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Stonehouse Pond Conservation

Gregg Caporossi
The Trust for Public Land

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Stonehouse Pond Conservation



Photo by Jerry Monkman

A Final Report to
The Piscataqua Region Estuaries Partnership

Submitted by

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Portland, ME 04101

April 26, 2010

This project was funded in part by a grant from the Piscataqua Region Estuaries Partnership as authorized by the U.S. Environmental Protection Agency's National Estuary Program.



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Abstract

The Trust for Public Land (TPL) is partnering with New Hampshire Fish and Game, the Town of Barrington, and Strafford Rivers Conservancy to complete the Stonehouse Pond Conservation Project – a collaborative effort to protect 241 forested acres surrounding Stonehouse Pond in New Hampshire's fast growing coastal region. The property, located within a 4,200-acre block of unfragmented forest, has been recognized as a conservation priority in the *NH Wildlife Action Plan* and the *Land Conservation Plan for NH's Coastal Watersheds*, and is part of TPL's broader Coastal Conservation Initiative. TPL has secured an option to purchase the properties in two Phases and, upon successfully acquiring the property, will convey Phase I to New Hampshire Fish and Game and Phase II to Strafford Rivers Conservancy subject to an easement held by the Natural Resource Conservation Service. Public access for low impact recreation will be encouraged.

Executive Summary

The Trust for Public Land is working with the Town of Barrington, New Hampshire Fish and Game, and Strafford Rivers Conservancy to complete the Stonehouse Pond Conservation Project – a collaborative effort to protect 250 acres of forest surrounding Stonehouse Pond in New Hampshire's fast growing coastal region. The property is located within a 4,200-acre block of unfragmented forest and features a mix of woodlands, wetlands, and open waters. The jewel of the property is Stonehouse Pond itself, a pristine body of water bordered by towering cliffs, and one of the last remaining undeveloped Great Ponds in southeastern New Hampshire.

Despite being a conservation priority for the Town of Barrington for more than 15 years, the property remains at risk of development given the landowner's advanced age.

Project Goals and Objectives

The Stonehouse Pond project is a collaborative effort to protect 241.56 acres of forested uplands surrounding Stonehouse Pond in the Town of Barrington, New Hampshire. The property is located within a 4,200 + acre block of unfragmented forest, of which only 3.2% is conserved, containing a diverse array of habitats. The dominant habitat types found on the property include Appalachian-Oak-Pine forests (197 acres), Hemlock-Hardwood-Pine forests (34.5 acres), wet meadow (6.4 acres) and peatlands (6.7 acres). While some of these habitat types are fairly common in New Hampshire, peatlands often contain plant and wildlife species rarely found in the State.

While the upland areas contain important forest habitats, the focal point of the property is Stonehouse Pond itself, a fly fishing hotspot, and one of the last remaining undeveloped Great Ponds in southeastern New Hampshire. As a catch and release, fly fishing only trout pond, Stonehouse Pond is widely noted for its scenic, recreational, and wildlife values, making it a conservation priority at the local and state level.

All of the goals and objectives represented in the PREP grant application have been met, including the following:

LND-2 Implement steps to limit impervious cover and protect streams at the municipal level.

This land conservation project will contribute to the protection of Stonehouse stream and Stonehouse Pond, effectively creating a buffer along a portion of the stream and encompassing the entire shoreline of the pond.

LND-6 Minimize urban sprawl in coastal watersheds.

This land protection project will help minimize urban sprawl in the Barrington area by permanently preventing the loss and fragmentation of 250 forested acres containing significant wildlife habitat and a 14 acre “Great Pond”.

LND-15 Support land conservation efforts in shoreland areas.

As noted in the NHEP Management Plan, shoreland areas are ecologically important for a number of reasons, including maintenance of water quality and habitat for a variety of wildlife. Many shorelands are also desirable places for development, which threatens the ecological integrity of waterbodies and habitat.

This project will protect the entire shoreline (3,220 feet) of Stonehouse Pond in addition to 2,122 feet of riparian habitat along Stonehouse stream. Should this property be developed, the water quality in Stonehouse Pond would be adversely effected.

LND-26 Support implementation of state and federal land protection programs (e.g., conservation and Reinvestment Act, Land and Community Heritage, Teaming With Wildlife, Land and Water Conservation Fund, Coastal Initiative Program, Farmland Preservation Program).

This project met the criteria for multiple local and state land protection plans and objectives, including:

- The property lies within a “Core Conservation Focus Area” according to the *Land Conservation Plan for New Hampshire’s Coastal Watersheds*.
- New Hampshire’s *Wildlife Action Plan* recognizes Stonehouse Pond and portions of the surrounding uplands as having among the highest quality wildlife habitat in the State.
- The Town of Barrington’s Inventory of Natural Resources identifies the Stonehouse Pond property as one of the Town’s most treasured scenic spots and an important natural resource.

Despite being a conservation priority for Barrington, the property remained at risk of development. Almost four years ago, the Trust for Public Land began negotiating with the landowners to purchase the property in fee at appraised Fair Market Value (FMV). TPL entered into an Option to purchase the properties in two distinct phases:

Phase I - In 2007, TPL bought 11.56 acres from the Parkhurst Family containing an access road and parking area used by recreational visitors to the pond. TPL held onto this land for three years while working with Strafford Rivers Conservancy, New Hampshire Fish and Game, the Town of Barrington, and others to raise funds to complete Phase II.

Phase II - Acquisition of 230.2 acres surrounding and including Stonehouse Pond from the Bedford family.

Activities

As the project lead, TPL's activities and responsibilities generally fell into the following categories:

Due Diligence

TPL, in cooperation with our project partners, satisfactorily completed all required due diligence investigations (appraisal, Phase I Environmental Site Assessment, survey and title review) related to the acquisition and conveyance of the subject properties. A copy of each due diligence item is attached to this report as appendix B- E.

Public Hearings

TPL and Strafford Rivers Conservancy have presented project related information at more than a dozen public meetings and hearings held by the Barrington Conservation Commission, Barrington Board of Selectmen, and NH Fish and Game Commission. In each case, our goals were to educate the public about the property's resource values, solicit feedback on the merits and proposed ownership structure and solicit public support for the expenditure of municipal and state monies.

Fundraising/Grant Writing

The Trust for Public Land was the lead partner on the effort to raise \$855,000 to cover land acquisition and project related costs. The bulk of the funding ultimately came through the sale of a conservation easement to the Natural Resource Conservation Service (NRCS) through the Wetlands Reserve Program. TPL encouraged the landowner to apply for funding through the WRP program, which agreed to purchase the easement for \$652,927. This funding was matched by a \$100,000 contribution from the Barrington Conservation Commission; \$40,000 from the New Hampshire Conservation Committee; \$30,000 from New Hampshire Fish and Game's Fish Habitat Fund; and \$12,000 from two Piscataqua Region Estuaries Partnership grants. These public commitments were matched with \$20,000 in foundation grants and donations from individuals.

Outreach:

TPL and the project partners have created and distributed outreach materials to the public at multiple public meetings/hearings and property site walks. In

addition, TPL has partnered with NH Fish and Game as part of their “Let’s Go Fishing” program (09/20/08) to raise awareness for the effort to conserve Stonehouse Pond as well as the importance of land conservation to communities. The project partners have also held a number of public site walks, jointly hosted by the TPL, Strafford Rivers Conservancy (05/16/09) and Bear Paw Regional Greenways (02/14/09) to inform and educate the public.

Media/Press Releases

TPL issued two press releases over the course of this project, both of which are attached. The first press release announced registration for NH Fish and Game’s “Let’s Go Fishing” program, to be held at Stonehouse Pond. At the event, TPL made a brief presentation to attendees to inform them about the project. A final press release announcing the project closing and acknowledging all of the project partners and sources of funds, a copy of which is enclosed.

TPL will schedule a closing celebration for sometime in May or June to formally acknowledge the partners involved in the project, express our gratitude to the funding agencies and celebrate with the community. Further details will follow.

Outcomes:

On March 29, 2010, TPL facilitated acquisition and conveyance of 242 acres of real property in two phases over three separate transactions:

1. Carolyn S. Bedford Trust of 1990 conveyed a Warranty Easement Deed in Perpetuity over 230.2 acres to the United States of America, acquired through the Natural Resource Conservation Service, United States Department of Agriculture. The purpose of this easement is to, “restore, protect, manage, maintain, and enhance the functional values of wetlands and other lands, and for the conservation of natural values including fish and wildlife and their habitat, water quality improvement, flood water retention, groundwater recharge, open space, aesthetic values, and environmental education. A copy of the Warranty Easement Deed is enclosed and can be found at Book 3822, Page 0339 at the Strafford County Register of Deeds.
2. Phase II – Carolyn S. Bedford Trust of 1990 conveyed 230.2 acres in restricted fee, subject to the easement held by the United States, to Strafford Rivers Conservancy, Inc. In addition, Executory Interests in the restricted fee were conveyed to the Town of Barrington and NH Fish and Game. A copy of the Warranty Deed is enclosed and can be found at Book 3822, Page 0357 at the Strafford County Register of Deeds; and
3. Phase I – The Trust for Public Land conveyed 11.56 acres to NH Fish and Game with an Executory Interest held by the Town of Barrington. The deed to NH Fish and Game was conveyed, “exclusively for the purposes of protecting the Property for the following purposes and uses: scenic values, cultural significance, forest management, low-impact outdoor recreation, including but not limited to hunting,

fishing and trapping; water quality, fish and wildlife habitat, and other conservation purposes". A copy of the Warranty Deed is enclosed and can be found at Book 3822, Page 0368 at the Strafford County Register of Deeds.

Through public ownership and protections afforded by a conservation easement, this project will help protect:

- **3,220 feet of shoreline around the 14-acre Stonehouse Pond**, a designated Great Pond which provides habitat to a variety of native species and is stocked with brook trout that attract anglers from around the region.
- **2,122 feet on both sides of Stonehouse Brook**, a headwater stream of the Isinglass and Cocheco Rivers, a critical source of drinking water for the Town of Dover that ultimately flows into Great Bay and the Atlantic.
- **197 acres of Appalachian Oak-Pine Forest**, a habitat type that makes up less than 10% of New Hampshire, of which only 7.3% is permanently protected.
- **6.7 acres of Peatlands/Forested Wetlands**, a habitat type that makes up only 1% of New Hampshire, of which 83% is unprotected.
- **6.4 acres of Wet Meadow or Scrub/Shrub Wetlands**, a habitat type that makes up only 2.4% of New Hampshire, of which 87% is unprotected.
- **34.5 acres of Hemlock-Hardwood-Pine Forest**, the most widely distributed forest type in New Hampshire, covering nearly 50% of the state's land area. 85% of potential hemlock hardwood pine forests are unprotected.

As a requirement of the Wetlands Reserve Program, the source of funding for the easement purchase, the Natural Resource Conservation Service and the landowner will work together to develop a wetlands restoration plan. Once the restoration plan is finalized, the landowner will have a period of three years to address any wetland restoration goals outlined in the plan. Based on a preliminary assessment of the restoration work needed, the restoration plan will include:

1. Developing a comprehensive forest management plan
2. Improving/expanding trail network, including relocating some trail sections and rebuilding degraded stream crossings
3. Improving access control by installing 4 heavy duty gates at strategic locations in order to prevent unauthorized and unwanted off road vehicular uses.

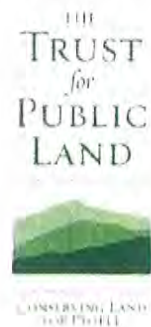
Further, NRCS will provide a baseline property condition report to the landowner. To date, neither the property condition report nor the final restoration plan, have been completed.

Appendices

For Immediate Release:
April 7, 2010

CONTACT:

Gregg Caporossi, The Trust for Public Land, 207-772-7424 ext. 7
Anna Boudreau, Strafford Rivers Conservancy, 603-516-0772



Iconic Stonehouse Pond Protected

BARRINGTON, N.H., April 7, 2010: More than 240 acres of land in Barrington, N.H., including Stonehouse Pond, have been permanently protected, The Trust for Public Land and the Strafford Rivers Conservancy announced today.

The Trust for Public Land (TPL), a national nonprofit conservation organization, purchased the Stonehouse Pond property from the Carolyn S. Bedford Trust and transferred ownership to the Strafford Rivers Conservancy. Strafford Rivers Conservancy will own and manage the property for year-round low impact recreational uses, including hiking, cross country skiing, hunting, fishing, trapping, canoeing, bird watching, and nature appreciation.

Conservation of Stonehouse Pond was completed in two phases. In 2007, TPL bought 11.56 acres from the Parkhurst Family containing an access road and parking area used by recreational visitors to the pond. TPL held onto this land for three years while working with Strafford Rivers Conservancy, New Hampshire Fish and Game, the Town of Barrington, and others to raise funds to complete the second phase—acquisition of 230.2 acres surrounding and including Stonehouse Pond.

“It’s a great day. The determined efforts of a diverse team have finally succeeded to conserve Stonehouse Pond, and the project partners have weathered unprecedented funding challenges,” said Gregg Caporossi, TPL project manager. “TPL began discussions with the Bedford Family more than three years ago, but we owe this successful outcome in no small part to the patience of the landowners and the perseverance of the many dedicated organizations and volunteers who worked so hard to help conserve this wonderful property.”

Funding for the acquisitions included a \$652,927 grant from the USDA Natural Resources Conservation Service (NRCS) from its Wetlands Reserve Program (WRP). George W. Cleek, IV, NRCS state conservationist said, “last year, we were able to fund over \$20,000,000 for sixty-two WRP easement acquisitions in New Hampshire. This is another great accomplishment for the legacy of federal funding through the WRP Program.”

Other funding for the acquisition included \$100,000 from Barrington’s Conservation Fund; \$40,000 from the New Hampshire Conservation Committee; \$30,000 from New Hampshire Fish and Game’s Fish Habitat Fund; and \$12,000 from two Piscataqua Region Estuaries Partnership grants, as authorized by the U.S. Environmental Protection Agency’s National Estuary Program.

These public commitments were matched with \$20,000 in foundation grants and donations from individuals to reach the \$855,000 goal, covering the purchase price, project expenses, and establishing a stewardship endowment.

Phil Auger, with University of New Hampshire Cooperative Extension (UNHCE), said, "Stonehouse Pond is one of the open space jewels of southeastern New Hampshire. Generations of residents have rejoiced at its beauty, enjoyed fishing in its waters and recreating in the woodlands that surround it. We are all so lucky that the Bedford Family has been such great stewards of this land, that they recognized its importance and wanted to assure that this treasure is conserved forever. I'm honored to have been a small part of the team that helped get it done."

"I am in awe of the support and dedication of everyone involved in this project, but TPL owes a debt of gratitude to Phil Auger of UNH Cooperative Extension, Sue Hoey, of the NRCS, Carolyn and Pat Bedford, New Hampshire Fish and Game, Strafford Rivers Conservancy, and the Town of Barrington," added Carporossi. "Because of their efforts, this iconic landscape will remain open to the public in perpetuity."

"It is the fulfillment of a dream to have Stonehouse Pond permanently protected," said John Wallace, member of the Barrington Conservation Commission. "Barrington has long sought to protect this property as one of the defining places of this community. Funding conservation projects such as this in the middle of a financial crisis is a huge challenge, but the patience and perseverance of many in the town, and especially of TPL, have finally paid off."

Stonehouse Pond has been a conservation priority for the Town of Barrington and the entire conservation community. As a catch and release, fly-fishing only trout pond, Stonehouse Pond offers anglers a wilderness experience more commonly associated with the North Country than New Hampshire's increasingly urbanized coastal area. While primarily used by anglers, this stunning Great Pond bordered by towering cliffs is also popular with non-anglers seeking solitude or glimpses of the abundant wildlife residing on the property.

"We are grateful to the Bedford family for their willingness to conserve this spectacular property and for the efforts of so many partners, especially Gregg Caporossi from TPL and Phil Auger from UNHCE for their years of work on this project. We are pleased to be a part of this wonderful conservation success and feel honored to become stewards of this beautiful place loved by so many," said Anna Boudreau, executive director of the Strafford Rivers Conservancy.

Glenn Normandeau, Executive Director of New Hampshire Fish and Game, added, "The Department is pleased to have been a partner in protecting this unique property. This project will help to ensure that the pond will remain a valuable public resource and an important trout fishery in the southeastern part of the State. We look forward to working with the Strafford Rivers Conservancy and the Town of Barrington to manage the lands surrounding the Pond. I would also like to recognize The Trust for Public Land for all the hard work required to bring this project to a successful conclusion."

George Cleek, NRCS State conservationist, said, "The USDA/NRCS is in the unique position of being a non-regulatory federal agency with significant funding to help private landowners protect

their land and conserve natural and cultural resources. In this case, the WRP program not only helped to protect this property, it will also provide funding for restoration of compromised wetland habitat. I couldn't be more impressed with the work of all the partners and private organizations and individuals that made this significant project a reality." In addition to WRP, the NRCS Farm and Ranch Lands and Grassland Protection Programs also offer financial and technical help to conserve private lands.

Conservation of Stonehouse Pond is the latest effort as part of TPL's Coastal Community Initiative. Working closely with communities and local land trusts throughout New Hampshire's coastal region, TPL has helped communities protect more than 1,600 acres for this and future generations, including projects in Strafford, Rye, North Hampton, Newfields, and Hampton Falls.

The Trust for Public Land, established in 1972, specializes in conservation real estate, applying its expertise in negotiations, public finance, and law to protect land for people to enjoy as parks, greenways, community gardens, urban playgrounds, and wilderness. TPL depends on the support of individuals, foundations, and corporations. In New Hampshire, TPL has protected more than 230,000 acres. For more information, visit TPL on the web at tpl.org.

The Strafford Rivers Conservancy is a non-profit land trust dedicated to conserving the natural resources, local beauty, and character of lands throughout greater Strafford County parts of southern Carroll County. The SRC achieves its mission through the promotion of conservation easements, outreach and education, and the acquisition and stewardship of conservation lands. The SRC works closely with all sectors of the community including public agencies, private landowners, businesses and other non-profit organizations. To learn more or to support local land conservation contact the SRC at (603) 516-0772 or visit them online at www.StraffordRiversConservancy.org

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CONTACTS:

Karina Jolles: (603) 271-3212

Jane Vachon: (603) 271-3211

Lisa Collins: (603) 271-3212

FOR IMMEDIATE RELEASE:

July 6, 2008

Fly-Fishing Class Offered

CONCORD, N.H. – An upcoming workshop offers a chance to learn about the traditional and timeless sport of fly-fishing. The New Hampshire Fish and Game Department's "Let's Go Fishing" Program is teaming up with The Trust for Public Land to host a fly fishing class on Saturday, September 20, from 9:00 a.m. to 4:30 p.m. and Sunday, September 21, from 9:00 a.m. to 12:00 p.m. at Stonehouse Pond in Barrington – one of southern New Hampshire's most beloved fly fishing destinations.

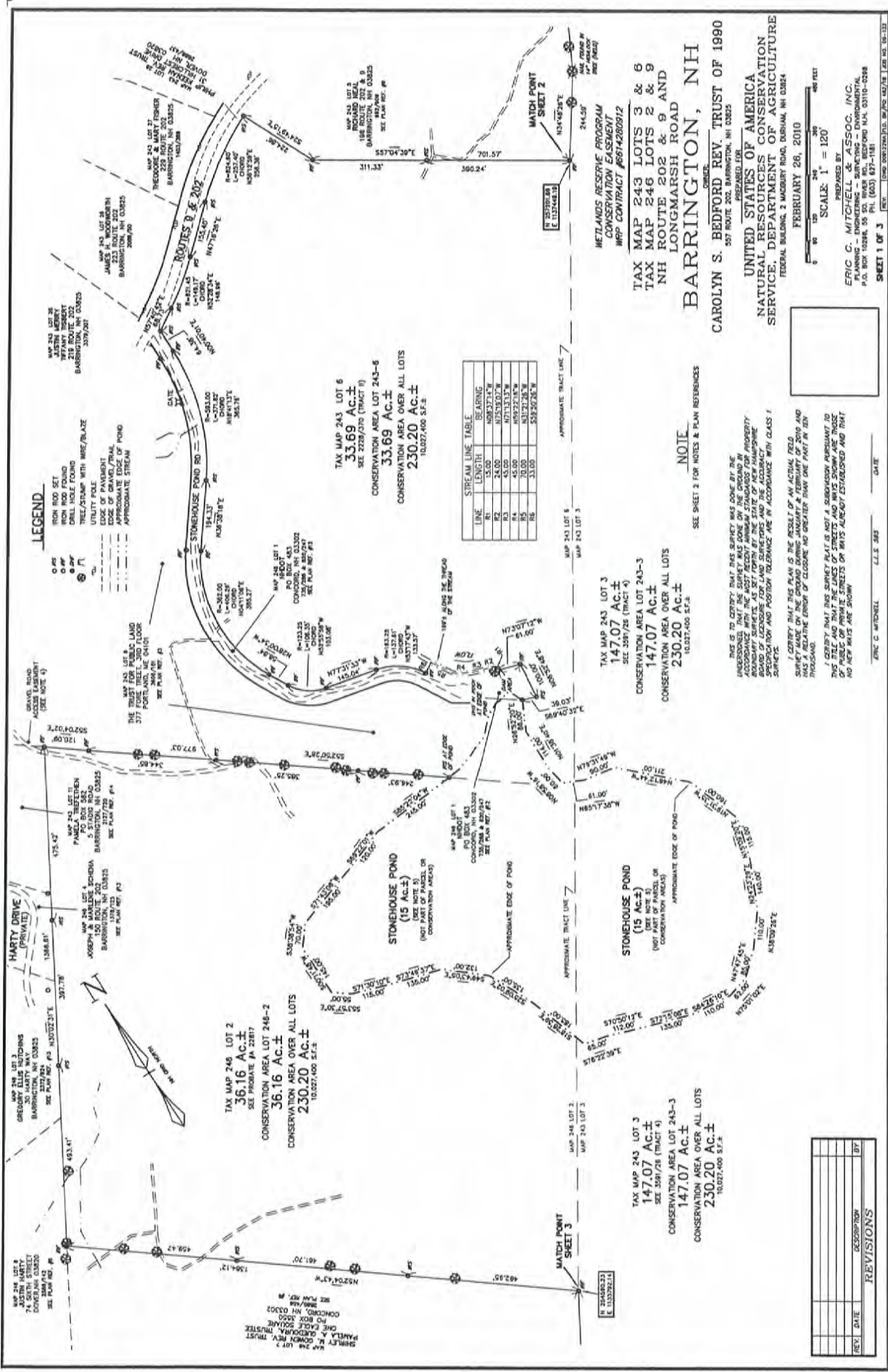
Designed primarily for first-time fly-fishers, the workshop will cover the basics of equipment, fly casting, stream ecology, knot tying, safety and how to find those "hot spots" along New Hampshire's rivers and lakes. The highlight of the two days will be Sunday, when we'll pull on our waders and head out to Stonehouse Pond to put our newly learned skills to the test! Participants should plan to bring their own or borrowed equipment. A limited number of rods will be available for use, please let Fish and Game know if you will need to borrow their equipment.

Located in Barrington, Stonehouse Pond is a pristine 14- acre fly-fishing only "Great Pond" that offers anglers a wilderness experience in New Hampshire's Coastal region. The privately owned pond has been a conservation priority for the Town of Barrington and the conservation community for years. Recently, the Trust for Public Land entered into an agreement with the landowners to permanently protect the property, including the pond shoreline and 250 acres of forested uplands. Once conserved, the property will be forever protected against subdivision and development, and will remain open to the public for fishing, hiking, and other recreational uses. We encourage you to join us in learning essential fly fishing skills and more about this unique property.

To sign up for this event, you must print out and return a registration form, which can be found on the Fish and Game website at http://www.wildlife.state.nh.us/Fishing/lets_go_fishing.htm. Registration forms can also be obtained by calling Lisa Collins at (603) 271-3212 or emailing aquatic-ed@wildlife.state.nh.us. The class is open to anyone age 13 and over, however those 16 and under must be accompanied by an adult. Class space is limited, and registration is on a first-come, first-served basis. Applications must be received by September 12 to reserve your spot in the workshop.

The New Hampshire Fish and Game Department works to conserve, manage and protect the state's fish and wildlife and their habitats, as well as providing the public with opportunities to use and appreciate these resources. Visit <http://www.wildlife.state.nh.us>. Over the past ten years, the Fish and Game Department's "Let's Go Fishing" program has taught thousands of children and adults to be safe, ethical and successful anglers. The program is federally funded through the Sport Fish Restoration Program.

The Trust for Public Land (TPL) conserves land for people to enjoy as parks, gardens, and other natural places, ensuring livable communities for generations to come. Since its inception in 1972, TPL has completed 3,763 land conservation projects in 46 states, protecting 2.5 million acres across the country. TPL has conserved more than 230,000 acres in New Hampshire, including such iconic landscapes as the Daniel Webster Farm in Franklin, Robb Reservoir in Stoddard, the Isinglass River property in Strafford, and the Connecticut Lakes Headwaters in Coos County. TPL works with willing landowners, community groups, and national, state, and local agencies, applying real estate and legal expertise to assist both landowners seeking to protect properties and public agencies seeking to bring open space into the public domain.



LEGEND

- R/R ROAD RIGHT-OF-WAY
- L/R ROAD LEFT-OF-WAY
- T/ST TRAIL/STAMP WITH IRREGULAR BOUNDARY
- U/ST UTILITY POLE
- E/P EDGE OF PAVEMENT
- A/S APPROXIMATE STREAM

STREAM LINE TABLE

LINE	LENGTH	BEARING
R1	13.00	N082°17'14"W
R2	24.00	N52°30'07"W
R3	45.00	N71°33'13"W
R4	70.00	N31°21'28"W
R5	33.00	S28°20'26"W

TAX MAP 243 LOT 6
33.69 AC.±
 SEE 2228/370 (TRACT 1)
 CONSERVATION AREA LOT 243-6
33.69 AC.±
 CONSERVATION AREA OVER ALL LOTS
230.20 AC.±
 10,027,400 SF.±

TAX MAP 243 LOT 3
147.07 AC.±
 SEE 2291/26 (TRACT 4)
 CONSERVATION AREA LOT 243-3
147.07 AC.±
 CONSERVATION AREA OVER ALL LOTS
230.20 AC.±
 10,027,400 SF.±

TAX MAP 243 LOT 3
147.07 AC.±
 SEE 2291/26 (TRACT 4)
 CONSERVATION AREA LOT 243-3
147.07 AC.±
 CONSERVATION AREA OVER ALL LOTS
230.20 AC.±
 10,027,400 SF.±

TAX MAP 246 LOT 2
36.16 AC.±
 SEE 2281/18 (TRACT 4)
 CONSERVATION AREA LOT 246-2
36.16 AC.±
 CONSERVATION AREA OVER ALL LOTS
230.20 AC.±
 10,027,400 SF.±

BARRINGTON, NH
 METLANDS RESERVE PROGRAM
 CONSERVATION EASEMENT
 WPP CONTRACT #0814260912
 TAX MAP 243 LOTS 3 & 6
 TAX MAP 246 LOTS 2 & 9
 NH ROUTE 202 & 9 AND
 LONGMARSH ROAD
BARRINGTON, NH

CAROLYN S. BEDFORD REV. TRUST OF 1990
 557 ROUTE 202, BARRINGTON, NH 03205
 PREPARED FOR
UNITED STATES OF AMERICA
 NATURAL RESOURCES CONSERVATION
 SERVICE, DEPARTMENT OF AGRICULTURE
 FEDERAL BUILDING, 2 MADRIST ROAD, DURHAM, NH 03824
 FEBRUARY 26, 2010
 SCALE: 1" = 120'
 PREPARED BY
ERIC C. MITCHELL & ASSOC., INC.
 PLANNING - ENGINEERING - SURVEYING - ENVIRONMENTAL
 P.O. BOX 10288, 55 R.L. (A02) 671-1141

SHEET 1 OF 3
 REV. DATE DESCRIPTION BY

NOTE

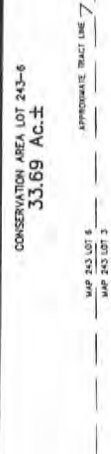
SEE SHEET 2 FOR NOTES & PLAN REFERENCES

THIS IS TO CERTIFY THAT THIS SURVEY WAS DONE BY THE SURVEYOR MADE ON THE GROUND DURING JANUARY & FEBRUARY OF 2010 AND THAT THE SURVEY WAS MADE BY THE SURVEYOR IN PERSON OR UNDER HIS CLOSE PERSONAL SUPERVISION AND THAT HE HAS PERSONAL KNOWLEDGE OF THE ACCURACY OF THE SURVEY DATA AND POSITION THEREAS ARE IN ACCORDANCE WITH CLASS I SURVEYS.

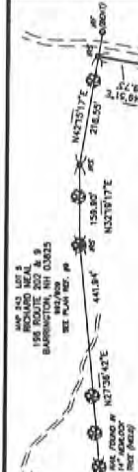
I CERTIFY THAT THIS PLAN IS THE RESULT OF AN ACTUAL FIELD SURVEY MADE ON THE GROUND DURING JANUARY & FEBRUARY OF 2010 AND THAT THE SURVEY WAS MADE BY THE SURVEYOR IN PERSON OR UNDER HIS CLOSE PERSONAL SUPERVISION AND THAT HE HAS PERSONAL KNOWLEDGE OF THE ACCURACY OF THE SURVEY DATA AND POSITION THEREAS ARE IN ACCORDANCE WITH CLASS I SURVEYS.

ERIC C. MITCHELL L.L.E. 285 DATE

CONSERVATION AREA LOT 243-6
33.69 AC.±

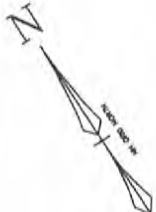


MATCH POINT
SHEET 1



MAP 243 LOT 6
MAP 243 LOT 3

- PLAN REFERENCES**
- "STANDARD BOUNDARY SURVEY DELINEATING LOTS FOR CONSERVATION EASEMENT FOR MAP 243 LOTS 3 & 6 AND MAP 248 LOTS 2, 8 & 9 AND LAND OWNED BY THE TRUST FOR PUBLIC LAND KNOWN AS TAX MAP 243 LOT 8 LOCATED ALONG ROUTE 202 / 9 & 10, BARRINGTON, N.H., N.H. & ASSOCIATES, INC., BARRINGTON, N.H., DATED FEB. 4, 1994, SORD PLAN 59-46.
 - "REVISED BOUNDARY PLAN & KOP HIGHLAND & SHAWN P. PASQUETTE & CAROLYN BEDFORD, BARRINGTON, N.H. BY OWENS/DREW LLC, DATED JULY, 1994, SORD PLAN 59-44.
 - "PROPOSED SUBDIVISION LAND OF HILARY PARKHURST 160 ROUTE 202/8 BARRINGTON, N.H." BY BERRY SURVEYING & ENG., DATED JAN. 30, 1997, SORD PLAN 51-1.
 - "PROPOSED SUBDIVISION & LOT LINE REVISION LAND OF CLARENCE & ALICE GARNETT & VETTE BURGE FIE 202, BARRINGTON, N.H. BY BERRY SURVEYING & ENG., DATED FEB. 4, 1994, SORD PLAN 59-46.
 - "PLAN OF A PORTION OF LONGMARCH ROAD RIGHT OF WAY FOR TOWN OF BARRINGTON N.H." BY FROST & BEGGS ASSOC., INC., DATED WHICH IS, 1984, NOT RECORDED.
 - "SUBDIVISION PLAN ARDENIE HARTY, BARRINGTON, N.H." BY FREDERICK E. DREW ASSOC., DATED JAN. 1979, SORD PLAN #20-87.
 - "SUBDIVISION PLAN PULLBURY LOT FOR MALCOLM MACGREGOR, BARRINGTON, N.H." BY FREDERICK E. DREW ASSOC., DATED FEB. 1979, SORD PLAN #20-75.
 - "REVISED BOUNDARY SURVEY PLAN OF LAND JOHN WOODY ESTATE, BARRINGTON, N.H." BY FREDERICK E. DREW ASSOC., DATED AUG. 1977, SORD PLAN #20-20.
 - "PLAN OF SUBDIVISION STONINGHOUSE FARM ANS TAYLOR & CLARENCE GARNETT, BARRINGTON, N.H." BY FREDERICK E. DREW ASSOC., DATED AUG. 1978 SORD PLAN #2-2.
 - "PLAN OF LAND OF LORETTA CRISHOLM, BARRINGTON, N.H." BY T. W. CHESELEY ENG. CO., PLAN #1408, DATED SEPT. 1981, NOT RECORDED.
 - "BARRINGTON LAYOUT PLAN OF LOTS MARKED OUT IN 1720 BY ROBERT EWMS, TRACED JULY 1858 BY SAMUEL THAL, JR. SORD PLAN # POCKET #3 FOLDER #4.
 - "PLAN OF LAND 'USA SPRINGS' ROUTE 4 NOTTINGHAM, N.H., DATE 2-23-03, SCALE 1" = 60' LAST REVISED ON 11/29/05 AND PREPARED BY GANNETT ENGINEERING, R.C.B. PLAN #3-0463.
 - "STONINGHOUSE FARM BARRIER SITE - PROPOSED PURCHASE ANS J. TAYLOR & CLARENCE GARNETT, BARRINGTON, N.H. BY FREDERICK E. DREW ASSOC., STRAFFORD COUNTY, 200/247, NOV. 1984, NOT RECORDED.
 - "SUBDIVISION PLAN MARTIN HARTY, BARRINGTON, N.H." BY FREDERICK E. DREW ASSOC., DATED SEPT. 1994, SORD PLAN #20-135.
 - "REVISED BOUNDARY PLAN ARDENIE HARTY ANS MARTIN HARTY JR. BARRINGTON, N.H." BY FREDERICK E. DREW ASSOC., DATED OCT. 1987, SORD PLAN #20-152.



TAX MAP 243 LOT 3
147.07 AC.±
SEE 3591728 (TRACT 4)
CONSERVATION AREA LOT 243-3
147.07 AC.±
CONSERVATION AREA OVER ALL LOTS
230.20 AC.±
10,037,400 SF.±



MAP 243 LOT 6
BARRINGTON PRICE CORP.
C/O DORIS & REND
C/O FREDERICK E. DREW
PO BOX 3050
CONCORD, NH 03302

NOTES

- THE PURPOSE OF THIS PLAN IS TO SHOW A PROPOSED CONSERVATION EASEMENT OVER ALL OF TAX MAP 243 LOTS 3, 6 & 9 AND TAX MAP 248 LOTS 2 & 8.
- TOTAL PARCEL AREA = 230.20 ± ACRES
MAP 243 LOT 3 = 147.07 ± ACRES
MAP 248 LOT 2 = 30.18 ± ACRES
MAP 248 LOT 8 = 13.28 ± ACRES
- ALL LOTS ARE VACANT.
- MAP 248 LOT 2 BENEFITS FROM AN ACCESS EASEMENT OVER A GRAVEL ROAD CROSSING MAP 243 LOT 8 & 9 PER SORD PL. 183 PLS. 17 & SORD PLANS 20-75 & 20-20. THE ACCESS ROAD IS SHOWN ON SORD 1978 PLAN 18-2. THIS ROAD ENDS AT MAP 243 LOT 11 AS SHOWN.
- THE AREA OF STONINGHOUSE POND APPROXIMATELY 15 ACRES AND IS CONSIDERED A "WETLAND". THE AREA UNDER THE POND HAS BEEN DESIGNATED AS "WETLAND" ON THE 100-YEAR FLOOD PLAN ELEMENT AREA. THE ACCESS ROAD FROM ROUTE 9 & 202 IS DATED.
- THIS SITE IS NOT LOCATED WITHIN THE 100-YEAR FLOOD PLAN PER F.I.B.M. PANEL NO. 3300702000A, EFFECTIVE MAY 17, 2005.
- THE LAND AROUND STONINGHOUSE POND IS SUBJECT TO THE STATE OF NEW HAMPSHIRE COMPREHENSIVE SHORELAND PROTECTION ACT (CSPA).
- THE HORIZONTAL DATUM FOR THIS SURVEY IS BASED UPON THE CITY OF BOSTON'S 83 CONTROL NETWORK, POINTS 200 & 227 AND IS ON THE STATE PLANE COORDINATE SYSTEM.

LEGEND

- 0 FT FROM ROD SET
- 0 FT FROM ROD FOUND
- 0 FT FROM BENCH MARK
- 0 FT FROM BENCH MARK
- EDGE OF CORNER/PAVE

REV.	DATE	DESCRIPTION	BY

MAP 243 LOT 6
C/O DORIS & REND
C/O FREDERICK E. DREW
CONCORD, NH 03302
TEL: 603 233-1936

THIS IS TO CERTIFY THAT THIS SURVEY WAS DONE BY THE UNDERSIGNED THAT THE SURVEY WAS DONE ON THE GROUNDS IN ACCORDANCE WITH THE REQUIREMENTS OF THE CONSTITUTIONAL PROVISIONS OF THE STATE OF NEW HAMPSHIRE. THE SURVEY WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE CONSTITUTIONAL PROVISIONS OF THE STATE OF NEW HAMPSHIRE AND THE PROFESSIONAL STANDARDS AND ETHICS OF THE SURVEYING PROFESSION.

I CERTIFY THAT THIS PLAN IS THE RESULT OF AN ACTUAL FIELD SURVEY MADE ON THE GROUNDS DURING JANUARY & FEBRUARY OF 2010 AND THAT THE SAME IS CORRECT AND ACCURATE TO THE NEAREST HUNDREDTHS OF AN INCH.

I CERTIFY THAT THIS SURVEY PLAN IS NOT A SUBDIVISION PURSUANT TO THE STATE OF NEW HAMPSHIRE SUBDIVISION ACT (RSA 441:1) AND THAT THE LOTS AND LOTS OF LOTS AND LOTS OF LOTS ARE NOT BEING OFFERED OR INTENTED TO BE OFFERED FOR SALE OR CONVEYANCE TO ANY PARTY OTHER THAN THE PARTIES TO THIS SURVEY.

METLANDS RESERVE PROGRAM
CONSERVATION EASEMENT
WHP CONTRACT #091268912

TAX MAP 243 LOTS 3 & 6
TAX MAP 248 LOTS 2 & 9
NH ROUTE 202 & 9 AND
LONGMARCH ROAD
BARRINGTON, NH

CAROLYN S. BEDFORD REV. TRUST OF 1980
507 ROUTE 202, BARRINGTON, NH 03325

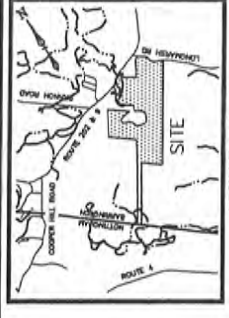
UNITED STATES OF AMERICA
NATURAL RESOURCES CONSERVATION
SERVICE, DEPARTMENT OF AGRICULTURE
FEDERAL BUILDING, 2 MERRILL ROAD, ORRIMAL, NH 0384

FEBRUARY 26, 2010

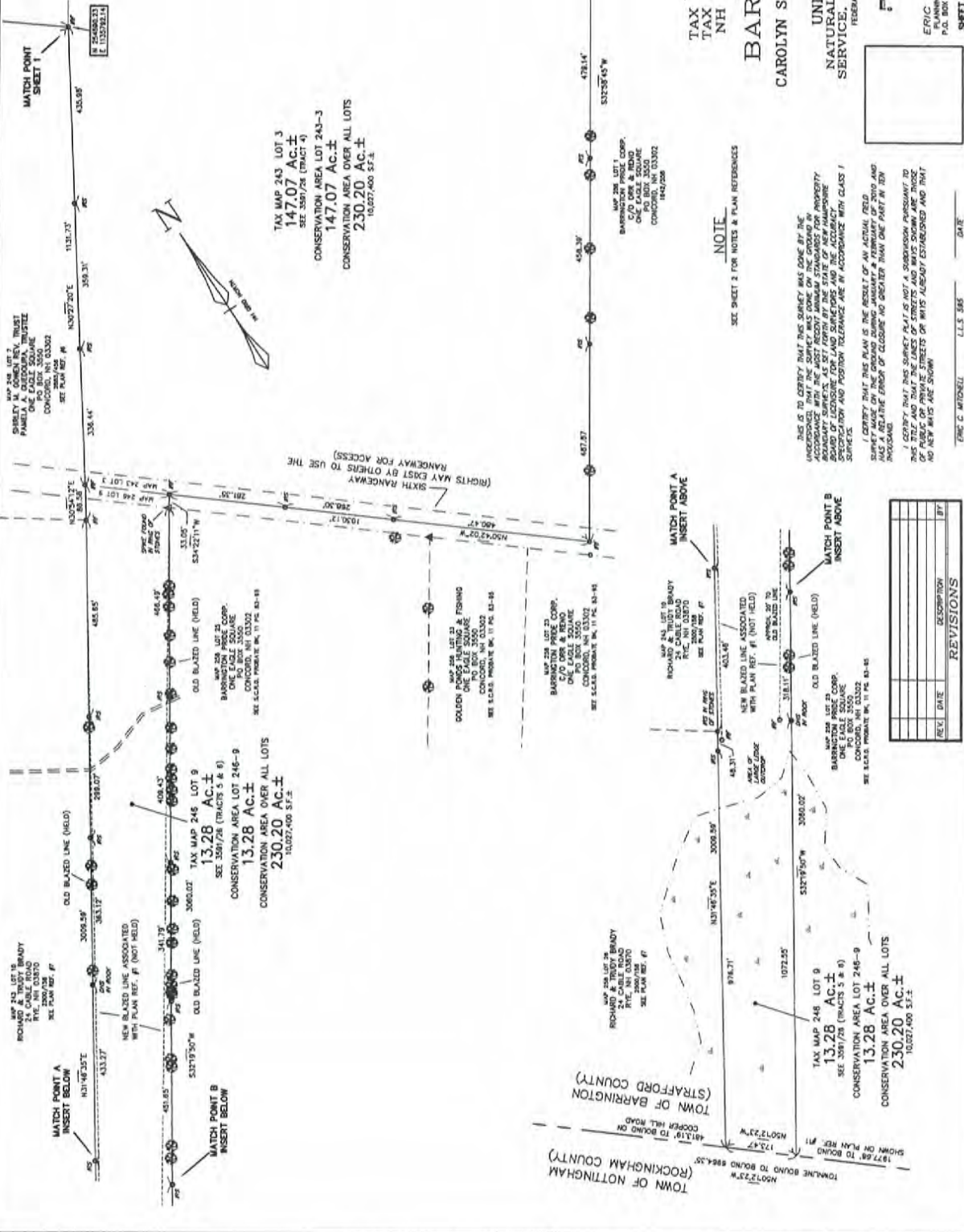
SCALE: 1" = 120'

PREPARED BY
ERIC C. MITCHELL & ASSOC., INC.
PLANNING - ENGINEERING - SURVEYING - ENVIRONMENTAL
P.O. BOX 1028A, 55 PH. (603) 877-1181

SHEET 2 OF 3



- LEGEND**
- 6" IRON ROD SET
 - 4" IRON ROD SET
 - 2" IRON ROD SET
 - TRAIL/BLAZE FOUND
 - TRAIL/TUMP WITH WIRE/BLAZE
 - EDGE OF GRAVEL/PAVEMENT
 - - - - - APPROXIMATE MARSH



BARRINGTON, NH

CAROLYN S. BEDFORD REV. TRUST OF 1990

557 ROUTE 202, BARRINGTON, NH 03025

PREPARED FOR

UNITED STATES OF AMERICA
NATURAL RESOURCES CONSERVATION SERVICE, DEPARTMENT OF AGRICULTURE

FEDERAL BUILDING, 2 MORTIMER ROAD, DURHAM, NH 03824

FEBRUARY 26, 2010

SCALE: 1" = 120'

PREPARED BY
ERIC C. MITCHELL & ASSOC., INC.
PLANNING - ENGINEERING - SURVEYING - ENVIRONMENTAL
P.O. BOX 10288, 55 Pk. RD., DURHAM, NH 03824

SHEET 3 OF 3

NOTE

SEE SHEET 2 FOR NOTES & PLAN REFERENCES

THIS IS TO CERTIFY THAT THIS SURVEY WAS DONE BY THE UNDERSIGNED THAT THE SURVEY WAS DONE ON THE GROUND BY ACCORDANCE WITH THE STATE PLANNING & SURVEYING BOARD OF LANDS FOR THE YEAR 2009 AND THE ACCURACY OF POSITION AND POSITION TOLERANCE ARE IN ACCORDANCE WITH CLASS 1 SURVEYS.

(CERTIFY THAT THIS PLAN IS THE RESULT OF AN ACTUAL FIELD SURVEY MADE ON THE GROUND DURING JANUARY & FEBRUARY OF 2010 AND HAS A RELATIVE ERROR OF CLOSURE NO GREATER THAN ONE PART IN TEN THOUSAND.)

THIS SURVEY WAS MADE BY ERIC C. MITCHELL & ASSOC., INC. FOR THE PURPOSE OF THE CONSERVATION PROGRAM OF PUBLIC PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW WAYS ARE SHOWN.

NOTE

SEE SHEET 2 FOR NOTES & PLAN REFERENCES

MAP 206 LOT 11
BARRINGTON HOLE CORP.
C/O DORIS & RENO
DR. 1000 W. STATE ST.
CONCORD, NH 03302
10,027,400 SF.

MAP 206 LOT 12
DORIS POWERS FISHING & FISHING
C/O DORIS & RENO
DR. 1000 W. STATE ST.
CONCORD, NH 03302
10,027,400 SF.

MAP 206 LOT 13
BARRINGTON HOLE CORP.
C/O DORIS & RENO
DR. 1000 W. STATE ST.
CONCORD, NH 03302
10,027,400 SF.

MAP 206 LOT 14
HOWARD & TRUDY BRADY
R/FV, 400 HILL ROAD
CONCORD, NH 03302
10,027,400 SF.

MAP 206 LOT 15
HOWARD & TRUDY BRADY
R/FV, 400 HILL ROAD
CONCORD, NH 03302
10,027,400 SF.

MAP 206 LOT 16
HOWARD & TRUDY BRADY
R/FV, 400 HILL ROAD
CONCORD, NH 03302
10,027,400 SF.



SED VALUATION, LLC
P.O. BOX 2883
CONCORD, NH 03302-2883
PHONE: (603) 496-2826 FAX: (603) 715-5493
SED-VALUATION@COMCAST.NET

August 30, 2007

Mr. Gregg Caporossi, Project Manager
The Trust for Public Land
377 Fore Street
Portland, ME 04101

RE: Appraisal of a vacant 233.2± acre parcel – Located in Barrington, NH; Market Value Before and After the Conveyance of a Preservation Easement

Dear Mr. Caporossi:

In accordance with your request, I have completed an appraisal pertaining to the above-referenced property. This letter is presented to you as a restricted appraisal report based on the scope of work agreed to in our discussion, and described herein. It is intended to comply with the reporting requirements set forth under Standards Rule 2-2C of the Uniform Standards of Professional Appraisal Practice (USPAP) 2006, for a Restricted Appraisal Report. As such, it presents no discussions of the data, reasoning and analyses that were used in the appraisal process to develop the appraiser's opinion of value. The Sales Comparison approach to value was utilized exclusively in the analysis. Supporting documentation concerning the data, reasoning and analyses is retained in the appraiser's file. The depth of discussion contained in this report is specific to the needs of the client and for the intended use stated below. Possession of this report, or a copy thereof, does not carry with it the right of publication. It may not be used for any purpose, or by any person other than the party to whom it is addressed without the written consent of the appraiser. The appraiser is not responsible for unauthorized use of this report.

In consideration of the facts and opinions contained herein, it is my opinion that the market value of the appraised property before conveyance of the preservation easement, as of the July 8, 2007 date of value, is \$675,000; and the market value of the appraised property after conveyance of the preservation easement is \$225,000. Therefore, the difference, or the value of the preservation easement is \$450,000.

Identity of Client	Mr. Gregg Caporossi, Project Manager The Trust for Public Land
Purpose of the Appraisal	To estimate the market value of the above-referenced property, before and after the conveyance of the proposed preservation easement.
Intended Use of Report	It is my understanding that the function of this appraisal is to assist the Trust For Public Land in its internal decision-making.
Effective Date of Value	July 8, 2007

BEFORE CONVEYANCE OF PRESERVATION EASEMENT

Real Estate Appraised Before Easement	The appraised property comprises 233.2 total acres on four vacant parcels, located in Barrington, New Hampshire. The four vacant parcels are identified in the Town of Barrington's property record cards as follows: Map No. 243, Lot 3 (150 acres); Map No. 243, Lot 6 (34 acres); Map No. 246, Lot 2 (37 acres); and Map No. 246, Lot 9 (12.2 acres). The appraised parcel is irregular in shape, and has approximately 615.9 feet of frontage on Route 202/9, and approximately 1,385 feet of frontage on Longmarsh Road. According to the Town's tax map, the parcel also has approximately 2,111 feet of frontage on "Stone House Pond". The property is zoned "General Residential". The current owner of the appraised property is Carolyn Bedford.
Interest Valued Before Easement	Fee simple.
Assumptions Before Easement	No environmental assessment reports were provided for the subject property. The final opinion of value is subject to review upon the subsequent receipt of any environmental assessment reports.
Present Use of the Appraised Property	As of the date of value, the appraised property is vacant.

**Highest and Best Use
Before Easement**

The appraised property benefits from its pond frontage on Stone House Pond, favorable topography, soils, and relatively close proximity to the greater Portsmouth labor market. Barrington remains a “bedroom” community to Portsmouth and has generally benefited from Portsmouth’s population growth and economic expansion over the last decade. With a diminished inventory of suitable development parcels (particularly lots with pond frontage), Barrington’s property values have appreciated over the last several years despite the recent national downturn in real estate performance.

The appraised property benefits from its relatively extensive frontage along Route 202/9, and subdivision of the appraised property into smaller residential lots is entirely reasonable, in light of other subdivisions and residential development in the greater market area. This is particularly desirable as a result of the available frontage on Stone House Pond, an attractive scenic amenity for residential uses. Therefore, the highest and best use of the appraised property was deemed to be subdivision of the appraised property into residential lots, subject to obtaining approval from the Town’s Planning Board.

**Scope of Work:
Appraisal Development
and Reporting Process
Before Easement**

In preparing this appraisal, Scott E. Dickman inspected the subject property on July 8, 2007, I gathered and analyzed comparable market data, including vacant tracts generally conforming in size to the appraised property. Identification of sale properties of a conforming size, with pond frontage, was extremely difficult to locate, and a statistical comparison of sales with and without pond frontage was utilized when necessary. Additional market-related statistical data pertaining to land values and the residential housing/development market in the greater Barrington area was also reviewed and incorporated into the analysis. Sale data was confirmed with at least one party whenever possible. Finally, this market-oriented information was utilized to complete a Sales Comparison Approach to value.

Because the appraised property is vacant land, a Cost Approach to value was not utilized. Similarly, because the owner has not prepared or submitted a formal subdivision proposal to the Town’s Planning Board, an Income Approach to value was also not utilized due to the highly speculative nature of undertaking such an analysis without definitive knowledge as to the approved number of lots, etc. Therefore, the analysis was completed by the Sales Comparison Approach to value exclusively. Therefore, overall, inclusion of either a Cost or an Income approach to value would have little added benefit to the fundamental analysis.

This Restricted Appraisal Report sets forth only the appraiser's conclusions. Hence, the supporting documentation is retained in the appraiser's file.

This Restricted Appraisal Report sets forth only the appraiser's conclusions. Hence, the supporting documentation is retained in the appraiser's file.

**Opinion of Value
Before Easement:**

\$675,000

**Exposure Time
Before Easement:**

Nine to Twelve Months

Description of Easement:

A copy of the proposed easement has not been provided to me. However, it is my understanding that the purpose of the proposed easement is the protection of the natural habitat, the conservation and protection of open spaces, and the long-term protection of the Property's capacity to produce economically valuable agricultural and forestry products. Expected use limitations include elimination of all commercial activities except agriculture and forestry, and the property will be maintained in perpetuity as open space. The property cannot be subdivided, and the Grantee shall have reasonable access to the Property.

AFTER CONVEYANCE OF PRESERVATION EASEMENT

**Real Estate Appraised
After Easement**

The appraised property comprises 233.2 total acres on four vacant parcels, located in Barrington, New Hampshire. The four vacant parcels are identified in the Town of Barrington's property record cards as follows: Map No. 243, Lot 3 (150 acres); Map No. 243, Lot 6 (34 acres); Map No. 246, Lot 2 (37 acres); and Map No. 246, Lot 9 (12.2 acres). The appraised parcel is irregular in shape, and has approximately 615.9 feet of frontage on Route 202/9, and approximately 1,385 feet of frontage on Longmarsh Road. According to the Town's tax map, the parcel also has approximately 2,111 feet of frontage on "Stone House Pond". The property is zoned "General Residential". The current owner of the appraised property is Carolyn Bedford.

**Interest Valued
After Easement**

Fee simple, subject to the terms of the proposed conservation easement.

**Assumptions
After Easement**

No environmental assessment reports were provided for the subject property. The final opinion of value is subject to review upon the subsequent receipt of any environmental assessment reports.

**Highest and Best Use
After Easement**

The appraised property benefits from its pond frontage on Stone House Pond, favorable topography, soils, and relatively close proximity to the greater Portsmouth labor market. Barrington remains a “bedroom” community to Portsmouth and has generally benefited from Portsmouth’s population growth and economic expansion over the last decade. With a diminished inventory of suitable development parcels (particularly lots with pond frontage), Barrington’s property values have appreciated over the last several years despite the recent national downturn in real estate performance.

The appraised property benefits from its relatively extensive frontage along Route 202/9, and subdivision of the appraised property into smaller residential lots is entirely reasonable, in light of other subdivisions and residential development in the greater market area. This is particularly desirable as a result of the available frontage on Stone House Pond, an attractive scenic amenity for residential uses.

However, the appraised property is now encumbered with a preservation easement that requires protection of the appraised property’s natural habitat, the conservation and protection of open spaces, and the long-term protection of the Property’s capacity to produce economically valuable agricultural and forestry products. Expected use limitations include elimination of all commercial activities except agriculture and forestry, and the property will be maintained in perpetuity as open space. The property cannot be subdivided, and the Grantee shall have reasonable access to the Property. Therefore, the highest and best use of the appraised property was determined to be timberland and/or recreation.

**Scope of Work:
Appraisal Development
and Reporting Process
After Easement**

In preparing this appraisal, Scott E. Dickman inspected the subject property on July 8, 2007. From the standpoint of data analysis, the paradigm would have been the identification of recent sales of 233-acre encumbered tracts with pond frontage. However, sale data conforming to these exacting specifications were not available. As a result, a “proxy” for sale data generally conforming to encumbered property was utilized instead. Because encumbered property is not developable, the property rights that are functionally closest to such an encumbrance are associated with a “backland” lot (land without road frontage) that is not developable due to local zoning constraints that require frontage. Therefore, due to the scarcity of encumbered sale

data conforming to the appraised property, backland sales were substituted when ever necessary. In addition, because a conservation easement is permanent, and backland may not always be so, or zoning requirements might change, a further adjustment for the differing property rights was considered necessary. Further, the identification of sale properties with pond frontage was also difficult to locate, and a statistical comparison of sales with and without pond frontage was utilized when necessary. Additional market-related statistical data pertaining to land values and the residential housing/development market in the greater Barrington area was also reviewed and incorporated into the analysis. Sale data was confirmed with at least one party whenever possible. Finally, this market-oriented information was utilized to complete a Sales Comparison Approach to value.

Because the appraised property is vacant land, a Cost Approach to value was not utilized. Similarly, because "intensive" subdivision of the appraised property is not possible due to the easement, an Income Approach to value was also not utilized. Therefore, the analysis was completed by the Sales Comparison Approach to value exclusively.

This Restricted Appraisal Report sets forth only the appraiser's conclusions. Hence, the supporting documentation is retained in the appraiser's file.

**Opinion of Value
After Easement:**

\$225,000

**Exposure Time
After Easement:**

Nine to Twelve Months

SUMMARY OF VALUES:

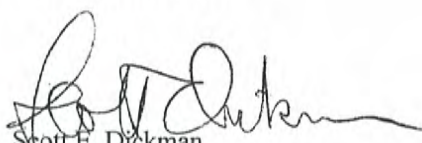
Before Value	\$675,000
After Value:	<u>\$225,000</u>
The Difference	\$450,000

In reviewing this report, the reader is referred to the following Certification and Statement of Contingent and Limiting Conditions. In addition to those general statements, it should be noted that the document represents less than a full narrative appraisal report, certain depth of discussion and exhibits being omitted.

Thank you for the opportunity to serve your real property analysis needs.

Respectfully submitted,

SED Valuation, LLC



Scott E. Dickman

Certified General Appraiser, NHCG-518

CHICAGO TITLE INSURANCE COMPANY
ALTA COMMITMENT

SCHEDULE A

Commitment Number: 2007120613

1. Effective Date: 09/10/09

2. Policy or Policies to be issued: Amount

ALTA Owner's Policy (6/17/2006): \$ TBD
Proposed Insured:

The Trust for Public Land

ALTA Loan Policy (6/17/2006): \$
Proposed Insured:

3. The estate or interest in the land described or referred to in this Commitment is Fee Simple.

4. Title is at the Effective Date hereof vested in:

Tract 1: Carolyn S. Bedford, Trustee of the Carolyn S. Bedford Trust of 1990 by deed of Alice Garnett dated 8/31/2000 and recorded in Volume 2228, Page 370 of the Strafford County

Registry of Deeds.

Tract 2, 3 and 4: Carolyn S. Bedford, Trustee of the Carolyn S Bedford Revocable Trust of 1990 by deed of Carolyn S. Bedford dated 10/30/07 and recorded in Volume 3591, Page 26 of the Strafford County Registry of Deeds.

5. The land referred to in this commitment is described in Schedule C and is located at:

Street Address: Route 202

Lot Number/Unit Number:

Subdivision/Condominium: Plan of Subdivision Stonehouse Farm Avis Taylor and

City/Town: Barrington

County: Strafford

State: NH

Chicago Title Insurance Company



Digitally signed by
Kathleen Holt Button
Date: 2009.11.17 14:06:32
-05'00'

Blackstone Title Company, LLC

**CHICAGO TITLE INSURANCE COMPANY
ALTA COMMITMENT**

SCHEDULE B - SECTION I

Commitment Number: 2007120613

The following requirements must be complied with prior to the issuance of the policy:

1. Instruments creating the estate or interest to be insured must be approved, executed and filed for record, to wit:
 - a. If an Owner Policy is to be issued on a purchase transaction, receipt and recordation of properly executed deed from Carolyn S. Bedford, Trustee of the Carolyn S. Bedford Trust of 1990 to Proposed Insured Owner conveying the land described in Schedule "C".
 - b. If a Loan Policy is to be issued, receipt and recordation of properly executed Mortgage from Proposed Insured Owner (if purchase transaction) or vested owner (if refinance transaction) to Proposed Insured Lender describing the land in Schedule "C".
 - c. Copies of the documents to be insured must be supplied to Blackstone Title Company, LLC.
2. Payment of full consideration to, or for the account of, the grantors or mortgagors.
3. Receipt and recording of a current Certificate of Municipal Liens from the Office of the Collector of Taxes (and Water and Sewer Commissioner if applicable), or if Certificates are not issued, confirmation by Blackstone Title Company, LLC, showing all outstanding real estate taxes, water, sewer and other municipal charges and assessments or that any of the foregoing are paid to date, and payment of all such outstanding taxes, charges and assessments in order to complete and/or modify Item No. 2 of Schedule B - Section 2 hereof.
4. Receipt of a properly executed Affidavit from the seller or borrower, as appropriate, and, if new construction, an Indemnification from the borrower, in order to modify or delete Items 3 and 4 of Schedule B - Section 2 hereof.
5. Receipt of an executed Survey Affidavit for existing 1-4 family residential sales/purchases and refinances, a mortgage plot plan for 1-4 family residential new construction, or an instrument survey and surveyor's report in non-residential transactions in order to modify or delete Item 5 of Schedule B - Section 2 hereof from the Loan Policy only.
6. Full disclosure to the Company of the nature and scope of this transaction and its review and approval of the closing documents, including updated certifications of title, subject to the right of the Company to raise such other and further exceptions and requirements as are appropriate.
7. Payment to the Company of service-related fees, and of the premium at the applicable rates. This Commitment is effective for a period of six (6) months only, and may only be relied upon by the person for whom it was prepared.
8. The actual value of the estate or interest to be insured must be disclosed to the Company, and subject to approval by the Company, entered as the Amount of Insurance in said policy. Until the Amount of Insurance of the policy to be issued is determined and entered as aforesaid, it is agreed

that as between the Company, the applicant for this Commitment and every person relying on this Commitment, the Company cannot be required to approve any such valuation in excess of \$100,000.00 and the total liability of the Company on account of this Commitment shall not exceed said amount.

9. Note: Notwithstanding anything to the contrary in this Commitment, if the policy to be issued is other than an ALTA Owner's Policy (6/17/06) or ALTA Loan Policy (6/17/06), the policy may not contain an arbitration clause, or the terms of the arbitration clause may be different from those set forth in this Commitment. If the policy does contain an arbitration clause, and the Amount of Insurance is less than the amount, if any, set forth in the arbitration clause, then all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties.
10. Intentionally omitted.
11. Any conveyances from Carolyn S. Bedford, Trustee also need to be executed by Carolyn S. Bedford individually to release any homestead rights or a statement that the property is not homestead property of her or her spouse.

CHICAGO TITLE INSURANCE COMPANY



Digitally signed by Kathleen Holt
Button
Date: 2009.11.17 14:06:55 -05'00'

Blackstone Title Company, LLC

**CHICAGO TITLE INSURANCE COMPANY
ALTA COMMITMENT**

SCHEDULE B - SECTION II

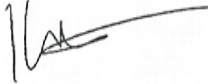
Commitment Number: 2007120613

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company.

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
2. Real estate taxes and assessments, and water and sewer charges which become due and payable subsequent to the date of policy. Taxes are paid through _____.
3. Rights, facts, interests or claims of present tenants, lessees or parties in possession which are not shown by the Public Records, but which could be ascertained by an inspection of said Land or by making inquiry of persons in possession thereof.
4. Any liability for mechanics' or materialmen's liens.
 - a. Note: This exception is hereby deleted if the policy to be issued is an ALTA Expanded Coverage Residential Loan Policy (10/13/01).
5. Any encroachment, encumbrance, violation, variation, adverse circumstance or other state of facts affecting the title that would be disclosed by an accurate and complete survey of the land. The term "encroachment" includes encroachments of existing improvements located on the land onto adjoining land, and encroachments onto the land of existing improvements located on adjoining land.
 - a. Note: This exception is hereby deleted if the policy to be issued is an ALTA Expanded Coverage Residential Loan Policy (10/13/01).
6. The exact acreage or square footage of the premises will not be insured.
7. The Owner's Policy issued pursuant hereto will be subject to the mortgage, if any, shown in Schedule A thereof and will contain the Exceptions from Coverage set forth in this Schedule B – Section 2. The Loan Policy issued pursuant hereto (other than an ALTA Expanded Coverage Residential Loan Policy (10/13/01)) will contain the Schedule B Exceptions from Coverage 1, 2 and 3 unless the requirements set forth in paragraphs 4 and 5 of Schedule B – Section 1 hereof are satisfied.
8. "There is added after any Special Exception appearing in this Schedule B relative to covenants, conditions and restrictions, the following: '...but omitting any covenants or restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable, state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.'
9. Notice of Current Use Taxation recorded by the Town of Barrington under the name of Aris Taylor and Clarence Garnett in Volume 1017, Page 60 and 62 in the Strafford County Registry of Deeds. Tract 1

10. Notice of Current Use Taxation recorded by the Town of Barrington under the name of Aris Taylor and Clarence Garnett in Volume 1036, Page 350 and 353 in the Strafford County Registry of Deeds. Tract 1
11. Notice of Current Use Taxation recorded by the Town of Barrington under the name of Aris Taylor and Clarence Garnett in Volume 1052, Page 186 and 189 in the Strafford County Registry of Deeds. Tract 1
12. Subject to all notations, facts, easements and issues as shown on Plan #18-2 recorded in the Strafford County Registry of Deeds. Tract 1
13. Title to and rights of others in and to the waters of Stonehouse Pond.
14. Deed and Easements to the State of New Hampshire dated 7/6/61 and recorded in Volume 735, Page 288 of the Strafford County Registry of Deeds. Tract 1
15. Intentionally deleted.
16. Dam order recorded in Volume 928, Page 418 of the Strafford County Registry of Deeds. Tract 1
17. Petition and Commissioners Return of Highway Layout at Volume 733, Page 255 of the Strafford County Registry of Deeds. Tract 1 and 4
18. Intentionally deleted.
19. Intentionally omitted.
20. Intentionally omitted.
21. Possibly subject to a Petition for Service Extention by Twin State Gas and Electric Co recorded in Volume 438, Page 228 of the Strafford County Registry of Deeds. Tract 2 and 4
22. Possibly subject to Easement and Right of Way to Public Service Company of NH dated 8/5/52 and recorded in Volume 609, Page 286 of the Strafford County Registry of Deeds. Tract 2 and 4
23. Possibly subject to Easements to NH Electric Cooperative dated 8/2/40 and recorded in Volume 906, Page 344 and dated 7/26/40 and recorded in Volume 906, Page 350 of the Strafford County Registry of Deeds. Tract 2 and 4
24. Notice of current use taxation filed by the Town/City of Barrington, by Douglas and Eva Stevenson, recorded in Volume 953, Page 422; Volume 970, Page 254; Volume 986, Page 798 of the Strafford County Registry of Deeds. Tract 2
25. Notice of current use taxation filed by the Town/City of Barrington, by Caroline Bedford, recorded in Volume 986, Page 795; Volume 1017, Page 60; Volume 1036, Page 350; Volume 1052, Page 186 of the Strafford County Registry of Deeds. Tract 2
26. Access to Tract 2, which is a land locked tract of land with no right of way or other means of access of record however abutting parcels 243-3 and 243-6 are owned in common and a means of access could be created if Tract 2 is conveyed separately from the others. Tract 2
27. Notice of current use taxation filed by the Town/City of Barrington, by Douglas Stevenson, recorded in Volume 1226, Page 269; Volume 953, Page 422; Volume 986, Page 798; Volume 970, Page 254 of the Strafford County Registry of Deeds. Tract 3
28. Access to Tract 3, which is a land locked tract of land with no right of way or other means of access of record however abutting parcel 243-3 and 243-6 are owned in common and a means of access could be created if Tract 3 is conveyed separately from the others. Tract 3.
29. Notice of current use taxation filed by the Town/City of Barrington, by Carolyn Bedford, recorded in Volume 970, Page 252; Volume 986, Page 795; Volume 1017, Page 60; Volume 1036, Page 350; Volume 1052, Page 186 of the Strafford County Registry of Deeds. Tract 4
30. Notice of current use taxation filed by the Town/City of Barrington, by Douglas and Eva Stevenson, recorded in Volume 953, Page 422; Volume 970, Page 254; Volume 986, Page 798 of the Strafford County Registry of Deeds. Tract 4
31. Possible rights of others in and to the Rangeway as shown on Plan entitled "Standard Boundar Survey Delineating Lots for Conservation Easement!" dated January 2009 and prepared by Knight Hill Land Surveying Services, Inc. Tract 2 and 4

CHICAGO TITLE INSURANCE COMPANY



Digitally signed by
Kathleen Holt Button
Date: 2009.11.17 14:07:17
-05'00'

Blackstone Title Company, LLC

Schedule C

The Land referred to in this Commitment is described as follows:

Tract 1 (known as Tax Map 243 Lot 6)

A certain tract or parcel of land located in the Town/City of Barrington, County of Strafford, and State of New Hampshire, shown as Lot 2 on a plan of land entitled "Plan of Subdivision Stonehouse Farm Avis Taylor and Clarence Garnett" dated August 1976 and recorded as Plan #18-2 in the Strafford Registry of Deeds. Reference to said plan is made for a more particular description. Lot 2 is that portion of the property lying easterly of the Town Access Road leading to the Dam and does not include any portion of the property lying to the west of the Access Road.

Tract 2 (known as Tax Map 246 Lot 9)

Parcel 1: A certain tract of land situated southwesterly of the Burns Lot, in Barrington, County of Strafford, State of New Hampshire, bounded and described as follows:

Beginning at a spotted white birch tree standing on the sixth range line, thence South $42\ 1/2^\circ$ East by and along the Burns Lot to land formerly of William F. Holmes; thence Southerly by land of said Holmes to Parcel 2 as hereinafter described; thence Westerly by a spotted line along the edge of the lowland of swamp to the Pillsbury Lot, so called; thence Northerly by said Pillsbury Lot to the point of beginning.

Parcel 2: A certain tract of land situated in Barrington, County of Strafford and State of New Hampshire, and being southwesterly of the premises herein described as Parcel 1, bounded and described as follows:

Beginning at land known as the Pillsbury Lot at the southwesterly corner of the premises herein conveyed as Parcel 1; thence Easterly by said Parcel 1 to land formerly of William Holmes; thence Southerly by land of said Holmes to the Nottingham-Barrington line or County line; thence Westerly by said Nottingham-Barrington line to the Pillsbury Lot, so called; thence Northerly by said Pillsbury Lot to the point of beginning.

Tract 3: (known as Tax Map 246 Lot 2)

A certain tract of land situated in Barrington, County of Strafford, State of New Hampshire, bounded and described as follows:

Beginning at the east corner of land formerly owned by John Clark; thence by said Clark's land southwesterly about eighty rods to land formerly owned by Mrs. Drew; thence by said Drew land southeasterly about eighty rods to land formerly in possession of John Trickey; thence by said Trickey land northwesterly about 80 rods to land of John Marrison; thence by said Marrison land northwesterly about eighty rods to the first mentioned bounds.

Tract 4: (known as Tax Map 243 Lot 3)

A certain tract or parcel of land situated off the southerly side of Route 202 in the Town of Barrington, County of Strafford, State of New Hampshire, bounded and described as follows:

Beginning at a spotted white birch tree standing on the sixth range line, a plot in said town, and at the

westerly corner of the Hart Lot, so called, numbered 272, thence North 43° East by a spotted line crossing Stone House Pond, so called, 324 rods to the fifth range line and land formerly owned by Levi Buzzell, which point is approximately 100 feet southerly from the southerly side of Route 202; thence South 42 1/2° East by said fifth range line and land formerly of said Buzzell about 75 rods to land of the heirs of John Boody; thence South 43° West by a spotted line and land of said heirs, land formerly of Elijah Austin and land formerly of John Andrew McDaniel 324 rods to the sixth range line; thence North 42 1/2° West by said sixth range line as now spotted about 75 rods to the point of beginning. Excepting and reserving two tracts of land located on the easterly side of Longmarsh Road and shown on Plan #56-94 and conveyed at Volume 2162, Page 780 of the Strafford County Registry of Deeds.

**PHASE I
ENVIRONMENTAL SITE ASSESSMENT**

**STONEHOUSE POND PROPERTY
BARRINGTON, NEW HAMPSHIRE**

April 2009

Submitted To:

**TRUST FOR PUBLIC LAND
Maine Field Office
377 Fore Street
Portland, Maine**

Submitted By:

**ABENAKI SERVICES
125 Ten Mile Brook Road
Bristol, New Hampshire**

**Phase I - Environmental Site Assessment
Stonehouse Pond Property
Barrington, New Hampshire**

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APPENDIX

Appendix A TPL Compiled Aerial Map

Appendix B TPL Compiled Locus Map

Appendix C Contact Reports

Appendix D Interviews

Appendix E Tax Maps

Appendix F 2003 & 1990 Aerials

Appendix G Regulatory Records Documentation & Map

Appendix H Photographic Log & GPS Map

Appendix I Resume

CONFIDENTIAL

Phase I - Environmental Site Assessment Stonehouse Pond Property Barrington, New Hampshire

1. SUMMARY

This All Appropriate Inquiry (hereinafter "AAI"), Phase I Environmental Site Assessment (hereinafter "ESA") was performed on the Stonehouse Pond Property in conformance with the ASTM, Practice E-1527-05 guidelines and standards by Environmental Professional Irene G. Garvey of Abenaki Services.

The information reviewed during this ESA does indicate the potential existence of *recognized environmental conditions* on the Property, particularly at the areas where trash/waste dumps were found as noted in Section 6.4.

2. INTRODUCTION

2.1 Purpose

At the request of the Portland, Maine office of the Trust for Public Land (hereinafter "TPL"), an ESA was conducted on 232.25+/- acres of land located in the town of Barrington, Strafford County, New Hampshire known as the Stonehouse Pond Property (hereinafter "Property"). A TPL compiled aerial map depicting the approximate boundaries of the Property is found in Appendix A and a locus map depicting the Property is found in Appendix B.

The Scope of Services for this ESA was outlined in correspondence from TPL staff to Abenaki in mid-November 2008. The Scope of Services commenced on December 1, 2008 and was completed on April 15, 2009.

2.2 Detailed Scope-of-Services

The ESA was conducted to determine if *recognized environmental conditions* exist on the Property. *Recognized environmental conditions* are defined by ASTM Practice E-1527-05 as "the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the Property or into the ground, ground water or surface water of the Property."

2.3 Significant Assumptions

There are no Significant Assumptions associated with the completion of this ESA.

2.4 Limitations and Exceptions

This ESA does not offer an opinion as to the validity of the deeds for the Property or the viability of any lease agreements that currently exist regarding the use of the Property.

This ESA does not offer an opinion as to the value of the Property nor did Abenaki provide a title or legal description of the Property. No opinion is offered as to whether cultural or historic resources, endangered species, or safety risks exist on the Property.

Lastly, this ESA is not considered an Expanded Pre-Acquisition Phase I in that it does not assess other environmental issues and conditions such as those associated with the Resources Conservation and Recovery Act, the Safe Drinking Water Act, the Clean Air Act, the Clean Water Act, and the Toxic Substance Control Act (potential presence of asbestos containing materials, radon, lead-based paint, non-hazardous solid waste disposal areas, wastewater disposal systems, drinking water systems, drinking water, or other wells).

2.5 Special Terms and Conditions

There were no Special Terms or Conditions associated with the completion of this ESA.

2.6 User Reliance

To the greatest discretionary extent possible, Abenaki reasonably ascertained factual reference and historical data and information with regard to the Property and adjoining properties.

Appendix C contains copies of “contact reports” that are records of communications with agency representatives and individuals that provided data and information pertinent to the Property and to this report.

Appendix D contains completed questionnaires that resulted from a more detailed interview with the landowner and others more familiar with the onsite conditions of the Property.

Abenaki does not attest to the validity of these sources.

2.7 Confidentiality

This report is considered confidential in nature. Written consent must be obtained from Abenaki or TPL in order to convey this report to parties other than the staff of TPL.

3. SITE DESCRIPTION

3.1 Location and Legal Description

The approximate boundaries of the Property are outlined on the Maps in Appendix A and Appendix B. The Property is comprised of four lots of land located in the town of Barrington (Tax Maps Appendix E) listed as follows:

- a.) tax map 243, lot 6 of 33.69 acres (hereinafter referred to as lot 6)
- b.) tax map 243, lot 3 of 149.52 acres (hereinafter referred to as lot 3)
- c.) tax map 246, lot 2 of 36.89 acres (hereinafter referred to as lot 2)
- d.) tax map 246, lot 9 of 12.20 acres (hereinafter referred to as lot 9)

The Property is located along and to the southeast of Route 202/9, to the southwest of Longmarsh Road (Class VI), and to the northeast of the Nottingham Town line. Stonehouse Pond is almost entirely bordered by these lots of land (Appendix A).

A legal description of the Property is available via the TPL.

3.2 Site and Vicinity General Characteristics

As noted, a TPL compiled aerial map depicting the Property is found in Appendix A. This map depicts the general characteristics of the Property to be ranging in topography from gently to steeply sloping with rock cliffs. This map also depicted the Property to consist mostly of undeveloped forest lands.

Historic Mount Pawtuckaway quadrant USGS maps from 1919 and 1957 were also reviewed. These two sources depict the site and vicinity general characteristics to consist mostly of undeveloped land. Neither of the historic USGS map depict any homesteads or buildings on the Property; the 1919 USGS does depict a road coming onto lot 2 of the Property and the 1957 USGS depicts the same road on lot 2 and one around lot 6.

According to the Mount Pawtuckaway Quadrant USGS Map, the Property ranges in elevation from approximately 300 to 500 feet above mean sea level.

These historic and contemporary sources depict the general vicinity around the Property to consist of undeveloped, forested lands, large wetland complexes in association with the pond and perennial streams, open water areas, and lands with private residences.

The aerial provided by the TPL depicts what appear to be woods/logging roads and/or footpaths in several sections of the Property and woods roads flanking the Property along the northern boundary of lot 3.

Aerials from 2003 and 1990 on file at the Town of Barrington offices were also reviewed (Appendix F). Both of these sources depict the Property to be mostly forested.

Residences observed in the aerial and during the site reconnaissance about the Property on to the northeast and southwest: the lands abutting to the northwest and southeast are undeveloped forested lands.

3.3 Current Use of The Property

The Property is in Current Use and is taxed as such. Property use consists of some timber management. In addition, there are woods roads on the Property, which is allowing recreational activities such as hiking, bird watching, hunting, off-road wheeled vehicular use, and winter recreation such as cross-country skiing, snowshoeing, and snowmobiling.

During conversations with the Town officials, it was confirmed that the Property is located partly in a residential and partly in a remote area of Barrington, and uses have been limited to those necessary for timber management and recreational activities: there is an active and maintained snowmobile trail crossing the Property.

3.4 Description of Structures, Roads, Other Improvements

As noted, the Property has frontage along Route 202/9 and the Class VI Longmarsh Road. In addition, there is a woods road bisecting lots 6 and 2 which is utilized as a snowmobile corridor.

Lot 6 is abutted by a State owned, gated gravel road that provides access to Stonehouse Pond and its associated dam.

Longmarsh Road is for the most part not maintained, but is passable by off-road, wheeled vehicles, and by foot.

According to interviews with local officials and those familiar with the Property, there is no evidence of any building being located on the Property.

There are no known utilities or improvements currently on the Property.

3.5 Current Use of The Adjacent Properties

According to the TPL compiled maps in Appendix A and B and the tax map in Appendix E, the adjacent properties are privately owned, undeveloped parcels or private residential land.

Other adjacent properties are used for some timber management. In addition, the woods/gravel roads on the Property also cross onto several of the adjacent lots, which are allowing recreational activities. There is a residential property located between lots 6 and 2 as observed on the aerial map in Appendix A.

Lot 6 is abutted by a State owned, gated gravel road that provides access to Stonehouse Pond and its associated dam. This gate is generally open and the public uses the road to access the pond, primarily for fishing.

Review of the town tax and zoning maps and conversations with the Barrington Town Planner determined that adjacent properties are located in an area zoned as “General Residential”: commercial and industrial practices are not common in this section of Barrington.

4. USER PROVIDED INFORMATION

4.1 Title Records

Abenaki did not prepare or research the Title for this Property: Title Record information is obtainable via the TPL.

4.2 Environmental Liens or Activity and Use Limitations

There are no known Environmental Liens associated with the Property, either past or present. The Property is in Current Use.

4.3 Specialized Knowledge

The Environmental Professional (Abenaki) completing this ESA has no specialized knowledge of the Property itself: Abenaki did complete an ESA on the adjacent property noted as “Phase I Parkhurst” on the aerial found in Appendix A.

4.4 Commonly Known or Reasonably Ascertainable Information

The Environmental Professional relied upon the interviews as noted in Section 7.0, to reasonably ascertain commonly known information regarding this Property.

4.5 Valuation Reduction for Environmental Issues

There are no known Environmental Issues relating to this Property.

4.6 Owner, Property Manager, and Occupant Information

The Owner of record is Carolyn Bedford. There are no known Managers or Occupants associated with this Property. Lots 6, 3 and 9 have been in Ms. Bedford’s family since the 1800s: lot 2 was purchased by Ms. Bedford approximately 10-years ago.

4.7 Reason for Performing Phase I

The reason for performing the ESA is that the EPA published the All Appropriate Inquiry Final Rule in the Federal Register which set the federal standards for conducting inquiries

for land adjustment actions. These actions include purchases, exchanges, donations, transfers, interchanges, and the sale of lands.

The United States Department of Agriculture, Region 9's Procedures for Completing an AAI ESA are established in order to qualify for liability protection under the Comprehensive Environmental Response, Compensation, and Liability Act (hereinafter "CERCLA"). These protections are not tied to the marketable value of the Property, but rather to the risk of acquiring a property which may be contaminated.

In this case, this ESA was undertaken at the request of the TPL, the potential owner of the Stonehouse Pond Property in order to meet these standards.

5. RECORDS REVIEW

5.1 Standard Federal and State Environmental Record Sources

On March 30, 2009 Abenaki conducted an online review of the United States Environmental Protection Agency (hereinafter "EPA") Environmental Records and the New Hampshire Department of Environmental Services (hereinafter "DES") Waste Management One-Stop Data management systems. Collectively, these two reviews included records from the following Federal and State database sources:

- National Priority List (NPL)**
- Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS)**
- EPA Regulated Facilities Sites**
- Federal Superfund Sites**
- Federal Department of Defense Sites**
- State Formerly Used Defense Sites**
- Corrective Action Report RCRA**
- Non-CORRACTS Treatment, Storage, Disposal (TSD) Facilities List**
- Emergency Response Notification System**
- Landfills and Transfer Stations**
- Leaking Underground Storage Tank (LUST) Report**
- State Hazardous Waste Program "All-Sites List"**
- State Landfill and/or Solid Waste Disposal Sites**
- State Public Water System**
- State Site Remediation Sites**
- State Leaking UST Lists**
- State Registered UST Lists**
- State NPL & CERCLIS**

These reviews were conducted to determine if listed facilities/sites exist either on or within the immediate vicinity (one-mile radius) of the Property boundaries. This review determined there are no listed facilities/sites on the Property but three remediation sites are located within a one-mile radial search area of the Property. These sites are listed on

the table found in Appendix G. Appendix G also contains maps of the EPA and DES website research areas.

A review of the physical DES files for the listed remediation sites was conducted on April 1, 2009. The DES determined all required regulatory action at the three sites has been completed: for this reason, it is unlikely that these sites have the potential to impact the Property.

An overall determination was made by Abenaki that there is no potential for impact to the Property as the result of past issues at any of the listed remediation sites.

5.2 Additional Environmental Record Sources

In order to assess the potential for environmental records to exist other than those revealed in Section 5.1, contact was made with the following individuals: Barrington Town Officials, the local fire and police departments, and a staff member from the University of New Hampshire Cooperative (hereinafter “UNH CoOp”) who is also a licensed forester (Appendix C and D).

There were no other environmental records found to exist in relation to the Property and vicinity properties.

5.3 Physical Setting Sources

The physical setting of the Property has been verified from the following sources:

- TPL compiled Aerial Map (Appendix A);
- TPL compiled Locus Map (Appendix B);
- Mount Pawtuckaway USGS (1:24,000, 7.5 series; provisional edition 1998 and 1979) quadrangle sheet (online);
- Town of Barrington Tax Maps (Appendix E);
- 2003 and 1990 Aerial Maps (Appendix F);
- historic online USGS maps from 1919 and 1957 (15-minute Mount Pawtuckaway Quadrangle Sheets);

5.4 Historic Use Information on the Property

The sources referenced in Section 5.3 were reviewed prior and following the site reconnaissance in order to assess historic Property uses.

Neither of the historic USGS maps nor the 2003 or 1990 aeriels depict any on-site buildings or infrastructure: they do depict several woods roads on the Property.

Discussions and correspondences with the staff of UNH CoOp and the owner indicated that the Property has been used for recreational and timber harvesting purposes over this

and the last century. These discussions did indicate there are barbed wire boundaries and field stone wall on the Property which indicates there may have been some past agricultural uses of the Property. The Property is and has been in Current Use which restricts its' development.

5.5 Historical Use Information on Adjoining Properties

The sources referenced in Section 5.3 were also reviewed prior and following the site reconnaissance in order to assess historic adjoining property uses.

Adjoining private properties have historically consisted of undeveloped forested lands with some informal recreational use, several town roads, the State maintained dam and access to Stonehouse Pond, a small network of wood roads, and some residences.

There is no indication that any of these adjoining properties, have been used for industrial or commercial purposes other than for some timber management.

A review of town records and the interviews confirmed the immediately adjoining properties have been used for timber management, recreational, and residential purposes.

6. SITE RECONNAISSANCE

6.1 Methodology and Limiting Conditions

The site reconnaissance was conducted on April 2, 2009. Access was gained by parking at the gated gravel road which leads to the dam on Stonehouse Pond and walking onto the Property.

The weather during the site reconnaissance was overcast, with temperatures in the mid 40s.

The only factors which limited this site reconnaissance was the size of the property, large areas of flooded or open water wetland systems, and the steep cliffs along the pond.

Portions of the Property boundaries and sections of the interior of the Property were canvassed during the reconnaissance, as were sections of the abutting privately owned properties. In addition, the woods and gravel roads, as discussed in Section 3.4, were canvassed on foot.

6.2 General Site Setting

The site reconnaissance confirmed the general site conditions as outlined in Section 3.0. Specific observations during the site reconnaissance noted that the Property is comprised mostly of a forest ecosystem, some forested, open water, and scrub wetland areas, is crossed and abutting several woods/gravel roads, and is void of any standing structures.

The gravel/woods roads that abut and cross the Property appear to be used by 4-wheel drive, off-road and snowmobile vehicles; at least one of these woods roads cross onto adjacent properties.

6.3 Exterior Observations

The site reconnaissance confirmed that this Property is immediately adjoining undeveloped, forested lands (Photographic Log - Appendix H), gravel and town roads, and residential lands.

The privately owned lands not immediately abutting the Property were canvassed partly by a windshield survey and partly by a foot survey. These properties consist of undeveloped and wooded land, conservation areas, and residential land.

It appears there is some vehicle use of the State owned road access to the dam and Longmarsh Road. There are several areas along these roads where miscellaneous waste has been improperly discarded. This waste consisted of bottle, plastic and rusted through metal containers, tires and some household waste (see Photolog). No obvious contamination (odor or visible signs) was found in association with these areas. None of the areas where the waste was observed were of concern.

Observations during the site reconnaissance did not indicate any of the adjoining properties are being used for industrial or commercial purposes other than for some timber management.

During the site reconnaissance, discarded waste was observed along one of the woods roads that traverses lot 2 and extends onto the adjacent property to the northwest. Observed on this adjacent property was waste consisting of miscellaneous trash, several pieces of furniture, bottles, plastic and rusted through metal containers, what appeared to be at least one household appliance, some construction debris, tires and some household waste. This waste was upslope, over four-hundred feet from the boundary of lot 2. No obvious contamination (odor or visible signs) was found to be associated with the waste in this area.

It does not appear, based on aerial, USGS, and ground survey research, that there is any road access to the Property from the east or south onto lots 9 or 3.

6.4 Interior Observations

The site reconnaissance revealed onsite conditions consisting of the following: both hard- and soft-wood forests, wetlands, gently and very steeply sloping areas. The only observed manmade features consisted woods roads and paths, stonewalls, and a minor amount of barbed wire fencing.

Observations during the site reconnaissance confirmed the Property is used for recreational purposes: snowmobile tracks and foot prints were observed.

The site reconnaissance revealed there have been no recent timber harvesting operations either on the Property or the immediately adjacent properties.

There were no utility corridors, standing structures/buildings observed on the Property during this site reconnaissance.

During the site reconnaissance, discarded waste was observed along the dam access road, Longmarsh Road, and in several other locations on lots 6 and 3 (see Photolog). Observed waste consisted of miscellaneous trash, several televisions, bottles, plastic and rusted through metal containers, what appeared to be several household appliances, some construction debris, tires and some household waste.

The waste appeared to be discarded onto the surface of the ground in most locations. However, in some areas immediately to the north of the gravel access road to the dam, the ground surface is disturbed by apparent past earth-moving. Some waste was visible at the edges and surface of the disturbed areas.

No obvious contamination (odor or visible signs) was found to be associated with any of these areas. However, some of this trash/waste was partially buried. In areas particularly along the dam access road, where earth moving has occurred, additional waste may be present but completely buried and not visible. Therefore, the potential for recognized environmental conditions exists in the areas along the dam access road where waste is visible at the ground surface and earth moving has occurred.

7. INTERVIEWS

7.1 Landowner Interview

Clay Bedford, husband of landowner Carolyn Bedford, was contacted by telephone on April 14, 2009 and via email correspondences on April 14, 2009. Abenaki Staff corresponded with Mr. Bedford regarding his knowledge of the Property. Abenaki staff completed an Interview Questionnaire on Mr. Bedford's behalf: this is included in Appendix D.

Carolyn Bedford's family has owned all but lot 6 since the 1800s: lot 6 was purchased by Ms. Bedford approximately 10-years ago.

Mr. Bedford, who is most familiar with the Property, believes historical use of the Property has been limited to the following activities: some suspected agricultural practices, some timber management, and recreational uses such as hunting, snowmobiling, and foot traffic. He also expressed concern about mischievous use of the Property such as underage drinking, unauthorized dumping of public waste, unauthorized camping, and graffiti practices, particularly around the State dam area.

He indicated there have never, in his knowledge, been any foundations or building located on the Property. He also indicated that, to his knowledge, there have never been any hazardous waste or environmental issues in association with this Property.

Mr. Bedford did not provide any evidence that would indicate the potential existence of *recognized environmental conditions* on or in the vicinity of the Property. In addition, Mr. Bedford indicated that, to his knowledge, there have never been any environmental permits, liens, or licenses issued in association with this Property.

7.2 Interviews with Local Government Officials and Others

The following agencies and individuals were contacted: the Barrington fire and police departments, Barrington town officials, and a local landowner who is also on the staff of the UNH CoOp. These individuals were identified as having familiarity with the Property.

Only several of these individuals had enough knowledge of the Property to warrant completing Interview Questionnaires: these are provided in Appendix D. Otherwise, Contact Reports briefly describing the other individual's association and knowledge of the Property and a general assessment as to whether there are hazardous waste or other environmental issues in association with the Property were prepared and are found in Appendix C.

The interviews with these individuals confirmed the historic and current uses of the Property as outlined in Sections 3.3 and 5.4 and revealed nothing to suggest that *recognized environmental conditions* have the potential to exist on the Property or have the potential to impact the Property.

These interviews did indicate issues regarding past dumping of public waste or other such nuisance issues such as those relating to activities around the dam (underage drinking, graffiti practices, unauthorized camping etc.).

8. FINDINGS, OPINIONS & CONCLUSIONS

This All Appropriate Inquiry (hereinafter "AAI"), Phase I Environmental Site Assessment (hereinafter "ESA") was performed on the Stonehouse Pond Property in conformance with the ASTM, Practice E-1527-05 guidelines and standards.

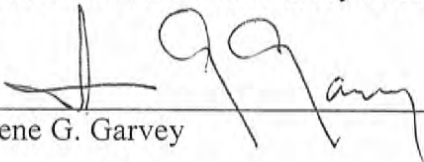
The information reviewed during this ESA does indicate the potential existence of *recognized environmental conditions* on the Property, particularly at the areas where trash/waste dumps were found as noted in Section 6.4.

9. REFERENCES

References are found attached.

10. SIGNATURE OF ENVIRONMENTAL PROFESSIONAL

This Phase I Environmental Site Assessment was prepared for the TPL by Environmental Professional Irene G. Garvey of Abenaki Services.



Irene G. Garvey

I declare that, to the best of my professional knowledge and belief, I meet the definition of Environmental Professional as defined in 40 CFR Part 312.10. In addition, I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. I have developed and performed the “all appropriate inquiries” in conformance with the standards and practices set forth in 40 CFR Part 312.

11. QUALIFICATIONS OF ENVIRONMENTAL PROFESSIONAL

A resume for Environmental Professional Irene G. Garvey of Abenaki Services is found in Appendix I.

9.0 REFERENCES

- ASTM. Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process, Designation: E1527-05.
- Auger, Phillip. 2009. Coordination on April 13, 2009 between Licensed Forester Phillip Auger and Staff UNH Cooperative Extension Program, and Irene Garvey, Abenaki Services, Bristol, New Hampshire.
- Bedford, Clay Pat. 2009. Coordination on April 14, 2009 between Clay Pat Bedford, Property owner's spouse, and Irene Garvey, Abenaki Services, Bristol, New Hampshire.
- Buczek Ted & Penny Smith. 2009. Meeting April 1, 2009 between Administrative Assistant Penny Smith and follow-up correspondence April 13, 2009 with Ted Buczek via Ms. Smith, Codes & Building Department, Town of Barrington, and Irene Garvey, Abenaki Services, Bristol, New Hampshire.
- Dispatch & Chief Dick Conway. 2009. Meeting on April 1, 2009 between Town of Barrington Police Department Dispatch and Telephone Communication on April 3, 2009 between Chief Dick Conway and Irene Garvey, Abenaki Services, Bristol, New Hampshire.
- Irvine, Barbara. 2009. Meeting on April 1, 2009 between Administrator Barbara Irvine, Zoning and Planning Office, Town of Barrington, and Irene Garvey, Abenaki Services, Bristol, New Hampshire.
- Knowland, Elizabeth. 2009. Coordination on March 30, 2009 and Meeting on April 1, 2009 between Information Coordinator Elizabeth Knowland, Department of Environmental Services, and Irene Garvey, Abenaki Services, Bristol, New Hampshire.
- McNeil, Suzanne. 2009. Meeting on April 1, 2009 and Telephone Conversation on April 14, 2009 between Administrator Suzanne McNeil, Selectmen's Office, Town of Barrington, and Irene Garvey, Abenaki Services, Bristol, New Hampshire.
- New Hampshire Department of Environmental Services. 2009. Department of Environmental Services Database Search [online]. One Stop Geographic Information System. <http://www2.des.state.nh.us/gis/onestop/>. April 2009.
- Barrington, Town of. 2003. Property Maps Barrington, New Hampshire, Prepared by Cartographic Associates, Inc. Professional GIS Consultants. Littleton, New Hampshire. November 2003.
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- Trust for Public Land. 2009. "Aerial of Stonehouse Pond Property, Barrington, NH". Created by Trust for Public Land. December 12, 2007.
- Trust for Public Land. 2009. "Locus Map of Stonehouse Pond Property, Barrington, NH". Created by Trust for Public Land. December 12, 2007.
- United States Environmental Protection Agency. 2009. United States Environmental Protection Agency, Window to My Environment EnviroMapper [online] Data Management. <http://www.epa.gov/enviro/wme>. April 2009.
- University of New Hampshire. 2009. UNH Dimond Library Documents Department and Data Center, Historic USGS Maps of New Hampshire. <http://docs.unh.edu/NH/pawt19nw.jpg> and <http://docs.unh.edu/NH/pawt57nw.jpg> 15- minute USGS Quadrants. 1919 and 1957.
- Walker, Chief Rick. 2009. Meeting on April 1, 2009 between Chief Rick Walker, Town of Barrington Fire Department, and Irene Garvey, Abenaki Services, Bristol, New Hampshire.
- Wallace, John. 2009. Telephone Communication on April 10, 2009 between John Wallace, Town of Barrington Conservation Commission Member, and Irene Garvey, Abenaki Services, Bristol, New Hampshire.

Appendix A
TPL Compiled Aerial Map

Aerial of Stonehouse Pond Property, Barrington, NH



Phase I - Parkhurst



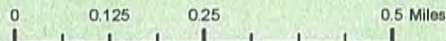
Ponds



Phase II - Bedford



Wetland

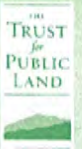


Map created by the Trust for Public Land on December 12, 2007. Base data from NH GRANIT, 2006 Barrington Parcel data courtesy of Stafford Regional Planning Commission.

Created in ArcMap 9.1b
Map Projection: NAD 1983 StatePlane NH

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Information on this map is provided for purposes of discussion and visualization only.



Appendix B
TPL Compiled Locus Map



212-0002

243-0006

243-0003

LOUIS

246-0009

BY
INC
ALTAUTS
PLANNING MANAGEMENT
NEW HAMPSHIRE COUNTY
1988

LEGEND
 AREA SHOWN: AC
 AREA CALCULATED: AC
 PERCENT DIMENSION: %
 SCALED DIMENSION: FT
 WATER LINE: W.L.
 WATER: W

SCALE 1" = 200'
 FEET: 0 50 100 150 200 250 300
 METERS: 0 50 100 150
 REVISION 10 APRIL 1, 2005

PROPERTY MAPS
BARRINGTON
 NEW HAMPSHIRE

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 250 251

MAP NO
246

Appendix C

Contact Reports

ABENAKI ENVIRONMENTAL

CONTACT REPORT

Date: April 13, 2009	Contact: Phillip Auger
Company/ Organization: UNH Cooperative Extension	Address: 113 North Road
City: Brentwood	State/Zip: New Hampshire
Phone: 603-679-5616	Project: Stonehouse Pond Property Phase I Environmental Site Assessment

SUMMARY:

I corresponded with Phillip Auger, licensed forester, and employee with the UNH Cooperative Extension Land and Conservation Group. He is familiar with the Stonehouse Pond Property and those in the vicinity.

I asked if he is aware of or has heard reports of any solid or hazardous waste concerns or environmental issues on this property. He responded that he believes the property is "clean" and he knows of no such issues in relation to this property. He noted there is some recreational use of the property and there has been some timber harvesting activities.

The details of his knowledge of the property are found in the Interview Section of this Phase I Environmental Site Assessment Report.

ABENAKI ENVIRONMENTAL

CONTACT REPORT

Date: April 14, 2009	Contact: Clay Pat Bedford
Company/ Organization: Landowner	Address: Private Residence
City: Rochester	State/Zip: New Hampshire
Phone: 603-332-5940	Project: Stonehouse Pond Property Phase I Environmental Site Assessment

Summary:

I contacted Mr. Clay Pat Bedford on April 14, 2009. We discussed the area in and around Stonehouse Pond.

I explained that I was researching whether there are past or present hazardous waste or environmental issues on or near the property.

Mr. Bedford stated he is not aware of any of these types of issues relating to this property. He completed an interview questionnaire detailing his knowledge of the property. This completed questionnaire is found attached in the Appendices of this Phase I Environmental Site Assessment Report.

ABENAKI ENVIRONMENTAL

CONTACT REPORT

Date:	April 1, 2009 April 13, 2009	Contact:	Ted Buczek & Penny Smith Codes Enforcement & Building Inspector
Company/ Organization:	Town of Barrington	Address:	41 Province Lane
City:	Barrington	State/Zip:	New Hampshire
Phone:	603-664-5183	Project:	Stonehouse Pond Property Phase I Environmental Site Assessment

Summary:

On April 1, 2009, I met with Penny Smith of the Building Inspector/Codes Office for the Town of Barrington. I then spoke with Ms. Smith on April 13, 2009.

I inquired whether the Codes or Building Inspector's office was aware or had any record of past or present issues regarding hazardous waste or environmental concerns on or in the vicinity of the Stonehouse Pond Property off Route 202/9.

Neither Ms. Smith nor Mr. Buczek had any knowledge of these types of issues existing, either past or present, in this area of Barrington.

ABENAKI ENVIRONMENTAL

CONTACT REPORT

Date:	April 1 & 3, 2009	Contact:	Chief Dick Conway & Dispatch
Company/ Organization:	Town of Barrington Police Department	Address:	Route 9
City:	Barrington	State/Zip:	New Hampshire
Phone:	603-624-7679	Project:	Stonehouse Pond Property Phase I Environmental Site Assessment

Summary:

On April 1, 2009, I met with Dispatch of the Town of Barrington Police Department. I explained that Abenaki was conducting a Phase I site assessment to determine if any record(s) of past or present hazardous waste or environmental concerns exist either on or in the vicinity of the Stonehouse Pond Property off Route 202/9.

Dispatch coordinated with Chief Dick Conway to determine that their office does not have any record of hazardous waste, environmental issues or illegal dumping of waste in this section of the Town of Barrington.

ABENAKI ENVIRONMENTAL

CONTACT REPORT

Date: April 1, 2009	Contact: Ms. Barbara Irvine, Assistant Zoning & Planning Office
Company/ Organization: Town of Barrington	Address: 41 Province Lane
City: Barrington	State/Zip: New Hampshire
Phone: 603-664-5798	Project: Stonehouse Pond Property Phase I Environmental Site Assessment

Summary:

I met with Barbara Irvine on April 1, 2009. We discussed the area in and around Stonehouse Pond and reviewed zoning maps.

I explained that I was researching whether there are past or present hazardous waste or environmental issues on or near the property.

Ms. Irvine stated she is not privy to this type of information and referred me to Town Planner Don Hatch. A subsequent phone message was left for Ms. Hatch but not returned.

Ms. Irvine did note the area in and around the property is zoned "general residential".

ABENAKI ENVIRONMENTAL

CONTACT REPORT

Date:	March 30, 2009 April 1, 2009	Contact:	Elizabeth Knowland Public Information Coordinator
Company/ Organization:	Department of Environmental Services	Address:	Hazen Drive
City:	Concord	State/Zip:	New Hampshire
Phone:	603-271-3503	Project:	Stonehouse Pond Property Phase I Environmental Site Assessment

Summary:

On March 30, 2009, contacted Ms. Knowland in regards to my Department of Environmental Services' and EPA database review of a one-mile radial area around the Stonehouse Pond Property. I provided the results of this search to her to arrange a review of the physical files.

I conducted the file review on April 1, 2009 – the results of this search and the subsequent file review are attached in the Appendix of the Phase I Site Assessment Report.

ABENAKI ENVIRONMENTAL

CONTACT REPORT

Date:	April 1, 2009 April 14, 2009	Contact:	Suzanne McNeil Administrator Selectmen's Office
Company/ Organization:	Town of Barrington	Address:	41 Province Lane
City:	Barrington	State/Zip:	New Hampshire
Phone:	603-664-9007	Project:	Stonehouse Pond Property Phase I Environmental Site Assessment

Summary:

I met with Ms. Suzanne McNeil on April 1, 2009: Ms. McNeil is the Administrator of the Selectmen's Office for the Town of Barrington. We discussed the Stonehouse Pond Property and reviewed tax and aerial maps of the area.

I inquired whether the Selectmen's Office was aware or had any record of past or present issues regarding hazardous waste or environmental concerns on or in the vicinity of the Stonehouse Pond Property.

Ms. McNeil stated she has no knowledge of any of these types of issues relating to this property. She did note that there is occasionally unauthorized dumping of non-hazardous public waste near the dam on Stonehouse Pond.

Ms. McNeil also noted, during a subsequent telephone conversation on April 14, 2009, the property is used for some recreational purposes and is in Current Use.

ABENAKI ENVIRONMENTAL

CONTACT REPORT

Date: April 1, 2009	Contact: Chief Rick Walker
Company/ Organization: Town of Barrington Fire Department	Address: Route 9
City: Barrington	State/Zip: New Hampshire
Phone: 603-624-2241	Project: Stonehouse Pond Property Phase I Environmental Site Assessment

Summary:

On April 1, 2009, I met with Chief Rick Walker of the Town of Barrington Fire Department. We discussed the Stonehouse Pond property.

I inquired whether his office was aware or had any record of past or present issues relating to hazardous waste or environmental concerns on or in the vicinity of the Stonehouse Pond Property off Route 202/9.

Chief Walker stated his office does not have any record of hazardous waste in this section of the town of Barrington. He did note that 4-wheelers and snowmobiles use the trails near and on the property and also along Longmarsh Road. He also noted that mischievous activities do take place near the dam at the northern end of Stonehouse Pond: these mostly consist of public drinking, graffiti, illegal dumping of waste, and unauthorized camping.

ABENAKI ENVIRONMENTAL

CONTACT REPORT

Date: April 10, 2009	Contact: Mr. John Wallace Conservation Commission
Company/ Organization: Town of Barrington	Address: 41 Province Lane
City: Barrington	State/Zip: New Hampshire
Phone: 603-664-5974	Project: Stonehouse Pond Property Phase I Environmental Site Assessment

Summary:

I contacted John Wallace on April 10, 2009: Mr. Wallace is on the Barrington Conservation Commission. We discussed the Stonehouse Pond Property.

I explained that I was researching whether there any past or present hazardous waste or environmental issues on or near the property.

Mr. Wallace stated he has no knowledge of any of these types of issues relating to this property. He has walked some but not all of the property and feels much of it is too remote to have any of these types of issues.

Appendix D

Interviews

**FORM 1
LAND TRANSACTION SCREENING PROCESS SUMMARY
FORM 4
QUESTIONNAIRE FOR INTERVIEW**

Case Name **Stonehouse Pond Property
Longmarsh Road/Route 202&9
Barrington, New Hampshire** Case Number

Tract(s) 4 of 4 Tract(s)

Federal Tract

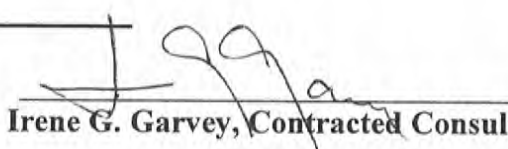
Non-Federal Tract

Name of person being interviewed: **Philip Auger**

Association with Real Property: **University of New Hampshire**

Date of Interview: **April 13, 2009**

Name of person conducting interview:


Irene G. Garvey, Contracted Consultant

Notes on completing this Form

The number of people interviewed will depend on the nature and past use of the Property. Depending on the information received, follow-up action may be necessary. Interviewees should respond to the best of their knowledge. Interviewers should record any information which could shed some light on the limits of the interviewee's knowledge. Interviewer should use due diligence in asking questions and recording the answers (don't avoid questions simply as a favor, to avoid paperwork, etc.) Interviewer should note if an interviewee refused to answer a question. Avoid answering a question with "yes" or "no"; include a reason for the answer. Interviewer should take good notes during the interview.

Use this form to record information obtained from a person familiar with the Property such as an operator or current or former employee involved in operations on the Property. The information may be obtained by interview or by the site representative completing individually. There may be a need to obtain information from more than one person; in this case, separate forms should be completed. Answer each question "yes", "no", "not applicable (N/A)," or "unknown". Circle "N/A" when it is obvious that the issue addressed in the question does not apply to the Property. Circle "unknown" if you are not in a position to be aware of a particular issue. Provide explanation as needed (e.g., who, what, when, where, why).

"To the Best of Your Knowledge"

1. Has the Property or an adjacent Property ever been used for agriculture, mineral, commercial or industrial purposes? If yes, explain. *Portions of the land were cleared for agricultural use, based on barbed wire evidence. The existing forest cover indicates this was at least a century ago. There is no evidence of tillage, gravel extraction or other significant soil disturbance.*
2. Are any past or present improvements such as old building foundations, evident on the Property? If yes, explain. *No*
3. Have there been or are there any unnatural topographic features (e.g., mounds fill areas, depressions, etc.)? If yes, explain. *No*
4. Has fill dirt ever been brought onto the Property that originated from a contaminated site or that was of an unknown origin? If yes, explain. *Not to the best of my knowledge*
5. Have any of the following been dumped above grade or buried and/or burned on the Property: hazardous substances or petroleum products (except when burned for heating purposes), tires, automotive or industrial batteries, vehicles, barrels, pesticide containers or any other waste materials? If yes, explain. *Tires are likely in one or two of the roadside trash heaps on Longmarsh Road. I think there is a very old auto or truck frame along Longmarsh as well.*
6. Has there been any past, present, or permitted or planned mining activity or oil and gas exploration/development, present on the Property? If yes, explain *No*
7. Are there or have there ever been any pipelines or utility lines, either buried or overhead, crossing the property and have there been any spills or releases associated with them? If yes, explain. *No*
8. Are PCB's present or have PCB's ever been present in transformers, capacitors, or hydraulic equipment on the property and have there been any releases? If yes, explain. *Not to the best of my knowledge*
9. Is there or has there been any storage, mixing or disposal of pesticides on the Property? Note: Disposal means other than normal intended use of the product. If yes, explain. *No*
10. Have any monitoring wells been drilled (dug or driven) on the property? If yes, explain the purpose of the wells and provide any analytical results: *No*

11. If the Property is served by a private well, have contaminants ever been identified in the well or the system that exceeded acceptable levels? If yes, explain. *NA*
12. If surface water is present, are there or have there been any unnatural characteristics (e.g., such as color, sheens, odors, etc.)? If yes, explain. *No*
13. Are there or have there been any pits, ponds, or lagoons associated with waste treatment or disposal on the Property? If yes, explain. *No*
14. Has the Property discharged waste water (excluding stormwater runoff) on or adjacent to the Property? If yes, explain. *No*
15. Is there or has there been any stressed or dead vegetation present? If yes, explain. *Yes from natural causes particularly beaver flowages and gypsy moth defoliations*
16. Are there or have there been any floors, drains, and walls stained by substances other than water or are emitting foul and/or unnatural odors? If yes, explain. *No*
17. Have radon, asbestos-containing materials, or lead-based paint ever been identified in any on-site buildings? If yes, explain. *No*
18. Have any aboveground or underground storage tanks been used on the Property? If yes, explain. *No*
19. Have hazardous substances (e.g., flammable materials, paints, pesticides or other chemicals) been stored on the Property for more than one year? If yes, explain and provide quantities. *No*
20. Have there been any industrial drums (typically 55 gallons/208 liters), sacks, or chemicals located or dumped on the Property? If yes, explain. *Unknown*

21. Have there been any environmental permits or licenses associated with the Property (e.g., air quality and water discharge, landfills)? If yes, explain. *No*
22. Have there been any compliance/enforcement notices or environmental liens relating to past or recurrent violations or environmental laws with respect to the Property or any facility on the Property? If yes, explain. *No*
23. Has an environmental site assessment of the Property, or any other Property/facility record, ever: (1) indicated the presence of hazardous substances, petroleum products, or other potential environmental problems on the Property, or (2) recommended further assessment of the Property? If yes, explain and summarize the results of any further investigation. *No*
24. Are you aware of any past, threatened, pending lawsuits or administrative proceedings concerning a release or threatened release of any hazardous substances or petroleum products on the real Property? If yes, explain. *No*
25. Have there ever been spills of hazardous substances or petroleum products which were reported to the National Response Center or a local State emergency response authority? If yes, explain. *No*
26. If not mentioned above, is there anything else that could indicate the presence of hazardous substances and petroleum products which may impact the Property? If yes, explain. *No*

**FORM 1
LAND TRANSACTION SCREENING PROCESS SUMMARY
FORM 4
QUESTIONNAIRE FOR INTERVIEW**

Case Name **Stonehouse Pond Property
Longmarsh Road/Route 202&9
Barrington, New Hampshire**

Case Number

Tract(s) 4 of 4 Tract(s)


Federal Tract

Non-Federal Tract

Name of person being interviewed: **Clay "Pat" Bedford**

Association with Real Property: **His wife, Carolyn Bedford, is on the title for these properties**

Date of Interview: April 14, 2008

Name of person conducting interview: 
Irene G. Garvey, Contracted Consultant

Notes on completing this Form

The number of people interviewed will depend on the nature and past use of the Property. Depending on the information received, follow-up action may be necessary. Interviewees should respond to the best of their knowledge. Interviewers should record any information which could shed some light on the limits of the interviewee's knowledge. Interviewer should use due diligence in asking questions and recording the answers (don't avoid questions simply as a favor, to avoid paperwork, etc.) Interviewer should note if an interviewee refused to answer a question. Avoid answering a question with "yes" or "no"; include a reason for the answer. Interviewer should take good notes during the interview.

Use this form to record information obtained from a person familiar with the Property such as an operator or current or former employee involved in operations on the Property. The information may be obtained by interview or by the site representative completing individually. There may be a need to obtain information from more than one person; in this case, separate forms should be completed. Answer each question "yes", "no", "not applicable (N/A)," or "unknown". Circle "N/A" when it is obvious that the issue addressed in the question does not apply to the Property. Circle "unknown" if you are not in a position to be aware of a particular issue. Provide explanation as needed (e.g., who, what, when, where, why).

"To the Best of Your Knowledge"

1. Has the Property or an adjacent Property ever been used for agriculture, mineral, commercial or industrial purposes? If yes, explain.

A portion of the Property has been in Ms. Bedford's family since the 1800s: the 36+ acre parcel was purchase approximately 10-years ago.

There was a selective timber cut 7-years ago and some larger scale harvesting in the late 1800s. Mr. Bedford noted public uses of the property consist of those for recreational purposes otherwise. He knows of no past commercial or industrial uses of the Property or immediately adjacent properties.

2. Are any past or present improvements such as old building foundations, evident on the Property? If yes, explain.

Mr. Bedford is not aware of any buildings ever being located on this Property: he did note there are stonewalls on the Property.

3. Have there been or are there any unnatural topographic features (e.g., mounds fill areas, depressions, etc.)? If yes, explain.

Mr. Bedford is not aware of any unnatural topographic features.

4. Has fill dirt ever been brought onto the Property that originated from a contaminated site or that was of an unknown origin? If yes, explain.

Mr. Bedford is not aware of any dirt being brought onto the Property.

5. Have any of the following been dumped above grade or buried and/or burned on the Property: hazardous substances or petroleum products (except when burned for heating purposes), tires, automotive or industrial batteries, vehicles, barrels, pesticide containers or any other waste materials? If yes, explain.

There is some miscellaneous waste on the Property, particularly on the northern edge of the woods road that leads to the Fish and Game dam, but Mr. Bedford is not aware of any hazardous or petroleum based issues on the Property.

6. Has there been any past, present, or permitted or planned mining activity or oil and gas exploration/development, present on the Property? If yes, explain

Mr. Bedford is aware of small areas on the property where gravel was harvested in the early 1900s: otherwise, there have not been any other types of explorations or developments.

7. Are there or have there ever been any pipelines or utility lines, either buried or overhead, crossing the property and have there been any spills or releases associated with them? If yes, explain.

Mr. Bedford is not aware of any such appurtenances.

8. Are PCB's present or have PCB's ever been present in transformers, capacitors, or hydraulic equipment on the property and have there been any releases? If yes, explain.

Mr. Bedford is not aware of any PCB related structures.

9. Is there or has there been any storage, mixing or disposal of pesticides on the Property? Note: Disposal means other than normal intended use of the product. If yes, explain.

Mr. Bedford is not aware of any of these types of activities, either past or present.

10. Have any monitoring wells been drilled (dug or driven) on the property? If yes, explain the purpose of the wells and provide any analytical results:

Mr. Bedford is not aware of any such appurtenances.

11. If the Property is served by a private well, have contaminants ever been identified in the well or the system that exceeded acceptable levels? If yes, explain.

Mr. Bedford is not aware of any such structures ever being located on the property.

12. If surface water is present, are there or have there been any unnatural characteristics (e.g., such as color, sheens, odors, etc.)? If yes, explain.

Mr. Bedford is not aware of a water quality issues on the property, either past or present.

13. Are there or have there been any pits, ponds, or lagoons associated with waste treatment or disposal on the Property? If yes, explain.

There have not been any pits, ponds or lagoons in association with this Property or adjacent properties.

14. Has the Property discharged waste water (excluding stormwater runoff) on or adjacent to the Property? If yes, explain.

Mr. Bedford is not aware of any unnatural discharges of waste water.

15. Is there or has there been any stressed or dead vegetation present? If yes, explain.

Mr. Bedford is not aware of any stressed or dead vegetation areas.

16. Are there or have there been any floors, drains, and walls stained by substances other than water or are emitting foul and/or unnatural odors? If yes, explain.

No such features/structures exist, either past or present.

17. Have radon, asbestos-containing materials, or lead-based paint ever been identified in any on-site buildings? If yes, explain.

There are no and have never been any onsite buildings and therefore none of these items have ever been identified on the Property. It is uncertain if any asbestos or lead-based paint issues exist relating to unauthorized dumping of public waste on the property.

18. Have any aboveground or underground storage tanks been used on the Property? If yes, explain.

No such features/structures exist.

19. Have hazardous substances (e.g., flammable materials, paints, pesticides or other chemicals) been stored on the Property for more than one year? If yes, explain and provide quantities.

Mr. Bedford is not aware of any such substance being used on this Property.

20. Have there been any industrial drums (typically 55 gallons/208 liters), sacks, or chemicals located or dumped on the Property? If yes, explain.

No such features/structures exist or have existed on the Property.

21. Have there been any environmental permits or licenses associated with the Property (e.g., air quality and water discharge, landfills)? If yes, explain.

Mr. Bedford is not aware of any environmental permits or licenses associated with the Property.

22. Have there been any compliance/enforcement notices or environmental liens relating to past or recurrent violations or environmental laws with respect to the Property or any facility on the Property? If yes, explain.

Mr. Bedford is not aware of any compliance/enforcement notices or environmental liens.

23. Has an environmental site assessment of the Property, or any other Property/facility record, ever: (1) indicated the presence of hazardous substances, petroleum products, or other potential environmental problems on the Property, or (2) recommended further assessment of the Property? If yes, explain and summarize the results of any further investigation.

Mr. Bedford is not aware of any other assessment being conducted regarding this specific Property.

24. Are you aware of any past, threatened, pending lawsuits or administrative proceedings concerning a release or threatened release of any hazardous substances or petroleum products on the real Property? If yes, explain.

Mr. Bedford is not aware of any such lawsuits or proceedings.

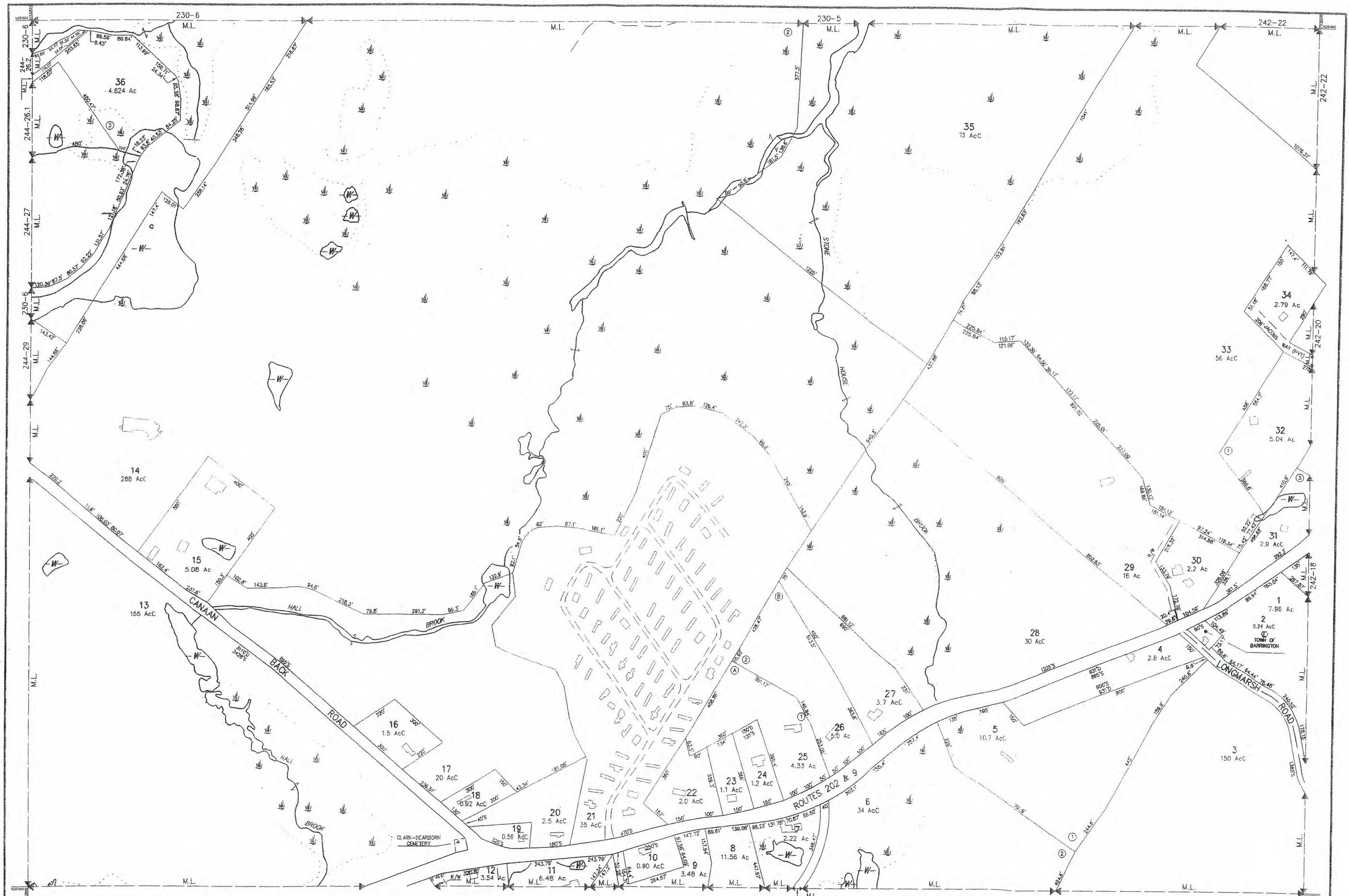
25. Have there ever been spills of hazardous substances or petroleum products which were reported to the National Response Center or a local State emergency response authority? If yes, explain.

Mr. Bedford is not aware of any spills or hazardous substance issues.

26. If not mentioned above, is there anything else that could indicate the presence of hazardous substances and petroleum products which may impact the Property? If yes, explain.

Mr. Bedford is not aware of anything, past or present, that could indicate the presence of hazardous substances and petroleum products which may impact the Property.

Appendix E
Tax Maps



THIS MAP IS FOR ASSESSMENT AND PLANNING PURPOSES ONLY. IT IS NOT TO BE USED FOR DESCRIPTION, CONVEYANCE, OR DETERMINATION OF LEGAL TITLE.

THE HORIZONTAL DATUM IS THE NEW HAMPSHIRE STATE PLANE COORDINATE SYSTEM, NAD 83.

PHOTOGRAPHY DATE: APRIL 25, 2003 COMPLETION DATE: NOVEMBER 2003

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 (603)444-8768 - 1(800)322-4540 - FAX: (603)444-1366 - WWW.CAI-INFO.COM

AREA SURVEYED Ac
 AREA CALCULATED Ac
 RECORDED DIMENSION 100'
 SCALED DIMENSION 100'
 MATCH LINE M.L.
 WATER W

LEGEND

EXEMPT PROPERTY (E)
 SUBDIVISION LOT NO. (L)
 BUILDING [Symbol]
 RIGHT OF WAY/ACCESS [Symbol]
 COMMON OWNERSHIP [Symbol]
 WETLANDS [Symbol]

SCALE 1" = 200'

FEET 0 100 200 400 600

METERS 0 50 100 150

REVISED TO: APRIL 1, 2006

PROPERTY MAPS

BARRINGTON

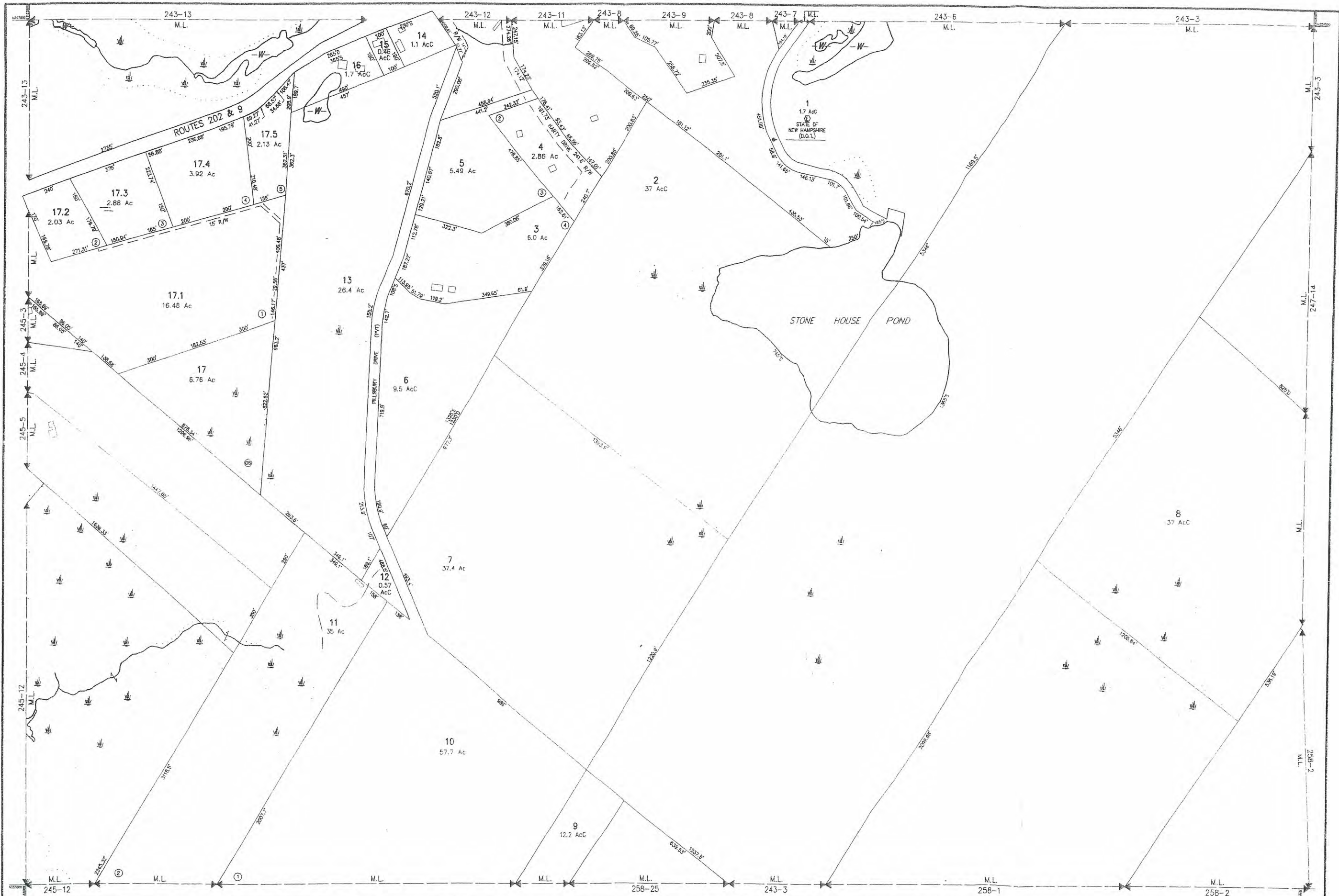
NEW HAMPSHIRE

INDEX DIAGRAM

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245	246	247

MAP NO.

243



THIS MAP IS FOR ASSESSMENT AND PLANNING PURPOSES ONLY. IT IS NOT TO BE USED FOR DESCRIPTION, CONVEYANCE, OR DETERMINATION OF LEGAL TITLE.

THE HORIZONTAL DATUM IS THE NEW HAMPSHIRE STATE PLANE COORDINATE SYSTEM, NAD 83.

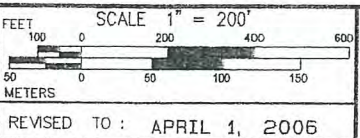
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AREA SURVEYED	Ac
AREA CALCULATED	AcC
RECORD DIMENSION	100'
SCALED DIMENSION	100'S
MATCH LINE	.....
WATER	.....

LEGEND

EXEMPT PROPERTY	.....	Ⓢ
SUBDIVISION LOT NO.	.....	Ⓣ
BUILDING	.....	□
RIGHT OF WAY/ACCESS	.....	— R/W —
COMMON OWNERSHIP	.....	—
WETLANDS	.....	W



PROPERTY MAPS

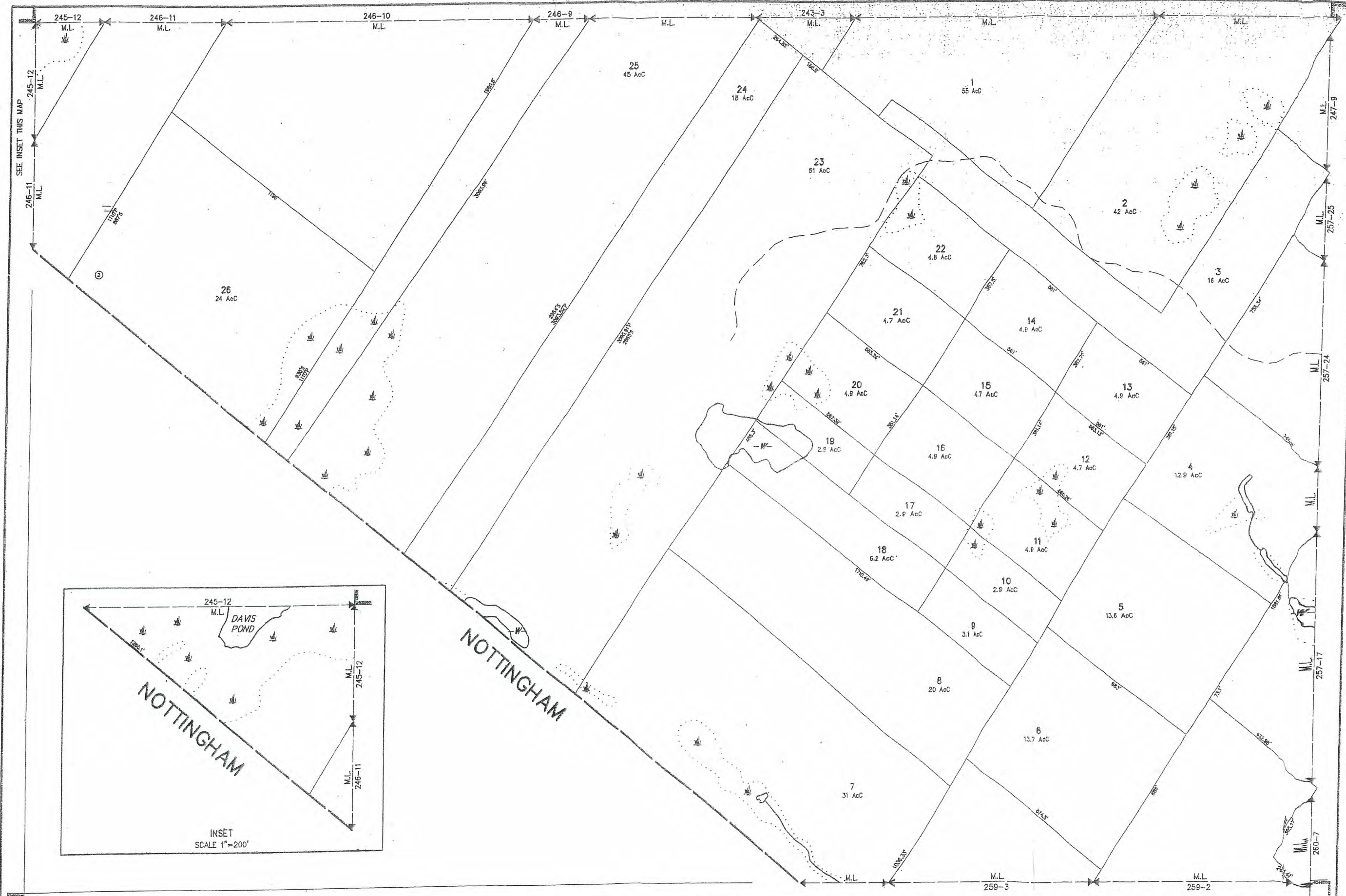
BARRINGTON

NEW HAMPSHIRE

INDEX DIAGRAM

244	243	242
245	247	246
258	257	

MAP NO.
246



THIS MAP IS FOR ASSESSMENT AND PLANNING PURPOSES ONLY. IT IS NOT TO BE USED FOR DESCRIPTION, CONVEYANCE, OR DETERMINATION OF LEGAL TITLE.

THE HORIZONTAL DATUM IS THE NEW HAMPSHIRE STATE PLANE COORDINATE SYSTEM, NAD 83.

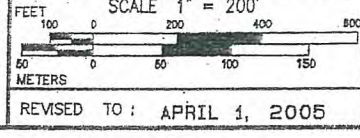
PHOTOGRAPHY DATE: APRIL 25, 2003 COMPLETION DATE: NOVEMBER 2003

PRODUCED IN 2003 BY
CARTOGRAPHIC ASSOC. INC.
 PROFESSIONAL GIS CONSULTANTS
 MUNICIPAL MAPPING - GIS - PUBLIC WORKS INFORMATION MANAGEMENT
 11 PLEASANT STREET, P.O. BOX 267, LITTLETON, NEW HAMPSHIRE 03581
 (603)444-8788 - (603)522-4840 - FAX (603)444-1368 - WWW.CAI-RIEFL.COM

AREA SURVEYED	Ac
AREA CALCULATED	AcC
RECORD DIMENSION	100'
SCALED DIMENSION	100'S
MATCH LINE	M.L.
WATER	—W—

LEGEND

EXEMPT PROPERTY	⊙
SUBDIVISION LOT NO.	①
BUILDING	—B—
RIGHT OF WAY/ACCESS	—R—
COMMON OWNERSHIP	—C—
WETLANDS	—W—



PROPERTY MAPS
BARRINGTON
 NEW HAMPSHIRE

INDEX	DIAGRAM	MP	NO.
245	246	247	258
258	257	259	
260	260	260	

Appendix F
2003 & 1990 Aerials

5-3-90

28916-2-12

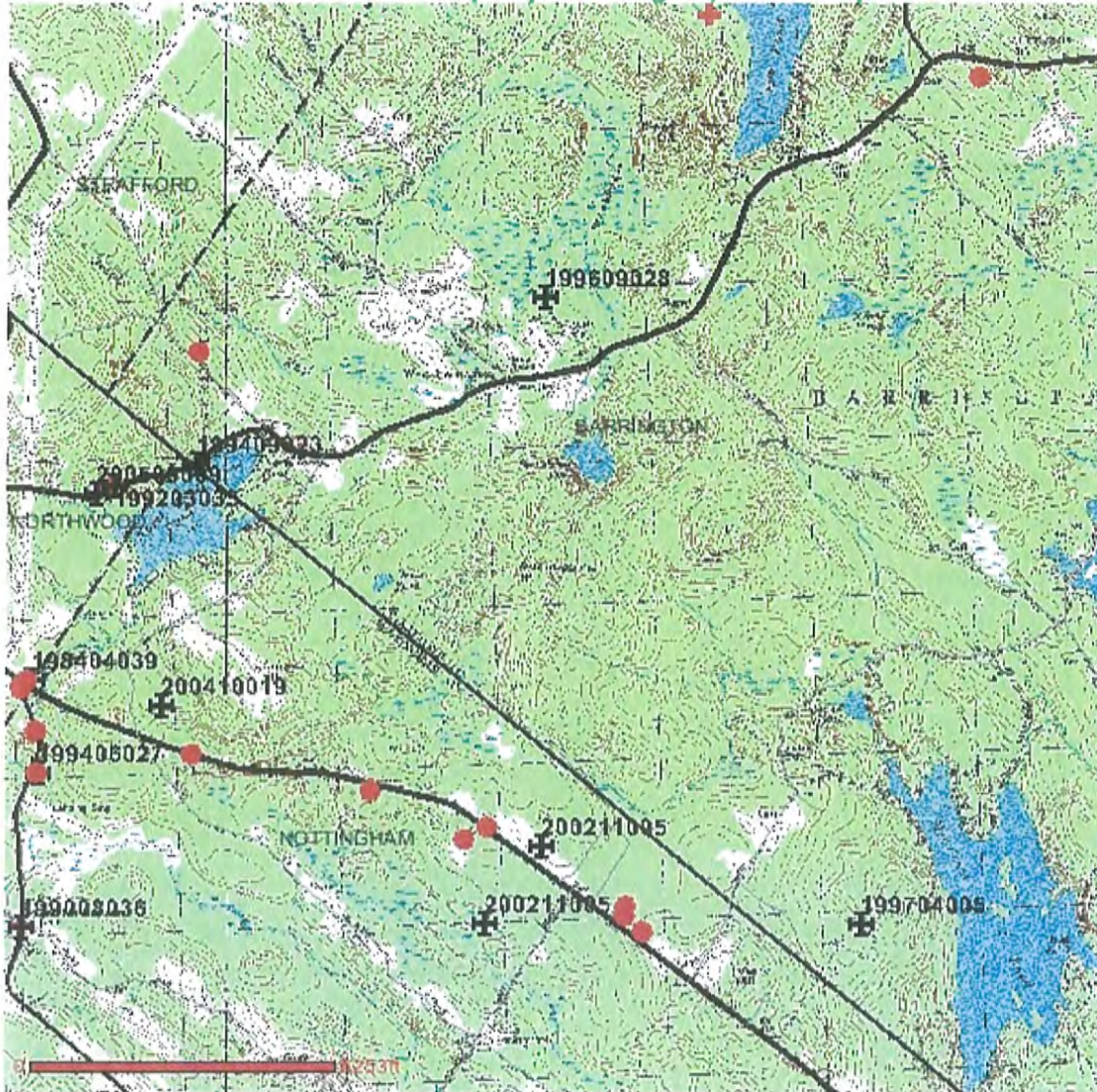


16751 ACRES IN



Appendix G
Regulatory Records Documentation
& Maps

Stonehouse Pond Property - Barrington, New Hampshire



- Legend**
- Air Stationary Source
 - Aboveground Storage Tank Facility
 - Hazardous Waste Generator
 - Hazardous Waste Generator (polygon)
 - Local PCS Inventory Site
 - Nonpoint Source
 - Nonpoint Source (polygon)
 - NPDES Outfall
 - Asbestos Disposal Site
 - Remediation Site
 - Remediation Site (polygon)
 - Underground Storage Tank Facility
 - Interstate Highway
 - Primary Highway
 - Secondary Highway
 - Other Road/Street
 - Town Boundary
 - County Boundary
 - State Boundary

Map Scale = 1 : 80289 (1" = 1.3 miles or 6691 feet)

The information contained in the OneStop Program GIS is the best available according to the procedures and standards of each of the contributing programs and of the GIS. The different programs are regularly maintaining the information in their databases. As a result, the GIS may not always provide access to all existing information, and it may occasionally contain unintentional inaccuracies. The Department can not be responsible for the misuse or misinterpretation of the information presented by this system.

Map prepared 4/29/2009 7:13:57 PM





Stonehouse Pond - Sites w/in 1-mi radius inactive



EPA does not guarantee the accuracy, completeness, or timeliness of the information shown, and shall not be liable for any loss or injury resulting from reliance upon the information shown.

DES – WASTE MANAGEMENT DATABASE SEARCH RESULTS

STONEHOUSE POND PROPERTY – BARRINGTON, NEW HAMPSHIRE

Remediation Sites

Features returned: 3 of 8779 within one mile radius

I. BARRINGTON MOBILE HOMES ESTATES

VOC detections in well raised concern about MTBE contamination – public water has tested Below Detectable Limit and since June 1996 therefore file closed as of 4/20/2001 “public water system contamination assessment not warranted” as of DES 8/19/2002

SITE ID	SITE NAME	ADDRESS	TOWN	PROJECT TYPE	PROJECT MANAGER	WORKLOAD PRIORITY	RISK	PERMIT#	TAX MAP	TAX LOT
199609028	BARRINGTON MOBILE HOME ESTATES	OFF ROUTE 9	BARRINGTON	ETHER	MTBE MONITORING 2	8	NA			

Site Number	Project Type	Project Number	Risk Level	Wellhead Protection Area	Assign To	Discovery Date	Eligible?	Date Eligibility Determined	Documents
199609028	ETHER CONTAMINATED SITE	6591	NO SOURCES/NO AGQS VIO'S FROM ONSITE	YES	MTBE MONITORING	09/25/1996	PERMANENTLY ELIGIBLE	06/18/2007	

II. JULIUS & THELMA STOCK

Leg on home heating oil storage tank broke & approximately 100-gallons of oil spilled onto a concrete basement floor. Floor did contain cracks and was therefore partially removed so that contaminated soil could be remediated. It was determined that there were no AGQS violations from onsite. For this reason, DES sent a Regulatory Action Complete notice on November 6, 1996 and closed the file regarding this site.

SITE ID	SITE NAME	ADDRESS	TOWN	PROJECT TYPE	PROJECT MANAGER	WORKLOAD PRIORITY	RISK	PERMIT#	TAX MAP	TAX LOT
199409023	JULIUS & THELMA STOCK	15 BARRINGTON ROAD	NOTTINGHAM	OPUF	CLOSED	3	8	NA	1	9

Site Number	Project Type	Project Number	Risk Level	Wellhead Protection Area	Assign To	Discovery Date	Eligible?	Date Eligibility Determined	Documents
199409023		ON-PREMISE USE FAC. CONTAINING FUEL OIL – LEAKED ~100 gallons ONTO CONCRETE BASEMENT FLOOR – concrete jack hammered & soil remediation took place	5105	NO SOURCES/NO AGQS VIO'S FROM ONSITE	UNKNOWN	CLOSED	06/02/1994	PERMANENTLY ELIGIBLE	01/01/1960

Project Activity Number	Site Number	Submittal Date	Submittal Description	Staff	Action Date	Action Description	Amount	Documents
35884	199409023	09/24/1995	Additional Information Received	HEROUX	11/05/1996	Regulatory Action Complete PER DES as of 11/6/1996		
24930		06/06/1994	Discharge of any regulated substance	HEROUX	09/09/1994	Site Investigation Report Requested		

III. USA SPRINGS/GARRISON PLACE REI TRUST

Onsite issues were relating to the registration of a holding tank and relating to an unregistered underground injection control (“UIC”). This UIC was closed by the owner. It was determined that there were no sources or AGQS violations from onsite or issues relating to this formerly active UIC. For this reason, the active DES case file was closed on August 5, 2003 and no further action was required by the DES.

SITE ID	SITE NAME	ADDRESS	TOWN	PROJECT TYPE	PROJECT MANAGER	WORKLOAD PRIORITY	RISK PERMIT#	TAX MAP LOT
200211005	USA SPRINGS/GARRISON PLACE REI TRUST	OLD TURNPIKE ROAD	NOTTINGHAM	UIC = closed HOLDTANK= registration	CLOSED, REGISTRATION	3, 3	8, 2	NA, NA

Site Number	Project Type	Project Number	Risk Level	Wellhead Protection Area	Assign To	Discovery Date	Eligible?	Date Eligibility Determined	Documents
200211005		DRINKING WATER TREATMENT SYSTEM WASTEWATER	12396	NO SOURCES/NO AGQS Violations from onsite	NO	CLOSED		UNKNOWN	
Project Activity	Site Number	Submittal Date	Submittal Description	Staff	Action Date	Action Description	Amount	Documents	

80991	200211005	LOCKER	08/05/2003	Regulatory Action Completed DES File Closed <i>Comments: TEMP PERMIT EXPIRE - CLOSE TEMP DISCHARGE/UIC</i>
74396	10/14/2002	LOCKER	11/14/2002	UIC Registration Issued <i>Comments: TEMP GROUNDWATER/SURFACE WATER DISCHARGE PMT ISSUED WXPRES 120DAYS</i>
73996	10/04/2002	LOCKER	10/23/2002	Additional Information Requested <i>Comments: COMMENT LETTER SENT - CHECK FOR STATUS REC ADDITIONAL INFO</i>

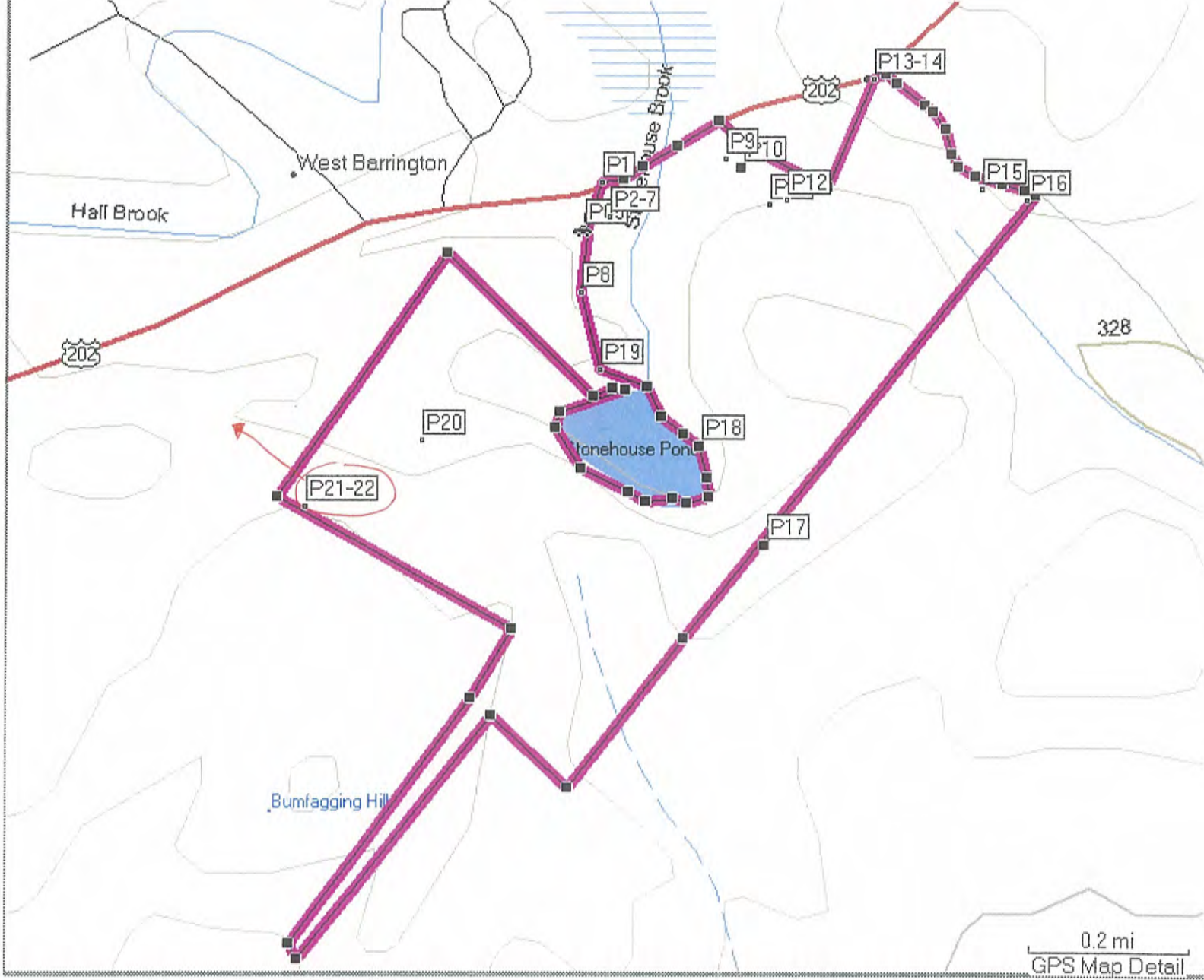
Conservation Lands
Features returned: 1 of 4480.

TRACT#	TRACT NAME	REPORTED ACRES	STATUS	PRIMARY AGENCY	PROTECTION LEVEL	PRIMARY PROTECTION TYPE	PUBLIC ACCESS
154-002 -	BOODEY	149.5	3	17005	1	CE	5

Hazardous Waste Generators
Features returned: 3 of 7162.

MASTER ID	SITE ID	SITE NAME	ADDRESS	TOWN	STATUS	TYPE	SIZE
43786	NHD500002605	AUTOMEISTER INC	RTE 4	NOTTINGHAM	ACTIVE	RCRA REGULATED	NONE
43780	NHD510132772	EAGLE INDUSTRIES INC	155 OLD TURNPIKE RD	NOTTINGHAM	INACTIVE	STATE REGULATED	SQG(CESQG)
43779	NHD510089576	NEW ENGLAND PRECAST	160 OLD TURNPIKE RD	NOTTINGHAM	INACTIVE		SQG(CESQG)

Appendix H
Photographic Log & GPS Map



PHOTOGRAPHIC LOG KEY – STONEHOUSE POND PROPERTY
 (approximate boundaries)

**STONEHOUSE POND PROPERTY
ENVIRONMENTAL SITE ASSESSMENT
PHOTOGRAPHIC RECORD**



Photo No.: 1

Date: April 2, 2009

Direction: South

Comments: View of gated entrance to the dam access road along lot 6 of the property.



Photo No.: 2

Date: April 2, 2009

Direction: East

Comments: View of some trash/waste found along on lot 6, to the north of the gated road that enters the property from Route 202/9.

STONEHOUSE POND PROPERTY
ENVIRONMENTAL SITE ASSESSMENT
PHOTOGRAPHIC RECORD



Photo No.: 3

Date: April 2, 2009

Direction: North

Comments: View of some trash/waste found on Lot 6, along and to the north of the gated road that enters the property from Route 202/9.



Photo No.: 4

Date: April 2, 2009

Direction: Northwest

Comments: View of what appears to be a "borrow pit" on Lot 6, to the north of the gated road that accesses the property from Route 202/9.

**STONEHOUSE POND PROPERTY
ENVIRONMENTAL SITE ASSESSMENT
PHOTOGRAPHIC RECORD**



Photo No.: 5

Date: February 26, 2008

Direction: East

Comments: View of some trash/waste found on Lot 6, along and to the north of the gated road that enters the property from Route 202/9.



Photo No.: 6

Date: February 26, 2008

Direction: North

Comments: View of the large wetland complex found on lot 6 of the property.

**STONEHOUSE POND PROPERTY
ENVIRONMENTAL SITE ASSESSMENT
PHOTOGRAPHIC RECORD**



Photo No.: 7

Date: April 2, 2008

Direction: East

Comments: Addition view of some trash/waste found on Lot 6, along and to the north of the gated road that enters the property from Route 202/9.



Photo No.: 8

Date: April 2, 2009

Direction: Northeast

Comments: View of a section of the snowmobile trail which weaves in and out of the property.

**STONEHOUSE POND PROPERTY
ENVIRONMENTAL SITE ASSESSMENT
PHOTOGRAPHIC RECORD**



Photo No.: 9

Date: April 2, 2009

Direction: Northwest

Comments: View of survey line along the northern boundary of lot 6 of the property.



Photo No.: 10

Date: April 2, 2009

Direction: Northwest

Comments: View of adjacent property to the north of lot 6 and lot 3.

**STONEHOUSE POND PROPERTY
ENVIRONMENTAL SITE ASSESSMENT
PHOTOGRAPHIC RECORD**



Photo No.: 11

Date: April 2, 2009

Direction: East

Comments: Evidence of historic logging operation.



Photo No.: 12

Date: April 2, 2009

Direction: North

Comments: Property corner on lot 6/3.

**STONEHOUSE POND PROPERTY
ENVIRONMENTAL SITE ASSESSMENT
PHOTOGRAPHIC RECORD**



Photo No.: 13

Date: April 2, 2009

Direction: South

Comments: View of some of the miscellaneous waste found on the Property, near the northern boundary of lot 6.



Photo No.: 14

Date: April 2, 2009

Direction: East

Comments: View of some of the miscellaneous waste found on the Property, near the northern boundary of lot 6.

**STONEHOUSE POND PROPERTY
ENVIRONMENTAL SITE ASSESSMENT
PHOTOGRAPHIC RECORD**



Photo No.: 15

Date: April 2, 2009

Direction: North

Comments: View of some of the miscellaneous waste found to the south of Longmarsh Road on lot 3 of the property.



Photo No.: 16

Date: April 2, 2009

Direction: Northwest

Comments: View of Longmarsh Road at the northeastern boundary corner of lot 3.

**STONEHOUSE POND PROPERTY
ENVIRONMENTAL SITE ASSESSMENT
PHOTOGRAPHIC RECORD**



Photo No.: 17

Date: April 2, 2009

Direction: East

Comments: General mixed forest cover type found throughout much of the property.



Photo No.: 18

Date: April 2, 2009

Direction: South

Comments: View Stonehouse Pond and the cliffs from the north side of lot 3 on the property.

**STONEHOUSE POND PROPERTY
ENVIRONMENTAL SITE ASSESSMENT
PHOTOGRAPHIC RECORD**



Photo No.: 19

Date: April 2, 2009

Direction: Southwest

Comments: Foot path found on lot 2 on the property.



Photo No.: 20

Date: April 2, 2009

Direction: West

Comments: General forest cover-type and evidence of some logging on lot 2 of the property.

**STONEHOUSE POND PROPERTY
ENVIRONMENTAL ASSESSMENT PROJECT
PHOTOGRAPHIC RECORD**



Photo No.: 21

Date: April 2, 2009

Direction: North

Comments: View of some of the waste and trash found along the snowmobile trail/woods road adjacent to lot 2 of the property.



Photo No.: 22

Date: April 2, 2009

Direction: East

Comments: View of some of the waste and trash found along the snowmobile trail/woods road adjacent to lot 2 of the property.

Appendix I

Resume

Irene G. Garvey

ABENAKI SERVICES

125 Ten Mile Brook Road
Bristol, New Hampshire 03222
603-744-7759

grace@ncia.net
www.AbenakiServices.com

EDUCATION

University of New Hampshire, Plymouth, B.S., Summa Cum Laude, 1993
Environmental Science

EMPLOYMENT

Abenaki Services, Sole Proprietor
Northern Ecological Associates, 1997-2001
NH Department of Environmental Services, Permitting & Compliance, 1993-1997

MEDIATION & FACILITATION ROSTERS

- Vermont Court Environmental Mediation Program
- NH Administrative Office of the Courts, Small Claims Program
- NH Administrative Office of the Courts, Probate Program
- NH Administrative Office of the Courts, Family Division
- Federal Occupational Health
- Institute for the Study of Conflict Transformation
- Tri-CAP Access & Visitation Program
- NH Department of Justice, Consumer Protection Bureau – Concord, New Hampshire
- Belknap County Mediation Program – Laconia, New Hampshire
- Restorative Justice Center - Tamworth, New Hampshire
- NH Juvenile Diversion Program - Youth Alternatives, *Diversion Panelist*
- Candidate: National Environmental Dispute Resolution & Consensus Building Professionals
- Mentor - NH Administrative Office of the Courts Mediator Training Program
- Liaison – Between NH Superior Court & NH Conflict Resolution Association

MEDIATION, FACILITATION, ENVIRONMENTAL & PUBLIC POLICY EXPERIENCE

- **Carbon Coalition.** Neutral Facilitator for 2009 Local Energy Solutions Conference
- **Five Rivers Conservation Board.** Facilitator for Board Retreat
- **Plymouth Area Renewable Energy Initiative.** Facilitator for Board of Directors restructuring and program redesign initiative in Plymouth, New Hampshire. Facilitated Annual Retreat.
- **Board of Selectmen: Town Vermont.** Mediator/facilitator for a Board of Selectmen during a confidential conflict resolution initiative. Established a "next step" plan.
- **Plymouth Area Renewable Energy Initiative & University of New Hampshire.** Facilitator for five week series entitled "Energy Roundtable Forum."

- **Ausbon-Sargent Land Preservation Trust.** Phase I Environmental Site Assessment for various tracts of conservation land in New Hampshire. Conducted reconnaissance surveys, interviews, and record research to determine if recognized environmental concerns exist on the properties and compiled final reports.
- **Pownal Land Trust.** Phase I Environmental Site Assessment for a tract of conservation land in Pownal, Maine. Conducted reconnaissance survey, interviews, and record research to determine if recognized environmental concerns exist on this property and compiled final report.
- **Mount Washington Auto Road - Great Glen Trails.** Technical and ecological assistant for recreational expansion and recreational trail construction and re-location projects.
- **Checkerberry Farm.** Technical and ecological assistant to private landowners for land conversion project from forest to agricultural fields. Coordinated with the New Hampshire Department of Environmental Service, Alteration of Terrain Program to determine appropriate and approvable course of action. Compiled permit application and plans for construction sequencing, restoration, and monitoring.
- **Quinebaug Dam.** Technical and ecological assistant to private dam owners for repair and maintenance work to the wall of Quinebaug Dam on the Quinebaug River, Brooklyn, Connecticut. Coordinated with the Connecticut Department of Environmental Protection, Historic Preservation Office, Dam Safety, Permitting and Fisheries Division to determine appropriate and approvable course of action.
- **Housatonic River – Shelton & Derby Dam.** Technical and ecological assistant to private dam owners for repair and maintenance work to the toe of Shelton/Derby Dam on the Housatonic River, Shelton/Derby, and Connecticut. Coordinated with the Connecticut Department of Environmental Protection, Dam Safety, Permitting and Fisheries Division to determine appropriate and approvable course of action. Compiled permit application and plans for construction sequencing, mitigation, restoration, and monitoring.
- **Tamworth Conservation Commission.** Technical and ecological review of a permit application submitted by a landowner for 132 acres of land disturbance and 1 acre of wetland fill in Tamworth, New Hampshire. Assessed the accuracy of permit application data and the field delineation of wetlands and other natural resources.
- **DMC Surveyors.** Technical and ecological assistant for site development projects in Belknap, Carroll and Grafton County, New Hampshire for over 300-acres of land.
- **Trout Unlimited & Coldwater Fisheries Coalition.** Technical and ecological assistant for development of State and local permits for access to a conservation tract of land in Coos County, NH. Conducted detailed onsite assessment of wetland resources.
- **BH Keith Associates.** Technical and ecological assistant for site development projects in Coos, Carroll and Belknap County, New Hampshire for over 500-acres of land.
- **Town of Alton, NH - Planning Board.** Technical and ecological assistant for review of a permit application submitted by developer for 16 acres of land disturbance and 1.2 acre of wetland fill in Alton, New Hampshire. Assessed the accuracy of permit application data and the field delineation of wetlands and other natural resources.

SELECTED TRAINING

2008	US Dept Agriculture – Community Agricultural Mediation Program, ME
2008	Vermont Environmental Court - Roster Facilitator/Mediator, VT
2008	NE Association of Conflict Resolution: 8 hour advanced mediation training, MA
2007	Administrative Office of the Courts - Small Claims Mediation, NH
2007	Woodbury College - Masters Workshop-Effective Strategies for Resolving Public, Natural Resource & Environmental Conflicts, VT
2007	Hofstra Law School & the Institute for the Study of Conflict Transformation, - Facilitating Team Development: A Transformative Approach, NY
2006	University of California at Berkeley & CONCUR, Inc. - Negotiating Effective Environmental Agreements, CA
2006	NH Conflict Resolution Association - 8 hour advanced mediation training, NH
2006	“Disputed” at Boston University - Mediating Legal Disputes Training, MA
2006	“Disputed” at Boston University - Mediating Workplace Conflict Training, MA
2006	Institute for the Study of Conflict Transformation - Purpose Drives Practice Transformative Mediation 2-day Training, MN
2005	NH Administrative Office of the Courts - Small Claims Mediation, NH
2005	Forest Service & Bureau of Land Management - Environmental Site Assessment Training, MT
2005	Institute for Study of Conflict Transformation - Transformative Mediation, AZ
2005	Amoskeag Continuing Education - Family Law, NH
2005	Patrice Mettauser/ NH Conflict Resolution Association - Attribution Theory and Its Role in Mediation, NH
2005	NH Conflict Resolution Association - 8 hour advanced mediation training, NH
2004	NH Superior Court - Court Evaluation & Court Based Mediation, NH
2004	Alternatives: Center for Mediation & Training - Advanced Mediation, NH
2004	NH Conflict Resolution Association - 8 hour Advanced Mediation Training, NH
2003	Franklin Pierce College - Domestic Violence Awareness for Mediators, NH
2003	NH Conflict Resolution Association - 8 hour Advanced Mediation Training, NH
2002	Alternatives: Center for Mediation & Training - Mediation Internship, NH
2002	Alternatives: Center for Mediation & Training - Marital Mediation Training, NH
2001	Carroll County Mediation Services - Victim Offender Mediation, NH
2001	Cheshire Family Mediation Services - Basic Mediation, NH
2001	OSHA - 40 hour Safety Training Certification, ME
1997	Federal Energy Regulatory Commission - Natural Gas Pipeline Certificate Environmental Compliance Training, ME
1996	NH Assoc. Consulting Soil Scientists - Field Indicators for Identifying Hydric Soils: New England
1995	United States Environmental Protection Agency - Negotiating Environmental Agreements, MA
1994	University of New Hampshire - Wetland Delineator Certification Program, NH

MEMBERSHIPS

- US Institute for Environmental Conflict Resolution
- Dana Mediation Services, Inc. - International Registry of Associate Consultants
- New Hampshire Conflict Resolution Association
- Association for Conflict Resolution & New England Association for Conflict Resolution

CERTIFICATE

I do hereby certify that the attached document is a true copy of the instrument as recorded in the Registry of Deeds for the County of Strafford, State of NH, and referenced as Bk 3822 Pg 0339, the records of which I am the custodian.

Dated: MAR 29, 2010
Dover, NH
Attest

Leo E. Lessard
Deputy

Leo E. Lessard-Register of Deeds



Doc # 0004127 Mar 29, 2010 1:22 PM
Book 3822 Page 0339 Page 1 of 18
Register of Deeds, Strafford County

U.S. Department of Agriculture
Natural Resources Conservation Service
12/2009

NRCS-LTP-30
01/2010

**WARRANTY EASEMENT DEED
IN PERPETUITY**

**WETLANDS RESERVE PROGRAM
EASEMENT
NO. 6614280912**

THIS WARRANTY EASEMENT DEED is made by and between Carolyn S. Bedford, Trustee of the Carolyn S. Bedford Revocable Trust of 1990, of 557 Route 202, Barrington, New Hampshire, (hereafter referred to as the "Landowner"), Grantor(s), and the UNITED STATES OF AMERICA, of 2 Madbury Road, Durham, NH, by and through the Commodity Credit Corporation (CCC) (hereafter referred to as the "United States"), Grantee. The Landowner and the United States are jointly referred to as the "Parties". The acquiring agency of the United States is the Natural Resources Conservation Service (NRCS), United States Department of Agriculture.

Witnesseth:

Purposes and Intent. The purpose of this easement is to restore, protect, manage, maintain, and enhance the functional values of wetlands and other lands, and for the conservation of natural values including fish and wildlife and their habitat, water quality improvement, flood water retention, groundwater recharge, open space, aesthetic values, and environmental education. It is the intent of NRCS to give the Landowner the opportunity to participate in the restoration and management activities on the easement area. By signing this deed, the Landowner agrees to the restoration of the Easement Area and grants the right to carry out such restoration to the United States.

Authority. This easement deed acquisition is authorized by Title XII of the Food Security Act of 1985, as amended (16 U.S.C. §3837), for the Wetlands Reserve Program.

NOW THEREFORE, for and in consideration of the sum of six hundred fifty two thousand nine hundred twenty seven and 77/100 Dollars (\$652,927.77), the Grantor(s), hereby grants and conveys with general warranty of title to the UNITED STATES OF AMERICA and its assigns, (the Grantee), in perpetuity, all rights, title and interest in the lands comprising the easement area described in Part I and appurtenant rights of access to the easement area, but reserving to the Landowner only those rights, title, and interest expressly enumerated in Part II. It is the intention of the Landowner to convey and relinquish any and all other property rights not so reserved. This easement shall constitute a servitude upon the land so encumbered; shall run with the land for the duration of the easement; and shall bind

the Landowner, (the Grantor(s)), their heirs, successors, assigns, lessees, and any other person claiming under them.

SUBJECT, however, to all valid rights of record, if any.

PART I. Description of the Easement Area. The lands encumbered by this easement deed, referred to hereafter as the easement area, are described on EXHIBIT A which is appended to and made a part of this easement deed.

TOGETHER with a right of access for ingress and egress to the easement area across adjacent or other properties of the Landowner. Such a right-of-way for access purposes is described in EXHIBIT B which is appended to and made a part of this easement deed.

PART II. Reservations in the Landowner on the Easement Area. Subject to the rights, title, and interest conveyed by this easement deed to the United States, including the restoration, protection, management, maintenance, enhancement, and monitoring of the wetland and other natural values of the easement area, the Landowner reserves:

- A. Title. Record title, along with the Landowner's right to convey, transfer, and otherwise alienate title to these reserved rights.
- B. Quiet Enjoyment. The right of the Landowner to enjoy the rights reserved on the easement area without interference from others.
- C. Control of Access. The right to prevent trespass and control access by the general public subject to the operation of State and Federal law.
- D. Recreational Uses. The right to undeveloped recreational uses, including undeveloped hunting and fishing and leasing of such rights for economic gain, pursuant to applicable State and Federal regulations that may be in effect at the time. Undeveloped recreational uses must be consistent with the long-term protection and enhancement of the wetland and other natural values of the easement area. Undeveloped recreational use may include hunting equipment, such as, tree stands and hunting blinds that are rustic and customary for the locale as determined by NRCS.
- E. Subsurface Resources. The right to oil, gas, minerals, and geothermal resources underlying the easement area, provided that any drilling or mining activities are to be located outside the boundaries of the easement area, unless activities within the boundaries are specified in accordance with the terms and conditions of EXHIBIT C which is appended to and made a part of this easement deed, if applicable.

- F. Water uses and water rights. The right to water uses and water rights identified as reserved to the Landowner in EXHIBIT D which is appended to and made a part of this easement deed, if applicable.

PART III. Obligations of the Landowner. The Landowner shall comply with all terms and conditions of this easement, including the following:

- A. Prohibitions. Without otherwise limiting the rights of the United States acquired hereunder, it is expressly understood that the rights to carry out the following activities and uses have been acquired by the United States and, unless authorized by the United States under Part IV, are prohibited on the easement area:
1. haying, mowing, or seed harvesting for any reason;
 2. altering of grassland, woodland, wildlife habitat or other natural features by burning, digging, plowing, disking, cutting or otherwise destroying the vegetative cover;
 3. dumping refuse, wastes, sewage, or other debris;
 4. harvesting wood products;
 5. draining, dredging, channeling, filling, leveling, pumping, diking, impounding, or related activities, as well as altering or tampering with water control structures or devices, except as specifically set forth in EXHIBIT D, if applicable;
 6. diverting or causing or permitting the diversion of surface or underground water into, within, or out of the easement area by any means, except as specifically set forth in EXHIBIT D, if applicable;
 7. building, placing, or allowing to be placed structures on, under, or over the easement area, except for structures for undeveloped recreational use;
 8. planting or harvesting any crop;
 9. grazing or allowing livestock on the easement area;
 10. disturbing or interfering with the nesting or brood-rearing activities of wildlife including migratory birds;
 11. use of the easement area for developed recreation. These uses include but are not limited to, camping facilities, recreational vehicle trails and tracks, sporting clay operations, skeet shooting operations, firearm range operations and the infrastructure to raise, stock, and release captive raised waterfowl, game birds and other wildlife for hunting or fishing;
 12. any activities which adversely impact or degrade wildlife cover or other habitat benefits, water quality benefits, or other wetland functions and values of the easement area; and
 13. any activities to be carried out on the Landowner's land that is immediately adjacent to, and functionally related to, the land that is subject to the easement if such activities will alter, degrade, or otherwise diminish the functional value of the eligible land.

- B. Noxious Plants and Pests. The Landowner is responsible for noxious weed control and emergency control of pests as required by all Federal, State, and local laws. A plan to control noxious weeds and pests must be approved in writing by the NRCS prior to implementation by the Landowner.
- C. Fences. Except for establishment cost incurred by the United States and replacement cost not due to the Landowner's negligence or malfeasance, all other costs involved in maintenance of fences and similar facilities to exclude livestock shall be the responsibility of the Landowner. The installation or use of fences which have the effect of preventing wildlife access and use of the easement area are prohibited on the easement or easement boundary.
- D. Use of water for easement purposes. The landowner shall use water for easement purposes as set forth in EXHIBIT D, which is appended to and made a part of this easement deed, if applicable.
- E. Protection of water uses and water rights. As set forth in EXHIBIT D, if applicable, the Landowner shall undertake actions necessary to protect any water rights and water uses for easement purposes.
- F. Taxes. The Landowner shall pay any and all real property and other taxes and assessments, if any, which may be levied against the land.
- G. Reporting. The Landowner shall report to the NRCS any conditions or events which may adversely affect the wetland, wildlife, and other natural values of the easement area.
- H. Survival. Irrelevant of any violations by the Landowner of the terms of this deed, this easement survives and runs with the land for its duration.

PART IV. Compatible Uses by the Landowner.

- A. General. The United States may authorize, in writing and subject to such terms and conditions the NRCS may prescribe at its sole discretion, the use of the easement area for compatible economic uses, including, but not limited to, managed timber harvest, periodic haying, or grazing.
- B. Limitations. Compatible use authorizations will only be made if, upon a determination by NRCS in the exercise of its sole discretion and rights, that the proposed use is consistent with the long-term protection and enhancement of the wetland and other natural values of the easement area. The NRCS shall prescribe the amount, method, timing, intensity, and duration of the compatible use.

PART V. Rights of the United States. The rights of the United States include:

- A. Management activities. The United States has the right to enter the easement area to undertake, on a cost-share basis with the Landowner or other entity as determined by the United States, any activities to restore, protect, manage, maintain, enhance, and monitor the wetland and other natural values of the easement area. The United States may apply to or impound additional waters, in accordance with State water law, on the easement area in order to maintain or improve wetland and other natural values.
- B. Access. The United States has a right of reasonable ingress and egress to the easement area over the Landowner's property, whether or not the property is adjacent or appurtenant to the easement area, for the exercise of any of the rights of the United States under this easement deed. The authorized representatives of the United States may utilize vehicles and other reasonable modes of transportation for access purposes. To the extent practical, the United States shall utilize the access identified in EXHIBIT B.
- C. Easement Management. The Secretary of Agriculture, by and through the NRCS, may delegate all or part of the management, monitoring or enforcement responsibilities under this easement to any entity authorized by law that the NRCS determines to have the appropriate authority, expertise and resources necessary to carry out such delegated responsibilities. State or federal agencies may utilize their general statutory authorities in the administration of any delegated management, monitoring or enforcement responsibilities for this easement. The authority to modify or terminate this easement (16 U.S.C. §3837e(b)) is reserved to the Secretary of Agriculture in accordance with applicable law.
- D. Violations and Remedies - Enforcement. The Parties, Successors, and Assigns, agree that the rights, title, interests, and prohibitions created by this easement deed constitute things of value to the United States and this easement deed may be introduced as evidence of same in any enforcement proceeding, administrative, civil or criminal, as the stipulation of the Parties hereto. If there is any failure of the Landowner to comply with any of the provisions of this easement deed, the United States or other delegated authority shall have any legal or equitable remedy provided by law and the right:
1. To enter upon the easement area to perform necessary work for prevention of or remediation of damage to wetland or other natural values; and,

2. To assess all expenses incurred by the United States (including any legal fees or attorney fees) against the Landowner, to be owed immediately to the United States.

PART VI. General Provisions.

- A. Successors in Interest. The rights granted to the United States shall accrue to any of its agents or assigns. All obligations of the Landowner under this easement deed shall also bind the Landowner's heirs, successors, agents, assigns, lessees, and any other person claiming under them. All the Landowners who are parties to this easement deed shall be jointly and severally liable for compliance with its terms.
- B. Rules of Construction and Special Provisions. All rights in the easement area not reserved by the Landowner shall be deemed acquired by the United States. Any ambiguities in this easement deed shall be construed in favor of the United States to effect the wetland and conservation purposes for which this easement deed is being acquired. The property rights of the United States acquired under this easement shall be unaffected by any subsequent amendments or repeal of the Wetlands Reserve Program. If the Landowner receives the consideration for this easement in installments, the Parties agree that the conveyance of this easement shall be totally effective upon the payment of the first installment.
- C. Environmental Warranty. "Environmental Law" or "Environmental Laws" means any and all Federal, State, local or municipal laws, orders, regulations, statutes, ordinances, codes, guidelines, policies, or requirements of any governmental authority regulating or imposing standards of liability or standards or conduct (including common law) concerning air, water, solid waste, hazardous materials or substance, worker and community right-to-know, hazard communication, noise, radioactive material, resource protection, subdivision, inland wetlands and watercourses, health protection and similar environmental health, safety, building and land use as may now or at any time hereafter be in effect.

"Hazardous Materials" means any petroleum, petroleum products, fuel oil, waste oils, explosives, reactive materials, ignitable materials, corrosive materials, hazardous chemicals, hazardous wastes, hazardous substances, extremely hazardous substances, toxic substances, toxic chemicals, radioactive materials, infectious materials, and any other element, compound, mixture, solution or substance which may pose a present or potential hazard to human health or the environment.

Landowner warrants that it is in compliance with, and shall remain in compliance with, all applicable Environmental Laws. Landowner warrants that there are no notices by any government authority of any violation or alleged violation of, non-compliance or alleged non-compliance with or any liability under any Environmental Law relating to the operations or conditions of the Property. Landowner further warrants that it has no actual knowledge of a release or threatened release of Hazardous Materials, as such substance and wastes are defined by applicable Federal and State law.

- D. General Indemnification. Landowner shall indemnify and hold harmless the United States, its employees, agents, and assigns for any and all liabilities, claims, demands, losses, expenses, damages, fines, fees, penalties, suits, proceedings, actions, and cost of actions, sanctions asserted by or on behalf of any person or government authority, and other liabilities (whether legal or equitable in nature and including, without limitation, court costs, and reasonable attorneys' fees and attorneys' fees on appeal) to which the United States may be subject or incur relating to the easement area, which may arise from, but is not limited to, Landowner's negligent acts or omissions or Grantor's breach of any representation, warranty, covenant, agreements contained in this easement deed, or violations of any Federal, State, or local laws, including all Environmental Laws.

TO HAVE AND TO HOLD, this Warranty Easement Deed is granted to the United States of America and its assigns forever. The Landowner covenants that he, she, or they are vested with good title to the easement area and will warrant and defend the same on behalf of the United States against all claims and demands. The Landowner covenants to comply with the terms and conditions enumerated in this document for the use of the easement area and adjacent lands for access, and to refrain from any activity not specifically allowed or that is inconsistent with the purposes of this easement deed.

Dated this 29 day of March, 2010

Landowner(s): Carolyn S. Bedford Trustee
CAROLYN S BEDFORD TRUSTEE OF THE CAROLYN S. BEDFORD
REVEOCABLE TRUST OF 1990
ACKNOWLEDGMENT

STATE OF New Hampshire
COUNTY OF Strafford

On this 29th day of March, 2010, before me, the undersigned, a Notary Public in and for said State personally appeared Carolyn S. Bedford, Trustee, know or proved to me to be the person(s) described in and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed.



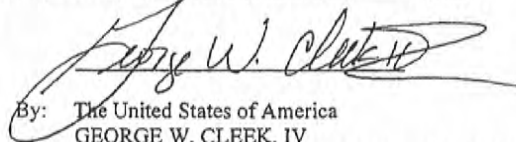
IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this 29 day and year first above written.

Notary Public for the State of New Hampshire
Residing at Norah Hampton, New Hampshire
My Commission
Expires 10-10-2011
Michael Stedman

ACCEPTANCE BY GRANTEE:

I George W. Cleek IV (name), State Conservationist (title), being the duly authorized representative of the United States Department of Agriculture, Natural Resources Conservation Service, do hereby accept this Conservation Easement Deed with respect to the rights and duties of the United States of America, Grantee.

Dated this 25 day of March, 2010.



By: The United States of America
GEORGE W. CLEEK, IV
State Conservationist, Natural Resources Conservation Service
U.S. Department of Agriculture

ACKNOWLEDGMENT

STATE OF New Hampshire

COUNTY OF Stratford

On this 25th day of March, 2010, before me, the undersigned, a Notary Public in and for said State personally appeared George W. Cleek IV, know or proved to me to be the person(s) described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed.

IN TESTAMONY WHEREOF, I have hereunto set my hand and official seal the the day and year first above written.



Notary Public for the State of New Hampshire
Residing at 88 Cable Rd., Rye NH 03870
My Commission
Expires BETTY L. ANDERSON, Notary Public
My Commission Expires June 4, 2013

This instrument was drafted by the Office of General Counsel, U.S. Department of Agriculture, Washington, D.C. 20250-1400

NONDISCRIMINATION STATEMENT

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its program and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (1202) 720-2600 (voice and TDD). To file a complaint of discrimination write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 705-3272 (voice) or (202)720-6382 (TDD). USDA is an equal opportunity provider and employer.

PRIVACY ACT STATEMENT

The above statements are made in accordance with the Privacy Act of 1974 (U.S.C. 522a). Furnishing this information is voluntary; however, failure to furnish correct, complete information will result in the withholding or withdrawal of such technical or financial assistance. The information may be furnished to other USDA agencies, the Internal Revenue Service, the Department of Justice, or other State or Federal Law enforcement agencies, or in response to orders of a court, magistrate, or administrative tribunal.

Exhibit A

**Proposed Wetlands Reserve Conservation Easement
Carolyn S. Bedford Revocable Trust of 1990**

A proposed wetlands reserve conservation easement located in the Town of Barrington, County of Strafford, State of New Hampshire, and shown on a plan entitled "Wetlands Reserve Program Conservation Easement, WRP Contract #6614280912, Tax Map 243 Lots 3 & 6 & Tax Map 246 Lots 2 & 9 Routes 9 & 202 and Longmarsh Road, Barrington, NH Owner: Carolyn S. Bedford Rev. Trust of 1990, Dated February 26, 2010, Scale: 1" = 120'", prepared by Eric C. Mitchell & Associates, Inc. to be recorded herewith and further described as follows: Plan # 99-9711

All bearings of this description are turned from grid north based on the New Hampshire State Plane Coordinate System and all distances are based on the current survey.

Beginning at an iron rod set at the northerly corner of the herein described premises, said rod is located at the northwesterly corner of land now or formerly Richard Neal and on the southerly line of Route 9 & 202; thence

South 24°49'15" East, a distance of 224.86 feet to an iron rod found; thence

South 57°04'39" East, a distance of 701.57 feet to an iron rod found; thence

North 34°48'26" East, a distance of 244.59 feet to a nail found in a 14" hemlock tree; thence

North 27°36'42" East, a distance of 441.94 feet to an iron rod set; thence

North 32°19'17" East, a distance of 159.90 feet to an iron rod set; thence

North 42°15'17" East, a distance of 218.55 feet to an iron rod set on the southerly side of Longmarsh Road (the previous six courses are bound by land of said Neal); thence

South 46°49'51" East, a distance of 99.73 feet to an iron rod set; thence

South 58°40'46" East, a distance of 253.94 feet to an iron rod set; thence

Southeasterly along a curve to the right with a radius of 250.00 feet, a distance of 203.05 feet (chord bearing of South 35°24'41" East, a distance of 197.52 feet) to an iron rod set; thence

South 12°08'37" East, a distance of 173.08 feet to an iron rod set; thence

Southeasterly along a curve to the left with a radius of 242.07 feet, a distance of 158.95 feet (chord bearing of South 30°57'16" East, a distance of 156.11 feet) to a drill hole

set in ledge; thence

South 49°45'54" East, a distance of 152.39 feet to an iron rod set; thence

South 73°56'05" East, a distance of 243.44 feet to a magnetic nail set in a hemlock root; thence

South 62°44'26" East, a distance of 128.06 feet to an iron rod set at the northwesterly corner of land now or formerly the Sherwood West Corp. (the previous eight courses are bounded by the southerly side of said Longmarsh Road); thence

South 32°58'45" West along land of said Sherwood West Corp. and land now or formerly Barrington Pride Corp, a distance of 5,210.47 feet to an iron rod found; thence

North 50°42'02" West along other land of said Barrington Pride Corp., land now or formerly Golden Ponds Hunting and Fishing and other land of Barrington Pride Corp., a distance of 1,030.12 feet to an iron rod found; thence

South 34°22'11" West along land of said Barrington Pride Corp., a distance of 33.05 feet to a spike found in a ring of stones; thence

South 32°19'50" West along land of said Barrington Pride Corp, a distance of 3,060.02 feet to a point on the town line of Barrington and Nottingham; thence

North 50°12'23" West along said town line, a distance of 173.47 feet to a point at land now or formerly Richard & Trudy Brady; thence

North 31°46'35" East along land of said Brady, a distance of 3,009.59 feet to an iron rod found at land now or formerly of Shirley M Gowen Revocable Trust; thence

North 30°54'12" East, a distance of 86.58 feet to an iron rod found; thence

North 30°27'20" East, a distance of 1,131.73 feet to an iron rod found; thence

North 52°04'43" West, a distance of 1,384.12 feet to an iron rod found at land now or formerly Justin Harty (the previous three courses are bounded by land of said Gowen); thence

North 30°02'31" East along land of said Harty, land now or formerly Gregory Ellis Hutchins, land now or formerly Joseph & Marlene Schena and land now or formerly Pamela Trefethen, a distance of 1,366.61 feet to an iron rod found at land now or formerly The Trust for Public Land; thence

South 52°04'02" East along land of said Trust for Public Land, a distance of 120.09 feet to an iron rod found; thence

South 52°50'28" East along land of said Trust for Public Land, a distance of 977.03 feet to a iron rod set at the shore of Stonehouse Pond; thence

South 85°22'04" West, a distance of 245.00 feet to a point; thence

South 69°22'01" West, a distance of 120.00 feet to a point; thence

South 71°43'08" West, a distance of 195.00 feet to a point; thence

South 38°38'54" West, a distance of 70.00 feet to a point; thence

South 00°11'48" West, a distance of 145.00 feet to a point; thence

South 53°57'30" East, a distance of 55.00 feet to a point; thence

South 71°30'10" East, a distance of 115.00 feet to a point; thence

South 73°49'37" East, a distance of 135.00 feet to a point; thence

South 49°43'05" East, a distance of 132.00 feet to a point; thence

South 25°09'02" East, a distance of 135.00 feet to a point; thence

South 18°26'59" East, a distance of 185.00 feet to a point; thence

South 76°22'39" East, a distance of 65.00 feet to a point; thence

South 70°50'12" East, a distance of 112.00 feet to a point; thence

South 72°15'08" East, a distance of 135.00 feet to a point; thence

South 84°26'10" East, a distance of 110.00 feet to a point; thence

North 75°01'02" East, a distance of 62.00 feet to a point; thence

North 47°47'45" East, a distance of 85.00 feet to a point; thence

North 38°09'26" East, a distance of 110.00 feet to a point; thence

North 24°23'29" East, a distance of 140.00 feet to a point; thence

North 15°09'20" East, a distance of 115.00 feet to a point; thence

North 19°31'35" West, a distance of 160.00 feet to a point; thence

North 46°12'44" West, a distance of 211.00 feet to a point; thence

North 79°31'49" West, a distance of 90.00 feet to a point; thence

North 65°17'38" West, a distance of 61.00 feet to a point; thence

North 08°58'16" West, a distance of 60.00 feet to a point; thence

North 01°38'40" East, a distance of 114.00 feet to a point; thence

North 26°52'20" East, a distance of 86.00 feet to a drill hole set in a rock at the shore of said Stonehouse Pond at land now or formerly NHDOT (the previous twenty seven courses are bounded by said Stonehouse Pond); thence

South 69°40'32" East, a distance of 39.03 feet to an iron rod set; thence

North 06°52'48" East, a distance of 100.00 feet to an iron rod found; thence

North 73°07'12" West, a distance of 61.00 feet to a point at the thread of a stream; thence

North 08°37'14" West along the thread of said stream, a distance of 15.00 feet to a point; thence

North 75°19'07" West along the thread of said stream, a distance of 24.00 feet to a point; thence

North 71°13'13" West along the thread of said stream, a distance of 45.00 feet to a point; thence

North 59°22'18" West along the thread of said stream, a distance of 45.00 feet to a point; thence

North 31°21'26" West along the thread of said stream, a distance of 70.00 feet to a point; thence

South 59°50'26" West, a distance of 33.00 feet to an iron rod found; thence

Northwesterly along a curve to the left with a radius of 163.25 feet, a distance of 137.61 feet (chord bearing of North 53°17'43" West, a distance of 133.57 feet) to an iron rod found; thence

North 77°31'33" West, a distance of 145.04 feet to an iron rod found; thence

Northwesterly along a curve to the right with a radius of 123.25 feet, a distance of 106.35 feet (chord bearing of North 52°55'58" West, a distance of 103.08 feet) to an iron rod found; thence

North 28°00'34" West, a distance of 58.84 feet to an iron rod found; thence

Northeasterly along a curve to the right with a radius of 362.00 feet, a distance of 406.26 feet (chord bearing of North 04°11'06" East, a distance of 385.27 feet) to an iron rod found; thence

North 36°38'18" East, a distance of 194.33 feet to an iron rod set; thence

Northeasterly along a curve to the left with a radius of 593.00 feet, a distance of 371.82 feet (chord bearing of North 18°41'13" East, a distance of 365.76 feet) to an iron rod found; thence

North 00°40'01" East, a distance of 64.38 feet to an iron rod set on the southerly side of said Route 202 & 9 (the previous seventeen courses are bounded by land of said NHDOT); thence

North 57°40'42" East, a distance of 68.73 feet to an iron rod set; thence

Northeasterly along a curve to the left with a radius of 821.45 feet, a distance of 149.17 feet (chord bearing of North 52°28'34" East, a distance of 148.96 feet) to an iron rod set; thence

North 47°16'26" East, a distance of 155.40 feet to an iron rod set; thence

Northeasterly along a curve to the right with a radius of 824.60 feet, a distance of 257.40 feet (chord bearing of North 56°12'59" East, a distance of 256.36 feet) to the point of beginning (the previous four courses are bounded by the southerly side of said Route 202 & 9).

Said Easement containing approximately 10,027,400 square feet or 230.20 acres and is subject to all matters as shown on said plan.

EXHIBIT D
WATER USES AND WATER RIGHTS

I. **Water Uses and Water Rights Reserved to the Grantor ("Landowner")**
(Warranty Easement Deed Part II.F.)

- A. Identify with specificity each water use¹ that the NRCS determines the Landowner may continue on, across, or under the easement area without harming the purposes of the easement.

[DESCRIBE RESERVED WATER USES HERE]

- B. For each water use described above, identify the water right², or portion of a water right, that is associated with that use. These are the only water rights, or portions of water rights, that the Landowner reserves for continuing agricultural or other uses. All details of each reserved water right, or reserved portion of a water right, must be specified, including the water right number, priority date or date of appropriation, date of permit or adjudication, source, flow, volume, point of diversion, place of use, period of use, means of conveyance and purpose of use.

[IDENTIFY RESERVED WATER RIGHT DETAILS HERE]

- C. For each water right identified above, the Landowner retains the right to maintain, repair and reconstruct any existing water facilities associated with the right unless that activity would adversely impact the conservation values of the easement, as determined by NRCS in its sole judgment. The Landowner must obtain approval from the United States prior to commencing any substantial maintenance, repair, or reconstruction of existing facilities. "Substantial

¹ For purposes of this exhibit, the term "water use" means activities that control water or the use of water instream or in situ. The term includes, but is not limited to: diverting water from its natural source; conveying water in canals, ditches, laterals, flumes, or pipelines; storing water in reservoirs, impoundments, or ponds; pumping or otherwise controlling groundwater; developing springs; and intentionally leaving a quantity of water instream or in situ for a particular purpose.

² For purposes of this exhibit, the term "water right" means an instrument, filing, or document that is associated with a particular water use. The term "water right" may include, but is not limited to water permits, water shares or stock certificates, water reservations, water allotments, or water contracts.

maintenance, repair, or reconstruction” means all activities that may adversely affect the purposes of the easement and includes, but is not limited to, the lining of irrigation works and the piping of water.

- D. Any use other than stated above for water rights the Landowner reserves requires the consent of NRCS following its determination that the action will not be inconsistent with the purposes of the easement or the protection of the conservation values. This includes, but is not limited to, changing a water right to any new use (including municipal, industrial or commercial use); selling, leasing, transferring, or encumbering the water right; and changing the point of diversion or type or place use.
- E. The Landowner reserves no other water rights or uses of water on, across, or under the easement area.

II. Encumbered Water Uses and Water Rights for Easement Purposes
(Warranty Easement Deed, Part III.D.)

- A. Describe with specificity water uses that the NRCS determines are necessary to accomplish the purposes of the easement.

[DESCRIBE ENCUMBERED WATER USES HERE]

- B. For each water use described in II.A. above, identify any associated existing water right or portion of a water right. These water rights are encumbered by the Warranty Easement Deed³ for easement purposes, together with any associated rights-of-way, water conveyance and diversion structures, and water use equipment. Specify below details of each encumbered water right, or portion of a water right, including the water right number, priority date or date of appropriation, date of permit or adjudication, source, flow, volume, point of diversion, place of use, period of use, means of conveyance and purpose of use.

[IDENTIFY ENCUMBERED WATER RIGHT DETAILS HERE]

III. PROTECTION OF ENCUMBERED WATER RIGHTS
(Warranty Easement Deed Part III.E.)

³ By its terms, the Warranty Easement Deed also encumbers any water right appurtenant to the easement area that, for whatever reason, is not identified in this Exhibit D.

The Landowner shall protect the encumbered water uses and rights identified in II.A. and II.B. above by:

- A. Continuing to use the water for easement purposes so as to not abandon or forfeit any water rights by action or inaction.
- B. Providing NRCS with any reports provided by or to state water officials, of water diversions and evidence of use, such as records of dates of impoundment.
- C. Providing NRCS with all notices concerning water rights, including notices of abandonment or forfeiture, from state water officials.
- D. Allowing NRCS to enter property to continue use of the water right to prevent abandonment or forfeiture.
- E. Attempting to administratively prevent abandonment or forfeiture.
- F. Never changing the water right(s) to another use, including sale or transfer of such water right, or conversion to another conservation use.

CERTIFICATE

I do hereby certify that the attached document is a true copy of the instrument as recorded in the Registry of Deeds for the County of Strafford, State of NH, and referenced as Bk 3822 Pg 0368, the records of which I am the custodian.

Dated: MAR 29, 2010

Dover, NH

Attest

E. Lessard
E. Lessard-Register of Deeds Deputy

Doc # 0004129 Mar 29, 2010 1:30 PM
Book 3822 Page 0368 Page 1 of 6
Register of Deeds, Strafford County

Note: This is a transfer to an instrumentality of the State of N.H. pursuant to RSA 78-B:2(I) and is therefore exempt from NH Real Estate Transfer Tax.

WARRANTY DEED

KNOW ALL BY THESE PRESENTS, that THE TRUST FOR PUBLIC LAND, d/b/a TPL – NEW HAMPSHIRE, a California public benefit corporation having a place of business and mailing address at 33 Union Street, 5th Floor, Boston, MA 02108 ("Grantor"), for consideration paid, grants to the STATE OF NEW HAMPSHIRE acting by and through the FISH AND GAME DEPARTMENT with a mailing address of Attn: Richard Cook, 11 Hazen Drive, Concord, NH 03301 ("Grantee"), with WARRANTY COVENANTS, that certain real property situated in Barrington, Strafford County, New Hampshire, being those certain 11.56 +/- acres of land more particularly described as follows (the "Property"):

A certain tract or parcel of land located in the Town of Barrington, County of Strafford, and State of New Hampshire, shown as Lot 31-2 on a plan of land entitled "Proposed Subdivision Land of Charles & Hilary Parkhurst, 160 Route 202 & 9, Barrington, NH" dated January 30, 1997 and recorded as Plan #51-3 in the Strafford Registry of Deeds (the "Plan").

Together with an easement and right of way for vehicle and pedestrian ingress and egress over a portion of property shown as Lot 31-2-1 on Plan 51 and described as follows:

Beginning at an iron bound on the southerly sideline of Route 202 at land now or formerly of George & Yvette Burns; thence running S4°23'03" West, by and along said Burns land, a distance of 154.31 feet to an iron bound; thence turning and running in a southeasterly direction across Lot 31-2-1, in a straight line, a distance of 175.00 feet, more or less, to a 3/4" rebar at Lot 31-2, which rebar is North 17°36'57" West of and 258.72 feet distant from the rebar at the southwesterly corner of Lot 31-2-1 as shown on said plan; thence turning and running North 46°52'39" West, by and along said Lot 31-2, a distance of 105.77 feet to a 3/4" rebar; thence turning and running North 17°36'57" West, by and along said Lot 31-2, a distance of 89.26 feet to a bench mark; thence turning and running North 4°16'42" East, by and along said Lot 31-2, a distance of 159.50 feet to a 3/4" rebar on the southeasterly sideline of said Route 202; thence turning and running North 89°15'40" East, by and along said Route 202, a distance of 52.28

feet to an iron rod at land now or formerly of George & Yvette Burns and to the point of beginning.

Further conveyed subject to and with the benefit of those restrictions, rights and agreements as described in Book 1973, Page 451 of the Strafford Registry of Deeds.

The Grantor is hereby ALSO CONVEYING AND GRANTING an Executory Interest and a contingent right of termination on the Property to the TOWN OF BARRINGTON, a municipal corporation and public instrumentality of the State of New Hampshire (hereinafter referred to both as the "Town" and "Executory Interest Holder," which, unless the context clearly indicates otherwise, includes its successors and assigns), with a mailing address of 41 Province Lane, Barrington, New Hampshire 03825.

This interest is conveyed exclusively for the purposes of protecting the Property for the following purposes and uses: scenic values, cultural significance, forest management, low-impact outdoor recreation, including but not limited to hunting, fishing and trapping; water quality, fish & wildlife habitat, and other conservation purposes (the "Purposes").

The Executory Interest and contingent right of termination consists of the following conditions:

Except in furtherance of the Purposes for which the Grantee has acquired the Property, the Grantee shall not give, grant, sell, convey, transfer, mortgage, pledge or otherwise encumber the Property without the prior written approval of the Town.

If the Grantee ceases to adhere to the conditions in this deed within thirty (30) days after receipt of written notice of a material breach, delivered in hand or by certified mail, return receipt requested, from the Executory Interest Holder, then subject to applicable laws and regulations, the Executory Interest Holder shall have the right to enforce the conditions of this deed by an action at law or in equity as may be provided by law and only if such action is available against Grantee.

Further, the Executory Interest Holder, shall also have the right and power to terminate the interest of Grantee in the Property in the event that a material breach has not been cured after reasonable notice and opportunity to cure as described below. The Executory Interest Holder shall record a Notice in the Strafford County Registry of Deeds declaring that it is exercising its power of termination and giving Grantee a period of at least ninety (90) days from the date of Grantee's receipt of the Notice to correct the material breach. If the material breach is not cured within the stated time period (or any extension agreed to in writing by the Executory Interest Holder), then the termination shall become final. Upon termination, all legal and equitable fee simple title in the Property shall be vested automatically in the Executory Interest Holder, which shall assume and thereafter possess all interests, rights, responsibilities and duties of record previously granted to and incumbent upon Grantee at that point.

The Executory Interest Holder shall have reasonable access to the Property and all of its parts for such inspection as the Executory Interest Holder finds necessary to determine compliance with and enforce the terms hereof, to exercise the rights conveyed hereby, to carry out the duties assumed by the Executory Interest Holder, and to maintain boundaries, if the Executory Interest Holder desires.

The interests held by the Executory Interest Holder are assignable or transferable to any qualified organization within the meaning of Section 170(h)(3) of the U.S. Internal Revenue Code of 1986, as amended, which organization has among its purposes the conservation and preservation of land and water. Any such assignee or transferee shall have like power upon such assignment or transfer. In the event of any foreclosure or other exercise of rights under this right of termination by the Executory Interest Holder, its successors and assigns, the Property secured thereby shall continue to be subject to all of the restrictions and other terms and conditions set forth in this Deed.

Subject to applicable laws and regulations, the restrictions above shall be enforceable in perpetuity by actions at law or by proceedings in equity.

For Grantor's title see deed of Charles H. Parkhurst and Hilary B. Parkhurst dated December 19, 2007 and recorded in Book 3605, Page 151. Please note that deed contains a scrivener's error in the description where it incorrectly references Plan # 51-2, the correct plan is the plan recited in this Deed Plan #51-3.

This is not homestead property of the Grantor.

[Remainder of page intentionally left blank.]

IN WITNESS WHEREOF, the undersigned have hereunto set their hand and seal as of this 25th day of March, 2010.

WITNESS: THE TRUST FOR PUBLIC LAND
d/b/a TPL-New Hampshire

Robert A. Pettit
Robert A. Pettit


Denise K. Mullane
Denise K. Mullane
Counsel

COMMONWEALTH OF MASSACHUSETTS)
)ss.
COUNTY OF SUFFOLK)

On this 25th day of March, 2010, before me, the undersigned officer, personally appeared, Denise K. Mullane, in her capacity as Counsel of The Trust for Public Land, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same in her capacity as Counsel of The Trust for Public Land, for the purposes therein contained.

Before me,

[Signature]
Notary Public
My commission expires: 11/29/2011



ACCEPTED BY:

TOWN OF BARRINGTON, an incorporated town within Strafford County in the State of New Hampshire, acting by and through its Board of Selectmen

By: _____
Name:
Selectman

By: _____
Name:
Selectman

By: Jacqueline E. Kessler
Name:
Selectman

By: Charles Weeks
Name:
Selectman

By: Michael S. Clark
Name:
Selectman

STATE OF NEW HAMPSHIRE }
 }ss:
COUNTY OF Strafford }

Then personally appeared before me the said Jacqueline Kessler, Charles Weeks
Michael Clark, _____ and _____, Selectmen of the Town of
Barrington, and acknowledged the foregoing instrument to be their free act and voluntary act and
deed on behalf of said Town of Barrington, this 25th day of March, 2010.



Carolyn M. Berryment
Name:
Notary Public
My commission expires:

CAROLYN M. BERRYMENT, Notary Public
My Commission Expires September 27, 2011
5

Accepted by the State of New Hampshire acting through its Fish and Game Department on this 29 day of March, 2010

[Signature]
Glenn Normandeau, Executive Director
New Hampshire Fish and Game Department



STATE OF NEW HAMPSHIRE
COUNTY OF MERRIMACK

The foregoing instrument was acknowledged before me this 29th day of March, 2010 by Glenn Normandeau, the Executive Director, New Hampshire Fish and Game, on behalf of the State.

[Signature]
Notary Public/Justice of the Peace
My commission expires: _____

TANYA L. HASKELL, Notary Public
My Commission Expires October 21, 2010

Approved by the Governor and Executive Council: Date: March 24, 2010 Item #: 54

Approved by the Department of Justice as to form, substance and execution on this 29th day of March, 2010:

[Signature]
Assistant Attorney General
Suzan Lehmann

CERTIFICATE

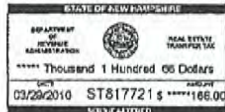
I do hereby certify that the attached document is a true copy of the instrument as recorded in the Registry of Deeds for the County of Strafford, State of NH, and referenced as Bk 3822 Pg 0357, the records of which I am the custodian.

Dated: MAR 29, 2010

Dover, NH
Attest

Leo E. Lessard Deputy
Leo E. Lessard-Register of Deeds

Doc # 0004128 Mar 29, 2010 1:27 PM
Book 3822 Page 0357 Page 1 of 11
Register of Deeds, Strafford County



WARRANTY DEED

Carolyn S. Bedford, Trustee of the Carolyn S. Bedford Trust of 1990 a with a mailing address of 557 Route 202, Barrington, NH 03825 ("Grantor"), for consideration paid, grants to The Strafford Rivers Conservancy, Inc. with a mailing address of P.O. Box 623, Dover, NH 03821 ("Grantee"), with WARRANTY COVENANTS, the following property:

A certain parcel of land with the improvements thereon if any situate in Barrington, Strafford County, New Hampshire, shown on a plan entitled "Wetlands Reserve Program Conservation Easement, WRP Contract #6614280912, Tax Map 243 Lots 3 & 6 & Tax Map 246 Lots 2 & 9 Routes 9 & 202 and Longmarsh Road, Barrington, NH Owner: Carolyn S. Bedford Rev. Trust of 1990, Dated February 26, 2010, Scale: 1" = 120'", prepared by Eric C. Mitchell & Associates, Inc", (the "Plan") recorded of near or even date herewith, being more particularly described on Exhibit A attached hereto and incorporated herein (collectively, the "Property"):

SUBJECT TO such state of facts as shown on the Plan,

SUBJECT TO a Warranty Easement Deed in Perpetuity of near or even date herewith and recorded near or even date herewith to the United States of America acting by and through the Natural Resource Conservation Service, Department of Agriculture (the "Conservation Easement").

SUBJECT TO all notations, facts, easements and issues as shown on Plan #18-2 recorded in the Strafford County Registry of Deeds.

SUBJECT TO Title to and rights of others in and to the waters of Stonehouse Pond and Stonehouse Brook.

SUBJECT TO Dced and Easements to the State of New Hampshire dated 7/6/61 and recorded in Volume 735, Page 288 of the Strafford County Registry of Deeds.

SUBJECT TO Pass-way over property as described in deed dated 3/14/73 and recorded in Volume 921, Page 368 of the Strafford County Registry of Deeds.

SUBJECT TO Dam order recorded in Volume 928, Page 418 of the Strafford County Registry of Deeds.

SUBJECT TO Petition and Commissioners Return of Highway Layout at Volume 733, Page 255 of the Strafford County Registry of Deeds.

SUBJECT TO Easement right of way for access as described in deed dated 11/6/1843 and recorded in Volume 193, Page 17 of the Strafford County Registry of Deeds.

SUBJECT TO a Petition for Service Extension by Twin State Gas and Electric Co recorded in Volume 438, Page 228 of the Strafford County Registry of Deeds.

SUBJECT TO Easement and Right of Way to Public Service Company of NH dated 8/5/52 and recorded in Volume 609, Page 286 of the Strafford County Registry of Deeds.

SUBJECT TO Easements to NH Electric Cooperative dated 8/2/40 and recorded in volume 906, Page 344 and dated 7/26/40 and recorded in Volume 906, Page 350 of the Strafford County Registry of Deeds.

The property is currently in current use and is conveyed subject to any lien for current use change tax pursuant to RSA 79-A.

The Grantor is hereby ALSO CONVEYING AND GRANTING, without covenants, an Executory Interest in the Property for enforcement of the Purposes, defined below, to the TOWN OF BARRINGTON, a municipal corporation and public instrumentality of the State of New Hampshire with a mailing address of 41 Province Lane, Barrington, NH 03825 (the "Town") and an Executory Interest in the Property for enforcement of the Purposes and a contingent right of termination to the State of New Hampshire acting by and through the Department of Fish and Game with a mailing address of 11 Hazen Drive, Concord, NH 03301 (the "State", hereinafter the Town and the State shall be referred to individually as the "Executory Interest Holder" or collectively as the "Executory Interest Holders", which, unless the context clearly indicates otherwise, includes any successor or assign). The Executory Interest Holders may act together or separately when enforcing the Purposes herein and shall provide notice to the other Executory Interest Holder in the event they become aware of a violation.

The executory interests are conveyed exclusively for protecting the Property for the following purposes and uses: scenic values, cultural significance, forest management, low-impact outdoor recreation including but not limited to hunting, fishing and trapping; water quality, fish & wildlife habitat, and other conservation purposes (the "Purposes").

The following conditions apply:

Except in furtherance of the Purposes for which the Grantee has acquired the Property, the Grantee shall not give, grant, sell, convey, transfer, mortgage, pledge or otherwise encumber the Property without the prior written approval of the Executory Interest Holders, such approval not to be unreasonably withheld. The

Executory Interest Holders hereby consent to the transfer of the Property to any qualified organization within the meaning of Section 170(h)(3) of the U.S. Internal Revenue Code of 1986, as amended, which organization has among its purposes the conservation and preservation of land and water.

If the Grantee ceases to adhere to the conditions or the Purposes set forth above within thirty (30) days after receipt of written notice of a material breach, delivered in hand or by certified mail, return receipt requested, from either Executory Interest Holder, then subject to applicable laws and regulations, the Executory Interest Holder shall have the right to enforce the conditions of this deed by an action at law or in equity as may be provided by law and only if such action is available against Grantee.

Further, the State shall have the right and power to terminate the interest of Grantee in the Property in the event that a material breach of the Purposes set forth above, and such material breach has not been cured after notice and opportunity to cure as described below. The State shall record a notice in the Strafford County Registry of Deeds ("Notice") declaring that it is exercising its power of termination and giving Grantee a period of at least ninety (90) days from the date of Grantee's receipt of the Notice to correct the material breach. If the material breach is not cured within the stated time period (or any extension agreed to in writing by the the State), then the termination shall become final. Upon termination, all legal and equitable fee simple title in the Property shall be assignable by the State to any qualified organization within the meaning of Section 170(h)(3) of the U.S. Internal Revenue Code of 1986, as amended, which organization has among its purposes the conservation and preservation of land and water. Such organization shall assume and thereafter possess all interests, rights, responsibilities and duties of record previously granted to and incumbent upon Grantee at that point.

The Executory Interest Holders shall have reasonable access to the Property and all of its parts for such inspection as each Executory Interest Holder finds necessary to determine compliance with and enforce the terms hereof, to exercise the rights conveyed hereby, to carry out the duties assumed by the Executory Interest Holder, and to maintain boundaries, if the Executory Interest Holder desires.

The interests held by the Executory Interest Holder are assignable or transferable to any qualified organization within the meaning of Section 170(h)(3) of the U.S. Internal Revenue Code of 1986, as amended, which organization has among its purposes the conservation and preservation of land and water. Any such assignee or transferee shall have like power upon such assignment or transfer. In the event of any foreclosure or other exercise of rights under this right of termination by the Executory Interest Holder, its successors and assigns, the Property secured thereby shall continue to be subject to all of the restrictions and other terms and conditions set forth in this Deed.

Subject to applicable laws and regulations, the restrictions above shall be enforceable in perpetuity by actions at law or by proceedings in equity.

For Grantor's title see deed of Alice Garnett dated August 31, 2000 and recorded in the Strafford County Registry of Deeds at Book 2228 Page 370 and Deed of Carolyn S. Bedford dated October 30, 2007 and recorded in said Registry at Book 3591, Page 26.

This is not homestead property of the Grantor or her spouse.

IN WITNESS WHEREOF, Grantor has hereunto set her hand and seal this 29th day of March, 2010.

Carolyn S. Bedford, Trustee
Carolyn S. Bedford, Trustee
Carolyn S. Bedford Trust of 1990

STATE OF NEW HAMPSHIRE
COUNTY OF STRAFFORD

The foregoing was acknowledged before me this 29th day of March, 2010,
Carolyn S. Bedford, as Trustee of the Carolyn S. Bedford Trust of 1990, known to me
satisfactorily proven as her free act and deed in said capacity.



Michael Peckham
Notary Public
Print Name: Michael Peckham
My Commission expires: 10-10-2011

ACCEPTED BY:

Accepted by the TOWN OF BARRINGTON, an incorporated town within Strafford County in the State of New Hampshire, acting by and through its Board of Selectmen

By: _____
Name:
Selectman

By: _____
Name:
Selectman

By: Jaqueline Kessler
Name:
Selectman

By: Charles Weeks
Name:
Selectman

By: Michael S. Clark
Name:
Selectman

STATE OF NEW HAMPSHIRE }
COUNTY OF Strafford } ss:

Then personally appeared before me the said Jaqueline Kessler, Charles Weeks, Michael Clark and _____, Selectmen of the Town of Barrington, and acknowledged the foregoing instrument to be their free act and voluntary act and deed on behalf of said Town of ~~Wendell~~ Barrington, this 25th day of March 2010.

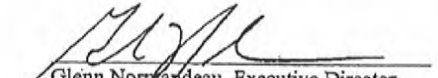


Carolyn M. Berryment
Name:
Notary Public
My commission expires:

CAROLYN M. BERRYMENT, Notary Public
My Commission Expires September 27, 2011

ACCEPTED BY:

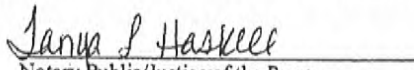
Accepted by the State of New Hampshire acting through its Fish and Game Department on this 29 day of March, 2010


Glenn Normandeau, Executive Director
New Hampshire Fish and Game Department



STATE OF NEW HAMPSHIRE
COUNTY OF MERRIMACK

The foregoing instrument was acknowledged before me this 29th day of January, 2010 by Glenn Normandeau, the Executive Director, New Hampshire Fish and Game, on behalf of the State.


Notary Public/Justice of the Peace
My commission expires: _____ TANYA L. HASKELL, Notary Public
My Commission Expires October 21, 2010

Approved by the Governor and Executive Council: Date: March 24, 2010 Item #: 54

Approved by the Department of Justice as to form, substance and execution on this 29th day of January, 2010:



Assistant Attorney General
Suzan Lehmann

Exhibit A

The property located in the Town of Barrington, County of Strafford, State of New Hampshire, and shown on a plan entitled "Wetlands Reserve Program Conservation Easement, WRP Contract #6614280912, Tax Map 243 Lots 3 & 6 & Tax Map 246 Lots 2 & 9 Routes 9 & 202 and Longmarsh Road, Barrington, NH Owner: Carolyn S. Bedford Rev. Trust of 1990, Dated February 26, 2010, Scale: 1" = 120'", prepared by Eric C. Mitchell & Associates, Inc. to be recorded herewith and further described as follows: Plat # 99-9

All bearings of this description are turned from grid north based on the New Hampshire State Plane Coordinate System and all distances are based on the current survey.

Beginning at an iron rod set at the northerly corner of the herein described premises, said rod is located at the northwesterly corner of land now or formerly Richard Neal and on the southerly line of Route 9 & 202; thence

South 24°49'15" East, a distance of 224.86 feet to an iron rod found; thence

South 57°04'39" East, a distance of 701.57 feet to an iron rod found; thence

North 34°48'26" East, a distance of 244.59 feet to a nail found in a 14" hemlock tree; thence

North 27°36'42" East, a distance of 441.94 feet to an iron rod set; thence

North 32°19'17" East, a distance of 159.90 feet to an iron rod set; thence

North 42°15'17" East, a distance of 218.55 feet to an iron rod set on the southerly side of Longmarsh Road (the previous six courses are bound by land of said Neal); thence

South 46°49'51" East, a distance of 99.73 feet to an iron rod set; thence

South 58°40'46" East, a distance of 253.94 feet to an iron rod set; thence

Southeasterly along a curve to the right with a radius of 250.00 feet, a distance of 203.05 feet (chord bearing of South 35°24'41" East, a distance of 197.52 feet) to an iron rod set; thence

South 12°08'37" East, a distance of 173.08 feet to an iron rod set; thence

Southeasterly along a curve to the left with a radius of 242.07 feet, a distance of 158.95 feet (chord bearing of South 30°57'16" East, a distance of 156.11 feet) to a drill hole set in ledge; thence

South 49°45'54" East, a distance of 152.39 feet to an iron rod set; thence

South 73°56'05" East, a distance of 243.44 feet to a magnetic nail set in a hemlock root; thence

South 62°44'26" East, a distance of 128.06 feet to an iron rod set at the northwesterly corner of land now or formerly the Sherwood West Corp. (the previous eight courses are bounded by the southerly side of said Longmarsh Road); thence

South 32°58'45" West along land of said Sherwood West Corp. and land now or formerly Barrington Pride Corp, a distance of 5,210.47 feet to an iron rod found; thence

North 50°42'02" West along other land of said Barrington Pride Corp., land now or formerly Golden Ponds Hunting and Fishing and other land of Barrington Pride Corp., a distance of 1,030.12 feet to an iron rod found; thence

South 34°22'11" West along land of said Barrington Pride Corp., a distance of 33.05 feet to a spike found in a ring of stones; thence

South 32°19'50" West along land of said Barrington Pride Corp, a distance of 3,060.02 feet to a point on the town line of Barrington and Nottingham; thence

North 50°12'23" West along said town line, a distance of 173.47 feet to a point at land now or formerly Richard & Trudy Brady; thence

North 31°46'35" East along land of said Brady, a distance of 3,009.59 feet to an iron rod found at land now or formerly of Shirley M Gowen Revocable Trust; thence

North 30°54'12" East, a distance of 86.58 feet to an iron rod found; thence

North 30°27'20" East, a distance of 1,131.73 feet to an iron rod found; thence

North 52°04'43" West, a distance of 1,384.12 feet to an iron rod found at land now or formerly Justin Harty (the previous three courses are bounded by land of said Gowen); thence

North 30°02'31" East along land of said Harty, land now or formerly Gregory Ellis Hutchins, land now or formerly Joseph & Marlene Schena and land now or formerly Pamela Trefethen, a distance of 1,366.61 feet to an iron rod found at land now or formerly The Trust for Public Land; thence

South 52°04'02" East along land of said Trust for Public Land, a distance of 120.09 feet to an iron rod found; thence

South 52°50'28" East along land of said Trust for Public Land, a distance of 977.03 feet to a iron rod set at the shore of Stonehouse Pond; thence

South 85°22'04" West, a distance of 245.00 feet to a point; thence
South 69°22'01" West, a distance of 120.00 feet to a point; thence
South 71°43'08" West, a distance of 195.00 feet to a point; thence
South 38°38'54" West, a distance of 70.00 feet to a point; thence
South 00°11'48" West, a distance of 145.00 feet to a point; thence
South 53°57'30" East, a distance of 55.00 feet to a point; thence
South 71°30'10" East, a distance of 115.00 feet to a point; thence
South 73°49'37" East, a distance of 135.00 feet to a point; thence
South 49°43'05" East, a distance of 132.00 feet to a point; thence
South 25°09'02" East, a distance of 135.00 feet to a point; thence
South 18°26'59" East, a distance of 185.00 feet to a point; thence
South 76°22'39" East, a distance of 65.00 feet to a point; thence
South 70°50'12" East, a distance of 112.00 feet to a point; thence
South 72°15'08" East, a distance of 135.00 feet to a point; thence
South 84°26'10" East, a distance of 110.00 feet to a point; thence
North 75°01'02" East, a distance of 62.00 feet to a point; thence
North 47°47'45" East, a distance of 85.00 feet to a point; thence
North 38°09'26" East, a distance of 110.00 feet to a point; thence
North 24°23'29" East, a distance of 140.00 feet to a point; thence
North 15°09'20" East, a distance of 115.00 feet to a point; thence
North 19°31'35" West, a distance of 160.00 feet to a point; thence
North 46°12'44" West, a distance of 211.00 feet to a point; thence
North 79°31'49" West, a distance of 90.00 feet to a point; thence

North 65°17'38" West, a distance of 61.00 feet to a point; thence

North 08°58'16" West, a distance of 60.00 feet to a point; thence

North 01°38'40" East, a distance of 114.00 feet to a point; thence

North 26°52'20" East, a distance of 86.00 feet to a drill hole set in a rock at the shore of said Stonehouse Pond at land now or formerly NHDOT (the previous twenty seven courses are bounded by said Stonehouse Pond); thence

South 69°40'32" East, a distance of 39.03 feet to an iron rod set; thence

North 06°52'48" East, a distance of 100.00 feet to an iron rod found; thence

North 73°07'12" West, a distance of 61.00 feet to a point at the thread of a stream; thence

North 08°37'14" West along the thread of said stream, a distance of 15.00 feet to a point; thence

North 75°19'07" West along the thread of said stream, a distance of 24.00 feet to a point; thence

North 71°13'13" West along the thread of said stream, a distance of 45.00 feet to a point; thence

North 59°22'18" West along the thread of said stream, a distance of 45.00 feet to a point; thence

North 31°21'26" West along the thread of said stream, a distance of 70.00 feet to a point; thence

South 59°50'26" West, a distance of 33.00 feet to an iron rod found; thence

Northwesterly along a curve to the left with a radius of 163.25 feet, a distance of 137.61 feet (chord bearing of North 53°17'43" West, a distance of 133.57 feet) to an iron rod found; thence

North 77°31'33" West, a distance of 145.04 feet to an iron rod found; thence

Northwesterly along a curve to the right with a radius of 123.25 feet, a distance of 106.35 feet (chord bearing of North 52°55'58" West, a distance of 103.08 feet) to an iron rod found; thence

North 28°00'34" West, a distance of 58.84 feet to an iron rod found; thence

Northeasterly along a curve to the right with a radius of 362.00 feet, a distance of 406.26 feet (chord bearing of North 04°11'06" East, a distance of 385.27 feet) to an iron rod found; thence

North 36°38'18" East, a distance of 194.33 feet to an iron rod set; thence

Northeasterly along a curve to the left with a radius of 593.00 feet, a distance of 371.82 feet (chord bearing of North 18°41'13" East, a distance of 365.76 feet) to an iron rod found; thence

North 00°40'01" East, a distance of 64.38 feet to an iron rod set on the southerly side of said Route 202 & 9 (the previous seventeen courses are bounded by land of said NHDOT); thence

North 57°40'42" East, a distance of 68.73 feet to an iron rod set; thence

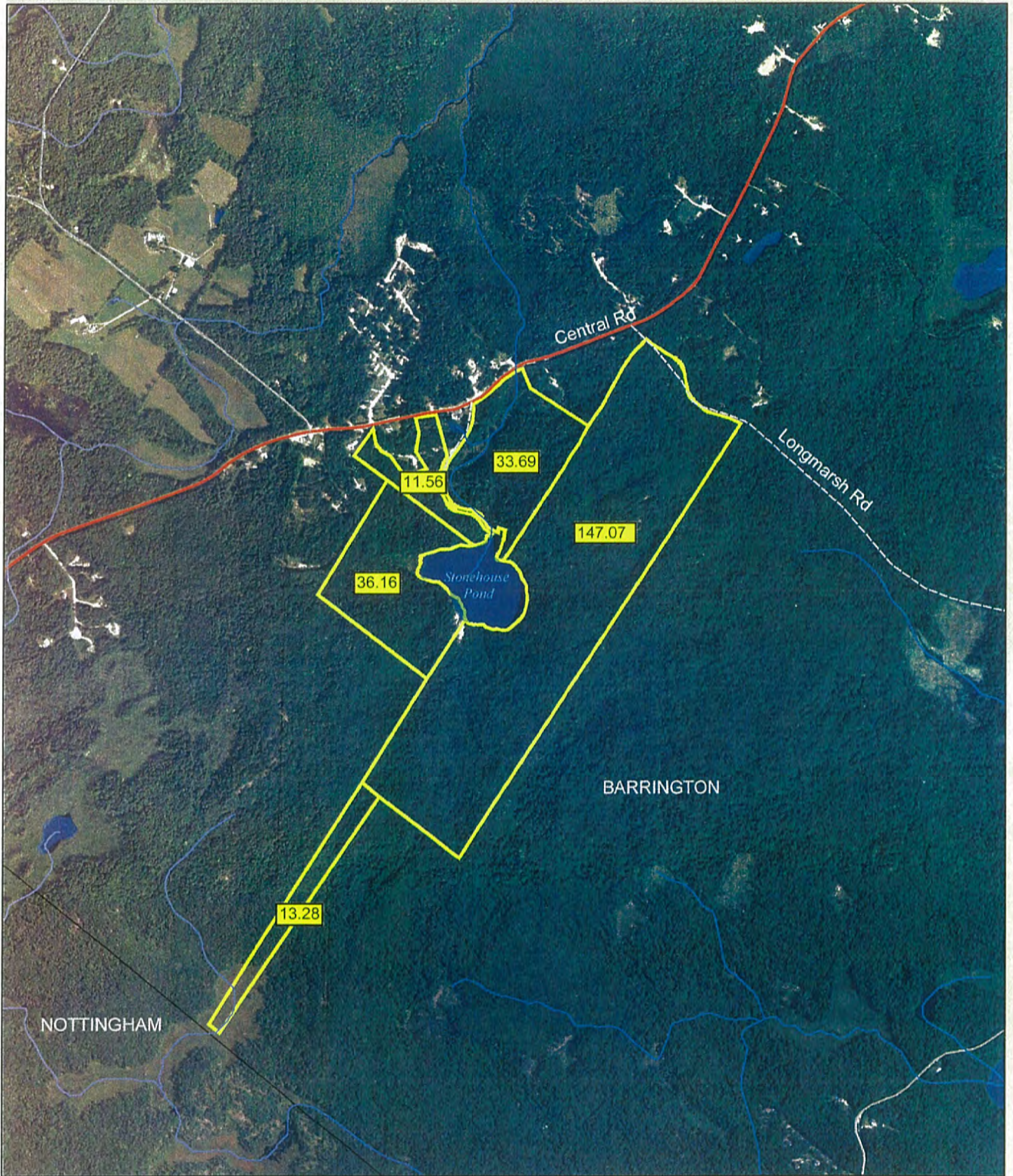
Northeasterly along a curve to the left with a radius of 821.45 feet, a distance of 149.17 feet (chord bearing of North 52°28'34" East, a distance of 148.96 feet) to an iron rod set; thence

North 47°16'26" East, a distance of 155.40 feet to an iron rod set; thence

Northeasterly along a curve to the right with a radius of 824.60 feet, a distance of 257.40 feet (chord bearing of North 56°12'59" East, a distance of 256.36 feet) to the point of beginning (the previous four courses are bounded by the southerly side of said Route 202 & 9).

Containing approximately 10,027,400 square feet or 230.20 acres and is subject to all matters as shown on said plan.

Aerial of Stonehouse Pond Property, Barrington, NH



Stonehouse Pond Project

0 0.125 0.25 0.5 Miles



Map created by the Trust for Public Land on March 12, 2009. Base data from NH GRANIT, 2006 Barrington Parcel data courtesy of Strafford Regional Planning Commission.

TRUST
FOR
PUBLIC
LAND

Information on this map is provided for purposes of discussion and visualization only.



Stonehouse Pond Locus Map ~ Barrington, NH

