

MASSACHUSETTS EXCISE TAX
Hampshire District ROD #13 001
Date: 08/26/2003 02:28 PM
ctrl# 007276 31204 Doc# 00036989
Fee: \$1,545.84 Cons: \$339,000.00

Affected Premises:
43 Butterfield Terrace
Amherst, MA



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Recorded: 08/26/2003 02:28 PM

WARRANTY DEED

ALFRED W. BOICOURT and RUTH C. BOICOURT, of Amherst, Massachusetts,
in consideration of THREE HUNDRED THIRTY-NINE THOUSAND (339,000.00)
DOLLARS,

grant, with WARRANTY COVENANTS,

to L. MICHAEL ALPERT, of 93 Kirkland Street, I-L, Cambridge, MA 02138-2081,

the premises described on Exhibit A attached hereto and made a part hereof:

Executed as a sealed instrument this 21st day of August, 2003.

Alfred W. Boicourt

Ruth C. Boicourt

COMMONWEALTH OF MASSACHUSETTS

Hampshire, ss

August 21, 2003

Then personally appeared the above-named Alfred W. Boicourt and Ruth C. Boicourt and acknowledged the foregoing instrument to be their free act and deed, before me,

JEFFERY B. BROWN, NOTARY PUBLIC
COMMISSION EXPIRES JULY 18, 2008

EXHIBIT A**43 Butterfield Terrace, Amherst, MA**

Being the same premises described in deed of Harold E. Struthers and Amelia R. Struthers to Alfred W. Boicourt and Ruth C. Boicourt dated November 20, 1945, recorded in Hampshire County Registry of Deeds Book 996, Page 393:

the land in Amherst, County of Hampshire, Massachusetts, situated on Butterfield Terrace, being in part lot number (2) on a plan of lots recorded with Hampshire County Registry of Deeds Plan Book 3, Page 32, bounded as follows:

Beginning at a point marked by an iron pin on the East side of said Butterfield Terrace, said point being the northwest corner of lot number one (1) on said plan, and being the southwest corner of the granted premises; thence South $85^{\circ} 43'$ E. two hundred fifty-nine and six tenths (259.6) feet on lot number one (1) on said plan and on land belonging to Nathan P. Avery of Holyoke, Massachusetts, to an iron pin on the west side of a proposed street to be known as Baker Avenue; thence N. 6° E. ninety-nine (99) feet on said Baker Avenue to an iron pin; thence N. $85^{\circ} 43'$ W. two hundred thirty-seven and one tenth (237.1) feet on land belonging to said Nathan P. Avery and on lot number three (3) on said plan to a point and an iron pin on the East side of Butterfield Terrace; thence southerly on the east side of Butterfield Terrace one hundred two and seven tenths (102.7) feet on the arc of the curve having a radius of fourteen hundred thirty-nine and two-tenths (1439.2) feet to the point of beginning as indicated on the plan filed with the deed from the Commonwealth of Massachusetts to Charles N. Clark, recorded in Book 709, Page 481.

Together with a right of way fifteen (15) feet in width along the southerly line of lot number five (5) on said plan of lots and further to said Baker Avenue; and also a right of way fifteen (15) feet in width extending from said fifteen (15) foot passageway southerly along the west line of land belonging to said Nathan P. Avery to the granted premises.

The above premises are the same described in deed of Frederick Morse Cutler to Lillian M. Cutler dated October 5, 1933, recorded in Hampshire Registry of Deeds Book 890, Page 197. For further description see Plan of Land of F. M. Cutler, Amherst, Massachusetts, recorded in Plan Book 18 Page 51.

Also hereby conveying a right of way to pass and repass in common with H. Ruth McIntire, her heirs and assigns, over the following described tract of land located off the Easterly side of Butterfield Terrace in Amherst, County of Hampshire, Massachusetts, to wit: Beginning at an iron pin at the Northeasterly corner of land of said Cutler, it being located two hundred and thirty-seven and one-tenth (237.1) feet Easterly from the Easterly line of said Butterfield Terrace; thence running Northerly in a continuation of the Easterly line of said Cutler land along other land of said McIntire over which said Cutler also has a right of way, a distance of fifteen (15) feet to an iron pin; thence running Westerly along other land of said McIntire a distance of eighty-five (85) feet to an iron pin at other land of said McIntire over which said Cutler has a right of way; thence running Southerly along said right of way fifteen (15) feet to the

Northerly line of land of said Cutler; thence running Easterly along said Cutler land eighty-five (85) feet to the point of beginning.

Said right of way, together with the other rights of way above mentioned are shown by dotted lines on a Plan entitled "Plan of Land of H. Ruth McIntire", dated October, 1939, drawn by L. V. Loy, recorded in Hampshire County Registry of Deeds Plan Book 23 Page 47, to which reference is made for further description.

Also hereby conveying the right to build and maintain a suitable pavement on and over the right-of-way fifteen (15) feet in width above described, and also on or over the rights of way fifteen (15) feet in width extending from a point fifteen (15) feet Northerly of the Southerly line of Lot #5 as shown on Plan recorded in Hampshire Deeds Plan Book 5 Page 35; Southerly along the Westerly portion of land of said H. Ruth McIntire, formerly of one Avery, and bounded on the West by a portion of said Lot #5 and by Lots #3 and #4 as shown on said Plan, to the Northerly line of land of said Cutler; and also, on and over a strip of land fifteen (15) feet in width and one hundred and fourteen (114) feet in length, being the most westerly portion of the right of way excepted and reserved in deed from said Cutler to said McIntire dated November 6, 1939 and recorded in Hampshire Deeds Book 945 Page 447.

For title to said right of way and easement see deed of H. Ruth McIntire to Lillian M. Cutler dated November 6, 1939, recorded in Hampshire Deeds Book 945 Page 446.

Also hereby conveying the right-of-way which was expressly excepted and reserved in deed of Lillian M. Cutler to H. Ruth McIntire dated November 6, 1939, recorded in Hampshire Deeds Book 945 Page 447, and therein described as follows:

A right-of-way over the following-described parcel of land, it being a section of said Baker Avenue, so-called, bounded and described as follows: Beginning at an iron pin in the Southeasterly corner of land of said Cutler, it being located two hundred and fifty-nine and six tenths (259.6) feet Easterly from the Easterly line of Butterfield Terrace; thence running Northerly along said Cutler land ninety-nine (99) feet to an iron pin at said Cutler's Northeast corner, said point being two hundred thirty-seven and one-tenth (237.1) feet Easterly from the Easterly line of Butterfield Terrace; thence continuing Northerly in a straight extension of the last described line fifteen (15) feet to an iron pin at a corner; thence running Easterly at right angles with the last described line, a distance of forty (40) feet to an iron pin; thence running Southerly at right angles with the last-described line a distance of one hundred and fourteen (114) feet to an iron pin at a corner; thence running Westerly at right angles with the last described line forty (40) feet to an iron pin at the point of beginning. Said last described line being an extension of the Southerly line of land of said Cutler.

ATTEST: HAMPSHIRE, Marianne L. Donohue, REGISTER
MARIANNE L. DONOHUE