

Map

In Each Deed conveyed from TSB Construction LLC to the Buyers of Lot 25-9, 25-8, and 25-1

**WARRANTY DEED**

**TSB CONSTRUCTION LLC**, a New Hampshire limited liability company, with an address of 44 Merryfield Lane, East Hampstead, NH 03826, for consideration paid, grants to \_\_\_\_\_, as joint tenants with the rights of survivorship/tenants in common, with an address of \_\_\_\_\_, with **WARRANTY COVENANTS:**

**(Insert Legal description for Lot Here)**

This conveyance is made subject to and conveyed with the benefits of:

Access, Drainage, Utility and Grading Easements on a certain tract or parcel of land shown as Tax Map 234, Lot 25-9 Franklin Pierce Highway, Barrington, Strafford County, New Hampshire, and being shown as, Tax Map 234, Lot 25-1 Access, Drainage, Utility and Grading Easement, 58,350 sq. ft./1.34 ac., as shown on plan entitled, "Easement Plan Land of TSB Construction LLC, Franklin Pierce Highway/NH Route 9, Barrington, NH, Tax Map 234, Lot 25-1, prepared by Berry Surveying & Engineering, Date: January 18, 2023" and recorded at Strafford County Registry of Deeds in Plan # \_\_\_\_\_, to which reference is hereby made.

Access, Drainage, Utility, and Grading Easements on a certain tract or parcel of land shown as Tax Map 234, Lot 25-8 Franklin Pierce Highway, Barrington, Strafford County, New Hampshire, and being shown as, Tax Map 234, Lot 25-8 Access, Drainage, Utility and Grading Easement, 5,622 sq. ft./0.13 ac., as shown on plan entitled, "Easement Plan Land of TSB Construction LLC, Franklin Pierce Highway/NH Route 9, Barrington, NH, Tax Map 234, Lot 25-1, prepared by Berry Surveying & Engineering, Date: January 18, 2023, with revisions through April 13, 2023" and recorded at Strafford County Registry of Deeds in Plan # \_\_\_\_\_, to which reference is hereby made.

Access, Drainage, Utility and Grading Easements on a certain tract or parcel of land shown as Tax Map 234, Lot 25-1 Franklin Pierce Highway, Barrington, Strafford County, New Hampshire, and being shown as, Tax Map 234, Lot 25-1 Access, Drainage, Utility and Grading Easement, 11,586 sq. ft./0.27 ac., as shown on plan entitled, "Easement Plan Land of TSB Construction LLC, Franklin Pierce Highway/NH Route 9, Barrington, NH, Tax Map 234, Lot 25-1, prepared by Berry Surveying & Engineering, Date: January 18, 2023" and recorded at Strafford County Registry of Deeds in Plan # \_\_\_\_\_, to which reference is hereby made.

The intention of the Easements is to grant to the Grantee the right to access, construct, maintain, and repair the easement area consistent with the conditions as contained on said Plan \_\_\_\_\_.

Subject to the terms of the Inspection and Maintenance Manual Stormwater System Management, Tax Map 234, Lot 25-1 Franklin Pierce Highway, Barrington, NH 03825, Prepared for TSB Construction, LLC, Prepared by: Berry Surveying & Engineering dated January 18, 2023 and Revised March 15, 2023. (On file with Town of Barrington?)

Meaning and intending to convey a portion of the premises as conveyed to the within Grantor by deed of Oak Hill Realty LLC dated July 21, 2022 and recorded at Strafford County Registry of Deeds in Book 5050, Page 348, see also corrective Deed recorded on August 31, 2023 in Book 5134, Page 641.

Signed this        day of \_\_\_\_\_, 2023.

TSB Construction LLC

\_\_\_\_\_  
BY: David S. Coish  
ITS: Manager

STATE OF NEW HAMPSHIRE

STRAFFORD, SS.

, 2023

Then personally appeared the above named, David S. Coish, Manager of TSB Construction LLC, and acknowledged the execution of the foregoing instrument to be his free act and deed for the purposes contained herein, as aforesaid, before me.

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Notary Public:  
My Commission Expires:

DRAFT

**SHARED DRIVEWAY AGREEMENT**

**This Shared Driveway Agreement** (“Agreement”) is made as of \_\_\_\_\_, 2023 by and between **TSB CONSTRUCTION LLC**, a New Hampshire limited liability company, with an address of 44 Merryfield Lane, East Hampstead, NH 03826 (“Lot Owner1”) and \_\_\_\_\_, of \_\_\_\_\_ (“Lot Owner2”) and \_\_\_\_\_, of \_\_\_\_\_ (“Lot Owner3” (collectively “Users”).

**BACKGROUND**

The Users are owners of three (3) certain tracts or parcels of land located off Franklin Pierce Highway, Barrington, Strafford County, New Hampshire, known as Tax Map 234, Lot 25-9, Lot 25-8, and Lot 25-1, and shown on plan of land entitled, “Subdivision Plan Land of TSB Construction LLC, Franklin Pierce Highway/NH Route 9, Barrington, NH, Tax Map 234, Lot 25-1, prepared by Berry Surveying & Engineering, Date: January 18, 2023, with revisions through April 13, 2023” and recorded at Strafford County Registry of Deeds in Plan # \_\_\_\_\_, to which reference is hereby made.

The Shared Driveway is shown on plan of land entitled, “Easement Plan Land of TSB Construction LLC, Franklin Pierce Highway/NH Route 9, Barrington, NH, Tax Map 234, Lot 25-1, prepared by Berry Surveying & Engineering, Date: January 18, 2023, with revisions through April 13, 2023” and recorded at Strafford County Registry of Deeds in Plan # \_\_\_\_\_, to which reference is hereby made.

Users own properties that abut each other and have access from Franklin Pierce Highway/Route 9, to a shared driveway easement to serve the three (3) lots in common with each other. The Users have determined that it is in their mutual interest to have executed and recorded an agreement for sharing the cost of maintenance and repair of the driveway. The purpose of this Agreement is to place into writing the mutual rights and obligations of the

Users for the mutually used driveway.

AGREEMENT

NOW THEREFORE, in consideration of their mutual promises and intending to be legally bound, the parties agree as follows:

1. Grant of Easement. Each party hereto grants to the other a permanent easement over and across their respective properties for the purpose of ingress and egress to their adjoining properties. Said easement shall provide that the shared driveway may be used by the lot owners of record for all purposes for which driveways are now or may hereafter be used, including, without limitation, access on foot and by motor vehicle and including the installation, maintenance, replacement, removal and use of above ground and underground utility lines including, without limitation, sewers, drains, water mains, gas pipes, electric lines, telephone lines and cable television lines. No lot owner of record shall use the shared driveway so as to hinder or prohibit or unreasonably interfere with or interrupt the use of the shared driveway by others entitled thereto.
2. Users shall be subject to complying with the terms of the Inspection and Maintenance Manual Stormwater System Management, Tax Map 234, Lot 25-1 Franklin Pierce Highway, Barrington, NH 03825, Prepared for TSB Construction, LLC, Prepared by: Berry Surveying & Engineering dated January 18, 2023 and Revised March 15, 2023. **(On file with Town of Barrington?)**
3. Users shall be responsible for the maintenance and repair of the driveway easement, including, but not limited to the driveway, swales, culverts, detention system, infiltration rain gardens, and ensuring a clear sight distance is maintained at all times.
4. Sharing of Costs and Expenses. The parties shall share the expenses as follows: Each lot owner of record, his/her successors, heirs and assigns shall pay one-third of the maintenance and repair of the driveway that is mutually used. Each party will be responsible for said expense from the date their lot is improved and the use of the shared driveway begins. Each lot owner of record, his/her successors, heirs and assigns, shall fully bear the costs of maintenance and repair of the section of the driveway that is used solely by them. If, in connection with the exercise of said easement right in the shared driveway, any lot owner of record shall make any excavations within the shared driveway, said lot owner so excavating will, as soon as possible, restore the shared driveway to its condition. All maintenance, repairs or replacements shall be performed in a good and workmanlike manner and in compliance with all applicable laws, codes, ordinances, bylaws, rules and regulations. Each lot owner of record will indemnify and hold the other harmless from and against any loss, damage or liability arising out the sole use of said easement.

5. Binding Effect. This Shared Driveway Agreement shall not be modified except in writing signed by the parties, their successors or assigns. This Agreement and its obligations and benefits shall run with the land and shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns. The covenants and obligations contained herein shall be enforceable by a court of law.
6. Governing Law. This Agreement shall be governed by and interpreted in accordance with the laws of the State of New Hampshire.

TITLE. See Deed of Oak Hill Realty LLC to TSB Construction LLC dated July 21, 2022 and recorded at Strafford County Registry of Deeds in Book 5050, Page 348.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

TSB Construction LLC  
"Lot Owner1"

\_\_\_\_\_  
BY: David S. Coish  
ITS: Member

STATE OF NEW HAMPSHIRE

STRAFFORD, SS.

, 2023

Then personally appeared the above named, David S. Coish, Member of Oak Hill Realty LLC and acknowledged the execution of the foregoing instrument to be his free act and deed, for the purposes contained herein, as aforesaid, before me.

\_\_\_\_\_  
Notary Public:  
My Commission Expires:

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

“Lot Owner2”

\_\_\_\_\_

“Lot Owner3”

\_\_\_\_\_

STATE OF NEW HAMPSHIRE

STRAFFORD, SS. \_\_\_\_\_, 2023

Then personally appeared the above named, \_\_\_\_\_, and acknowledged the execution of the foregoing instrument to be their free act and deed, for the purposes contained herein, before me.

\_\_\_\_\_  
Notary Public:  
My Commission Expires:

STATE OF NEW HAMPSHIRE

STRAFFORD, SS. \_\_\_\_\_, 2023

Then personally appeared the above named, \_\_\_\_\_, and acknowledged the execution of the foregoing instrument to be their free act and deed, for the purposes contained herein, before me.

\_\_\_\_\_  
Notary Public:  
My Commission Expires: