

Return to:
Gould Larson Bennet Wells & McDonnell
P.O. Box 959
Essex, CT 06426

BOUNDARY LINE AGREEMENT

KNOW ALL MEN BY THESE PRESENTS, THAT

WHEREAS, BRUCE S. MACMILLIAN and JERRI N. MACMILLIAN, of Essex, Connecticut, are the owners of certain property shown as Lot 47 on a certain map entitled "Final Plan South Winds Subdivision of Property of Country Life Properties Essex, Conn. Date October 25, 1978 Scale 1"=100' Angus L. McDonald & Associates, Inc., Engineers, Planners, Surveyors Old Saybrook, Connecticut Sheet 1 of 2" said map being recorded in the land records of said Town of Essex; and

WHEREAS, SOUTHWINDS ASSOCIATION, INC., a Connecticut corporation with an office in Essex, Connecticut, is the owner of a certain dam and spillway as more specifically described in a deed from Harold M. Holcomb to Southwinds Association, Inc. dated August 11, 1980 and recorded in Volume 82 page 166 of the Essex Land Records; and

WHEREAS, the said owners do desire to establish and fix the boundary lines between their respective properties;

NOW THEREFORE, the said owners do hereby agree as follows:

1. QUIT CLAIM: MACMILLIAN TO SOUTHWINDS ASSOCIATION, INC.
BRUCE S. MACMILLIAN and JERRI N. MACMILLIAN, as the owners of Lot #47 (Releasor) for NO CONSIDERATION received to their full satisfaction of SOUTHWINDS ASSOCIATION, INC., of Essex, Connecticut, (Releasee) do hereby remise, release, and forever QUIT-CLAIM unto the said Releasee, its successors and assigns, all such right, title, interest, claim and demand whatsoever as the said Releasor, has or ought to have in or to a portion of the dam and spillway, described as follows:

Beginning at a point which marks the northwesterly corner of said dam and spillway at or near the easterly line of Birch Mill Pond; thence running easterly along the northerly face of said dam and spillway and distance of eighteen feet, more or less, to the base of the spillway which is the northeasterly corner of said dam and spillway; thence running southerly along the easterly face of said spillway a distance of eleven feet six inches, more or less, to a point which is the southeasterly corner of said dam and spillway; thence running westerly along the southerly face of said dam and spillway a distance of sixteen feet six inches, more or less, to a point which is the southwesterly corner of said dam and spillway at or near the easterly line of Birch Mill Pond, said point being thirty five feet, more or less in a northwesterly direction from the intersection of the southerly boundary of Lot 47 and the northerly boundary of Lot 1 with the easterly side of Birch

Mill Pond; thence running northerly along the westerly face of said dam and spillway a distance of fourteen feet three inches to the point or place of beginning.

Together with the rights, privileges and easement in favor of said Releasee as set forth in the deed recorded in Volume 82 Page 166 in the Essex Land Records.

TO HAVE AND TO HOLD the premises, with the appurtenances thereof, unto the said Releasee, its successors and assigns forever, to them and their own proper use and behoof, so that neither the said Releasors, nor any other persons in their name and behalf, shall or will hereafter claim or demand any right or title to the premises or any part hereof, but they and every one of them shall by these presents be excluded and forever barred.

2. QUIT CLAIM: SOUTHWINDS ASSOCIATION, INC. TO BRUCE S. MACMILLIAN AND JERRI N. MACMILLIAN. Southwinds Association, Inc. (Releasor) for NO CONSIDERATION received to its full satisfaction of BRUCE S. MACMILLIAN and JERRI N. MACMILLIAN, of Essex, Connecticut, (Releasees) do remise, release, and forever QUIT-CLAIM unto the said Releasees, their heirs and assigns forever, all such right, title, interest, claim and demand whatsoever as the said Releasor, has or ought to have in or to all that certain piece or parcel of land shown as Lot 47 on a certain map entitled "Final Plan South Winds Subdivision of Property of Country Life Properties Essex, Conn. Date October 25, 1978 Scale 1"=100' Angus L. McDonald & Associates, Inc., Engineers, Planners, Surveyors Old Saybrook, Connecticut Sheet 1 of 2" EXCEPTING THEREFROM, HOWEVER, the portion of the dam and spillway concrete structure specifically described in Paragraph 1 of this Agreement, and EXCEPTING ALSO all rights, privileges and easement in favor of Releasor as described in the deed recorded in Volume 82 Page 166 in the Essex Land Records.

TO HAVE AND TO HOLD the premises, with the appurtenances thereof, unto the said Releasee, her heirs and assigns forever, to them and their own proper use and behoof, so that neither the said Releasor, nor any other person in her name and behalf, shall or will hereafter claim or demand any right or title to the premises or any part hereof, but they and every one of them shall by these presents be excluded and forever barred.

3. INTENT OF AGREEMENT. The intention of this Boundary Line Agreement, and the quit claims contained herein, is to establish the boundary lines of a portion of the dam and spillway owned by the Association, and described in the deed recorded in Volume 82 Page 166 of the Essex Land Records, as being the same as the existing concrete structure as is currently located on said property.

