

EASEMENT FOR SUPPORT

KNOW ALL PERSONS BY THESE PRESENTS that I, Nathaniel M. Hayward, of the Town of South Hero, County of Grand Isle, and State of Vermont, GRANTOR, in consideration of Ten and More Dollars paid to my full satisfaction by Sisters and Brothers Investment Group, LLP, of the City of Burlington, County of Chittenden and State of Vermont, GRANTEE, by these presents, do freely GIVE, GRANT, SELL, CONVEY, and CONFIRM unto the said Sisters and Brothers Investment Group, LLP, and its successors and assigns forever, the perpetual use and easement for support on and under certain lands located at 380 Colchester Avenue, in the City of Burlington, County of Chittenden and State of Vermont, for the purpose of providing support to a retaining wall to be constructed by the Grantee at 110 Riverside Avenue, in the City of Burlington and State of Vermont, and more particularly described herein:

Being a perpetual easement for support for the purposes of maintaining a certain retaining wall to be located on property owned by the Grantee herein by virtue of a certain Warranty Deed from _____ to Sisters and Brothers Investment Group dated _____ and recorded at Volume ____, Page ____ of the Land Records of the City of Burlington; specifically, for the installation, use, and maintenance of certain underground fixtures to be installed by Grantee for the purpose of securing Grantee's retaining wall, all as shown on a plan entitled "Exhibit A, Permanent and Temporary Construction Easements, Sisters & Brothers Investment Group, 110 Riverside Avenue, Burlington, Vermont" and prepared by Trudell Consulting Engineers, dated _____, and shown and designated on said Exhibit A as "proposed permanent easement area subsurface for soil anchors."

Said easement for support is located on a portion of all and the same lands and premises conveyed to the Grantor herein, Nathaniel M. Hayward, by Warranty Deed of Ghislaine I. Leveillee, dated March 7, 2014, and recorded at Volume 1244, Pages 201-203 of the Land Records of the City of Burlington.

Said easement shall be used by the Grantee, its successors and assigns, for underground support of the aforementioned retaining wall only, and after construction by the Grantee, and no other use of said easement is hereby authorized or permitted.

Grantee, its successors and assigns, shall have the right to construct, reconstruct, repair, maintain, and replace said supports and soil anchors at its sole cost and expense.

Grantee further agrees, for itself and its successors and assigns, that any ground lying either inside or outside the area of the easement and within the easement itself which shall be disturbed by the installation, replacement, maintenance or repair of said subsurface structures shall be restored to its previous condition at Grantee's own cost and within a reasonable time of any disturbance, not to exceed thirty days therefrom.

Reference is hereby made to the above-mentioned plan and deed and the records thereof, and the references therein made all in further aid of this description.

TO HAVE AND TO HOLD said granted premises, with all the privileges and appurtenances thereof, to the said GRANTEE, Sisters and Brothers Investment Group, LLP, and its successors and assigns forever, to its own use and behoof forever; And I the said GRANTOR, Nathaniel M. Hayward, my heirs, executors, administrators, successors, and assigns, do covenant with the said GRANTEE, Sisters and Brothers Investment Group, LLP, and its successors and assigns forever, the GRANTOR is lawfully seized in fee simple of the aforesaid lands, that said lands are free from all encumbrances, except any easements, rights of way, covenants and restrictions of record, and that the GRANTOR has good right and title to sell and convey the rights aforesaid and shall WARRANT AND DEFEND the same against all lawful claims whatever, except as aforesaid.

IN WITNESS WHEREOF, I hereunto set my hand and seal this _____ day of February, 2020. GRANTOR

Nathaniel M. Hayward

STATE OF VERMONT
COUNTY OF CHITTENDEN, SS.

At Burlington, Vermont, this ____ day of February, 2020, personally appeared Nathaniel M. Hayward and acknowledged this instrument, by him, sealed and subscribed, to be his free act and deed.

Before me, _____
Notary Public
My commission expires 1/31/2021
Name: _____

Commission Number: _____