

## EASEMENT

### **TO ALL PEOPLE TO WHOM THESE PRESENTS SHALL COME, GREETING:**

KNOW YE, THAT **THE NEVAR COMPANY**, a Connecticut corporation, with a principal place of business in the Town of Cheshire, County of New Haven and State of Connecticut (hereinafter called the "Grantor"), the owner of all those certain pieces or parcels of land located in the Town of Montville, County of New London and State of Connecticut, shown on that certain map entitled:

“PROJECT: PROPOSED 1-LOT RESUBDIVISION OF 958 ROUTE 163 (PARCEL ID : 046-008-000) OAKDALE, CONNECTICUT JULY 17, 2023 SHEET TITLE SUBDIVISION PLAN (SHEET 1 OF 2) SHEET #: 1.11", Plan Date 07/17/23, scale 1"=60", prepared by Solli Engineering, 501 Main Street, Monroe, CT 06468, 11 Vanderbilt Ave, Norwood, MA 02062;

which map is on file in the Montville Town Clerk's office, does hereby bargain, sell, convey, transfer and deliver unto **RAYMOND B. MOSTOWY SR. & SHIRLEY D. MOSTOWY**, of the Town of Montville, County of New Haven and State of Connecticut (hereinafter referred to as Grantees), a perpetual easement over those two (2) portions of the Grantor's property shown on said Map as: "PROPOSED DRAINAGE EASEMENT OVER LOT 1 (958 ROUTE 163 / 046 - 008 - 000) BENEFITTING THE PROPERTY OF 968 ROUTE 163 (SEE EASEMENT ENLARGEMENT HEREON) AREA = 1,083 ± SF" and “PROPOSED DRAINAGE EASEMENT OVER LOT 2 (950 ROUTE 163 / 046 - 008 - 00C) BENEFITTING THE PROPERTY OF 968 ROUTE 163 (SEE EASEMENT ENLARGEMENT HEREON) AREA = 2,582 ± SF”, which easement area is more particularly bounded and described on Schedule “A” attached hereto; for the purpose of water drainage from the Grantees' property known as 968 Route 163, Montville, Connecticut, which property is described in Schedule “B,” attached hereto and made a part hereof, including the right of repair, replacement and maintenance of a drainage pipe currently existing within said easement area. Provided, however, that any work hereby authorized shall be done in a good and workmanlike manner, and after said work is performed, the premises described herein shall be placed in as good

condition as they were immediately before the performance of said work as nearly as practicable.

The Grantor reserves to itself, its successors and assigns, the right to use the land over which the easement is granted in any manner which does not interfere with the use thereof by the Grantees, their heirs and assigns, in fulfilling the purpose for which this easement is granted.

The purpose of this instrument is to grant a permanent drainage easement to the Grantees, to run with the land and inure to the benefit of the Grantees and all subsequent owners of 968 Route 163, Montville, Connecticut, their heirs, successors and assigns, and all persons claiming under them.

IN WITNESS WHEREOF, THE NEVAR COMPANY has hereunto set its hand this \_\_\_\_\_ day of October, 2023.

THE NEVAR COMPANY

\_\_\_\_\_  
BY \_\_\_\_\_  
DEAN B. FISKE  
Its President

STATE OF CONNECTICUT     )  
  )  
COUNTY OF NEW HAVEN     )     ss:     Cheshire

On this, the \_\_\_\_\_ day of September, 2023, before me, the undersigned officer, personally appeared **DEAN B. FISKE** who acknowledged him/herself to be the President of **THE NEVAR COMPANY**, a corporation, and that he/she, as such, being authorized so to do, executed the foregoing instrument for the purposes contained therein by signing the name of the corporation by him/herself as President.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

\_\_\_\_\_  
Commissioner of the Superior Court  
Notary public  
My commission expires:

**SCHEDULE "A"**  
**EASEMENT AREA**

**DRAINAGE EASEMENT OVER LOT 1**

Commencing at a concrete bound in the westerly street line of Connecticut Route #163 at the northeasterly corner of the land of Lot 1 (958 Route 163 / 046 - 008 - 000) and on the dividing line between Lot 1 (958 Route 163 / 046 - 008 - 000) and remaining land now or formerly of Raymond and Mary J. Mostowy; thence running S85°30'24"W for a distance of fifty and 92/100 feet (50.92') to a set rebar; thence running N04°34'28"W for a distance of one hundred and twenty one and 88/100 feet (121.88') to a set rebar; thence running S85°44'19"W for a distance of one hundred and fifty eight and 02/100 feet (158.02') to a point and place of beginning;

Thence running S00°00'00"E for a distance of twenty and 06/100 feet (20.06') to a point;

Thence running S85°44'19"W for a distance of fifty three and 58/100 feet (53.58') to a point;

Thence running N04°15'41"W for a distance of twenty and 00/100 feet (20.00') to a point;

Thence running N85°44'19"E for a distance of fifty five and 07/100 feet (55.07') to the point and place of beginning, containing 0.025± acres of land.

**DRAINAGE EASEMENT OVER LOT 2**

Commencing at a concrete bound in the westerly street line of Connecticut Route #163 at the northeasterly corner of the land of Lot 1 (958 Route 163 / 046 - 008 - 000) and on the dividing line between Lot 1 (958 Route 163 / 046 - 008 - 000) and remaining land now or formerly of Raymond and Mary J. Mostowy; thence running S85°30'24"W for a distance of fifty and 92/100 feet (50.92') to a set rebar; thence running N04°34'28"W for a distance of one hundred and twenty one and 88/100 feet (121.88') to a set rebar; thence running S85°44'19"W for a distance of one hundred and fifty eight and 02/100 feet (158.02') to a point; thence running S00°00'00"E for a distance of twenty and 06/100 feet (20.06') to a point and place of beginning;

Thence running S00°00'00"E for a distance of fifty and 00/100 feet (50.00') to a point;

Thence running S85°34'48"W for a distance of forty nine and 86/100 feet (49.86') to a point;

Thence running N04°15'41"W for a distance of fifty and 00/100 feet (50.00') to a point;

Thence running N85°44'19"E for a distance of fifty three and 58/100 feet (53.58') to the point and place of beginning, containing 0.059± acres of land.

**SCHEDULE "B"**  
**GRANTEES' PROPERTY**

A certain tract or parcel of land, together with the buildings and improvements thereon, if any, situated on the Westerly side of Connecticut Route #163 in the Town of Montville, County of New London and State of Connecticut and being more particularly shown on a certain plan entitled "Mostowy Subdivision Property of Raymond & Mary J. Mostowy Owner and Subdivider Route 163 Montville, Connecticut Date: 2-6-89 Revision 4-7-89 Scale: 1"=40' King & Mullen Land Surveyors 152 Route 163 Uncasville, Conn. A-89-022-20", which premises are more particularly bounded and described as follows:

Beginning at a monument to be set in the Westerly street line of Connecticut Route #163 at the Southeasterly corner of the herein described tract and on the dividing line between the herein described tract and remaining land now or formerly of Raymond and Mary J. Mostowy, said monument further being located North 02°44'15" East 11.83 feet from a CHD monument found in the Westerly street line of Connecticut Route #163; thence running North 87°15'45" West for a distance of 50.00 feet to an angle point; thence running North 02°44'15" East for a distance of 121.92 feet to an angle point; thence running North 87°00'43" West for a distance of 664.69 feet to an angle point; thence running North 01°36'59" East for a distance of 30.00 feet to an iron pipe set at a stone wall corner; thence running North 12°20'28" West for a distance of 73.64 feet along a stone wall to an angle point; thence running North 06°36'40" West for a distance of 72.00 feet along a stone wall to an angle point; thence running North 12°44'19" West for a distance of 580.93 feet along a stone wall to a drill hole set at a stone wall corner; thence running North 88°47'52" East for a distance of 28.09 feet along a stone wall to an angle point; thence running South 71°59'02" East for a distance of 223.51 feet in part along a stone wall to an angle point, the last nine courses being bounded by remaining land now or formerly of Raymond and Mary J. Mostowy; thence running South 75°15'30" East for a distance of 203.26 feet along a stone wall to an iron pipe set at a stone wall junction bounded Northeasterly in part by said Mostowy land and in part by land now or formerly of Doris H. Goodwin; thence running South 05°46'15" West for a distance of 599.45 feet along a stone wall to a stone wall corner; thence running South 88°31'107" East for a distance of 104.29 feet along a stone wall to an angle point; thence running North 83°57'38" East for a distance of 59.54 feet along a stone wall to an angle point; thence running South 72°44'18" East for a distance of 43.20 feet along a stone wall to an angle point; thence running South 85°32'26" East for a distance of 175.65 feet in part along a stone wall to an angle point; thence running South 85°03'32" East for a distance of 109.99 feet in part along a stone wall to an iron pipe to be set in the Westerly street line of Connecticut Route #163 at Connecticut Grid Coordinates North 236232.4595, East 761144.1078, the last six courses being bounded by a parcel shown on said plan as "N/F Remaining Land of Raymond & Mary J. Mostowy to be Conveyed to Thomas E. & Helen G. Johnson"; thence running South 02°44'15" West for a distance of 150.00 feet bounded Southeasterly by Route #163 to the monument to be set at the point and place of beginning.

Reference is hereby made to a Warranty Deed from Raymond B. Mostowy Sr. and Shirley A. Mostowy to Raymond B. Mostowy, Sr. and Shirley A. Mostowy dated February 16, 2005 and recorded on February 22, 2005 at Volume 459, Page 49 of Montville Land Records.