# *MORTGAGE DEED*

(Statutory Short Form)

***KNOW ALL MEN BY THESE PRESENTS***, that, we **HOWARD N. RUTHERFORD** and **STACY M. RUTHERFORD** both of South Portland, County of Cumberland, State of Maine, for consideration paid, grant to **BEVERLY A. RUTHERFORD** of South Portland, County of Cumberland, State of Maine, whose mailing address is 166 Harriet Street, South Portland, Maine with ***MORTGAGE COVENANTS***, to secure the payment of **TWO HUNDRED TWENTY-FIVE THOUSAND ($225,000.00) DOLLARS** with 5.12111 percent interest per annum payable in monthly installments as set forth in a certain promissory note of even date, the land in Portland, Cumberland County, State of Maine, situated at 94 Pleasant Avenue, Portland, County of Cumberland, State of Maine, and described as follows:

**PLEASE SEE EXHIBIT A ATTACHED HERETO**

This mortgage is upon the *STATUTORY CONDITION*, for any breach of which the mortgagee shall have the remedies provided by law.

This mortgage being subject to a Mortgage from Floyd R. Rutherford and Beverly A. Rutherford to Peoples Heritage Savings Bank, dated September 4, 1990, recorded in the Cumberland County Registry of Deeds in Book 9304, Page 307, which mortgage has been assigned to Family Bank, F.S.B., by Assignment dated September 17, 1999, recorded in Book 15150, Page 326, subsequently assigned to GMAC Mortgage Corporation, which the Mortgagors agree to assume.

Title to the premises shall not pass from Grantors, voluntarily or involuntarily, and this mortgage obligation may not be assigned, delegated, assumed or otherwise transferred without the prior written consent of the Grantee.

WITNESS our hands and seals this 22nd day of April, 2005.

Witness — Howard Rutherford

To both

Witness — Stacy Rutherford

State of Maine
Cumberland, ss

April 22, 2005

Then personally appeared the above-named Howard Rutherford and Stacy Rutherford and acknowledged the foregoing instrument to be their free act and deed.

Before me,

Notary Public/Attorney at Law

Charles R. Bean

Date: 01/27/16
Reviewed for Code Compliance
Inspections Division
Approved with Conditions
CITY OF PORTLAND, MAINE

# EXHIBIT A

A certain lot or parcel of land, with the buildings thereon, situated in the City of Portland, County of Cumberland and State of Maine, bounded and described as follows:

Beginning at a point on the southerly side of Pleasant Avenue, at the northwesterly corner of land now or formerly of Daniel Furbish; thence southerly on the line of said Furbish land one hundred thirty (130) feet, more or less, to land formerly of Ellen L. Kelley; thence westerly on the line of said Kelley land, parallel with Pleasant Avenue, forty-nine (49) feet to a point at the southerly corner of premises conveyed by John F. Ridlon et al to George Tanner by deed dated March 18, 1922, and recorded in the Cumberland County Registry of Deeds County Registry of deeds in Book 1096, Page 406; thence northerly holding the width of forty-nine (49) feet, one hundred thirty (130) feet, more or less, to Pleasant Avenue; thence easterly along said Pleasant Avenue, forty-nine (49) feet to the point of beginning.

The above described premises are hereby conveyed subject to a right of way eight (8) feet in width described in said deed from John F. Ridlon et al to George Tanner, dated March 18, 1922, recorded in the Cumberland County Registry of Deeds in Book 1096, Page 406.

Being the same premises conveyed to Howard N. Rutherford and Stacy M. Rutherford by Deed of even date from Beverly A. Rutherford to be recorded in the Cumberland County Registry of Deeds.

Received
Recorded Register of Deeds
Apr 29,2005 12:07:13P
Cumberland County
John B OBrien

Reviewed for Code Compliance
Inspections Division
Approved with Conditions
Date: 01/27/16
CITY OF PORTLAND, MAINE