

Middle Berkshire - 20/20 Perfect Vision i2 Document Detail Report

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Doc#	Document Type	Town	Book/Page	File Date	Consideration
600217	DEED		01360/217	05/07/1992	0.00
Property-Street Address and/or Description					
MAIN ST					
Grantors					
BERKSHIRE RETIREMENT HOME INC					
Grantees					
WINSTANLEY NATHAN B, WINSTANLEY M KATHRYN					
References-Book/Pg Description Recorded Year					
Registered Land Certificate(s)-Cert# Book/Pg					

BK 1360 PG 0217
393872

WARRANTY DEED

The BERKSHIRE RETIREMENT HOME, INC., a non-profit corporation duly organized and existing under Chapter 180 of the Laws of Massachusetts, with a principal place of business in Pittsfield, Berkshire County, Massachusetts, for consideration paid of THREE HUNDRED FIFTY-FIVE THOUSAND AND NO/100THS DOLLARS (\$355,000.00), grants to NATHAN B. WINSTANLEY and M. KATHRYN WINSTANLEY, husband and wife, whose residence and post office address is 79 East Street, Lenox, Massachusetts 01240, to hold as TENANTS IN COMMON, with WARRANTY COVENANTS, the land in Lenox, Berkshire County, Massachusetts, bounded and described as follows:

Property Location:
124 Main Street
Lenox, MA

TRACT I:

Beginning at an iron pipe driven in the ground in the East line of Main Street at the northwest corner of land formerly of Lewis H. Regnier; thence northerly in the easterly line of Main Street one hundred sixty-nine and seven-tenths (169.7) feet to an iron pipe in the southwest corner of land formerly of John M. Cook later of the Roman Catholic Bishop of Springfield and now of Timothy W. Broderick; thence easterly in the southerly line of said land of said Broderick one hundred seventy-seven and two-tenths (177.2) feet; thence northerly in the easterly line of said land of said Broderick fifty-three and six-tenths (63.6) feet to an angle; thence easterly in the southerly line of land of the Roman Catholic Bishop of Springfield ninety-eight and thirteen hundredths (98.13) feet to a stone bound set one (1) foot easterly from a steel fence post; thence southerly on a line parallel to and one foot distant from a new wire fence with steel fence posts, a distance of two hundred fifty and seventy-two hundredths (250.72) feet to a stone bound set one (1) foot easterly from a corner steel fence post; thence westerly in a straight line two hundred seventy-seven and ninety hundredths (277.90) feet to the place of beginning, being the westerly portion of the land conveyed by Manton R. Sedgwick to the grantor herein by deed dated May 29, 1928, and recorded in the Berkshire Middle District Registry of Deeds in Book 442, Page 98. The grantor reserves unto herself but not for her heirs or assigns a right of way over the driveway running along the northerly side of the premises hereinbefore described to the easterly line thereof as a means of access to a garage located on said premises and to a portion thereof used as a paddock, together with the sole right to use said garage and said paddock at her pleasure, all such reserved rights to cease upon her death. This conveyance is made subject to the condition that the above described premises shall not without



1992 00600217

Bk: 1360 Pg: 0217 Doc: DEED
Page 1 of 5 05/07/1992

BK 1360PG0218

the written consent of Caroline Catherine Cary be used for any other purpose than for an Old Ladies Home during her lifetime. Any other use shall forthwith effect a forfeiture of the estate.

Being the same premises conveyed to Berkshire County Home for Aged Women by deed of Caroline Catherine Cary dated December 5, 1930 and recorded with the Berkshire Middle District Registry of Deeds, Book 448, Page 551 et seq. The said Caroline Catherine Cary died February 10, 1945 (See Berkshire Probate Court Docket #52537). The Berkshire County Home for Aged Women is now known as Berkshire Retirement Home, Inc. (See Certificate recorded with said Registry of Deeds in Book 1287, Page 794).

TRACT II:

Parcel 1:

Beginning at a stone bound at the northwest corner of the parcel to be conveyed, it being also the northeast corner of land conveyed by the grantor to the grantee herein by deed dated December 8, 1930, recorded in the Berkshire Middle District Registry of Deeds in Book 448, Page 551; running thence South 81 1/3' East two hundred fifty-nine and seventeen one-hundredths (259.17) feet along land of the Roman Catholic Bishop of Springfield to the westerly line of a Right-of-Way sometimes called Fairview Avenue; thence South 17 3/4' west forty-two and six-tenths (42.6) feet along the westerly line of said Fairview Avenue so-called to a corner; thence leaving said Fairview Avenue and running South 6' 59' west about two hundred sixty-seven and eighty-six one-hundredths (267.86) feet to an angle in the southerly line of land conveyed by Manton R. Sedgwick to the grantor herein by deed dated May 29, 1928, and recorded in said Registry in Book 442, Page 98, said point being designated therein as "an angle near the stump of a willow tree"; thence North 69° 25' West about three hundred six and ten one-hundredths (306.10) feet along the southerly line of said land so conveyed to the grantor to a stone bound at the southeast corner of said first mentioned land conveyed by the grantor to the grantee herein; thence northerly along the easterly line of said last mentioned land two hundred fifty and seventy-two one-hundredths (250.72) feet to the place of beginning. The above described parcel is hereby conveyed subject to any rights the Town of Lenox have to maintain a surface water drain pipe now crossing said parcel from a point near the northwest corner to a point near the southeast corner thereof. All bearings given in this description are referred to true meridian.

Excepting herefrom the land conveyed by the said Caroline Catherine Cary to James T. Higgins et al dated September 29, 1939 and recorded with said Registry of Deeds in Book 491, Page 46 et seq.

Tract II, Parcel 1 is subject to the rights of the heirs and assigns of Theodore Cowhig and William Mahanna described as follows in deed of Richard Sands Tucker by Executor to Henry Sedgwick,

BK 1360PG0219

dated March 5, 1891 and recorded in said Registry in Book 275, Page 345:

"to take water through a pipe three-fourths of an inch in diameter from the large spring on above described premises contained in a certain deed made by Mary A.T. Syngé and others to the said Cowhig and Mahanna, dated December 1, 1890 and also in certain other deeds made by the Executors of the Estates of Richards Sands Tucker and Margaret A. Tucker to said Cowhig and Mahanna and conveying premises adjacent to those described herein."

Parcel 2:

Also another piece or parcel of land lying on the northerly side of Church Street, so called, bounded and described as follows, to wit: Beginning in the northerly line of said street at a point sixty (60) feet east of the southwest corner of the house lot formerly of one Crockett and later of one Roy; thence running in a northerly direction along the easterly line of land formerly of said Crockett sixty-nine (69) feet to the southerly line of the first parcel earlier described; thence running easterly along said southerly line forty (40) feet to a point; thence running southerly in a line parallel to the first described boundary and to a point on the northerly line of said Church Street forty (40) feet east of the place of beginning; thence running westerly along said northerly line to the place of beginning. The above described parcel is hereby conveyed subject to whatever rights, if any, Keziah Crockett and Wellington Crockett, their heirs and assigns, may have to enter upon the above described premises for the purpose of re-laying and repairing any sewer or drain which extends across said parcel.

Tract II being the same premises conveyed to said Berkshire County Home for Aged Women by deed of Caroline Catherine Cary dated October 9, 1939 and recorded with said Registry of Deeds in Book 483, Page 451 et seq.

TRACT III:

Beginning at a point in the southwest corner of the land to be described at an iron pipe driven in the ground at the corner of the easterly line of Main Street and the northerly line of Franklin Street; thence easterly in the northerly line of Franklin Street one hundred and eleven feet and eight inches to an iron pipe in the middle of a driveway; thence northerly in a line parallel or nearly so, with the easterly line of Main Street about seventy-four feet to a point in the southerly line of land now or formerly of Henry Sedgwick one hundred and eleven feet and eight inches from the easterly line of Main Street; thence westerly in the southerly line of land of said Henry Sedgwick one hundred and eleven feet and eight inches to the easterly line of Main Street; thence southerly in the easterly line of Main Street about seventy-three feet to the place of beginning. Being the same property described in deed of The Agricultural National Bank of Pittsfield, by mortgagee, to the

BK 1360PG0220

said Agricultural National Bank of Pittsfield, dated September 16, 1932, and recorded in the Berkshire Middle District Registry of Deeds in Book 456, Page 308. This conveyance is made subject to the taxes assessed for the year 1932, one-half of which are to be paid by the grantor and one-half of which are to be paid by the grantee. Being the same property described in deed of Louis H. Regnier to John J. Mahanna and Edward W. Bligh dated Dec. 31, 1923, and recorded in the Berkshire Middle District Registry of Deeds in Book 420, Page 279, and deed of Edward W. Bligh to John J. Mahanna dated January 8th, 1926 and recorded in said Registry in Book 443, Page 161&c, and this conveyance is made subject to all the benefits, easements, restrictions, reservations and conditions contained in said deeds.

Excepting herefrom a parcel of land 8 feet wide and approximately 71 feet deep located at the easterly end of said Tract III, conveyed to William F. Dunn et al by deed of Berkshire County Home for Aged Women dated June 20, 1933 and recorded with said Registry of Deeds in Book 461, Page 215.

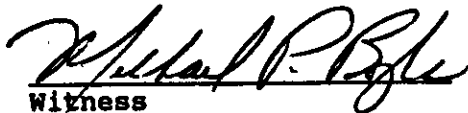
Being a portion of the premises conveyed to said Berkshire County Home for Aged Women by deed of the Agricultural National Bank of Pittsfield, dated September 16, 1932 and recorded with said Registry of Deeds in Book 450, Page 508.

This deed creates no new boundaries.


Any real estate taxes due and owing to the Town of Lenox, Massachusetts for fiscal year 1992, having been apportioned as of the date hereof, the grantee herein assumes and agrees to pay the same.

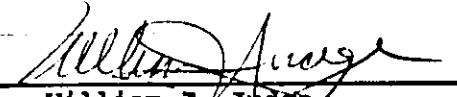
IN WITNESS WHEREOF, the said BERKSHIRE RETIREMENT HOME, INC. has caused its corporate seal to be hereunto affixed and these presents to be signed, acknowledged and delivered in its name and behalf by Richard M. Sullivan, its President, and William J. Judge, its Treasurer, hereunto duly authorized this 1ST day of May, 1992.

BERKSHIRE RETIREMENT HOME, INC.:


Witness


Witness

By 
Richard M. Sullivan
Its: President

By 
William J. Judge
Its: Treasurer

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COMMONWEALTH OF MASSACHUSETTS

BERKSHIRE, SS.

May 1, 1992

Then personally appeared the above named Richard M. Sullivan, President of BERKSHIRE RETIREMENT HOME, INC., and acknowledged the foregoing instrument to be the free act and deed of the BERKSHIRE RETIREMENT HOME, INC., before me,

Jean Boyer
Notary Public
My Commission Expires: 3/20/98

COMMONWEALTH OF MASSACHUSETTS

BERKSHIRE, SS.

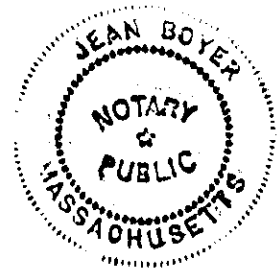
May 1, 1992

Then personally appeared the above named William J. Judge, Treasurer of BERKSHIRE RETIREMENT HOME, INC., and acknowledged the foregoing instrument to be the free act and deed of the BERKSHIRE RETIREMENT HOME, INC., before me,

Jean Boyer
Notary Public
My Commission Expires: 3/20/98

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EXCISE TAX



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Page 1 of 7 05/07/1992