----- Dollars paid to my full satisfaction by the TOWN OF HINESBURG, a Vermont municipality located in Chittenden County, State of Vermont, Grantee, by these presents, do freely GIVE, GRANT, SELL, CONVEY AND CONFIRM unto the said Grantee, TOWN OF HINESBURG, and its successors and assigns forever, a certain piece of land in the Town of Hinesburg, in the County of Chittenden, and State of Vermont, described as follows, viz:

Being two parcels of land depicted as Lot 1 and Lot 31 on a plat entitled, "Subdivision Plat, Creekside, Route 116, Hinesburg, Vermont", dated March 2, 2004 (March 27, 2003 being the date of the survey), prepared by Button Professional Land Surveyors, PC, and of record in Map Slide \_\_\_\_\_ of the Town of Hinesburg Land Records, (hereinafter the "plat"). As depicted on the plat, Lot 1 consists of 1.85 Acres and Lot 31 consists of 5.35 acres.

Also conveyed herewith is an easement and right of way in common with others over Farnall Drive and Kenyon Court, as depicted on the plat, for access to Lot 31 conveyed herewith until such time, if ever, as Farnall Drive and Kenyon Court are accepted as public streets by the Town of Hinesburg.

This conveyance is subject to and has the benefit of all land use permits, municipal permits, easements, rights of way and other restrictions of record or in existence, except that nothing contained herein shall be deemed to revive any easements extinguished under Vermont's Marketable Record Title Act.

This conveyance is also subject to any state of facts set forth on the plat as aforesaid.

Being a part and portion only of the same land and premises conveyed to David F. Lyman and Joan K. Lyman by Warranty Deed of Fredric K. Lyman and Violet S. Lyman dated January 28, 1960, and of record in Book 30, Page 375 of the Town of Hinesburg Land Records. Being also a part and portion only of the same land and premises conveyed to David Lyman by Warranty Deed of David F. Lyman and Joan K. Lyman of record in Book 46, Page 256 of the aforesaid land records, and reconveyance to David F. Lyman and Joan K. Lyman (now deceased), husband and wife, by Quitclaim Deed of David F. Lyman dated March 22, 1989, and of record in Book 71, Pages 263-264 of the aforesaid land records.

Reference is hereby made to the above-mentioned instruments, the records thereof, the references therein made, and their respective records and references, in further aid of this description.

TO HAVE AND TO HOLD said granted premises, with all the privileges and appurtenances thereof, to the said Grantee, TOWN OF HINESBURG, and its successors and assigns, to their own use and behoof forever; and I, the said Grantor, DAVID F. LYMAN, for myself and my heirs, executors and administrators, do covenant with the said Grantee, TOWN OF HINESBURG, and its successors and assigns, that until the ensailing 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 they are FREE FROM EVERY ENCUMBRANCE except as

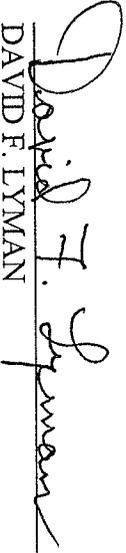
178695

aforesaid and except for easements and rights-of-way of record, if any, and except for taxes and municipal charges hereafter due and payable, which have been prorated as of the date of closing, and which the Grantee accordingly assumes and agrees to pay; and I hereby engage to WARRANT AND DEFEND the same against all lawful claims whatever, except as aforesaid.

IN WITNESS WHEREOF, I herunto set my hand and seal this 2<sup>nd</sup> day of June, 2005.

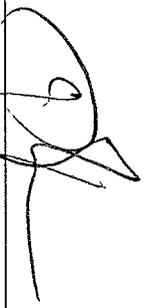
IN THE PRESENCE OF:

  
WITNESS Joseph D. Fallon

  
DAVID F. LYMAN

STATE OF VERMONT  
CHITTENDEN COUNTY, SS.

At Hinesburg, in said County, this 2<sup>nd</sup> day of June, 2005, personally appeared DAVID F. LYMAN, who acknowledged the foregoing instrument, by him sealed and subscribed, to be his free act and deed.

Before me:   
NOTARY PUBLIC

My commission expires: 2/10/07