

KNOW ALL MEN BY THESE PRESENTS: That the UNITED STATES OF AMERICA, acting by and through the ADMINISTRATOR OF GENERAL SERVICES, under and pursuant to the powers and authority contained in the provisions of 16 U.S.C. Section 667 b-d (Public Law 537, 80th Congress as amended by Public Law 92-432) for and in consideration of the sum of ONE DOLLAR (\$1.00) and other valuable considerations, the receipt of which is hereby acknowledged, does hereby remise, release, and forever quitclaim unto the STATE of RHODE ISLAND, acting by and through the DEPARTMENT OF ENVIRONMENTAL MANAGEMENT,

all its right, title, and interest in and to the property described in Schedule A, together with all appurtenances and improvements thereto, subject to such conditions as may be set forth in said Schedule A, being two certain parcels of land situate on Gould Island, County of Newport, Rhode Island, being GSA Control No. 1-N-RI-478, 20 acres, and GSA Control No. 1-N-RI-478A, 2.25 acres.

The premises described herein are conveyed as a reserve for the conservation of wildlife other than migratory birds and the benefits which shall accrue to the United States from the continued use of such property for such purpose and by these presents are conveyed subject to the reservations, conditions, limitations, and covenants hereinafter contained, for the use and benefit of the Grantee, its successors and assigns, having the management for the conservation of wildlife other than migratory birds.

Said premises are conveyed subject to the rights of the United States of America in and to all oil, gas and mineral rights that may be found in and on said premises.

TO HAVE AND TO HOLD said premises with all the privileges and appurtenances thereof to the Grantee, its successors and assigns, to their own use and behoof forever, subject to the reservations, conditions, limitations and covenants herein contained.

The premises herein conveyed are to be continuously used only as and for the conservation of wildlife, other than migratory birds, and are conveyed upon the conditions that in the event they are no longer used for such purpose, the title thereto shall revert to the United States, and upon which reversion the title of the State thereto shall cease and determine and the United States shall have the immediate right of possession thereof.

The premises are hereby conveyed upon the further condition that in the event the President of the United States of America, the Congress thereof, the Secretary of Defense of the United States, or either of them determines that the said premises are needed for National Defense purposes, the title thereto shall revert to the United States, and upon which reversion, the title of the Grantee shall cease and determine, and the United States shall have the immediate right of possession thereof.


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The above described property is hereby conveyed without any covenants whatsoever either express or implied.

Said property transferred hereby was duly determined to be surplus and was assigned to the ADMINISTRATOR of GENERAL SERVICES for disposal pursuant to the Federal Property and Administrative Services Act of 1949 (63 Stat. 377) and applicable rules, orders, and regulations.

IN WITNESS WHEREOF, the UNITED STATES OF AMERICA, acting by and through the ADMINISTRATOR of GENERAL SERVICES, has caused these presents to be executed in its name and behalf this 18th day of April 1989.

UNITED STATES OF AMERICA
Acting By and Through the
ADMINISTRATOR OF GENERAL SERVICES

By: 
Special Assistant to the
Regional Administrator
General Services Administration
Boston, Massachusetts

WITNESSES:

Helin L. Babasarian

Robert J. Kane

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COMMONWEALTH OF MASSACHUSETTS)
COUNTY OF SUFFOLK) 55.

In Boston, in said County and State, on this 18th day of
April before me personally appeared JAMES A.
PETERSON, Special Assistant to the Regional Administrator,
General Services Administration, Boston, Massachusetts, duly
empowered and authorized and delegated by the Administrator of
General Services, to me known and known by me to be the party
executing the foregoing instrument and acknowledged said
instrument by him duly executed, to be the free act and deed of
the UNITED STATES OF AMERICA, as his free act and deed
individually, and in his capacity as Special Assistant to the
Regional Administrator, General Services Administration, Boston,
Massachusetts.



Accepted for and on behalf of the State of Rhode Island. 142 0164

STATE OF RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

BY: Edward D. DiPrete
Edward D. DiPrete
Governor
State of Rhode Island

BY: Malcolm J. Grant
Robert L. Bendick, Jr., Director
Acquiring Authority

Malcolm J. Grant, Assistant Director
for Administration, signing for
Robert L. Bendick, Jr.

STATE OF RHODE ISLAND
COUNTY OF PROVIDENCE

In Providence, in said County and State, on the 14th
day of February, 1989, before me personally
appeared Malcolm J. Grant, Assistant Director of the STATE OF
RHODE ISLAND, DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, to me
known and known by me to be the party executing the foregoing
instrument for and on behalf of the STATE OF RHODE ISLAND,
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT, and he acknowledged
said instrument by him executed to be his free act and deed,
his free act and deed in his capacity as aforesaid, and the
free act and deed of the DEPARTMENT OF ENVIRONMENTAL MANAGEMENT.

Dennis M. Luch
Notary Public
My Commission Expires: 6/24/91



Approved this 14th day of March, 1989, by
the State Properties Committee.

EXECUTED AS TO TERMS
AND CONDITIONS:

Dennis M. Luch
Chairman, State Properties
Committee

Philip E. Tyler
Public Member

APPROVED AS TO FORM:

Robert A. Fader
Attorney General

APPROVED AS TO SUBSTANCE:

Malcolm J. Grant
Director of Administration

SCHEDULE A

All that certain tract or parcel of land situate on Gould Island, Narragansett Bay, County of Newport, State of Rhode Island and more particularly described as follows:

Beginning at a point in the westerly shoreline of Gould Island, said point being the most southwesterly corner of land known as point "C" of parcel "C" of land remaining of these grantors shown on accompanying drawing; thence N 71° 40' E One Hundred Twenty-Five and 0/10 (125.0) feet, more or less, to a corner; thence N 18° 20' W One Hundred Sixty-Six and 0/10 (166.0) feet to a corner; thence N 71° 40' E Sixty-Three and 0/10 (63.0) feet to a corner; thence N 18° 20' W Two Hundred and 0/10 (200.0) feet to a corner; thence S 71° 40' W Thirty-Nine and 0/10 (39.0) feet to a corner; thence N 06° 23' W One Hundred Twenty Nine and 0/10 (129.0) feet, to a corner; thence N 14° 51' W One Hundred Eighty-Seven and 0/10 (187.0) feet to a corner; thence N 10° 21' W Fifty and 0/10 (50.0) feet to a corner. The last eight (8) courses bounded northerly, westerly, northerly, westerly, northerly, and westerly on land remaining of these grantors known as parcel "C" shown on accompanying drawing; thence N 79° 39' E bounding on land, now or lately, of these grantors Seven Hundred Five and 0/10 (705.0) feet, more or less, to a corner in the easterly line of said Gould Island; thence southerly by and with the easterly shoreline of said Gould Island. One Thousand Five Hundred and 0/10 feet (1500.0) more or less, to the most southerly point and corner in the easterly shoreline of said Gould Island. Said Point and corner being also the most easterly point and corner of the southerly shoreline of said Gould Island; thence westerly by and with the southerly shoreline of said Gould Island. Six hundred Ninety and 0/10 (690.0) feet, more or less, to the most westerly point and corner of the southerly shoreline of said Gould Island; thence northerly by and with the westerly shoreline of said Gould Island. Five Hundred and 0/10 (500.0) feet, more or less, to point "C" the point and place of beginning. Said plot or parcel of land contains Twenty (20) acres, more or less.

Also conveyed herewith is a second tract or parcel of land situate on said Gould Island and more particularly described as follows:

Beginning at a point in the westerly shoreline of Gould Island, said point being the most southwesterly corner of land known as point "C" of parcel "C" of land remaining of these grantors shown on accompanying drawing; thence N 71° 40' E One Hundred Twenty-Five and 0/10 (125.0) feet, more or less, to a corner; thence N 18° 20' W One Hundred Sixty-Six and 0/10 (166.0) feet to a corner; thence N 71° 40' E Sixty-Three and 0/10 (63.0) feet to a

corner; thence N 18° 20' W Two Hundred and 0/10 (200.0) feet to a corner; thence S 71° 40' W Thirty-Nine and 0/10 (39.0) feet to a corner; thence N 06° 23' W One Hundred Twenty-Nine and 0/10 (129.0) feet to a corner; thence N 14° 51' W One Hundred Eighty-Seven and 0/10 (187.0) feet to a corner; thence S 77° 39' W 125, more or less to the water's edge; thence southerly along the shore's edge a distance of 775, more or less to point of beginning. Said parcel contains 2.25, more or less acres.

The Grantor excepts from this conveyance and reserves all right, title, and interest in and to a 100 foot by 100 foot parcel containing the existing U.S. Coast Guard beacon on the South end of Gould Island (Gould Island South Light, L.L. No. 724), said parcel described as follows:

Based on a Point "A" bearing North 90° 00' 00" East, 50.00' from the said beacon and a Point "B" bearing North 90° 00' 00" West, 50.00' from the said beacon, thence from the beginning at point "B" and running on a bearing North 00° 00' 00" East for a distance of 100.00', thence on a bearing of North 90° 00' 00" East for a distance of 100.00', thence on a bearing of South 00° 00' 00" West for 100' to a Point "A", thence on a bearing of South 00° 00' 00" West until the shore line at Mean Low Water is reached, thence Westerly at various bearings and distances along the shoreline at Mean Low Water to a point due South of Point "B", thence on a bearing of North 00° 00' 00" to the point of beginning. The Grantor further excepts and reserves a 30 foot wide right-of-way and easement of ingress and egress over, under, and across the property conveyed herein for the purpose of using, operating, maintaining, replacing, and repairing the existing power cable extending from the existing U.S. Coast Guard beacon on a bearing of North 04° 30' East for a distance of 282' to a point, thence on a bearing of North 34° 30' West for a distance of 222' to a point and thence along the Easement number 1 identified below.

The Grantor further excepts from this conveyance and reserves all right, title, and interest in and to Buildings 25A, 31, and 42, the contents thereof, and the land upon which said buildings are situated. The Grantor further excepts and reserves the right of exclusive use and occupancy of said buildings, together with the right of ingress and egress to and from said buildings over the property herein conveyed.

There are further reserved to the Grantor 30-foot wide rights-of-way and easements of ingress and egress over, under and across the above described property for the purpose of using, operating, maintaining, replacing and repairing existing underground electric distribution lines and water mains. The locations of

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such rights-of-way and easements are more particularly set forth in the descriptions of easements 1 through 6, as shown on Map entitled "Gould Island" prepared by the Department of the Navy, Naval Facilities Command, Public Works Center, Newport, Rhode Island.

There are excepted and reserved from this conveyance the physical properties of the above mentioned utilities together with all structures and appurtenances thereto.

It is understood and agreed by and between the Grantor and the Grantee, and Grantee by acceptance of this deed does acknowledge that it fully understands the terms and conditions set forth herein and does further covenant and agree for itself, and its successors and assigns, forever, as follows:

1. The Grantee shall within 12 months of the date of this deed erect at its own expense security fences separating the property herein conveyed from property retained by the Grantor, including Buildings 25A, 31, and 42. Said fences shall be constructed and installed according to the specifications of the Department of the Navy.

2. The Grantee shall not use the herein conveyed property for any use that is not compatible with or which in any way would interfere with the operation of the Naval Underwater Systems Center, Newport, Rhode Island, as determined by the Commanding Officer, Naval Underwater Systems Center, Newport, Rhode Island.

3. The Grantee shall not acquire by the conveyance any rights across the Grantor's retained land and shall not be allowed the use of any of the Grantor's retained boat landings, wharfs and piers.

SUBJECT TO any and all outstanding reservations, easements, and rights-of-way, recorded and unrecorded, for public roads, railroads, pipelines, drainage ditches, sewer mains and lines, and public utilities affecting the property herein conveyed.

RECEIVED FOR RECORD IN JAMESTOWN, R.I.

APR 19 1989 at 2:00 P.M.

Cheryl Donovan, TOWN CLERK
NC