

DECLARATION OF EASEMENT

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

KNOW YE, THAT THE **NEVAR COMPANY, LLC**, 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 "Developer"), is 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, being more particularly described as follows;

"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; Revised: 08/04/23, 08/31/23, 09/12/23, 09/21/23 and 11/06/23; scale 1"=60"; prepared by Solli Engineering, 501 Main Street, Monroe, CT 06468, 11 Vanderbilt Ave, Norwood, MA 02062' and

"PROJECT: PROPOSED 1-LOT RESUBDIVISION OF 958 ROUTE 163 (PARCEL ID : 046-008-000)OAKDALE, CONNECTICUT JULY 17, 2023 SHEET TITLE SUBDIVISION PLAN (SHEET 2 OF 2) SHEET #: 1.12"; Plan Date 07/17/23; Revised: 08/04/23, 08/31/23, 09/12/23, 09/21/23 and 11/06/23; scale 1"=60"; prepared by Solli Engineering, 501 Main Street, Monroe, CT 06468, 11 Vanderbilt Ave, Norwood, MA 02062;

NOW THEREFORE, Developer does declare that those two portions of Lot 1 more particularly described in Schedule "A," attached hereto and made part hereof, shall be subject to a permanent easement in favor of Lot 2 for the purpose of grading, regrading, seeding, reseeding, completion of landscaping, engineering and/or surveying, including the right to remove trees, bushes, shrubs and any other obstructions to allow Grantee herein, at its own expense, to slope the property to maintain a bituminous concrete driveway on the Grantee’s property and to the paved portion of Connecticut Route 163, substantially as shown on said map.

IN WITNESS WHEREOF, THE NEVAR COMPANY, LLC has hereunto set its hand and seal this ____ day of November, 2023.

Witnesses:

THE NEVAR COMPANY, LLC

BY _____ (L.S.)
DEAN B. FISKE
Its President

STATE OF CONNECTICUT)
COUNTY OF NEW HAVEN)

ss: Cheshire

On this, the ____ day of November, 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"

FIRST EASEMENT AREA:

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 the following bearings and distances along the westerly street line of Connecticut Route 163:

- S04°39'27"E for a distance of eleven and 20/100 feet (11.20');
- Curve having a radius of one thousand eight hundred and eighty five and 08/100 feet (1885.08') for a distance of one hundred seventy eight and 52/100 feet (178.52') (chord angle = S01°54'36"E, chord length = 178.46);
- S89°19'57"E for a distance of seven and 94/100 feet (7.94');
- S03°01'18"W for a distance of seventy seven and 22/100 feet (77.22');
- S07°45'00"W for a distance of one hundred and seventy and 34/100 feet (170.34');
- S08°10'00"W for a distance of seventy and 01/100 feet (70.01') to a point;
- Thence running N80°24'06"W for a distance of seventy eight and 65/100 feet (78.65') to a point and place of beginning;

Thence running N00°00'00"E for a distance of forty and 00/100 feet (40.00') to a point;

Thence running N80°24'06"W for a distance of one hundred and twenty and 00/100 feet (120.00') to a point;

Thence running S00°00'00"E for a distance of forty and 00/100 feet (40.00') to a point;

Thence running S80°24'06"E for a distance of one hundred and twenty and 00/100 feet (120.00') to the point and place of beginning, containing 0.109± acres of land.

SECOND EASEMENT AREA:

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 the following bearings and distances along the westerly street line of Connecticut Route 163:

- S04°39'27"E for a distance of eleven and 20/100 feet (11.20');
- Curve having a radius of one thousand eight hundred and eighty five and 08/100 feet (1885.08') for a distance of one hundred seventy eight and 52/100 feet (178.52') (chord angle = S01°54'36"E, chord length = 178.46);
- S89°19'57"E for a distance of seven and 94/100 feet (7.94');
- S03°01'18"W for a distance of seventy seven and 22/100 feet (77.22') to a point and place of beginning (rebar);

Thence running S07°45'00"W for a distance of one hundred and seventy and 34/100 feet (170.34') to a point (rebar);

Thence running S08°10'00"W for a distance of seventy and 01/100 feet (70.01') to a point;

Thence running N80°24'06"W for a distance of twelve and 32/100 feet (12.32') to a point;

Thence running N08°56'45"E for a distance of one hundred and sixty and 15/100 feet (160.15') to a point;

Thence running N25°08'57"W for a distance of twenty two and 00/100 feet (22.00') to a point;

Thence running N27°00'00"E for a distance of sixty five and 00/100 feet (65.00') to the point and place of beginning (rebar), containing 0.062± acres of land.