

TOWN OF FALMOUTH, MAINE

APPLICATION TO CONSTRUCT A
TIER III PERSONAL WIRELESS SERVICE FACILITY
ON AN EXISTING TIER II FACILITY

PROPOSAL BY
AT&T MOBILITY

EXHIBIT #21

WARRANTY DEED

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U53-4

Doc# 671 Bk:23560 Pg: 56



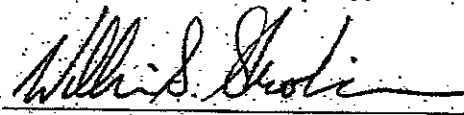
WARRANTY DEED
Corporate Grantor
Maine Statutory Short Form

KNOW ALL MEN BY THESE PRESENTS, That **Maine State Builders, Inc.**, a Maine corporation with a principal place of business in Portland in the County of Cumberland and State of Maine, for consideration paid, grants to **William Skoolicas**, an individual whose mailing address is 50 Four Winds Road, Portland, ME 04102 with **WARRANTY COVENANTS**, the real property situated in Falmouth in the County of Cumberland and State of Maine more particularly described in Exhibit A consisting of 3 pages and attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, Maine State Builders, Inc., has caused this instrument to be signed in its corporate name and sealed with its corporate seal by William Skoolicas, its thereunto duly authorized President, this 29th day of December, 2005.


Witness:

Maine State Builders, Inc.

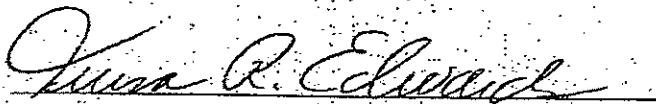


By: William Skoolicas, President

State of Maine
County of Cumberland

December 29, 2005

Personally appeared before me the above named William Skoolicas, President of said Maine State Builders, Inc., and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of said corporation.



Name:

Attorney at Law/Notary Public

TERESA R. EDWARDS

NOTARY PUBLIC, MAINE

MY COMMISSION EXPIRES 2/29/2008

Parcel 1

A certain lot or parcel of land situated northwesterly of the northwesterly sideline of U.S. Route 1 in the Town of Falmouth, County of Cumberland, State of Maine and being more particularly bounded and described as follows:

Beginning at a point at the northerly corner of land conveyed by Steven Skoolicas to Perkins Paper Corporation August 26, 1971 and recorded in Cumberland County Registry of Deeds in Book 3190, page 181. Said point being N40°W 215' from the most easterly corner of land conveyed by William E. Brown to Steven Skoolicas October 23, 1970 and recorded in said Registry of Deeds in Book 3148, page 311. Said point also being on the southwesterly sideline of other land now or formerly of William E. Brown;

Thence continuing N40°W by and along the southwesterly sideline of said Brown to the southeasterly sideline of Interstate 95;

Thence southwesterly by and along the southeasterly sideline of said Interstate 95 to a point at the northerly corner of land now or formerly of Philip Brown;

Thence southeasterly by and along the northeasterly sideline of said Brown to a point 185' northwesterly of the northwesterly sideline of said Route 1. Said point also being the most westerly corner of said Perkins Paper Corporation;

Thence northeasterly 200' by and along the northwesterly sideline of said Perkins Paper Corporation to a point;

Thence N40°W 30', more or less, by and along the southwesterly sideline of said Perkins Paper Corporation to a point;

Thence northeasterly 254' by and along the northwesterly sideline of said Perkins Paper Corporation on a line parallel with the northwesterly sideline of said U.S. Route 1 and keeping a constant distance of 215' therefrom to the point of beginning.

Meaning and intending to describe a parcel of land being a portion of the land conveyed by William E. Brown to Steven Skoolicas October 23, 1970 and recorded in Cumberland County Registry of Deeds in Book 3148, page 311.

Reference is also made to a deed from the State of Maine to William E. Brown recorded in said Registry of Deeds in Book 3149, page 57 vacating the easement of the State of Maine in portion of said U.S. Route 1 right-of-way.

The property is conveyed subject to any existing easements for highway purposes and the restrictions relating to billboard advertising and automobile junkyards contained in said deed of vacation.

Reference is also made to an easement recited in a deed dated December 28, 1984 and recorded in the Cumberland County Registry of Deeds in Book 6657, Page 243 as affected by Quitclaim Deed terminating said easement dated September 28, 1988 and recorded in the Cumberland County Registry of Deeds in Book 8882, Page 222.

Parcel 2

A certain lot or parcel of land situated on the northerly side of U.S. Route 1 in the Town of Falmouth, County of Cumberland and State of Maine, and more particularly described as follows:

Beginning at a point on the westerly boundary line between land now or formerly of Maine State Builders, Inc. as described in a deed dated December 28, 1984 and recorded in the Cumberland County Registry of Deeds in Book 6657, Page 243; and the property herein conveyed, said point being north 38°46'54" west 215 feet more or less from a point on the right of way of said U.S. Route 1 and the southwesterly corner of the second described parcel in a deed dated December 29, 1987 from John S. Marr to Homefinders Maine Multiple Listing Service, Inc., recorded in said Registry of Deeds in Book 8125, Page 292; thence from said point of beginning south 45° 14' 26" west 75 feet more or less to property now or formerly owned by B.D. Food Services, Inc. as described in a deed recorded in said Registry of Deeds in Book 4909, Page 245; thence, north 55° 11' 29" west 250 feet more or less to a point marking

the southeast sideline of interstate highway number 95 and the northeasterly corner of said B.D. Food Services Inc. property; thence north 40°04'17" east 77.68 feet to a 6" x 6" monument; thence north 49°54'58" west 100.03 feet to a 6" x 6" monument; thence, north 40°6'11" east 91.68 feet to a point on the boundary line between the said Maine State Builders, Inc. property and Homefinders Maine Multiple Listing Service, Inc. property; thence south 38°46'54" east 425.47 feet more or less to the point of beginning.

Excepting from this conveyance any right to the easement as described in a deed from B-D Food Service to John S. Marr dated January 4, 1982 and recorded in the Cumberland County Registry of Deeds in Book 4904, Page 245.

Meaning and intending to convey a portion of lot 3A as shown on, "Standard Boundary Survey Property of John Marr" dated September 26, 1986; by Land Use Consultants, Portland, Maine.

This conveyance is subject to a beautification easement to the State of Maine as described in Notice of Taking dated May 28, 1969 and recorded in the Cumberland County Registry of Deeds in Book 3087, Page 593.

This property may also be subject to a Department of Environmental Protection Site Location Order dated May 9, 1984 and recorded in the said Registry of Deeds in Book 6478; Page 19.

Being a portion of the first described parcel of land in a deed dated December 29, 1987 from John S. Marr to Homefinders Maine Multiple Listing Service, Inc., recorded in the said Registry of Deeds in Book 8125, Page 292.

Being the same premises described in a deed from Homefinders Maine Multiple Listing Service, Inc., to the Grantor dated August 25, 1988 and recorded in the Cumberland County Registry of Deeds in Book 8882, Page 220.

Also conveying a Perpetual Easement in common with others to pass and repass on foot and with vehicles at any and all times, together with the right to enter from time to time within said areas to inspect, install, construct, maintain, repair, rebuild, replace and remove fill, pavement and other facilities and appurtenances intended to facilitate or improve access over such premises, which easement shall be appurtenant to and run with the adjoining land of Grantee, its successors and assigns, across the following described land:

A certain lot or parcel of land located on the northwesterly side of U.S. Route One in the Town of Falmouth, County of Cumberland, State of Maine, bounded and described as follows:

Beginning at a point marking the easterly most corner of land now or formerly of Maine State Builders, Inc. as described in a deed recorded in the Cumberland County Registry of Deeds in Book 6757, Page 243 thence, southwesterly by land of said Maine State Builders, Inc. and following a curve to the left having a radius of Five Thousand Nine Hundred Eighty-Three and 60/100 (5,983.60) feet, an arc distance of fifty and 00/100 feet to a point; thence S 39° 30' 35" E to the point of intersection with the northwesterly side of a right of way, as now or formerly used by John S. Marr, his heirs and assigns, as reserved to the said John S. Marr by his deed to Homefinders Maine Multiple Listing Services, Inc., recorded in the said Registry of Deeds in Book 8125, Page 292; thence northerly along the side of the said Marr right of way to a point of intersection between the northwesterly side of the said Marr right of way and land now or formerly of said Marr as described in a deed recorded in said registry in Book 3826, Page 291; thence, N 39° 30' 35" W along said Marr land to the point of beginning.

Also, granting the same easement rights in and to that area as now or formerly used by the said John S. Marr, his successors and assigns from U.S. Route 1 to the adjacent land now or formerly of said Marr. Said area not to be less than fifty (50) feet wide.

To the extent that the within described easement intersects with John S. Marr's easement, the easement is subject to the right of John S. Marr to review and approve any modification and/or change in the within described easement that may hinder or prejudice the said John S. Marr's easement as described in a deed from John S. Marr dated December 29, 1987 and recorded in the Cumberland County Registry of Deeds in Book 8125; Page 292.

Also, granting the right to place, maintain, repair and replace a sign within the easement areas. Grantee to assume all obligations and responsibility for meeting state and local laws ordinances for the placement and maintenance of any such signs.

Reference to such easements may be found in an easement from Homefinders Maine Multiple Listing Services, Inc., to Maine State Builders, Inc., dated May 12, 1988 and recorded in the Cumberland County Registry of Deeds in Book 8882, Page 224.

Received
Recorded Register of Deeds
Jun-04-2006 01:15:35P
Cumberland County
John E. O'Brien

8614

593

NOTICE OF LAYOUT AND TAKING

The State of Maine acting by and through its State Highway Commission does hereby give notice to all whom it may concern:

That the State Highway Commission in accordance with the authority of Title 23, M.R.S.A. Sections 153 and 154, as amended, has determined that public exigency requires the need for road side and landscape development for the preservation and development of natural scenic beauty adjacent and contiguous to and along a portion of State Highway "95" in the Towns of Falmouth, Cumberland and Yarmouth in the County of Cumberland.

That the State Highway Commission in accordance with Title 23, M.R.S.A. Sections 701 and 651 has laid out the location of certain land adaptable to and desirable for landscaping and the preservation and development of natural scenic beauty situated adjacent and contiguous to and along a portion of State Highway "95" in the said Towns of Falmouth, Cumberland and Yarmouth.

That the State Highway Commission in accordance with Title 23, M.R.S.A. Section 651 and 151 to 159, as amended, has determined that public exigency requires the taking of certain rights and interests in land adjacent and contiguous to and along State Highway "95" and within the boundary lines as hereinafter set forth and described and as shown on a Right-of-Way Map, State Highway "95", Falmouth, Cumberland and Yarmouth, Federal Aid Project No. LSI-95-h(1), dated December 1967, on file in the office of the State Highway Commission (S.H.C. File No. 3-193) and to be recorded in the Cumberland County Registry of Deeds, a print of which is on file in the Office of the County Commissioners of Cumberland County.

DESCRIPTION OF EASEMENT AREA

Perpetual easement rights are hereby taken in land lying within the following described boundaries which are located with respect to the Base Lines as established under Federal Aid Project Numbers I-295-3(6), I-95-h(7), I-95-h(5), I-95-h(6), and I-95-h(9), and as described in the following Notices of Layout and Taking recorded in the Cumberland County Registry of Deeds:

| <u>Date of Notice</u> | <u>Date of Recording</u> | <u>Book</u> | <u>Page</u> |
|-----------------------|--------------------------|-------------|-------------|
| October 29, 1958 | November 3, 1958 | 2443 | 108 |
| March 26, 1958 | March 28, 1958 | 2401 | 347 |
| February 12, 1958 | February 13, 1958 | 2394 | 412 |
| March 12, 1958 | March 17, 1958 | 2398 | 433 |
| September 24, 1958 | September 29, 1958 | 2435 | 377 |

Boundary Line Description of Land Situated Southeasterly of State Highway "95":Section No. 1

Beginning at a point in the southeasterly line of State Highway "95", said point being one hundred fifty (150) feet southeasterly from and as measured along a line normal to the Interstate Base Line at C.S. Sta. 239+67.08;

Thence N. 40°43'17" E. along the said southeasterly line of State Highway "95" two hundred four and seventy-nine hundredths (204.79) feet to a point one hundred fifty (150) feet southeasterly from and as measured along a line at right angles to the Interstate Base Line at S.T. Sta. 241+67.08;

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Thence southeasterly along said right angle line one hundred (100) feet to a point two hundred fifty (250) feet southeasterly of the Interstate Base Line;

Thence southwesterly by a direct course about two hundred eight (208) feet to a point two hundred fifty (250) feet southeasterly from and as measured along a line normal to the Interstate Base Line at C.S. Sta. 239+67.08;

Thence southwesterly along a curved line two hundred fifty (250) feet southeasterly from and concentric with a 1°50' curve of the Interstate Base Line six hundred eight and ninety-one hundredths (608.91) feet to a point in the northeasterly line of the Turnpike Spur Connector;

Thence northwesterly along the northeasterly line of the Turnpike Spur Connector one hundred (100) feet to its intersection with the southeasterly line of State Highway "95", said point of intersection being one hundred fifty (150) feet southeasterly from and as measured along a line normal to the Interstate Base Line at Sta. 244+03.27;

Thence northeasterly along the southeasterly line of State Highway "95" five hundred ninety and eighty-seven hundredths (590.87) feet to the point of beginning.

Beginning at a point in the southeasterly line of State Highway "95", said point being one hundred fifty (150) feet southeasterly from and as measured along a line at right angles to the Interstate Base Line at P.C. Sta. 261+63.22;

Thence northeasterly along the southeasterly line of State Highway "95" about four hundred ninety-eight (498) feet to a point in the northeasterly line of land now or formerly of William E. Brown, said point being on a line normal to the Interstate Base Line at about Sta. 266+65;

Thence southeasterly along the northeasterly line of land now or formerly of William E. Brown about one hundred four (104) feet to a point two hundred fifty (250) feet southeasterly from and as measured along a line normal to the Interstate Base Line at about Sta. 266+39;

Thence southwesterly along a curved line two hundred fifty (250) feet southeasterly from and concentric with a 0°15' curve of the Interstate Base Line about four hundred seventy-one (471) feet to a point on a line at right angles to the Interstate Base Line at P.C. Sta. 261+63.22;

Thence S. 40°06'11" W. four hundred thirteen and twenty-two hundredths (413.22) feet to a point two hundred fifty (250) feet southeasterly from and as measured along a line at right angles to the Interstate Base Line at Sta. 257+50;

Thence southeasterly along said right angle line one hundred (100) feet to a point three hundred fifty (350) feet southeasterly of the Interstate Base Line;

Thence S. 40°06'11" W. about eight hundred thirty-seven (837) feet to a point in the northeasterly line of land now or formerly of Freda Ellis, said point being three hundred fifty (350) feet southeasterly from and as measured along a line at right angles to the Interstate Base Line at about Sta. 249+13;

Thence northwesterly along the northeasterly line of land now or formerly of Freda Ellis about one hundred four (104) feet to a point in the southeasterly line of State Highway "95", said point being two hundred fifty (250) feet southeasterly from and as measured along a line at right angles to the Interstate Base Line at about Sta. 249+42;

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Thence N. 40°06'11" E. along the southeasterly line of State Highway "95" about two hundred eight (208) feet to a point two hundred fifty (250) feet southeasterly from and as measured along a line at right angles to the Interstate Base Line at Sta. 251+50;

Thence northwesterly along said right angle line one hundred (100) feet to a point one hundred fifty (150) feet southeasterly of the Interstate Base Line;

Thence continuing N. 40°06'11" E. along the southeasterly line of State Highway "95" ten hundred thirteen and twenty-two hundredths (1013.22) feet to the point of beginning.

Section No. 3

Beginning at a point in the southeasterly line of State Highway "95", said point being one hundred fifty (150) feet southeasterly from and as measured along a line at right angles to the Interstate Base Line at P.T. Sta. 319+76.55;

Thence N. 54°38'11" E. along the southeasterly line of State Highway "95" six hundred sixty-one and thirty-nine hundredths (661.39) feet to a point one hundred fifty (150) feet southeasterly from and as measured along a line at right angles to the Interstate Base Line at P.C. Sta. 326+37.94;

Thence northeasterly along the southeasterly line of State Highway "95" twelve hundred sixty-five and seventy-two hundredths (1265.72) feet to a point on a line at right angles to the Interstate Base Line at P.T. Sta. 338+72.40;

Thence N. 42°41'46" E. along the southeasterly line of State Highway "95" about twenty hundred thirty-eight (2038) feet to a point in the southwesterly line of land now or formerly of Margaret M. Hazelton, said point being one hundred fifty (150) feet southeasterly from and as measured along a line at right angles to the Interstate Base Line at about Sta. 359+10;

Thence southeasterly along the southwesterly line of land now or formerly of Margaret M. Hazelton about one hundred three (103) feet to a point two hundred fifty (250) feet southeasterly from and as measured along a line at right angles to the Interstate Base Line at about Sta. 358+82;

Thence S. 42°41'46" W. about twenty hundred ten (2010) feet to a point two hundred fifty (250) feet southeasterly from and as measured along a line at right angles to the Interstate Base Line at P.T. Sta. 338+72.40;

Thence southwesterly along a curved line two hundred fifty (250) feet southeasterly from and concentric with a $0^{\circ}58'02''$ curve of the Interstate Base Line twelve hundred eighty-six and fifty-six hundredths (1286.56) feet to a point on a line at right angles to the Interstate Base Line at P.C. Sta. 326+37.94;

Thence S. $54^{\circ}38'11''$ W. six hundred sixty-one and thirty-nine hundredths (661.39) feet to a point two hundred fifty (250) feet southeasterly from and as measured along a line at right angles to the Interstate Base Line at P.T. Sta. 319+76.55;

Thence southwesterly along a curved line two hundred fifty (250) feet southeasterly from and concentric with a $0^{\circ}15'$ curve of the Interstate Base Line about forty-two hundred thirty-eight (4238) feet to a point in the northeasterly line of Johnson Road, so-called, said point being on a line normal to the Interstate Base Line at about Sta. 276+92;

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Thence N. $21^{\circ}53'55''$ W. about fifty-seven (57) feet to a point in the southeasterly line of State Highway "95", said point being about one hundred ninety-eight (198) feet southeasterly from and as measured along a line normal to the Interstate Base Line at about Sta. 277+16;

Thence northeasterly along the southeasterly line of State Highway "95" about three hundred twelve (312) feet to a point in the southwesterly line of land now or formerly of Merle E. Gooch, et al, said point being on a line normal to the Interstate Base Line at about Sta. 280+27;

Thence northwesterly along the southwesterly line of land now or formerly of Merle E. Gooch, et al, about ten (10) feet to a point in the southeasterly line of State Highway "95", said point being one hundred fifty (150) feet southeasterly from and as measured along a line normal to the Interstate Base Line at about Sta. 280+29;

Thence northeasterly along the southeasterly line of State Highway "95" about thirty-nine hundred twenty-two (3922) feet to the point of beginning.

Section No. 4

Beginning at the point of intersection of the southeasterly line of State Highway "95" and the northerly line of land now or formerly of Widgery Thomas, said point being one hundred fifty (150) feet southeasterly from and as measured along a line at right angles to the Interstate Base Line at about Sta. 476+02;

Thence N. $48^{\circ}37'27''$ E. along the southeasterly line of State Highway "95" about nineteen hundred sixty-three (1963) feet to a point one hundred fifty (150) feet southeasterly from and as measured along a line at right angles to the Interstate Base Line at Sta. 495+65;

Thence southeasterly along said right angle line sixty (60) feet to a point two hundred ten (210) feet southeasterly of the Interstate Base Line;

Thence N. $48^{\circ}37'27''$ E. along the southeasterly line of State Highway "95" three hundred ninety-five and no hundredths (395.00) feet to a point two hundred ten (210) feet southeasterly from and as measured along a line at right angles to the Interstate Base Line at Sta. 499+60;

Thence northwesterly along said right angle line sixty (60) feet to a point one hundred fifty (150) feet southeasterly of the Interstate Base Line;

Thence N. $48^{\circ}37'27''$ E. along the southeasterly line of State Highway "95" about two hundred twenty-one (221) feet to a point in the easterly line of land now or formerly of Martin T. Storms, said point being one hundred fifty (150) feet southeasterly from and as measured along a line at right angles to the Interstate Base Line at about Sta. 501+81;

Thence southerly along the easterly line of land now or formerly of Martin T. Storms about one hundred sixteen (116) feet to a point two hundred fifty (250) feet southeasterly from and as measured along a line at right angles to the Interstate Base Line at about Sta. 501+20;

Thence S. $48^{\circ}37'27''$ W. about twenty-three hundred eighteen (2318) feet to a point in the northerly line of land now or formerly of Widgery Thomas, said point being two hundred fifty (250) feet southeasterly from and as measured along a line at right angles to the Interstate Base Line at about Sta. 478+02;

Thence westerly along the northerly line of land now or formerly of Widgery Thomas about two hundred twenty-two (222) feet to the point of beginning.

Boundary Line Description of Land Situated Northwesternly of State Highway "95":

Section No. 1

Beginning at the point of intersection of the northwesterly line of State Highway "95" and the northeasterly line of land now or formerly of Wyman and Simpson, Inc., said point being two hundred eighty (280) feet northwesterly from and as measured along a line normal to the Interstate Base Line at about Sta. 242+82;

Thence northwesterly along the northeasterly line of land now or formerly of Wyman and Simpson, Inc. about one hundred sixteen (116) feet to a point in the southeasterly line of land now or formerly of Kenneth R. Brink, et al;

Thence northeasterly along the southeasterly line of land now or formerly of Kenneth R. Brink, et al, about nineteen (19) feet to a point;

Thence northwesterly along the northeasterly line of land now or formerly of Kenneth R. Brink, et al, about two hundred eighty-seven (287) feet to a point in the southeasterly right of way line of the Canadian National Railway Company of Canada;

Thence northeasterly along the southeasterly right of way line of the Canadian National Railway Company of Canada about twenty-nine hundred fifty-five (2955) feet to a point four hundred ten (410) feet northwesterly from and as measured along a line normal to the Interstate Base Line at Sta. 273+00;

Thence southeasterly along said normal line about two hundred ten (210) feet to a point two hundred (200) feet northwesterly of the Interstate Base Line;

Thence northeasterly along a curved line two hundred (200) feet northwesterly from and concentric with a 0°15' curve of the Interstate Base Line about three hundred seven (307) feet to a point in the southwesterly line of land now or formerly of Portland Water District, said point being on a line normal to the Interstate Base Line at about Sta. 276+04;

Thence southeasterly along the southwesterly line of land now or formerly of Portland Water District about fifty-five (55) feet to a point in the northwesterly line of State Highway "95", said point being one hundred fifty (150) feet northwesterly from and as measured along a line normal to the Interstate Base Line at about Sta. 275+89;

Thence southwesterly along the northwesterly line of State Highway "95" about fourteen hundred thirty-five (1435) feet to a point one hundred fifty (150) feet northwesterly from and as measured along a line at right angles to the Interstate Base Line at P.C. Sta. 261+63.22;

Thence S. 40°06'11" W. along the northwesterly line of State Highway "95" four hundred thirteen and twenty-two hundredths (413.22) feet to a point one hundred fifty (150) feet northwesterly from and as measured along a line at right angles to the Interstate Base Line at Sta. 257+50;

Thence northwesterly along said right angle line one hundred thirty-five (135) feet to a point two hundred eighty-five (285) feet northwesterly of the Base Line;

Thence S. 40°06'11" W. along the northwesterly line of State Highway "95" four hundred seventy-five and no hundredths (475.00) feet to a point two hundred eighty-five (285) feet northwesterly from and as measured along a line at right angles to the Interstate Base Line at Sta. 252+75;

Thence southeasterly along said right angle line thirty-five (35) feet to a point two hundred fifty (250) feet northwesterly of the Base Line;

Thence S. 40°06'11" W. along the northwesterly line of State Highway "95" two hundred seventy-five and no hundredths (275.00) feet to a point two hundred fifty (250) feet northwesterly from and as measured along a line at right angles to the Interstate Base Line at Sta. 250+00;

Thence southeasterly along said right angle line one hundred (100) feet to a point one hundred fifty (150) feet northwesterly of the Interstate Base Line;

Thence S. 40°06'11" W. along the northwesterly line of State Highway "95" about five hundred seventy-two (572) feet to a point one hundred fifty (150) feet northwesterly from and as measured along a line at right angles to the Interstate Base Line at about Sta. 244+28;

Thence southwesterly by a direct course along the northwesterly line of State Highway "95" twenty-nine (29) feet to a point about one hundred fifty-eight (158) feet northwesterly from and as measured along a line at right angles to the Interstate Base Line at Sta. 244+00;

Thence northwesterly along said right angle line about one hundred twenty-two (122) feet to a point two hundred eighty (280) feet northwesterly of the Interstate Base Line;

Thence S. 40°06'11" W. along the northwesterly line of State Highway "95" about one hundred eighteen (118) feet to the point of beginning.

Section No. 2

Beginning at a point in the northwesterly line of State Highway "95", said point being one hundred fifty (150) feet northwesterly from and as measured along a line normal to the Interstate Base Line at Sta. 281+00;

Thence northwesterly along said normal line about two hundred forty-four (244) feet to a point in the southeasterly right of way line of the Canadian National Railway Company of Canada;

Thence northeasterly along the southeasterly right of way line of the Canadian National Railway Company of Canada about thirty-nine hundred twenty-four (3924) feet to its intersection with the northwesterly line of State Highway "95", said point being one hundred fifty (150) feet northwesterly from and as measured along a line at right angles to the Interstate Base Line at P.T. Sta. 319+76.55;

Thence southwesterly along the northwesterly line of State Highway "95" twenty-four hundred forty-two and forty-three hundredths (2442.43) feet to a point one hundred fifty (150) feet northwesterly from and as measured along a line normal to the Interstate Base Line at Sta. 295+50;

Thence northwesterly along said normal line eighty (80) feet to a point two hundred thirty (230) feet northwesterly of the Interstate Base Line;

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Thence southwesterly along the northwesterly line of State Highway "95" seven hundred seven and two hundredths (707.02) feet to a point two hundred thirty (230) feet northwesterly from and as measured along a line normal to the Interstate Base Line at Sta. 288+50;

Thence southeasterly along said normal line eighty (80) feet to a point one hundred fifty (150) feet northwesterly of the Base Line;

Thence southwesterly along the northwesterly line of State Highway "95" seven hundred fifty-four and ninety-one hundredths (754.91) feet to the point of beginning.

Section No. 3

Beginning at the point of intersection of the northwesterly line of State Highway "95" and the line between the Towns of Yarmouth and Cumberland, said point being one hundred fifty (150) feet northwesterly from and as measured along a line normal to the Interstate Base Line at Sta. 449+07.58;

Thence N. 19°15'45" W. about one hundred nineteen (119) feet to a point in the southeasterly line of former U.S. Route # 1, said point being forty-eight (48) feet southeasterly from and as measured along a line at right angles to the former U.S. Route # 1 Base Line at about Sta. 364+70;

Thence N. 42°42'58" E. along the southeasterly line of the former U.S. Route # 1 about eight hundred fifty-nine (859) feet to a point in the southerly line of land now or formerly of Central Maine Power Company, said point being forty-eight (48) feet southeasterly from and as measured along a line at right angles to the former U.S. Route # 1 Base Line at about Sta. 373+29;

Thence easterly along the southerly line of land now or formerly of Central Maine Power Company about two hundred seventy-six (276) feet to a point in the westerly line of Relocated U.S. Route # 1, said point being fifty (50) feet westerly from and as measured along a line at right angles to the Relocated U.S. Route # 1 Base Line at about Sta. 464+02;

Thence S. 8°37'27" W. along the westerly line of Relocated U.S. Route # 1 about thirty-five (35) feet to a point in the northwesterly line of land now or formerly of Widgery Thomas, said point being fifty (50) feet westerly from and as measured along a line at right angles to the Relocated U.S. Route # 1 Base Line at about Sta. 463+67;

Thence southwesterly along the northwesterly line of land now or formerly of Widgery Thomas about ten hundred thirty-five (1035) feet to the point of beginning.

Beginning at the intersection of the northwesterly line of State Highway "95" and the northerly line of land now or formerly of Central Maine Power Company, said point being one hundred fifty (150) feet northwesterly from and as measured along a line normal to the Interstate Base Line at about Sta. 459+48;

Thence westerly along the northerly line of land now or formerly of Central Maine Power Company about one hundred forty-one (141) feet to a point two hundred fifty (250) feet northwesterly from and as measured along a line normal to the Interstate Base Line at about Sta. 466+44;

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Thence northeasterly along a curved line two hundred fifty (250) feet northwesterly from and concentric with a 1°30' curve of the Interstate Base Line about four hundred eighty-eight (488) feet to a point on a line normal to the Interstate Base Line at C.S. Sta. 473+66.56;

Thence northeasterly by a direct course about one hundred ninety-five (195) feet to a point two hundred fifty (250) feet northwesterly from and as measured along a line at right angles to the Interstate Base Line at S.T. Sta. 475+66.56 Back equals Sta. 475+73.60 Ahead;

Thence N. 48°37'27" E. about twenty-three hundred forty-eight (2348) feet to a point in the southerly line of land now or formerly of E. Martin Johnson, said point being two hundred fifty (250) feet northwesterly from and as measured along a line at right angles to the Interstate Base Line at about Sta. 499+22;

Thence easterly along the southerly line of land now or formerly of E. Martin Johnson about one hundred ninety-eight (198) feet to a point in the northwesterly line of State Highway "95", said point being one hundred fifty (150) feet northwesterly from and as measured along a line at right angles to the Interstate Base Line at about Sta. 500+94;

Thence S. 48°37'27" W. along the northwesterly line of State Highway "95" about twenty-five hundred twenty (2520) feet to a point one hundred fifty (150) feet northwesterly from and as measured along a line at right angles to the Interstate Base Line at S.T. Sta. 475+66.56 Back equals Sta. 475+73.60 Ahead;

Thence S. 49°07'09" W. one hundred ninety-six and seven hundredths (196.07) feet to a point one hundred fifty (150) feet northwesterly from and as measured along a line normal to the Interstate Base Line at C.S. Sta. 473+66.56;

Thence southwesterly along the northwesterly line of State Highway "95" about four hundred two (402) feet to the point of beginning.

EXCEPTIONS AND RESERVATIONS

The following is hereby excepted and reserved from the hereinbefore described easement area:

| Parcel or Item No. | Apparent Owner | Location and Station |
|--------------------|--|---|
| 6 | Marie S. Allen | Left of Interstate Base Line from Sta. 246+31 to Sta. 257+43 |
| 14-1 | Greely Sturdivant, Jr. Marilyn S. Linnell | Left of Interstate Base Line from Sta. 303+68 to Sta. 309+67 |
| 14-2 | Greely Sturdivant, Jr. Marilyn S. Linnell | Right of Interstate Base Line from Sta. 303+43 to Sta. 309+50 |
| 16 | Milton S. Kimball | Right of Interstate Base Line from Sta. 325+12 to Sta. 337+18 |

Reserving hereby to New England Telephone and Telegraph Company all rights in land within their existing easement areas as shown on the beforementioned right of way map at the following locations:

From Sta. 495+51 to Sta. 500+75 left of the Interstate Base Line
From Sta. 500+35 to Sta. 500+61 right of the Interstate Base Line

DESCRIPTION OF EASEMENT TAKEN

The following perpetual easements and rights in land are taken at the locations and in the manner and to the extent specified and as shown on the right of way map hereinbefore mentioned:

Beautification Easement

The perpetual right to enter upon the following premises to cut, trim and remove any diseased, dead or undesirable growth existing thereon, together with the right to enter upon said premises to perform all necessary work to preserve and develop the natural growth thereon, to preserve and enhance the existing scenic views from State Highway "95", and to create new scenic views therefrom.

Taking hereby the right of the owner to cut, remove or clear any of the natural growth from said premises, the right to erect, construct or install any structures or installations that would interfere with or detract from the natural scenic beauty of said premises, together with the right to excavate or fill or in any way change or alter the existing surface of the said premises.

| Item No. | Apparent Owner | Location and Station |
|----------|--------------------|---|
| 3 | Daniel F. Villacci | Left of Interstate Base Line from Sta. 242+82 to Sta. 247+46 |
| 4 | Freda Ellis | Right of Interstate Base Line from Sta. 234+03.27 to S.T. Sta. 241+67.08 |
| 5 | Rose B. Brown | Right of Interstate Base Line from Sta. 249+13 to Sta. 252+84 |
| 7-1 | Peter H. Brown | Left of Interstate Base Line from Sta. 257+43 to Sta. 265+10 |
| 7-2 | William E. Brown | Right of Interstate Base Line from Sta. 252+22 to Sta. 266+65 |
| 8 | Irene H. Burke | Left of Interstate Base Line from Sta. 267+41 to Sta. 276+34 |
| 10 | Joseph E. Jones | Right of Interstate Base Line from Sta. 276+92 to Sta. 280+29 |
| 11 | Cynthia E. Jones | Right of Interstate Base Line from Sta. 280+07 to Sta. 290+32 |
| 12 | Merle E. Gooch | Left of Interstate Base Line from Sta. 281+00 to Sta. 290+53 |
| 13-1 | Carol P. Gooch | Left of Interstate Base Line from Sta. 290+72 to Sta. 303+72 |
| 13-2 | David C. Driskell | Right of Interstate Base Line from Sta. 290+21 to Sta. 303+50 |
| 15-1 | Thelma G. Driskell | Left of Interstate Base Line from Sta. 309+65 to P.T. Sta. 319+76.55 |
| 15-2 | Elsie M. Lowell | Right of Interstate Base Line from Sta. 309+45 to Sta. 325+18 |
| 17 | Ragnhild E. Olsen | Right of Interstate Base Line from Sta. 337+01 to Sta. 348+83 |
| 18 | Janet Lowe Palmer | Right of Interstate Base Line from Sta. 348+60 to Sta. 359+10 |
| 21-1 | Frank S. Rand | Left of Interstate Base Line from Sta. 449+07.58 to Sta. 464+02 Left of the Reloc. Rte. # 1 Base Line |
| 21-2 | Frank S. Rand | Left of Interstate Base Line from Sta. 484+66 to Sta. 500+94 |

| Item No. | Apparent Owner | Location and Station |
|----------|---|--|
| 23 | Jacob Agger } Trustees Anthony Nappi } of the Es- } tate of } John Nappi | Left of Interstate Base Line from Sta. 468+44 to Sta. 464+92 |
| 24 | Martin T. Storms | Right of Interstate Base Line from Sta. 483+60 to Sta. 501+81 |
| 25 | Samuel Nappi | Right of Interstate Base Line from Sta. 476+02 to Sta. 483+57 |

INFORMATIVE SUMMARY

The following is a list summarizing the parcel or item numbers, the names of apparent owners of record of land and rights involved and estimated easement area within the hereinbefore described boundaries and as shown on the beforementioned right of way map.

| Parcel or Item No. | Apparent Owner | Area of Beautification Easement |
|-----------------------|---------------------|---------------------------------|
| 1 | Omitted | |
| 2 | Omitted | |
| 3 | Daniel F. Villacci | 3.86± acres |
| 4 | Freda Ellis | 1.86± acres |
| 5 | Rose B. Brown | 0.99± acre |
| | Peter H. Brown | |
| 6 | Omitted | |
| 7-1 | William E. Brown | 7.67± acres |
| 7-2 | William E. Brown | 4.33± acres |
| 8 | Irene H. Burke | 3.68± acres |
| 9 | Omitted | |
| 10 | Joseph E. Jones | 0.50± acre |
| | Cynthia E. Jones | |
| 11 | Merle E. Gooch | 2.25± acres |
| | Carol F. Gooch | |
| 12 | David C. Driskell | 4.79± acres |
| | Theima G. Driskell | |
| 13-1 | Elsie M. Lowell | 2.67± acres |
| 13-2 | Elsie M. Lowell | 3.03± acres |
| 14-1 | Omitted | |
| 14-2 | Omitted | |
| 15-1 | Sidney C. Blanchard | 0.19± acre |
| | Dean Blanchard | |
| 15-2 | Sidney C. Blanchard | 3.57± acres |
| | Dean Blanchard | |
| 16 | Omitted | |
| 17 | Ragnild E. Olsen | 2.66± acres |
| 18 | Janet Lowe Palmer | 2.35± acres |
| 19 | Omitted | |
| 20-1 | Omitted | |
| 20-2 | Omitted | |
| 20-3 | Omitted | |
| 20-4 | Omitted | |
| 21-1 | Frank S. Rand | 3.97± acres |
| 21-2 | Frank S. Rand | 3.51± acres |
| 22-1 | Omitted | |
| 22-2 | Omitted | |

| Parcel or Item No. | Apparent Owner | Area of Beautification Easement |
|-----------------------|---|---------------------------------|
| 23 | Jacob Agger } Trustees Anthony Nappi } of the Es- } tate of } John Nappi | 3.55+ acres |
| 24 | Martin T. Storms | 3.54+ acres |
| 25 | Samuel Nappi | 1.54+ acres |

Cumberland, Falmouth, Yarmouth
LSI-95-4(1)


The State Highway Commission directs that this Notice of Layout and Taking be recorded in the Registry of Deeds of Cumberland County, filed with Town Clerks of the Towns of Cumberland, Falmouth and Yarmouth and with the County Commissioners of Cumberland County, and published in the "Portland Press Herald and Express", papers published in the County where said highway is located; and also directs that a copy of the Right of Way Map be filed with the County Commissioners of said County, and also that Notice be sent by Certified Mail to any Owners and Mortgagees of Record.

Dated at Augusta, Maine
May 28, 1969

MAINE STATE HIGHWAY COMMISSION


David H. Stevens, Chairman


Bertrand A. Lacharite, Member


Steven D. Shaw, Member


State of Maine
County of Kennebec ss.

Augusta, Maine, May 28, 1969

Personally appeared the above named David H. Stevens, Bertrand A. Lacharite, and Steven D. Shaw and acknowledged the above instrument to be their free act and deed in their capacities as members of the Maine State Highway Commission.

MAY 29 1969

Before me,


Justice of the Peace

REGISTRY OF DEEDS, CUMBERLAND COUNTY, MAINE

Received at 1 11 11 P.M. and recorded in

BOOK 3087 PAGE 583


Register