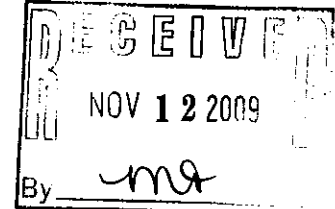


**ARBER DEVELOPMENT, INC.**  
**48 Woods Road**  
**Falmouth, Maine 04105**

November 9, 2009

Falmouth Town Council  
Cathy Breen, Chairperson  
271 Falmouth Road  
Falmouth, ME 04105



Re: Foreside Arbors – Street Acceptance

Dear Members of the Council:

As President of Arber Development, Inc., the developer of Foreside Arbors a subdivision off the Johnson Road in Falmouth, I am requesting that the Town accept the dedication of these roadways pursuant to Section 14-51 et seq. of the Falmouth Code. Those roadways have been named, Arborside Drive, Wisteria Circle and Ledge Rock Circle.

Based on the following, I am also asking that the Town waive the requirement of a performance guarantee.

The roads were constructed for Phase 1 in 2004 and Phase 2 in 2006 and have been properly maintained since the time of their construction.

The subdivision is a 19-lot residential subdivision in which 12 lots have been sold and developed with single family dwellings.

A request has been made to the town engineer to review the condition and adequacy of maintenance for the roads from the time of their construction.

Therefore, in accordance with Section 14-58 of the Falmouth Code, request is hereby made to waive the performance guaranty upon satisfaction of the above stated engineering review.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to be "A. Berube".

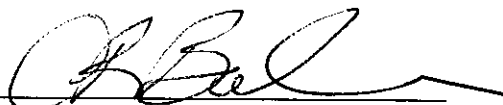
Andrew R. Berube  
President, Arber Development, Inc.

**WARRANTY DEED**  
(Maine Statutory Short Form)

**KNOW ALL PERSONS BY THESE PRESENTS**, that **ARBER DEVELOPMENT, INC.**, a Maine corporation with a principal place of business at 48 Woods Road, Falmouth, Maine 04105, for valuable consideration, the receipt whereof is hereby acknowledged, **GRANTS** with **WARRANTY COVENANTS** to the **TOWN OF FALMOUTH**, a body corporate and politic, situated in the Town of Falmouth, County of Cumberland and State of Maine the roadways situated in the Town of Falmouth, County of Cumberland, and State of Maine, known as Arborside Drive, Wisteria Circle and Ledge Rock Circle (hereinafter "Streets") as said ways are depicted on *Subdivision Plan of Foreside Arbors* recorded in the Cumberland County Registry of Deeds in plan book 203, page 326 and *Subdivision Plan of Foreside Arbors, Phase II* recorded in said Registry of Deeds in plan book 206, page 248 and more particularly described in Exhibit A, attached hereto and incorporated by reference herein:

IN WITNESS WHEREOF, Arber Development, Inc., has caused this instrument to be signed by Andrew R. Berube, its President, this 22 day of December 2009.

ARBER DEVELOPMENT, INC.



By: Andrew R. Berube  
Its: President

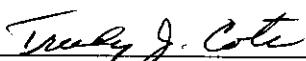
\_\_\_\_\_  
Witness

STATE OF MAINE  
CUMBERLAND, ss.

December 22, 2009

Personally appeared the above named ANDREW R. BERUBE and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of Arber Development, Inc.

Before me,

  
\_\_\_\_\_  
Notary Public / Attorney at Law  
TRUDY J. COTE  
Notary Public, Maine  
My Commission Expires 4/2/2015

## EXHIBIT A

### PARCEL 1 (Arborside Drive)

A lot or parcel of land known as Arborside Drive as depicted on *Subdivision Plan of Foreside Arbors* recorded in Cumberland County Registry of Deeds in plan book 203, page 326 and *Subdivision Plan of Foreside Arbors, Phase II* recorded in Cumberland County Registry of Deeds in plan book 206, page 248 bounded and described as follows: Beginning at a no. 5 rebar located on the northerly sideline of Johnson Road at land now or formerly Kasabian as described in deed book 8522, page 44 recorded in Cumberland County Registry of Deeds; thence N 57°-57'-02" W along the northerly sideline of Johnson Road, 16.67 feet; thence N 73°-57'-02" W continuing along the northerly sideline of Johnson Road, 47.27 feet to a 4"x4" granite monument; thence along the northwesterly sideline of Arborside Drive on a non-tangent curve to the left with a radius of 25.00 feet, an arc distance of 23.12 feet to a 4"x4" granite monument; said curve having a chord bearing N 47°-10'-34" E, 22.31 feet; thence continuing along the northwesterly sideline of Arborside Drive on a reverse curve to the right with a radius of 225.00 feet, an arc distance of 123.44 feet to a 4"x4" granite monument; thence N 52°-06'-41" E continuing along the northwesterly sideline of Arborside Drive, 87.05 feet to a 4"x4" granite monument; thence continuing along the northwesterly sideline of Arborside Drive on a curve to the right having a radius of 325.00 feet, an arc distance of 356.32 feet to a 4"x4" granite monument; thence S 65°-04'-23" E continuing along the northerly sideline of Arborside Drive, 144.02 feet to a 4"x4" granite monument; thence continuing along the northerly sideline of Arborside Drive on a curve to the left with a radius of 175.00 feet, an arc distance of 134.21 feet to a 4"x4" granite monument; thence N 70°-59'-15" E continuing along the northerly sideline of Arborside Drive, 211.06 feet to a 4"x4" granite monument; thence continuing along the northerly sideline of Arborside Drive on a curve to the right with a radius of 225.00 feet, an arc distance of 96.47 feet to a 4"x4" granite monument; thence S 84°-26'-52" E continuing along the northerly sideline of Arborside Drive, 102.85 feet to a 4"x4" granite monument; thence continuing along the northerly sideline of Arborside Drive on a curve to the left with a radius of 25.00 feet, an arc distance of 26.18 feet to a 4"x4" granite monument; thence around the cul-de-sac terminus of Arborside Drive on a reverse curve to the right with a radius of 75.00 feet, an arc distance of 141.70 feet to a no. 5 rebar located on the northerly sideline of a 50-foot right-of-way; thence N 68°-32'-30" E along the northerly sideline of said right-of-way; 110.64 feet to a no. 5 rebar; thence S 39°-36'-31" E, 52.62 feet to a no. 5 rebar located on the southerly sideline of said right-of-way; thence S 68°-32'-30" W along the southerly sideline of said right-of-way, 131.23 feet to a no. 5 rebar located on the cul-de-sac of Arborside Drive; thence southerly along the cul-de-sac of Arborside Drive on a non-tangent curve to the right with a radius of 75.00 feet, an arc distance of 199.84 feet to a 4"x4" granite monument; said curve having a chord bearing S 79°-13'-13" W, 145.75 feet; thence along the southerly sideline of Arborside Drive on a reverse curve to the left with a radius of 25.00 feet, an arc distance of 26.18 feet to a 4"x4" granite monument; thence N 84°-26'-52" W continuing along the southerly sideline of Arborside Drive, 102.84 feet to a 4"x4" granite monument; thence continuing along the southerly sideline of Arborside Drive on a curve to the left with a radius of 175.00 feet, an arc distance of 75.03 feet to a 4"x4" granite monument; thence S 70°-59'-15" W

continuing along the southerly sideline of Arborside Drive, 211.06 feet to a 4"x4" granite monument; thence continuing along the southerly sideline of Arborside Drive on a curve to the right with a radius of 225.00 feet, an arc distance of 172.55 feet to a 4"x4" granite monument; thence N 65°-04'-23" W continuing along the southerly sideline of Arborside Drive, 144.02 feet to a 4"x4" granite monument; thence continuing along the southerly sideline of Arborside Drive on a curve to the left with a radius of 275.00 feet, an arc distance of 301.50 feet to a 4"x4" granite monument; thence S 52°-06'-41" W continuing along the southerly sideline of Arborside Drive, 87.05 feet to a 4"x4" granite monument; thence continuing along the southerly sideline of Arborside Drive on a curve to the left with a radius of 175.00 feet, an arc distance of 5.73 feet to a no. 5 rebar; thence S 52°-43'-17" E, 11.75 feet to a no. 5 rebar; thence S 37°-16'-43" W along the southerly sideline of Arborside Drive, 106.86 feet to the point of beginning.

#### PARCEL 2 (Wisteria Circle)

A lot or parcel of land known as Wisteria Circle as depicted on *Subdivision Plan of Foreside Arbors* recorded in Cumberland County Registry of Deeds in plan book 203, page 326 bounded and described as follows: Beginning at a 4"x4" granite monument at the southerly intersection of Wisteria Circle and Arborside Drive ; thence along the southwesterly sideline of Wisteria Circle on a curve to the left having a radius of 25.00 feet, an arc distance of 35.69 feet to a 4"x4" granite monument; said curve having a chord bearing N 17°-41'-44" E, 32.73 feet; thence N 23°-11'-52" W continuing along the southwesterly sideline of Wisteria Circle, 4.21 feet to a 4"x4" granite monument; thence continuing along the southwesterly sideline of Wisteria Circle on a curve to the left with a radius of 125.00 feet, an arc distance of 44.69 feet to a 4"x4" granite monument; thence N 43°-40'-49" W continuing along the southwesterly sideline of Wisteria Circle, 207.64 feet to a 4"x4" granite monument; thence continuing along the southwesterly sideline of Wisteria Circle on a curve to the left with a radius of 25.00 feet, an arc distance of 32.13 feet; thence around the cul-de-sac terminus of Wisteria Circle on a reverse curve to the right with a radius of 75.00 feet, an arc distance of 310.84 feet to a no. 5 rebar located on the northwesterly sideline of a 50-foot right-of-way; thence N 49°-37'-43" E along the northwesterly sideline of said right-of-way, 15.07 feet to a no. 5 rebar; thence S 47°-05'-14" E, 25.17 feet to a no. 5 rebar; thence S 73°-37'-14" E, 29.89 feet to a no. 5 rebar located on the southeasterly sideline of said right-of-way; thence S 49°-37'-43" W along the southeasterly sideline of said right-of-way, 34.40 feet to a no. 5 rebar located on the cul-de-sac of Wisteria Circle; thence southerly along the cul-de-sac of Wisteria Circle on a non-tangent curve to the right with a radius of 75.00 feet, an arc distance of 29.34 feet to a 4"x4" granite monument; said curve having a chord bearing S 9°-41'-40" E, 29.15 feet; thence along the northeasterly sideline of Wisteria Circle on a reverse curve to the left with a radius of 25.00 feet, an arc distance of 22.61 feet to a 4"x4" granite monument; thence continuing along the northeasterly sideline of Wisteria Circle on a reverse curve to the right with a radius of 175.00 feet, an arc distance of 20.25 feet to a 4"x4" granite monument; thence S 43°-40'-49" E continuing along the northeasterly sideline of Wisteria Circle, 209.55 feet to a 4"x4" granite monument; thence continuing along the northeasterly sideline of Wisteria Circle on a curve to the right with a radius of 175.00 feet, an arc distance of 62.56 feet to a 4"x4" granite monument; thence S 23°-11'-52" E continuing along the northeasterly sideline of Wisteria Circle, 4.21 feet to a 4"x4"

granite monument; thence continuing along the northeasterly sideline of Wisteria Circle on a curve to the left with a radius of 25.00 feet, an arc distance of 35.69 feet to a 4"x4" granite monument at the northerly intersection of Arborside Drive; thence along the northerly sideline of Arborside Drive on a non-tangent curve to the left with a radius of 325.00 feet, an arc distance of 93.18 feet to the point of beginning; said curve having a chord bearing S 66°-48'-08" W, 92.86 feet.

#### PARCEL 3 (Ledge Rock Circle)

A lot or parcel of land known as Ledge Rock Circle as depicted on *Subdivision Plan of Foreside Arbors, Phase II* recorded in Cumberland County Registry of Deeds in plan book 206, page 248 bounded and described as follows: Beginning at a 4"x4" granite monument at the easterly intersection of Ledge Rock Circle and Arborside Drive; thence along the easterly sideline of Ledge Rock Circle on a curve to the left with a radius of 25.00 feet, an arc distance of 39.27 feet to a 4"x4" granite monument; said curve having a chord bearing S 25°-59'-15" W, 35.36 feet; thence S 19°-00'-45" E continuing along the easterly sideline of Ledge Rock Circle, 67.46 feet to a 4"x4" granite monument; thence continuing along the easterly sideline of Ledge Rock Circle on a curve to the left with a radius of 25.00 feet, an arc distance of 26.18 feet to a 4"x4" granite monument; thence around the cul-de-sac terminus of Ledge Rock Circle on a reverse curve to the right with a radius of 75.00 feet, an arc distance of 392.70 feet to a 4"x4" granite monument; thence along the westerly sideline of Ledge Rock Circle on a reverse curve to the left with a radius of 25.00 feet, an arc distance of 26.18 feet to a 4"x4" granite monument; thence N 19°-00'-45" W continuing along the westerly sideline of Ledge Rock Circle, 67.46 feet to a 4"x4" granite monument; thence continuing along the westerly sideline of Ledge Rock Circle on a curve to the left with a radius of 25.00 feet, an arc distance of 39.27 feet to a 4"x4" granite monument at the westerly intersection of Arborside Drive; thence N 70°-59'-15" E along the southerly sideline of Arborside Drive, 100.00 feet to the point of beginning.

#### PARCEL 4 (Access, Grading, Utility and Drainage Easement)

An access, grading, utility and drainage easement over and through a portion of lots 5 and 6 of said *Subdivision Plan of Foreside Arbors* recorded in Cumberland County Registry of Deeds in plan book 203, page 326, bounded and described as follows: Beginning at a 5/8" rebar located on the westerly sideline of Wisteria Circle marking the northeasterly corner of lot 5 and the southeasterly corner of lot 6 of said plan; thence southerly along the westerly sideline of Wisteria Circle on a curve to the left with a radius of 75.00 feet, and arc distance of 15.04 feet; said curve having a chord bearing S 16°-52'-54" W, 15.01 feet; thence N 70°-35'-56" W, 96.39 feet; thence S 19°-24'-04" W, 63.81 feet; thence N 70°-35'-56" W, 100.22 feet; thence N 19°-24'-04" E, 46.54 feet; thence N 70°-35'-56" W, 20.00 feet; thence N 19°-24'-04" E, 20.00 feet; thence S 70°-35'-56" E, 20.00 feet; thence N 19°-24'-04" E, 54.78 feet; thence N 58°-12'-18" E, 23.81 feet; thence S 70°-35'-56" E, 75.08 feet; thence S 19°-24'-04" W, 46.07 feet; thence S 70°-35'-56" E, 108.33 feet to the westerly sideline of Wisteria Circle; thence southerly along the

westerly sideline of Wisteria Circle on a curve to the left with a radius of 75.00 feet, and arc distance of 15.21 feet to the point of beginning; said curve having a chord bearing S 28°-26'-16" W, 15.19 feet.

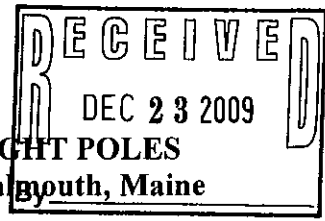
Meaning and intending to describe drainage easement area depicted as detention pond and associated drainage structure on said plan. Easement area contains 16,696 sq.ft.

PARCEL 5 (Access, Grading and Drainage Easement)

An access, grading and drainage easement over and through a portion of lot 9 and open space of said *Subdivision Plan of Foreside Arbors, Phase II* recorded in Cumberland County Registry of Deeds in plan book 206, page 248, bounded and described as follows: Beginning at a 5/8" rebar located on the westerly sideline of Ledge Rock Circle marking the northeasterly corner of lot 9 and the southeasterly corner of lot 8 of said plan; thence southerly along the westerly sideline of Ledge Rock Road on a curve to the left with a radius of 75.00 feet, an arc distance of 25.02 feet; said curve having a chord bearing S 17°-33'-08" W, 24.90 feet; thence S 70°-59'-15" W, 106.12 feet; thence S 43°-37'-30" W, 46.94 feet; thence S 40°-36'-55" E, 9.24 feet; thence S 40°-33'-38" E, 116.48 feet; thence S 49°-19'-13" W, 25.00 feet; thence N 40°-33'-38" W, 116.52 feet; thence N 40°-36'-55" W, 335.39 feet to the southerly sideline of Arborside Drive; thence S 65°-04'-23" E along the southerly sideline of Arborside Drive, 92.93 feet; thence continuing along the southerly sideline of Arborside Drive on a curve to the left with a radius of 225.00 feet, an arc length of 38.07 feet; thence S 15°-13'-59" W, 35.11 feet; thence N 88°-31'-27" E, 88.81 feet; thence S 48°-56'-32" E, 124.88 feet; thence N 70°-59'-15" E, 82.31 feet to the point of beginning.

Meaning and intending to describe drainage easement areas depicted as detention pond, drainage and access easement, buffer and drainage easement and the associated drainage structure on said plan. Easement area contains 26,271 sq.ft.

Excepting and reserving any light poles and related fixtures and appurtenances located with the Streets, which shall remain the property of the Grantor and for which the Grantor shall have the right to enter upon the Streets to maintain, repair and replace said light poles and related fixtures and appurtenances pursuant to the terms and provisions of a certain Agreement Concerning Maintenance of Light Poles between the Grantor and Grantee of even date and recorded in said Registry of Deeds herewith.



**AGREEMENT CONCERNING MAINTENANCE OF LIGHT POLES  
Arborside Drive, Wisteria Circle and Ledge Rock Circle, Falmouth, Maine**

This Agreement is made as of this \_\_\_\_ day of January, 2010, by and between Arber Development, Inc., (the "Developer") a Maine corporation with a principal place of business at 48 Woods Road, Falmouth, Maine 04105, and the Town of Falmouth, a body corporate and public located in the County of Cumberland and State of Maine (the "Town").

WHEREAS, Developer has petitioned the Town of Falmouth to accept as public streets all of Arborside Drive, Wisteria Circle and Ledge Rock Circle, together with certain easements as further described in Exhibit A to the Warranty Deed for Street Acceptance (collectively, the "Street"), as shown on a plan entitled Subdivision Plan of Foreside Arbors, recorded in the Cumberland County Registry of Deeds in Plan Book 203, Page 326 and Subdivision Plan of Foreside Arbors, Phase II, recorded in the Cumberland County Registry of Deeds in Plan Book 206, Page 248; and

WHEREAS, the Developer is required as a condition of Subdivision Approval dated \_\_\_\_\_ to install, maintain and operate light poles together with related fixtures and appurtenances (the "Light Poles") within the Streets as located and defined on the approved plan set of said Subdivision Plan as referenced above; and

WHEREAS, Developer has installed a number of light poles together with related fixtures and appurtenances within the Street; and

WHEREAS, Developer will continue to remain the owner of the Light Poles after the acceptance of the Streets;

NOW, THEREFORE, in consideration of the mutual promises and covenants made herein, the parties agree as follows:

1. The Town will allow the Light Poles to remain in their current locations and will allow Developer to enter upon the Streets for the purposes of maintaining, repairing and replacing the Light Poles, subject to all applicable Town ordinances, rules and permits concerning work within public streets.

2. Developer will maintain and, if needed, repair, replace or remove the Light Poles, all so that the Light Poles are operable and do not pose a safety hazard to persons using the Streets. Developer will be solely responsible for all costs of maintenance and repair of the Light Poles, including costs of electric service and supply. The Town shall have no responsibility to maintain, repair or operate the Light Poles.

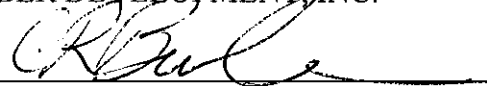
3. Developer agrees, for itself, its successors and assigns, to indemnify and hold harmless the Town, its officers, officials, agents and employees against any and all claims, demands, damages, actions, causes of action, suits or judgments of any kind arising out of or in any way related to the Light Poles and accruing during the term of this Agreement. Nothing in this paragraph waives any immunity available to the Town under the Maine Tort Claims Act or

other applicable law. The obligations of this paragraph shall survive termination or expiration of this Agreement.

4. This Agreement shall take effect upon acceptance of the Streets by the Town and remain in effect for so long as any of the Light Poles remain in the Streets. This Agreement shall be binding upon Developer, its successors and assigns.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed as of the date first written above.

ARBER DEVELOPMENT, INC.



by: Andrew R. Berube  
Its: President

\_\_\_\_\_  
Witness

TOWN OF FALMOUTH

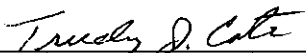
\_\_\_\_\_  
by: Nathan A. Poore  
Its: Town Manager

\_\_\_\_\_  
Witness

STATE OF MAINE  
CUMBERLAND, ss.

Dec. 22, 2009

Personally appeared before me the above-named Andrew R. Berube, the President of Arber Development, Inc., and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of Arber Development, Inc.

  
\_\_\_\_\_  
Notary Public/Attorney at Law  
TRUDY J. COTE  
Notary Public, Maine  
My Commission Expires 4/4/2015

STATE OF MAINE  
CUMBERLAND, ss.

\_\_\_\_\_, 2009

Personally appeared before me the above-named Nathan A. Poore, Town Manager of the Town of Falmouth and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said Town of Falmouth.

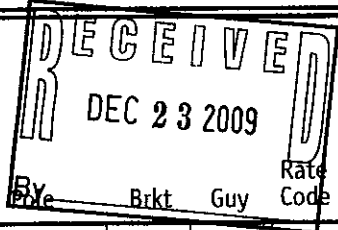
\_\_\_\_\_  
Notary Public/Attorney at Law



**CENTRAL MAINE POWER COMPANY  
AGREEMENT FOR  
STREET/AREA LIGHTING**

DATE: \_\_\_\_\_  
DISTRICT: \_\_\_\_\_  
WMS WR#: \_\_\_\_\_

STREET LIGHT: \_\_\_\_\_  
AREA LIGHT: \_\_\_\_\_  
TAKEN BY: \_\_\_\_\_



Pole#	Road Code	Rate Code	No.	Watts	Type	R E M O V E	I N S T A L L	U R D	O V E R H E A D	Pad	BY	Brkt	Guy	Rate Code	Amount
6056	747	747	1	100	ST										100
6057	747	747	1	100	ST										100
6058	747	747	1	100	ST										100
6059	747	747	1	100	ST										100
6060	747	747	1	100	ST										100
6061	747	747	1	100	ST										100
6062	747	747	1	100	ST										100
6063	747	747	1	100	ST										100
6064	747	747	1	100	ST										100
6065	747	747	1	100	ST										100
6066	747	747	1	100	ST										100
6067	747	747	1	100	ST										100
6068	747	747	1	100	ST										100
6069	747	747	1	100	ST										100
6070	747	747	1	100	ST										100

Town: Wilton Code: 01095 Total: 1700  
 Road Name: Wilton Rd Account Number: 444-1111-1111  
 Customer Name: Wilton Electric Co  
 Customer Address: 123 Main St Wilton VT 05095  
 State, Zip: VT 05095

Central Maine Power Company (CMP) and the undersigned Customer agree to the Terms and Conditions printed on the back of this page. The parties have indicated their acceptance of the terms of this Agreement by signing below or having their duly authorized representative sign below on their behalf.

**CENTRAL MAINE POWER** **CUSTOMER**

BY: [Signature] DATE: 12/23/09 BY: [Signature] DATE: 12/23/09

Remarks/Notes: \_\_\_\_\_

**FOR COMPANY USE ONLY**

Effective Date of Replacement: \_\_\_\_\_ CSS UPDATE COMPLETED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

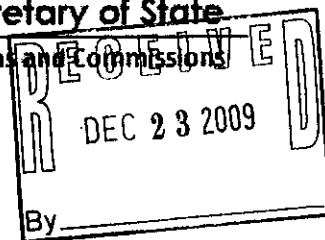
Number of Months Remaining: \_\_\_\_\_ Installed by: \_\_\_\_\_ DATE: \_\_\_\_\_

**IMPORTANT TERMS AND CONDITIONS ON BACK**



# MAINE

Department of the Secretary of State  
Bureau of Corporations, Elections and Commissions



**Corporate Name Search**

## Information Summary

Subscriber activity report

**This record contains information from the CEC database and is accurate as of: Tue Dec 01 2009 13:48:35. Please print or save for your records.**

Legal Name	Charter Number	Filing Type	Status
FORESIDE ARBORS HOMEOWNERS ASSOCIATION	20060305ND	NONPROFIT CORPORATION (T13-B)	GOOD STANDING

Filing Date	Expiration Date	Jurisdiction
11/21/2005	N/A	MAINE

**Other Names** (A=Assumed ; F=Former)

NONE

### Clerk/Registered Agent

JOSEPH R. MAZZIOTTI  
P.O. BOX 1319  
PORTLAND, ME 04104

[Back to previous screen](#)

[New Search](#)

**Click on a link to obtain additional information.**

List of Filings

[View list of filings](#)

**Obtain additional information:**

Additional Addresses

[Plain Copy](#)

[Certified copy](#)

Certificate of Existence ([more info](#))

[Short Form without amendments](#)  
(\$10.00)

[Long Form with amendments](#)  
(\$10.00)

You will need Adobe Acrobat version 3.0 or higher in order to view PDF files. If you encounter problems, visit the [troubleshooting page](#).

