



This form was received on the date stamped here:

TOWN OF WAREHAM

ZONING BOARD OF APPEALS APPLICATION FOR A:

- VARIANCE
- SPECIAL PERMIT
- SITE PLAN REVIEW
- APPEAL

Certain uses are allowed in zoning districts only by means of a Variance and/or Special Permit from the Zoning Board of Appeals. Those uses are indicated in the Wareham Zoning By-Laws. Permits may be issued only after a public hearing. To apply for a public hearing for a Permit from the Zoning Board of Appeals, please do the following:

- Complete this form.
- Read information packets. (Directions attached)
- Submit application form and packet of information to Town Clerk for signature.
- Submit application form to Town Collector for signature.
- Submit completed form, packets, and appropriate fees\*\* to the Planning and Community Development Office.

\*\* See Directions for fees, or ask at the Planning and Community Development Office.

I hereby apply for a [check applicable]:  Variance  Special Permit  Site Plan  Appeal for a use at the following place:

STREET & NUMBER: 3138 CRANBERRY HWY. MAP: 7A-1 LOT: A  
 ZONING DISTRICT: BUS. DISTRICT  
 USE REQUESTED: VARIANCE TO USE EXISTING 30 YRDW SIGN REPLACE FACE  
 OWNER OF LAND & BUILDING: DAVID BARRY (VMB PROPERTIES, LLC)  
 ADDRESS OF OWNER: 48 HIGHLAND CIRCE, HALIFAX MA. 02338  
 PERSON(S) WHO WILL UTILIZE PERMIT: DAVID BARRY  
 ADDRESS: SAME AS ABOVE  
 DATE: 9/26/23 SIGNATURE: [Signature]

WAREHAM TOWN CLERK  
2023 OCT 2 PM 2:14

Town Clerk: \_\_\_\_\_ Date: \_\_\_\_\_  
 Tax Collector: [Signature] Date: 9/25/23  
 Planning/Zoning Dept.: Sonia Rapposo Date: 10/2/23  
 Application fee paid: 150.00 Check #: 1217 Receipt: \_\_\_\_\_  
 Advertising fee paid: 150.00 Check #: 1218 Receipt: \_\_\_\_\_  
 Abutters fee paid: 224.10 Check #: 1219 Receipt: \_\_\_\_\_

**SHEET NOT TO BE POSTED**  
**FOR OFFICE USE ONLY**

**TOWN OF WAREHAM**

**APPLICANT/CONTRACTOR/REPRESENTATIVE INFORMATION SHEET**

Check Applicable:  Variance  Special Permit  Site Plan  Appeal

Date stamped in: \_\_\_\_\_ Date decision is due \_\_\_\_\_

Applicant's Name: DAVID BARRY

Applicant's Address: 3138 CRANBERRY HWY.

Telephone Number: 781-858-1987

Cell Phone Number: \* SAME AS ABOVE

Email Address: dave @ towne tavern. com

Address of Property/Project: 3138 CRANBERRY HWY.

Landowner's Name: VMB PROPERTIES LLC - DAVID BARRY

Owner's Address: 48 HIGHLAND CIRCLE, HALIFAX, MA. 02338

Telephone Number: 781-858-1987

Contact Person: DAVID BARRY Telephone Number: 781-858-1987

Map 7A-1 Lot A Zone BUSINESS

Date Approved \_\_\_\_\_ Date Denied 9/19/23

Comments: LOOKING TO OBTAIN VARIANCE TO SIMPLY CHANGE  
LEXAN FACE OF 30 YR OLD SIGN FROM LINSEY'S → TOWNE  
TAVERN

# TOWNE

---

TAVERN & TAP

---

September 26, 2023

Town of Wareham  
Zoning Board of Appeals  
54 Marion Road  
Wareham, MA 02571

RE: Variance Application  
David Barry - Towne Tavern & Tap  
3138 Cranberry Highway  
E. Wareham, MA 02532  
Map: 7A-1 / Lot: A

Dear Members of the Zoning Board of Appeals,

I am applying for a variance with regards to a building department sign denial on September 19, 2023. The project that I was trying to propose consisted of taking the current Lindsay's Family Restaurant sign faces off the 30-year-old sign that has been in place & simply replace the plastic faces with my new restaurant logo. I did not intend to change anything that was already pre-existing other than just the faces of the double-sided pylon sign. Thank you for taking the time to review this matter and I look forward in being able communicate with you all regarding any questions or concerns you may have. Thank you,

David Barry

X   
Owner -- Towne Tavern & Tap

3138 Cranberry Highway | E. Wareham, MA 02532



# TOWN of WAREHAM

*Massachusetts*

## BUILDING DEPARTMENT

Paul Turner  
Director of Inspectional Services

---

TOWNE TAVERN  
DAVE BARRY - OWNER

September 19, 2023

Mr. Ralph Ferrigno  
170 Liberty Street  
Brockton, Massachusetts 02301

**RE: 3138 Cranberry Highway / Map 7A-1, Lot A**

Mr. Ferrigno,

I have reviewed your Sign Permit application S-23-29, submitted September 6, 2023 with a description of work stating "replace the faces of the existing double sided pylon sign" located at 3138 Cranberry Highway, Wareham, Massachusetts. At this time I must deny your request.

Your application is being denied under the following section of the Wareham Zoning By-Laws:

**Article 11 Signs;**

**1128 Alteration of Existing Signs;** Non-conforming signs which are enlarged, redesigned, replaced, or altered in any way including repainting in a different color, shall comply immediately with all provisions of this bylaw; and provided further that any such sign which has deteriorated to such an extent that the cost of restoration would exceed thirty-five (35) percent of the replacement value of the sign at the time of replacement shall not be repaired or rebuilt or altered except to conform to the requirements of this bylaw.


**1172 Signs in Business and Commercial Districts; par. 2, Principle Signs, note 3;**

A freestanding sign shall not exceed fifty (50) square feet of area when the establishment fronts on Route 28, or more than twenty-five feet of area when the establishment fronts on a street other than Route 28. No more than one freestanding sign shall be permitted on a lot. A free standing sign shall not extend over a public way.

The proposed new face sign area is 73.31 square feet combined with the existing message board sign area of 35.33 square feet results in a total sign area of 108.64 square feet. The proposed area exceeds the allowable amount of fifty (50) square feet of sign area for a free standing sign. Therefore, a Variance must be secured from the Zoning Board of Appeals in order to proceed with your application.

The subject dwelling is located in CS zoning district.

Respectfully,

  
Paul E. Turner  
Building Commissioner  
Zoning Enforcement Officer

**It is the owners' responsibility to check with other departments to ensure full compliance.**

**In accordance with the provisions of MGL chapter 40A §§ 15, you may apply to the Zoning Board of Appeals for the above noted relief within thirty (30) days of receipt of this letter.**

161309

Version 08  
08-14-23

Towne Tavern & Tresthouse  
3138 Crabberry Highway  
East Wareham, MA



170 Liberty Street  
Brockton, MA 02301  
508-880-0094

Wiley Knight

Marie Mericar

Shaun White

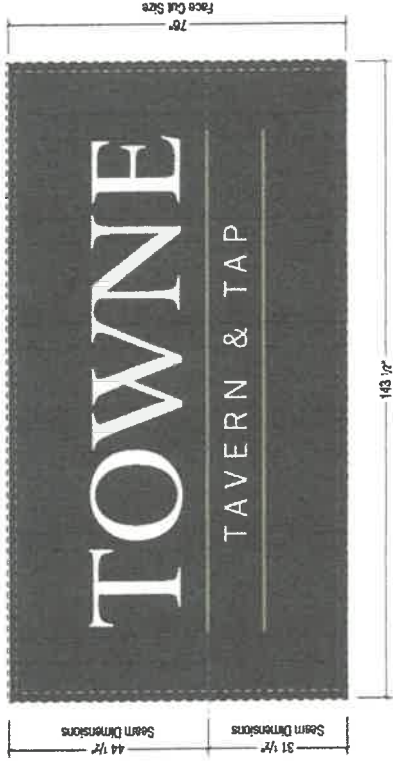
Laurie Kalivas

LF

SCALE: 10%

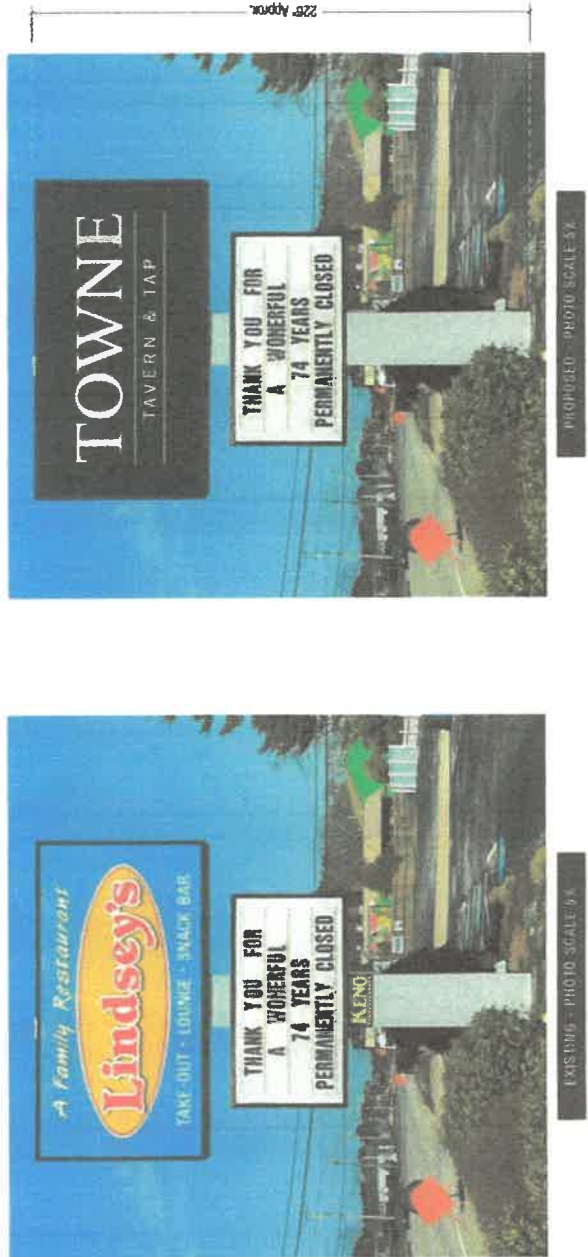
SHEET  
01 of 02

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- Face Replacements**
- Quantity: 2 Single-Sided Faces
- Existing Sign Cabinet
    - Overall Size - 76 1/2"H x 144"W
    - Mounting Post Size - 72 1/2"H x 140"W
    - Touchup with Black Paint as Needed
  - Face Replacements
    - Face Cut Size - 76"H x 143 1/2"W
    - 3/16" White Polycarbonate
    - Printed-Sign with Translucent Vinyl
    - CM Translucent Light Beige 140
    - Awry Opacolor Dark Blue # 665 (Knockout)
  - Existing Message Center
    - 86"W X 35"H Overall
    - Repair Existing Finisher
  - Remove Existing KENO Sign

PMS 4146



EXISTING - PHOTO SCALE 5X

PROPOSED - PHOTO SCALE 5X

161309

Version 08  
09-14-23

Towne Team & Treehouse  
3136 Cranberry Highway  
East Wareham, MA



170 Liberty Street  
Brockton, MA 02301  
508-580-0094

Wiley Knight

Marie Meitzer

Shaun White

Laurie Kalvas

LF

SCALE NONE

SHEET  
02 of 02

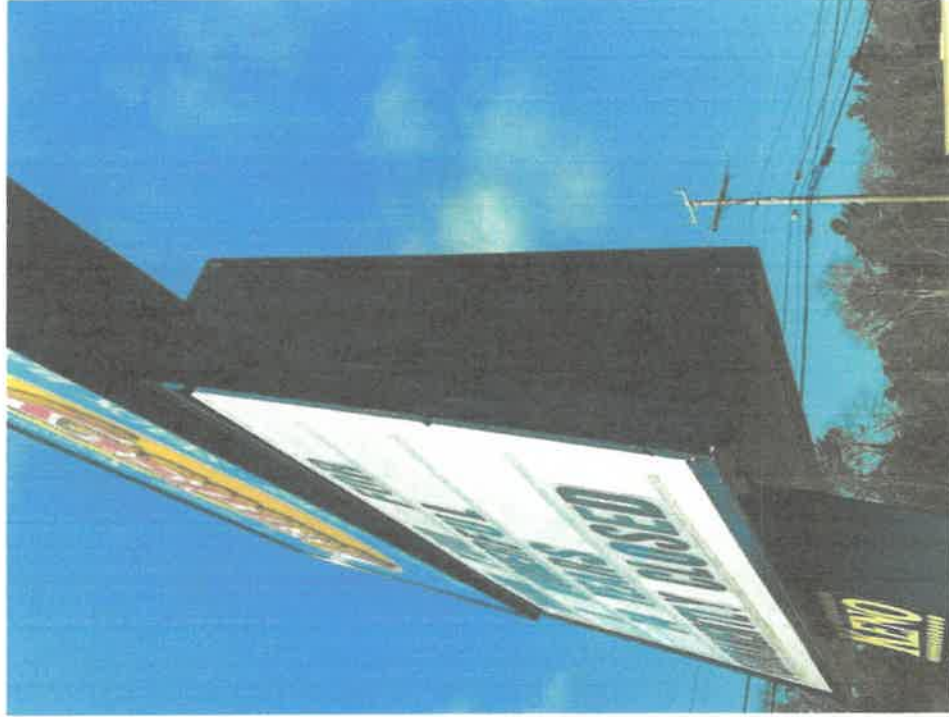
NOTE: The drawings and design shown were prepared by SIGN DESIGN and are the property of SIGN DESIGN. No part of this drawing may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without the prior written permission of SIGN DESIGN. The liability for errors or omissions in this drawing is the sole responsibility of SIGN DESIGN. The client is responsible for obtaining all necessary permits and approvals for the project and for ensuring that the project complies with all applicable laws and regulations.

**Remove/Replace Readings**

- 1. Fix Damaged Reading of Changeable Message Center With On Site Bring Black Touch Up Paint



EXISTING SIGN - FRONT VIEW



EXISTING SIGN - DAMAGED SIDE





**Town Of Wareham Assessors Office**

**Request for Abutters List**

**Contact Information**

Phone

David Barry 781-858-1987

Email

dave@towne-tavern.com

**Date of Request**

9/25/23

VMB Properties LLC

**Property Information**

Owners Name

David Barry

Property Location

3138 cranberry bury

Map/Lot

719-1 / A

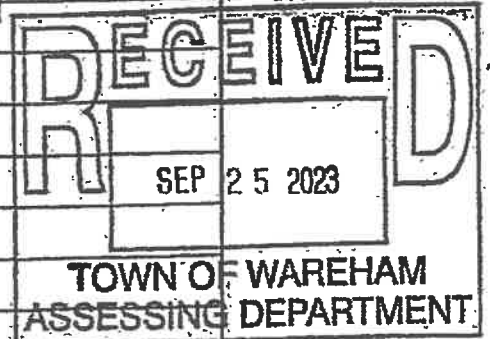
**Distance Required**

Direct

100'

300' ✓

500'



Which Board are you appearing before?

Zoning board of appeals

PLEASE ALLOW 7-10 DAYS FOR PROCESSING



TOWN OF WAREHAM ABUTTERS				
MAP 7A-1 LOT A				
OWNER VBM PROPERTIES LLC				
MAP & LOT	OWNERS	STREET ADDRESS	TOWN & STATE	ZIP CODE
7A-1-A	VMB PROPERTIES LLC	48 HIGHLAND COR	HALIFAX, MA	02338
7A-1-15	MARINO GUY J TRUSTEE, OF THE SUNRISE REALTY TRUST	15 GUNWOOD LN,	N EASTON, MA	02356
7A-1-24	STEELE-WEDGE RUTH A TR ANCHOR, STORAGE NOMINEE TRUST	88 ONSET AVE,	BUZZARDS BAY, MA	02532
7A-1-31	VALDEZ SUSAN I,	PO BOX 328,	BUZZARDS BAY, MA	02532
7A-1-32	FOSTER ELMER L, FOSTER LINDA L	220 PLAIN ST,	BROCKTON, MA	02302
7A-1-40	HEMMINGS JOHN TRUSTEE OF THE, 3 AZTEC DRIVE NOMINEE TRUST	3 AZTEC DR,	BUZZARDS BAY, MA	02532
7A-1-41	SANGER JILL M,	5 AZTEC DR,	BUZZARDS BAY, MA	02532
7A-1-42	TOSCANO FRANCES L,	2 BRAEBURN RD,	HYDE PARK, MA	02136
7A-1-43	SHAHEEN CHRISTIAN,	7 CHIPPEWA DR,	BUZZARDS BAY, MA	02532
7A-1-44	ELLIOTT RICHARD D,	9 CHIPPEWA DR,	BUZZARDS BAY, MA	02532
7A-1-7	JOHAR KARAN V, JOHAR ARUNA R	589 RAYMOND RD,	PLYMOUTH, MA	02360
7A-3-100	MCDONOUGH SHEILA, C/O SUSAN DUNCAN SLOANE	41 COHASSET RD	BUZZARDS BAY, MA	02532
7A-3-101	MCDONOUGH SHEILA MARY,	21 BOSTON PL,	BUZZARDS BAY, MA	02532
7A-3-122	FRANEY KRISTI M,	9 APACHE LN,	BUZZARDS BAY, MA	02532
7A-3-64	MARINELLI MICHAEL J, MARINELLI JILL L	31 BUNGALOW LN,	BUZZARDS BAY, MA	02532
7A-3-67	BACCI LYNNE, C/O LYNNE MACKINNON	25 BUNGALOW LANE,	BUZZARDS BAY, MA	02532
7A-3-93	WESTGATE KEITH J, WESTGATE ANNETTE D	16 BUNGALOW LN,	BUZZARDS BAY, MA	02532
7A-3-97	BROCKNEY MARGARET F,	24 BUNGALOW LN,	BUZZARDS BAY, MA	02532
7-0-1008	CECCHINELLI JOSEPH G & AMIDA F TRS, C/O THE SAVAGE KOW LLC	6 MARKS COVE RD,	WAREHAM, MA	02571
8-0-1011	SAVAGE KOW LLC THE,	6 MARK'S COVE RD,	WAREHAM, MA	02571
8-0-1025.A	EAST WAREHAM LLC, C/O HOMEPLACE PROPERTIES INC	PO BOX 120,	GRIFFIN, GA	30224
8-1069	COMM OF MASS EXEC OFFICE RAIL UNIT	10 PARK PLAZA RM 3170	BOSTON, MA	02116
CERTIFIED ABUTTERS AS THEY APPEAR				
ON OUR TAX ROLLS AS OF 9/26/2023				
<i>W. Lopez Adams</i>				
ASSESSORS OFFICE				
REQUESTED BY DAVID BARRY				
781 858-1987				
DAVE@TOWNETAVERN.COM				

# ArcGIS Web Map



9/26/2023, 2:28:33 PM

1:2,257



- Parcel Lines
- Common Line
- Parcels with CAMA Data
- Property Line
- Railroad
- Public Road

Esri, HERE, Garmin, INCREMENT P, NGA, USGS

Web AppBuilder for ArcGIS  
Esri, HERE, Garmin, INCREMENT P, NGA, USGS | FEMA, MassGIS | MassDEP |

**LINDSEY CHERYL LEE**  
 PO BOX 845  
 E WAREHAM MA 02538  
 WAREHAM, MA  
 825  
**VISION**

Year	Code	Description	Amount	Code	Description	Number	Amount	Code	Description	Year	Code	Assessed	Year	Code	Assessed
18202	0306		0.00	U		0		0		2023	3260	743,400	2022	3260	743,400
9763	0054			U		0		0		2023	3260	194,400	2021	3260	194,400
			<b>Total</b>				<b>978,800</b>	<b>Total</b>				<b>978,800</b>	<b>Total</b>		

**APPRaised VALUE SUMMARY**

Appraised Bldg. Value (Card)	738,500
Appraised Xf (B) Value (Bldg)	4,900
Appraised Ob (B) Value (Bldg)	41,000
Appraised Land Value (Bldg)	194,400
Special Land Value	0
<b>Total Appraised Parcel Value</b>	<b>978,800</b>

**APPRaised VALUE SUMMARY**

Appraised Bldg. Value (Card)	738,500
Appraised Xf (B) Value (Bldg)	4,900
Appraised Ob (B) Value (Bldg)	41,000
Appraised Land Value (Bldg)	194,400
Special Land Value	0
<b>Total Appraised Parcel Value</b>	<b>978,800</b>

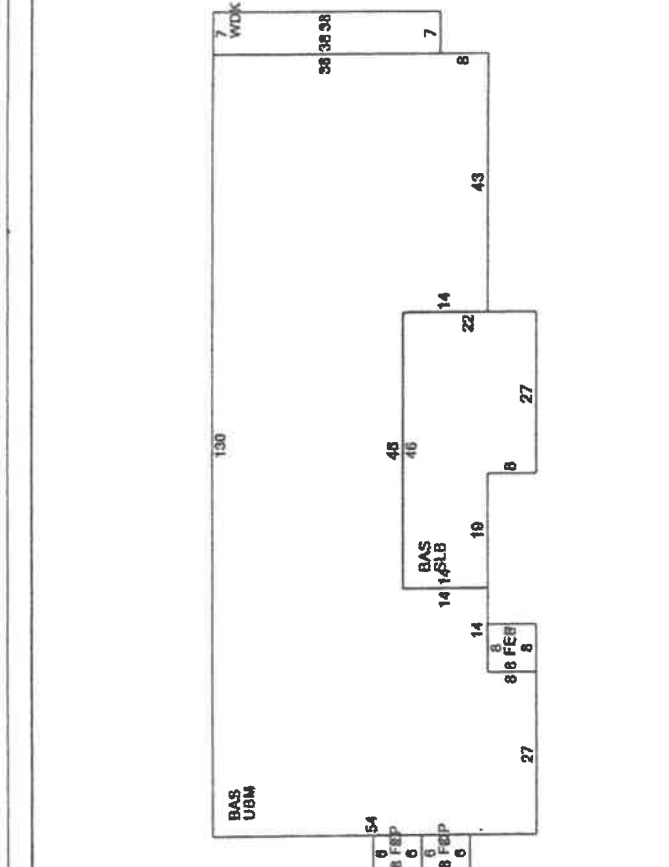
**APPRaised VALUE SUMMARY**

Permit ID	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments
BP23-544	08-29-2023	SD	Siding	15,000	05-23-2016	0	05-23-2016	NEW SIDING
C16-850	02-23-2016	CM	Commercial Roofing	16,500	08-25-2008	100	01-01-1998	KITCHEN REPAIR
R08802	09-07-2008	RF	Misc. Alterations	100	01-01-1998	100	01-01-1995	TEMP TRAI
97729	03-28-1997	MS	Sign	300,000	01-01-1998	100	01-01-1995	5080SF AL
97663	03-26-1997	AL		7,000	01-01-1995	100		SIGN
95409	11-21-1994	SN						

**LAND LINE VALUATION SECTION**

B#	Use Cod	Description	Zone	D	Front	Depth	Land Units	Unit Price	S.A.	AcreD	CFact	SLIdx	Adj.	Notes
1	3260	REST/CLUB	SC	2	0	0	43,560	3.86	1.00000	C	1.000	6000	1.15	1.15 SITE
1	3260	REST/CLUB	SC	2	0	0	0.060	16,000.00	1.00000	C	1.000	1.00	1.00	EXCS
<b>Total Card Land Units</b>														1.06 AC
<b>Total Land Area</b>														1.06





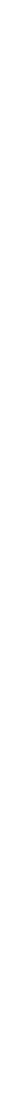
CONSTRUCTION DETAIL		CONSTRUCTION DETAIL (CONTINUED)	
Element	Description	Element	Description
30	Restaurant		
94	Commercial		
05	Above Ave		
1			
1.00			
14	Wood Shingle		
03	Gable/Hip		
03	Asphalt Shing		
04	Panel		
05	Drywall		
05	Vinyl Tile		
14	Carpet		
02	Oil		
04	Forced Hot Air		
03	Central		
3260	REST/CLUB		
00	HEAT/AC PKGS		
2	WOOD FRAME		
01	AVERAGE		
02	SUS-CEIL & WL		
05	AVERAGE		
02			
10.00			
0.00			
3260			

OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)		BUILDING SUB-AREA SUMMARY SECTION	
Code	Description	Living Area	Floor Area
PR1	SPRINKLERS-	6,412	6,412
AV1	PAVING-ASPH	0	112
N3	FENCE-6' CHAI	0	48
GN3	W/INT LIGHTS	0	860
N3	FENCE-6' CHAI	0	5,552
		0	266
		6,412	13,250

RCN 971,691  
 Year Built 1979  
 Effective Year Built 1996  
 Depreciation Code A  
 Remodel Rating 24  
 Depreciation % 0  
 Functional Obsol 0  
 External Obsol 1  
 Trend Factor 76  
 Condition 738,500  
 Condition %  
 Percent Good  
 RCNLD  
 Dep % Ovr  
 Dep Ovr Comment  
 Misc Imp Ovr  
 Misc Imp Ovr Comment  
 Cost to Cure Ovr  
 Cost to Cure Ovr Comment

BUILDING SUB-AREA SUMMARY SECTION		BUILDING SUB-AREA SUMMARY SECTION	
Code	Description	Living Area	Floor Area
AS	First Floor	6,412	6,412
EP	Enclosed Porch	0	112
OP	Open Porch	0	48
ILB	Slab Fndtn	0	860
IBM	Basement Unfin	0	5,552
VDK	Deck, Wood	0	266
		6,412	13,250

BAS UBM  
 54  
 6 FEB  
 6 FEB  
 6 FEB  
 8 FEB  
 6 FEB  
 130  
 14  
 14  
 19  
 8  
 27  
 27  
 22  
 14  
 43  
 8  
 7  
 38 38 38  
 7  
 7  
 7



Property Location 3138 CRAN HWY Account # 7A 1/14/1 Bldg # 1 of 1 Bldg Name Sec # 1 of 1 Card # 1 of 1 State Use 337V  
 Vision ID 2401 Map ID 7/A 1/14/1 Bldg # 1 of 1 Print Date 9/25/2023 9:16:17 AM  
 LINDSEY CHERYL LEE CURRENT OWNER TOPOGRAPHY UTILITIES STRIP/ROAD LOCATION CURRENT ASSESSMENT ASSESSMENT  
 LINDSEY CHERYL LEE  
 PO BOX 846  
 E WAREHAM MA 02538  
 GIS ID M\_271880\_834048  
 Total Ac 0.13  
 District S.C.E. 23  
 Assoc Ptd#

Year	Code	Description	Amount	Code	Description	Number	Amount	Code	Description	Year	Code	Assessed V	Year	Code	Assessed
18202	0306	U	0	0	0	0	0	0	0	2023	3370	43,900	2022	3370	43,900
9763	0054	U	0	0	0	0	0	0	0	2023	3370	6,300	2021	3370	43,900
Total													50,200	Total	50,200

RECORD OF OWNERSHIP BK VOL/PAGE SALE DATE QUANTITY SALE PRICE VC  
 LINDSEY CHERYL LEE 18202 0306 01-12-2000 U 1 0  
 LINDSEY PAUL TAYLOR 9763 0054 05-23-1990 U 0 0

Year	Code	Description	Amount	Code	Description	Number	Amount	Code	Description	Year	Code	Assessed V	Year	Code	Assessed
2023	3370	3370	43,900	2022	3370	43,900	2021	3370	43,900	2023	3370	6,300	2021	3370	43,900
Total													50,200	Total	50,200

EXEMPTIONS Description Amount Code Description Number Amount  
 Total 0.00  
 Nbrhd 6000  
 Nbrhd Name B Tracing Batch  
 NOTES: 7A11/14

Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments
C1200551	01-26-2012	MS	Misc.	37,967		100		NO DESCRIPTION

B#	Use Cod	Description	Zone	D	Front	Depth	Land Units	Unit Price	I. Factor	S.A.	Acres	CFact	St.Idx	Adj.	Notes
1	337V	PRKNG LOT MDL	SC	2	0	0	5,450 SF	14.02	1.00000	C	1.000	0.50	6000	1.15	S/S-USE

Year	Code	Description	Amount	Code	Description	Number	Amount	Code	Description	Year	Code	Assessed V	Year	Code	Assessed
2023	3370	3370	43,900	2022	3370	43,900	2021	3370	43,900	2023	3370	6,300	2021	3370	43,900
Total													50,200	Total	50,200

APPROPRIATE VALUATION SECTION  
 Date Id Type IB Ccd  
 08-20-2019 BL  
 07-01-2019 JQ  
 08-08-2014 SB  
 08-15-1996 RT  
 Purpose/Result  
 50 Vision Review  
 04 Measur/Vacant  
 50 Vision Review  
 00 Measur+Listed  
 Total Appraised Parcel Value 50,200  
 Special Pricing 0  
 S, AdjF Adj Unit Land Value  
 1.0000 43,900  
 Total Land Value 43,900

VISION

CONSTRUCTION DETAIL		CONSTRUCTION DETAIL (CONTINUED)	
Element	Cd	Element	Description
84	00		Outbuildings
			Vacant

CONSTRUCTION DETAIL		CONSTRUCTION DETAIL (CONTINUED)	
Parcel Id	Ci	B	S
Adjust Type	Code	Description	Factor%
Condo Fir			
Condo Unit			
COST/MARKET VALUATION			
Building Value New		0	
Year Built		0	
Effective Year Built		0	
Depreciation Code			
Remodel Rating			
Year Remodeled			
Depreciation %			
Functional Obsol		0	
External Factor		1	
Trend Factor			
Condition			
Condition %		0	
Percent Good			
RCNLD		0	
Dep % Ovr			
Dep Ovr Comment			
Misc Imp Ovr			
Misc Imp Ovr Comment			
Cost to Cure Ovr			
Cost to Cure Ovr Comment			

CONSTRUCTION DETAIL		CONSTRUCTION DETAIL (CONTINUED)	
Code	Description	Living Area	Floor Area
PAVING-ASP	L	5,000	2,500
		1995	50
			0.00
			6,300
TOTAL Gross Liv / Lease Area		0	0

\*\*\*\*\*  
MASSACHUSETTS EXCISE TAX  
Plymouth District ROD #11 001  
Date: 08/31/2023 03:10 PM  
Ctri# 167697 21003  
Fee: \$5,804.88 Cons: \$1,272,511.00  
\*\*\*\*\*

**MASSACHUSETTS QUITCLAIM DEED**

I, **CHERYL LEE LINDSEY, a/k/a CHERYL L. LINDSEY**, being unmarried, of Wareham, Plymouth County, Massachusetts,

for consideration paid in in full consideration of One Million Two Hundred Seventy-Two Thousand Five Hundred Eleven and 00/100 (\$1,272,511.00) Dollars, paid

hereby grant to VMB Properties LLC, a Massachusetts limited liability company with an address of 48 Highland Circle, Halifax, MA 02338

**with quitclaim covenants**

**PARCEL ONE: 3138 Cranberry Highway**

The land together with the buildings thereon situated in Wareham, Plymouth County, Massachusetts, situated on the northerly side of Route 6 and 28, Cranberry Highway, a state highway, bounded and described as follows:

- |                        |   |
|------------------------|---|
| <b>SOUTHERLY</b>       | by the northerly line of Cranberry Highway, Routes 6 and 28, a state highway, three hundred five and 89/100 (305.89) feet;              |
| <b>WESTERLY</b>        | by the easterly line of Cedar Street, a private way, shown on the plan hereinafter mentioned, one hundred six and 38/100 (106.38) feet; |
| <b>NORTHERLY</b>       | by land of Glenn H. McNeil, et ux, as shown on said plan sixty-five and 72/100 (65.72) feet;  |
| <b>EASTERLY</b>        | by land of Raymond A. and Eva H. Mercier, as shown on said plan, fourteen and 00/2100 (14.00) feet;                                     |
| <b>NORTHERLY AGAIN</b> | by land of Raymond A. and Eva H. Mercier, as shown on said plan, eighty-nine and 00/100 (89.00) feet;                                   |

Property Address: 3138 Cranberry Highway, 7 Arrowhead Drive, 4 Chippewa Drive,  
6 Chippewa Drive, 0 Arrowhead Drive, Wareham, MA



EASTERLY  
AGAIN

by land of Raymond A. and Eva H. Mercier, as shown on said plan, thirty-four and 00/100 (34.00) feet;

NORTHERLY  
AGAIN

by land of Raymond A. and Eva H. Mercier, as shown on said plan one hundred three and 15/100 (103.15) feet;

NORTHERLY  
AGAIN

by land of Raymond A. and Eva H. Mercier, as shown on said plan, fifty-six and 77/100 (56.77) feet;

NORTHERLY  
AGAIN

by land of Raymond A. and Eva H. Mercier, as shown on said plan, forty and 00/100 (40.00) feet;

EASTERLY  
AGAIN

by Oak Street, a public way, shown on said plan, one hundred sixty-three and 68/100 (163.68) feet;

SOUTHEASTERLY

by the intersection of Oak Street and Cranberry Highway, as shown on said plan, in the arc thirty-one and 42/100 (31.42) feet.

Containing, according to said plan, 46,130 square feet, more or less.

Said land is shown on a plan entitled "Plan of Land of Paul T. Lindsey & Mary Diane Simski in Buttermilk Bay Heights, Wareham, Scale 1" = 40' Feb. 23, 1981, Charles W. Ehmann, Jr., R.L.S., Newell B. Snow, Inc., 207 Main Street, Buzzards Bay, Mass.", recorded in the Plymouth County Registry of Deeds in Plan Book 22, Page 469, and also shown as Plan No. 412 of 1981.

Said premises are conveyed together with all rights, privileges and easements connected therewith and subject to restrictions and easements of record and are hereby conveyed subject to any building and zoning law requirements which may be in force and applicable.

Said premises are conveyed subject to and together with the benefit of a decision of the Board of Appeals of the Town of Wareham, notice of which was dated April 13, 1981 and recorded with said Registry in Book 5081, Page 3.

**PARCEL TWO: 7 Arrowhead Drive**

All that lot, piece or parcel of land designated as Lot 14 and other land lying northeasterly of and adjoining said Lot Fourteen (14) as shown on a Plan entitled "PLAN OF BUTTERMILK BAY HEIGHTS; WAREHAM, MASS." dated August 1926, drawn by Frederic O. Smith, C.E. and filed in Plymouth County Registry of Deeds in Plan Book 4, Page 641, the whole being bounded

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and described as follows: Beginning at the southwesterly corner thereof, at the intersection of easterly line of Union Avenue with the northeasterly line of the State Highway, known as Sawyer Road, both as shown on said plan; thence running North 8° 47' West by said Union Avenue for a distance of 115 feet; thence southeasterly by and along land now of formerly, of Fred C. Small and Newton F. Jones, for a distance of about 139.5 feet; thence South 26° 32' West along Cedar Street, as shown on said Plan, for a distance of 55 feet; thence South 36° 40' West, continuing along said Cedar Street for a distance of 89.08 feet; thence Southwesterly and Westerly on a curve to the right of 10 feet radius, along said Cedar Street, for a distance of 16.93 feet to a point in the Northeasterly line of said State Highway; and thence North 46° 20' West along said State Highway for a distance of 39.08 feet to the point of beginning. Containing 12,000 square feet more or less.

**PARCEL THREE: 4 Chippewa Drive**

Beginning at the southwesterly corner of the premises and at the northwesterly corner of land now or formerly of Paul L. Lindsey et ux, at a point in the easterly side line of Union Avenue; thence northerly by a curve to the right of 204.90 feet radius (tangent to the said easterly side line of Union Avenue) by land, now or formerly, of Newton F. Jones, et al 70.88 feet; thence North 83° 23' 30" East by other land now or formerly of Newton F. Jones et al, 104.00 feet; thence North 83° 23' 30" East by land conveyed by Newton F. Jones et al to George B. Sears by deed dated February 3, 1953, and shown as Lot 72 on the hereinafter mentioned plan, 106.93 feet; thence South 5° 25' 50" West by Cedar Street as shown on said plan, 71.57 feet; thence South 83° 23' 30" West by land now or formerly of Paul L. Lindsey, et ux, 187.37 feet to the point of beginning. Containing an area of about 13,980 square feet and being shown as Lots 70 and 71 on a plan entitled "Plan of Portion of Buttermilk Bay Heights, Wareham, The Property of Newton F. Jones and Fred C. Small" dated February 2, 1953 and drawn by Newell B. Snow, Eng'r, Plymouth County Registry of Deeds Plan Book 10, Page 376. Said parcel is conveyed subject to and together with the benefit of all rights, privileges, exceptions, reservations, conditions and easements of record including those more fully described in deed of Newton F. Jones et al to Paul L. Lindsey et ux dated February 3, 1953, recorded in said Registry in Book 2337, Page 331.

**PARCEL FOUR: 6 Chippewa Drive (vacant land)**

Beginning at the Southwesterly corner thereof and to the Northwesterly corner of land, now or formerly of Paul L. Lindsey et ux (being the premises conveyed by Newton F. Jones et al to Ernest Soderberg by deed dated January 15, 1932 and recorded in Plymouth Registry of Deeds) at a point in the Easterly line of Union Avenue, a private way, now or formerly of Newton F. Jones et al; thence North 8° 47' West by said Union Avenue 100 feet to an iron pipe; thence South 81° 54' 50" East by land now or formerly of Newton F. Jones et al 199.96 feet to an iron pipe set in the Westerly line of Cedar Street, a private way now or formerly of Newton F. Jones et al; thence South 26° 32' West by said Cedar Street 100 feet to the Northeasterly corner of said land now or formerly of Paul L. Lindsey, et ux about 139.5 feet to the point of beginning. Containing an area of about 16,050 square feet, together with rights of way for all usual purposes over the aforesaid Union Avenue and Cedar Street as said Ways are shown on a plan entitled

"Plan of Buttermilk Bay Heights, Wareham, Mass." dated Aug. 1926 drawn by Frederick O. Smith, C. E. and filed in the Plymouth Registry of Deeds, Plan Book 4, Page 641.

For Grantor's title to PARCELS ONE, TWO, THREE and FOUR, see deed from Paul T. Lindsey dated May 15, 1990 and recorded in said Registry in Book 9763, Page 54. Paul T. Lindsey a/k/a Paul Taylor Lindsey died November 20, 1988; see Plymouth County Probate Docket No. PL99P0031-EP1.

**PARCEL FIVE: 0 Arrowhead Drive**

The land in Wareham, Plymouth County, Massachusetts, bounded and described as follows:

The area covered by the easterly half of Union Avenue from the center line of Union Avenue at a point being the westerly extension of the northerly lot line (shown as 104.00 feet) of Lot 70 on plans hereinafter mentioned, and the easterly side line of Union Avenue along the westerly side lines of said Lot 70 and the land of "Paul L. and Frances M. Lindsey" shown on said plans to the State Highway -- Routes 6 and 28 or Route 28 as shown on said plans.

Said Union Avenue, Lot 70 and land of the Lindseys are shown on two plans entitled "Plan of Portion of Buttermilk Bay Heights, Wareham, Section Five, the Property of Newton F. Jones and Fred C. Small. Scale 1" = 60', October 1951, Newell B. Snow, Engineer, Buzzards Bay, Mass., recorded with Plymouth County Registry of Deeds in Plan Book 10, Page 527 and a plan with the same title dated February 2, 1953 recorded with said Registry in Plan Book 9, Page 212.

For Grantor's title to Parcels One through Parcel Four, see deed from Paul T. Lindsey to Paul Taylor Lindsey and Grantor recorded in Plymouth County Registry of Deeds Book 9763, Page 854. For Grantor's title to Parcel Five, see deed from Bellview Homes, Inc., dated June 2, 1991 and recorded in said Registry in Book 14128, Page 156. Paul T. Lindsey died November 20, 1998; see Plymouth County Probate Docket No. PL99P0031-EP1.

Excluding therefrom the parcel conveyed by Deed from Grantor to Jason Meachen and Patricia Meachen recorded in Plymouth County Registry of Deeds Book 50521, Page 22.

The Grantor hereby releases all homestead rights in the property conveyed herein and warrants under the pains and penalties of perjury that there are no other persons entitled to the benefit of homestead protection pursuant to M.G.L. Chapter 188.

TITLE NOT EXAMINED BY NOTARY.

[SIGNATURE PAGE TO FOLLOW]

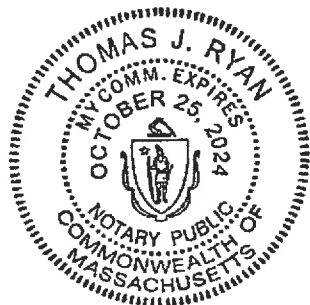
WITNESS my hand and seal this 29<sup>th</sup> day of August, 2023.

Cheryl L. Lindsey  
CHERYL L. LINDSEY, a/k/a  
Cheryl Lee Lindsey

**COMMONWEALTH OF MASSACHUSETTS  
PLYMOUTH, ss.**

On this 29<sup>th</sup> day of August, 2023, before me, the undersigned notary public, personally appeared **CHERYL L. LINDSEY**, a/k/a Cheryl Lee Lindsey, proved to me through satisfactory evidence of identification, which was  photographic identification with signature issued by a federal or state governmental agency,  personal knowledge of the undersigned,  oath or affirmation of a credible witness, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose and swore or affirmed to me that the contents of the document are truthful and accurate to the best of her knowledge and belief.

(SEAL)



Thomas J. Ryan  
Thomas J. Ryan, Notary Public  
My commission expires: Oct. 25, 2024