

BOARD OF APPEALS

John Tate, Chair
Marsha Hopkins, Vice-Chair
Tom Waller
Bill Beckwith
Anita Davis

STAFF

Chanelle Blaine, Zoning Administrator

AGENDA

**Fayette County Zoning Board of Appeals
Fayette County Administrative Complex
Public Meeting Room
April 25, 2022
7:00 P.M.**

1. Consideration of the Minutes of the Meeting held on March 28, 2022.

PUBLIC HEARING

2. Petition No. A-792-22, Richard D. & Carole J. Lowell, Owner, request the following: Variance to Sec. 110-79. (c) (1) (a) Number and size, to allow for the number of permitted residential accessory structures on the lot be increased from two (2) to three (3). The subject property is located in Land Lot 226 of the 4th District and fronts on Busbin Road.

**PETITION NO. A-792-22
Richard & Carole Lowell
326 Busbin Road
Fayetteville, GA 30215
Public Hearing Date May 23, 2022**

The subject property is located at 478 Mask Road Brooks, GA 30205 and is zoned A-R. The applicant is requesting a Variance as follows:

Variance to Section 110-79. (c) (1) (a) Number and size, to allow for the number of permitted residential accessory structures on the lot be increased from two (2) to three (3).

History: The Final Plat of Busbin Road Properties was recorded on December 10, 1976 in Book 9 and Page 175, the subject property is Tract 5. The Final Subdivision Plat of Richard D. Lowell Sr. was recorded on April 13, 1993 in Book 23 and Page 154, this plat subdivided Tract 5 into three (3) lots. The Minor Revision to a Final Plat of Lowell Estates which is currently going through the review process will reduce the amount of lots from three (3) to two (2). Tax Assessor's records indicate that the house was built in 1984, and according to the deed the applicant purchased the property in 1981.

As part of the platting process for a minor revision, a plat is required. Through the review staff discovered the violation. The plat provided shows the increase in the amount of residential accessory structures from two (2) to three (3) for a lot that is less than five (5) acres.

The applicant provides the following information:

VARIANCE SUMMARY

Provide a detailed and specific summary of each request. If additional space is needed, please attach a separate sheet of paper.

I recently submitted a minor revision to a minor final plat for my property (see attached). The minor revision will allow me to reduce the amount of lots from 3 to 2. The property is currently subdivided into three lots (see current survey). On the current survey Lot 3 (i.e. my lot) is developed and currently has three accessory structures on it, one of those structures is my daughters. My daughter is planning to build on lot 2 (see attached minor revision). According to the ordinance she isn't allowed to put the portable accessory structure on her lot because it is not developed, nor does it have a building permit. To allow my daughter to keep the portable accessory structure, I have placed it on my lot until she starts construction. The ordinance does not allow me to have more than 2 residential structures. Once she has pulled a permit and started construction, I will then move the portable structure over to her lot.

The Fayette County Zoning Ordinance, Sec. 110-242. (b) states that in order to grant a variance, the Zoning Board of Appeals shall and must find that all five (5) conditions

below exist. Please read each standard below and then address each standard with a detailed response. Attach additional information/documentation as necessary.

1. **There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography.**

No there is no extraordinary and exceptional conditions to the property. This is a portable structure is temporary only and will be placed on my daughter's lot once construction commences.

2. **The application of these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship; and,**

Yes, it would be an unnecessary hardship because the building is temporary and will be placed on my daughter's lot once construction commences.

3. **Such conditions are peculiar to the particular piece of property involved; and,**

There is nothing peculiar about the property, the building is temporary and will be placed on my daughter's lot once construction commences.

4. **Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of these regulations; provided, however, no variance may be granted for a use of land or building or structure that is prohibited by this Ordinance; and,**

No, the lot is not a detriment to the public. The building is temporary and will be placed on my daughter's lot once construction commences.

5. **A literal interpretation of this Ordinance would deprive the applicant of any rights that others in the same District are allowed; and,**

Yes, because other property owners are allowed to have accessory structures. We are just placing this building on our property for a temporary amount of time.

DEPARTMENTAL COMMENTS

ENVIRONMENTAL HEALTH: This office has no objection to the proposed variance. There is no soil information available for this property and a replacement system has already been installed. Once the portable shed is moved to Lot 2, no additional structure will be allowed without, at minimum, a Level 3 soil report to determine the feasibility for a 2nd replacement area.

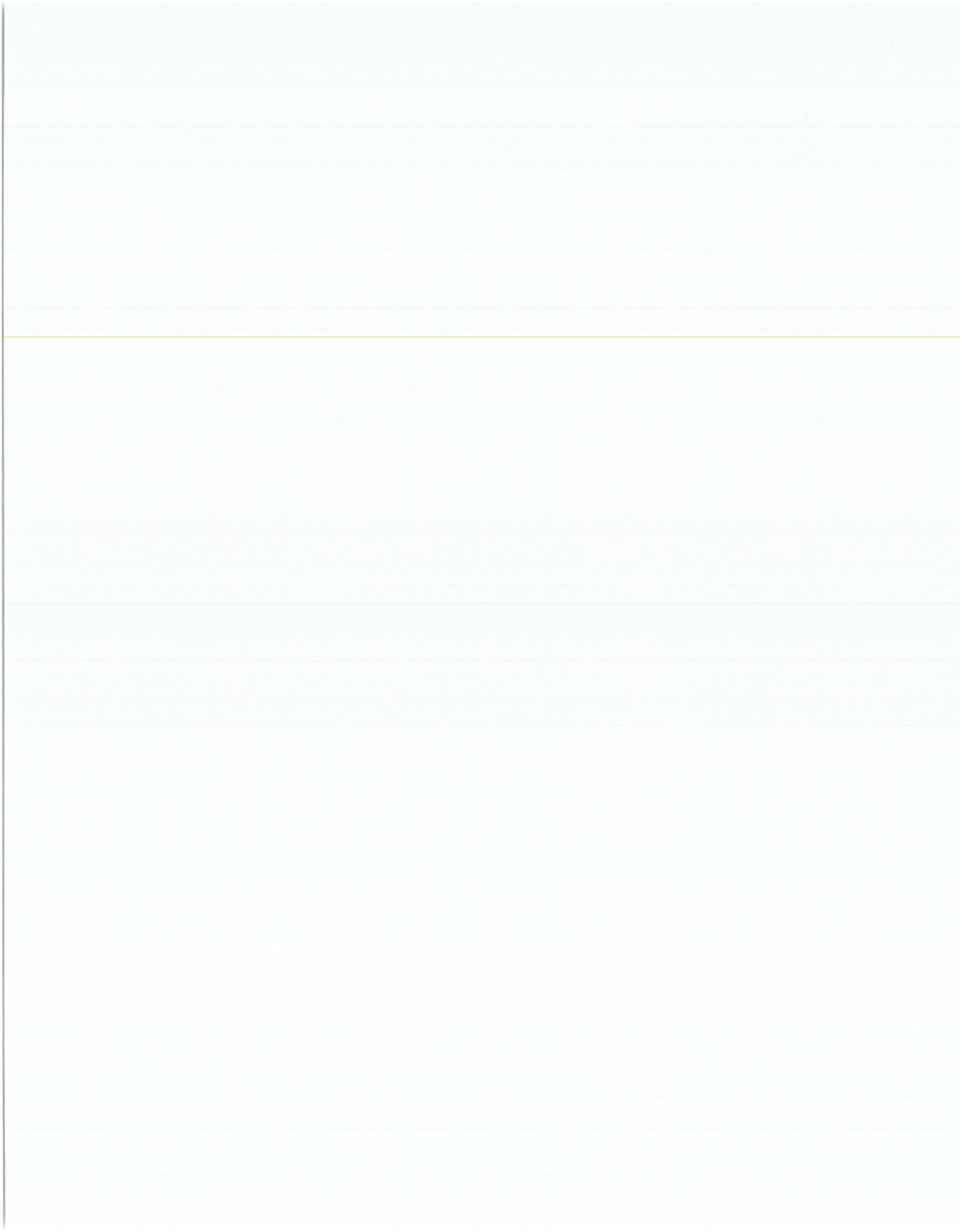
ENVIRONMENTAL MANAGEMENT: No comment for this application.

FIRE MARSHAL: No comment from Fire Marshal's office.

PUBLIC WORKS/ENGINEERING: No comments from Engineering.

WATER SYSTEM: This property is outside our current service area. We have no objection to service by individual wells subject to approval by the appropriate agencies.

A-792-22
Aerials



VARIANCE APPLICATION TO THE ZONING BOARD OF APPEALS

PROPERTY OWNERS: Richard D. Lowell / Carole J. Lowell
MAILING ADDRESS: 326 Busbin Rd, Fayetteville, Ga 30215
PHONE: 678.478.4238 E-MAIL: rich2221@gmail.com
AGENT FOR OWNERS: N/A
MAILING ADDRESS: _____
PHONE: _____ E-MAIL: _____
PROPERTY LOCATION: LAND LOT 226 LAND DISTRICT 4th PARCEL 0451010040
TOTAL NUMBER OF ACRES OF SUBJECT PROPERTY: 4.906
ZONING DISTRICT: R40
ZONING OF SURROUNDING PROPERTIES: R40
PRESENT USE OF SUBJECT PROPERTY: Residential
PROPOSED USE OF SUBJECT PROPERTY: Residential

(THIS AREA TO BE COMPLETED BY STAFF): PETITION NUMBER: A-792-22

Application Insufficient due to lack of:

by Staff: _____ Date: _____

Application and all required supporting documentation is Sufficient and Complete

by Staff: [Signature] Date: 3/15/2022

DATE OF ZONING BOARD OF APPEALS HEARING: _____

Received from Richard Lowell a check in the amount of \$ 175⁰⁰

for application filing fee, and \$ 20⁰⁰ for deposit on frame for public hearing sign(s).

Date Paid: 3/15/2022 Receipt Number: 014229

PROPERTY OWNER CONSENT AND AGENT AUTHORIZATION FORM

(Applications require authorization by ALL property owners of subject property).

Name(s) of All Property Owners of Record found on the latest recorded deed for the subject property:

Richard D. Lowell / Carole J. Lowell
Please Print Names

Property Tax Identification Number(s) of Subject Property: _____

(I am) (we are) the sole owner(s) of the above-referenced property. Subject property is located in Land Lot(s) of the 4th District, and (if applicable to more than one land district) Land Lot(s) 226 of the District, and said property consists of a total of 4.906 acres (legal description corresponding to most recent recorded plat for the subject property is attached herewith).

(I) (We) hereby delegate authority to N/A to act as **(my) (our)** Agent in this request. As Agent, they have the authority to agree to any and all conditions of approval which may be imposed by the Board.

(I) (We) certify that all of the information filed with this application including written statements or showings made in any paper or plans submitted herewith are true and correct to the best of **(my) (our)** knowledge and belief. Further, **(I) (We)** understand that this application, attachments and fees become part of the official records of the Fayette County Zoning Department and may not be refundable. **(I) (We)** understand that any knowingly false information given herein by me/us will result in the denial, revocation or administrative withdrawal of the application or permit. **(I) (We)** further acknowledge that additional information may be required by Fayette County in order to process this application.

[Signature]
Signature of Property Owner 1

[Signature]
Signature of Notary Public

326 Busbin Rd
Address

3-15-2022
Date

[Signature]
Signature of Property Owner 2

[Signature]
Signature of Notary Public

326 Busbin Rd
Address

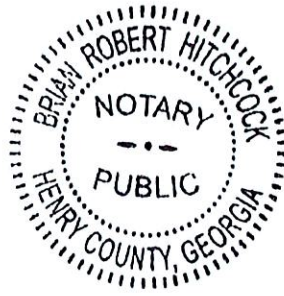
3-15-2022
Date

Signature of Authorized Agent

[Signature]
Signature of Notary Public

Address

3/15/2022
Date

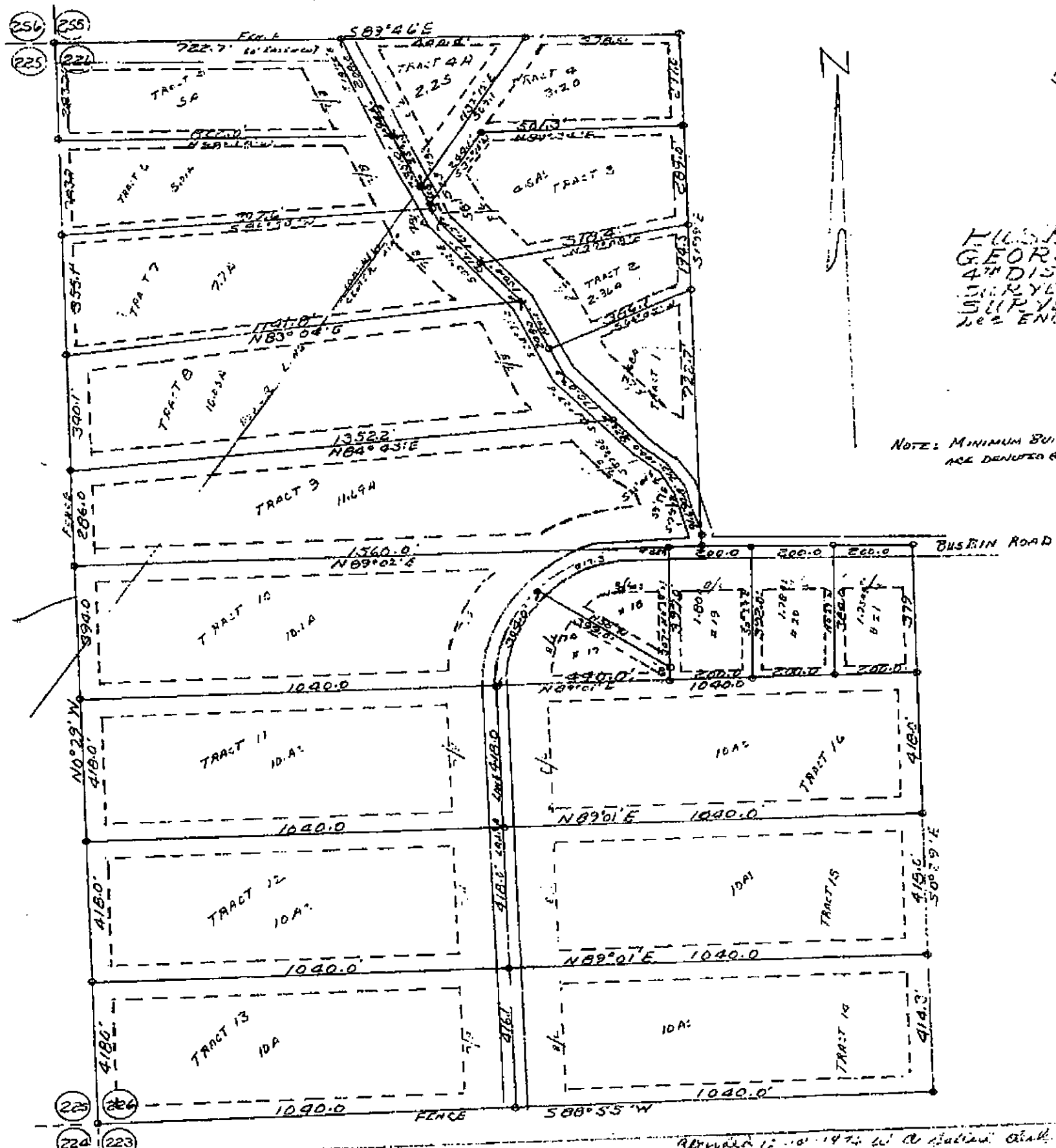


Summary:

- I recently submitted a minor revision to a minor final plat for my property (see attached). The minor revision will allow me to reduce the amount of lots from 3 to 2. The property is currently subdivided into three lots (see current survey). On the current survey Lot 3 (i.e. my lot) is developed and currently has three accessory structures on it, one of those structures is my daughter's. My daughter is planning to build on lot 2 (see attached minor revision). According to the ordinance she isn't allowed to put the portable accessory structure on her lot because it is not developed, nor does it have a building permit. To allow my daughter to keep the portable accessory structure, I have placed it on my lot until she starts construction. The ordinance does not allow me to have more than 2 residential structures. Once she has pulled a permit and started construction, I will then move the portable structure over to her lot.

Questions 1-5:

1. No there is no extraordinary and exceptional conditions to the property. This is a portable structure is temporary only and will be placed on my daughter's lot once construction commences.
2. Yes, it would be an unnecessary hardship because the building is temporary and will be placed on my daughter's lot once construction commences.
3. There is nothing peculiar about the property, the building is temporary and will be placed on my daughter's lot once construction commences.
4. No, the lot is not a detriment to the public. The building is temporary and will be placed on my daughter's lot once construction commences.
5. Yes, because other property owners are allowed to have accessory structures. We are just placing this building on our property for a temporary amount of time.



HULL, N ROAD TRAP PTED
 GEORGIA - FAYETTE CO
 4th DIST. LAND - 286
 SURVEY FOR SONNY ROZELLE
 SUPPLY MARSH 1976
 JES ENRICO, C. for Surveyor Aug 1975

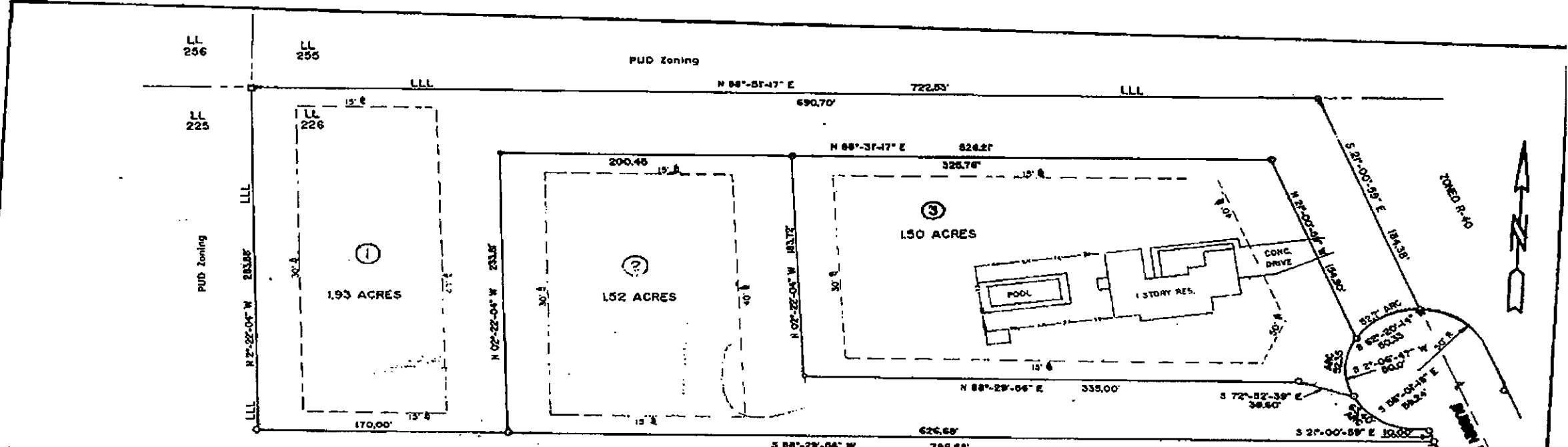
C. E. Fee
 1975

NOTE: MINIMUM BUILDING SET-BACKS
 ARE DENOTED BY DASHED LINES.

App'd
 W. S. Street P.E.
 Fayette County, Ga.
 11-28-76

Recorded
 Book 157
 Page 147
 and
 Book 191-270

Recorded 12-10-1975 W. S. Street P.E.



Benchmark information per FIRM Panel Number 130432-0098A:
 Reference Marker #5: Brass disc in Southwest corner of
 parapet wall on the downstream side of bridge at the
 intersection of Bernhard Road and Whitewater Creek...775.92 FT NGVD

SURVEYOR'S ACKNOWLEDGEMENT

I HEREBY CERTIFY THAT ALL MEASUREMENTS ARE CORRECT AND WERE PREPARED FROM AN ACTUAL SURVEY OF PROPERTY MADE UNDER MY SUPERVISION AND THAT THE MONUMENTS LOCATED ARE CORRECTLY SHOWN AND THAT THE PROPERTY WILL DRAIN AS SHOWN.

FIELD DATA FOR THIS SURVEY WAS CALCULATED FOR CLOSURE. ANGULAR ERROR IS 8 SEC. PER ANGLE. POINT LINEAR PRECISION IS 1 P.T. IN 15,000 FT. EQUIPMENT USED TOPCON TL60.
 1/2" RE-BARS SET AT ALL CORNERS EXCEPT CORNERS FOUND

FAYETTE COUNTY DOES NOT ACCEPT OWNERSHIP, MAINTENANCE, OR RESPONSIBILITY FOR ANY DRAINAGE EASEMENTS OR OVERALL DRAINAGE PLAN, OR LACK OF ONE INDICATED BY THIS PLAN.

DATED THIS 14 DAY OCTOBER 19 92
Timothy G. Hall
 SURVEYOR 1050

THIS PARCEL DOES NOT LIE WITHIN THE LIMITS OF THE 100 YEAR FLOOD PLAIN PER FIRM PANEL NUMBER 130432-0098A, DTD 7-3-83.

OWNER'S ACKNOWLEDGEMENT

WE THE UNDERSIGNED OWNERS OF THIS PROPERTY SHOWN ON THIS PLAT HEREBY OFFER TO DEDICATE AND OR PRESERVE FOR FUTURE USE THE RIGHT OF WAYS, EASEMENTS, AND OTHER GROUNDS SO SHOWN ON THIS PLAT.

DATED 10-14-92 SIGNED *Richard D. Lowell*

DIMENSIONAL REQUIREMENTS

ZONED R-40	4.95 ACRES
LOT AREA	15 ACRES
LOT WIDTH	100 FEET
FLOOR AREA	1500 - 50 FT
BUILDING SETBACK LINES	
FRONT	40 FT
SIDE	15 FT
REAR	30 FT

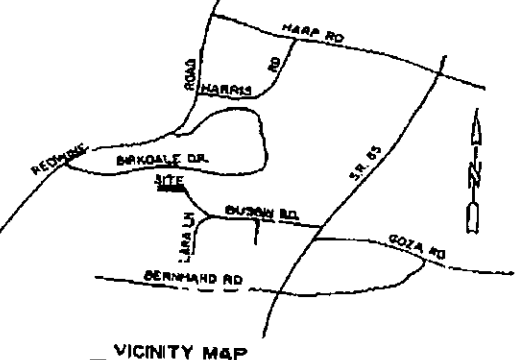
FINAL APPROVALS
 APPROVED BY FAYETTE COUNTY ENGINEER
 ALL AS BUILT PLANS HAVE BEEN APPROVED.
 DATED 4/12/93 SIGNED *Timothy G. Hall*
 COUNTY ENGINEER

APPROVED BY FAYETTE COUNTY PLANNING COMMISSION
 DATED 4-13-93 SIGNED *Robyn S. Moore*

APPROVED BY DEPT. OF PUBLIC HEALTH FAYETTE COUNTY

THIS PLAT HAS BEEN REVIEWED BY A REPRESENTATIVE OF THE FAYETTE CO HEALTH DEPT. AND BASED ON PERCOLATION TEST RESULTS THIS LAND APPEARS TO BE SUITABLE FOR THE INSTALLATION OF SEPTIC TANKS AND DRAIN FIELDS. HOWEVER LOTS WILL HAVE TO BE INSPECTED TO DETERMINE LOCATION OF HOUSE, STYLE, ETC. BEFORE FINAL APPROVAL.

DATED _____ SIGNED _____



GEORGIA, FAYETTE COUNTY
 CLERK'S OFFICE SUPERIOR COURT
 FILED FOR RECORD 4/13 19 93
 IN BOOK 23 PAGE 154
 THIS 13th DAY April 19 93
W.A. Ballard CLERK

Approved by Fayette County Planning Administrator
 Dated 4-12-93 SIGNED *Timothy G. Hall*



FINAL SUBDIVISION PLAT
 FOR
 RICHARD D. LOWELL SR
 326 BUSBY ROAD
 FAYETTEVILLE GEORGIA 3024
 PHONE 461-8631

LL 226 4TH DIST. FAYETTE CO.
 SCALE 1" = 50' OCT. 6, 1992

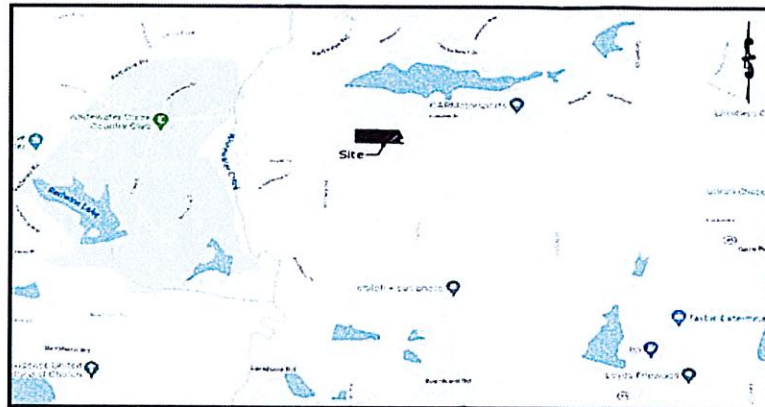
SURVEY BY
 LUM HALL & ASSOCIATES INC.
 FAYETTEVILLE GEORGIA

Legend

- OTP = Open Top Pipe
RHF = Rebar Found
RBS = Rebar Set
R/W = Right of Way
CMF = Concrete Monument Found
P.O.B. = Point of Beginning
B/L = Building Line
D.E. = Drainage Easement
N/F = Now or Formerly
F.W.P.D. = Field Work Performed Date
G = Gas Valve
W = Water Meter
U = Utility Pole
D = Drop Inlet
F = Fire Hydrant
L = Light Pole
X = Fence
M = Drainage Manhole
OHE = Over Head Electric Line

Minor Revision to a Final Plat of Lowell Estates (Previously Recorded in Plat Book 23 Pages 154) Land Lot 226 of the 4th District Fayette County, Georgia

The Purpose of this plat is to reduce the amount of lots from 3 to 2



Vicinity Map (Not to Scale)

Approved by Fayette County Environmental Health Department

Date Environmental Health Specialist

Approved by Fayette County Stormwater Management Department

Date Environmental Management Director

Approved by Fayette County Zoning Administrator

Date Zoning Administrator/Designee

This Box reserved for the Clerk of the Superior Courts.

GENERAL NOTES:

- 1. OWNER/DEVELOPER: Greg & Sheryl Pray, 326 Busbin Road, Fayetteville, GA, 30215
2. SURVEYOR: Four Corners Surveying, L.L.C., P.O. Box 15, Tyrone, GA 30290
3. CLOSURE DATA: Field Closure = 1" IN 10,000+, Angle Point Error = < 20"
4. SITE DEVELOPMENT DATA: Location: Land Lot 226 of the 4th District, Fayette County, Georgia
5. Tax Parcel ID: #045101006
6. MINIMUM DIMENSIONAL ZONING REQUIREMENTS: R-40 Zoning district
7. All deed book references shown herein are recorded in the Clerk of Superior Court's office of Fayette County, Georgia.
8. Capped 1/2" re-bar to be set at all lot corners unless otherwise noted.
9. In my opinion this property appears not to be within a Special Flood Hazard Area, according to FEMA Flood Insurance Rate Map for Fayette County and unincorporated areas dated September 26, 2008 Map #13113C0113E.
10. There are no groundwater recharge areas on the property.
11. There are no state waters on this property.
12. There are no wetlands on this property as per The U.S. Fish & Wildlife Service National Wetlands Inventory Wetlands Mapper.
13. There were no recorded easements found associated with the property.
14. Sewer service is provided by individual septic systems on each lot.
15. Lot water service is provided by individual well on each lot.
16. All distances shown are horizontal ground distance. No conversion factor used.
17. There are no existing structures, buildings, or improvements on the property.
18. Fayette county does not accept the ownership maintenance or responsibility for any drainage easement or overall drainage plan or the lack of one indicated by this plat.
19. Declaration is made to original purchaser of the survey. Any use by third parties is at their own risk.
20. No new streets or roads are created or no new utility improvements are required or no new sanitary sewer or approval of a septic tank is required.
21. All existing structures to remain unless noted otherwise.
22. Each residential building lot has a minimum contiguous area of 0.3 Acres that is free and clear of zoning buffers, setbacks, watershed protection buffers and setbacks, jurisdictional wetlands, and easements of any kind.
23. The Purpose of this plat is to reduce the amount of lots from 3 to 2.
24. Shared Driveway Requirements
25. The 12' x 24' Portable storage building not on foundation the owner will either apply for a variance or remove the building.

Owner's Acknowledgment:

The owner of the land shown on this plat and whose name is subscribed hereto, and in person or through a duly authorized agent, acknowledges that this plat was made from an actual survey, and that he or she is aware and acknowledges the changes shown on this plat.

Owner/Agent Date

Owner/Agent Date

This survey does not constitute a title search by surveyor. The property is subject to all information regarding easements, restrictions, covenants, zoning ordinances, environmental restrictions, buffers, right-of-ways, adjoiners, and other documents that might affect the tract shown or not shown, recorded or not recorded.

Four Corners Surveying, LLC has made no investigation as to the existence or non-existence of underground utilities and/or structures. Before any land disturbance activity begins, underground utilities should be identified and located.

The term "Certification" as used in Rule "180-6-.09(2) and (3)" and relating to professional engineering or land surveying services, as defined in O.C.G.A. 43-15-2(6) and (11), shall mean a signed statement based upon facts and knowledge known to the registrant and is not a guarantee or warranty, either expressed or implied.

This survey complies with both the rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and the Official Code of Georgia Annotated (OCGA) 15-6-67, in that where a conflict exists between those two sets of specifications, the requirements of law prevail.

Surveyor's Certificate:

As required by subsection (d) of O.C.G.A. Section 15-6-67, this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or statements hereon.

BY: Ronald T. Godwin License NO. 2696 Date 03/16/2022



FOUR CORNERS SURVEYING, L.L.C. P.O. BOX 15 Tyrone, GA 30290 770-560-3910 & 770-823-9377



Table with 2 columns: Plat/Deed Book, Page. Rows include Plat 23, Page 154 and Plat 9, Page 175.

Lowell Estates 326 Busbin Road Land Lot 226 of the 4th Land District Fayette County, Georgia

Prepared for: Greg & Sheryl Pray, & Richard & Carole Lowell

Job #: 21-233 Drawn By: JCH Reviewed By: RTG Date: 03/16/2022 F.W.P.D.: 09/16/21 Scale: 1" = 50' Sheet: 1 of 2

Minor Revision to a Final Plat of **Lowell Estates**

(Previously Recorded in Plat Book 23 Pages 154)
Land Lot 226 of the 4th District
Fayette County, Georgia

The Purpose of this plat is to reduce the the amount of lots from 3 to 2



**FOUR CORNERS
SURVEYINGSM**

P.O. BOX 15 Tyrone, GA 30290 770-560-3910 & 770-823-9377
FOUR_CORNERS@BELLSOUTH.NET



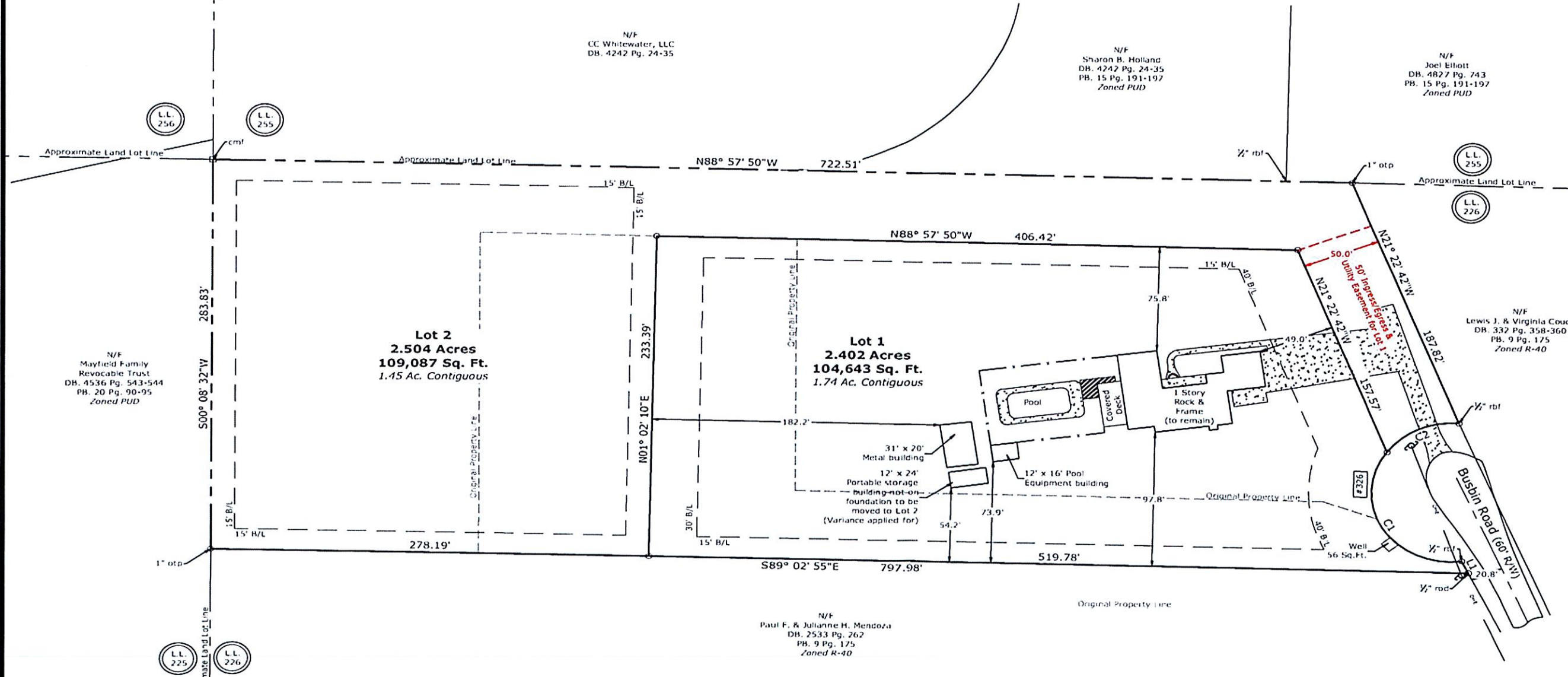
Page:	154
Book:	154
Plat/Dec:	175
DB:	213-714
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Lowell Estates
326 Busbin Road
Land Lot 226 of the 4th Land District
Fayette County, Georgia

Prepared For:
**Greg & Sheryl Pray,
& Richard & Carole Lowell**

Job #:
21-233
Drawn By: JCB
Reviewed By: RTG
Date: 03/16/2022
F.W.P.D.: 09/16/21
Scale: 1" = 50'
Sheet: 2 of 2

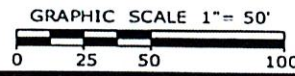
This Box reserved for the Clerk of the Superior Courts.



- Legend**
- Open Top Pipe
 - ▣-▣-▣ Rebar Found
 - ▣-▣-▣ Rebar Set
 - ▣-▣-▣ Right of Way
 - ▣-▣-▣ Concrete Monument Found
 - ▣-▣-▣ Point of Beginning
 - ▣-▣-▣ Building Line
 - ▣-▣-▣ Drainage Easement
 - ▣-▣-▣ Now or Formerly
 - ▣-▣-▣ Field Work Performed Date
 - ▣-▣-▣ Gas Valve
 - ▣-▣-▣ Water Meter
 - ▣-▣-▣ Utility Pole
 - ▣-▣-▣ Drop Inlet
 - ▣-▣-▣ Fire Hydrant
 - ▣-▣-▣ Light Pole
 - ▣-▣-▣ Fence
 - ▣-▣-▣ Drainage Manhole
 - ▣-▣-▣ Over Head Electric Line

Curve #	Length	Radius	Bearing	Chord
C1	117.60'	50.00'	S30° 55' 53"E	92.31'
C2	52.48'	50.03'	S64° 56' 35"W	50.10'

Line #	Direction	Length
L1	N25° 59' 40"W	9.70'



WARRANTY DEED

BOOK 239 PAGE 682

STATE OF GEORGIA COUNTY OF CLAYTON

THIS INDENTURE, Made the 11th day of May, in the year one thousand nine hundred eighty-one, between

JACK A. WELCH, SR. and MARY N. WELCH

of the County of Clayton, and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and

RICHARD LOWELL & CAROLE J. LOWELL

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of Ten Dollars and other good and valuable considerations (\$10.00) DOLLARS in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

All that tract or parcel of land lying and being in Land Lot 226 of the 4th Land District of Fayette County, Georgia, and being those lands described in a plat of survey dated March 1976, prepared by Lee Engineering Company, Registered Land Surveyors and being more particularly described as follows;

BEGINNING at a point located in the Northwest corner of Land Lot 226, which is also the common corners of Land Lots 225, 226, 255 and 256 of aforesaid 4th Land District; running thence South 89 degrees 46 minutes east along the North line of Land Lot 226, 722.7 feet to a point located in the center line of Busbin Road; running thence South 18 degrees 06 minutes East along the center line of Busbin Road 208 feet to a point located in the center line of Busbin Road; continuing thence South 23 degrees 48 minutes East along the center line of Busbin Road 94.1 feet to a point located in the center line of Busbin Road; running thence North 89 degrees 48 minutes West 822 feet to a point; running thence North 0 degrees 29 minutes West 283.7 feet to the point of beginning; the said tract of land containing 5 acres, more or less, according to said survey of Lee Engineering Company.

EXCLUDED from the herein described property is 30 foot wide strip running along the West half of Busbin Road and 60 foot wide strip running along the North line of the property, which is reserved for a public road.

Fayette County, Georgia
Real Estate Transfer Tax
Paid \$4.00 Date 5-27-81
Clerk of Superior Court

FILED 5-27-1981
RECORDED 5-27-1981
W. A. Ballard
CLERK SUPERIOR COURT

Grantee hereby acknowledges the existence of a mortgage between the Grantors and Farmers and Merchants Bank of Fayetteville, Georgia,

Grantors do hereby agree to make all payments due on a first mortgage between Grantors and Farmers and Merchants Bank of Fayetteville, Georgia.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

Signed, sealed and delivered in presence of:

Signatures of witnesses and grantors: Richard Lowell, Carole J. Lowell, Jack A. Welch, Sr., Mary N. Welch. Includes "(Seal)" markings.