

EASEMENT DEED

KNOW ALL MEN BY THESE PRESENTS, that STRENHOEX ASSOCIATES, INC., a Maine corporation with a mailing address of 202 U.S. Route 1, Falmouth, Maine 04105 (hereinafter the “Grantor”), in consideration of One Dollar (\$1.00) and other valuable considerations paid by TOWN OF FALMOUTH, a municipal corporation organized and existing under the laws of the State of Maine and having a place of business in Falmouth, County of Cumberland and State of Maine (hereinafter the “Grantee”), the receipt and sufficiency whereof he does hereby acknowledge, does hereby GIVE, GRANT, BARGAIN, SELL AND CONVEY unto said TOWN OF FALMOUTH, its successors and assigns forever, a non-exclusive perpetual appurtenant pedestrian right of way and easement on Grantor’s premises situated at U.S. Route 1 and Clear Water Drive, in the Town of Falmouth, County of Cumberland and State of Maine, for use in common with the Grantor, its successors and assigns. The pedestrian right of way and easement herein conveyed is more particularly described in Exhibit A, attached hereto and made a part hereof.

Said right of way and easement, as may be improved by Grantor, its successors or assigns, shall be for all purposes now or hereafter customary of a public pedestrian walkway and no other purpose.

Reserving to the Grantor, its successors and assigns, and its tenants and other respective successors, assigns and invitees, the use and enjoyment of the right of way and the premises described in Exhibit A for all such purposes as will not unreasonably interfere with the perpetual

use thereof by the Grantee, its successors and assigns, for the purposes herein mentioned. Grantor, its successors and assigns, shall not erect or construct any building of any kind or other permanent structure and shall not otherwise unreasonably interfere with or disrupt Grantee's use of the right of way and easement conveyed hereby, without the express written consent of Grantee, its successors and assigns. The right of way and easement granted herein shall be constructed and maintained by Grantor in a good and workmanlike manner, and made and kept safe at the Grantor's sole expense.

TO HAVE AND TO HOLD the aforegranted and bargained premises, with all the privileges and appurtenances thereof, to the said TOWN OF FALMOUTH, its successors and assigns, to its and their use and behoof forever. And it does covenant with the said Grantee, its successors and assigns, that it is lawfully seized in fee of the premises, that it is free of all encumbrances except as aforesaid, that it has good right to sell and convey the same to the said Grantee to hold as aforesaid, and that it and its successors and assigns shall and will warrant and defend the same to the said Grantee, its successors and assigns forever, against the lawful claims and demands of all persons claiming by, through or under it.

IN WITNESS WHEREOF, the said Strenhoex Associates, Inc. has caused this instrument to be executed by Kevin McQuinn, its President, thereunto duly authorized this ____ day of the month of November, 2009.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

STRENHOEX ASSOCIATES, INC.

By: _____
Its President
Kevin McQuinn

STATE OF MAINE
CUMBERLAND, ss.

November ____, 2009

Personally appeared the above-named Kevin McQuinn, President of Strenhoex Associates, Inc. and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of Strenhoex Associates, Inc.

Before me,

Notary Public/Attorney-at-Law

Print Name:_____

EXHIBIT A

An easement over a certain lot or parcel of land located on the southerly side of Clearwater Drive and the westerly side of U.S. Route One, in the Town of Falmouth, County of Cumberland, State of Maine, said easement being more particularly bounded and described as follows:

Commencing at a point on the westerly side of U.S. Route One at the intersection of the southerly sideline of Clearwater Drive with the westerly sideline of U.S. Route One;

Thence S 05°-57'-12" W, a distance of 34.57 feet to an existing 4" x 4" granite monument with drill hole 8" above grade;

Thence S 05°-57'-12" W, continuing along U.S. Route One, a distance of 5.00 feet to the Point of Beginning.

Thence S 05°-57'-12" W, along U.S. Route One, a distance of 9.00 feet; Thence N 84°-02'-48" W, through land of the Grantor, a distance of 7.75 feet;

Thence through land of the Grantor, following a curve to the right, having a radius of 21.00 feet, an arc length of 76.96 feet, a chord bearing of N 56°-40'-51" W and a chord distance of 40.57 feet;

Thence through land of the Grantor, following a curve to the left, having a radius of 51.95 feet, an arc length of 21.39 feet, a chord bearing of N 52°-15'-10" W and a chord distance of 21.24 feet, to a point of compound curvature;

Thence through land of the Grantor, following a curve to the left, having a radius of 93.00 feet, an arc length of 24.27 feet, a chord bearing of N 71°-31'-20" W and a chord distance of 24.20 feet, to a point of reverse curvature;

Thence through land of the Grantor, following a curve to the right, having a radius of 107.00 feet, an arc length of 33.23 feet, a chord bearing of N 70°-05'-59" W and a chord distance of 33.10 feet, to a point of reverse curvature;

Thence through land of the Grantor, following a curve to the left, having a radius of 93.00 feet, an arc length of 20.19 feet, a chord bearing of N 67°-25'-17" W and a chord distance of 20.15 feet, to the southerly side of Clearwater Drive;

Thence S 83°-56'-43" E, along Clearwater Drive, a distance of 29.63 feet;

Thence through land of the Grantor, following a curve to the left, having a radius of 98.00 feet, an arc length of 23.14 feet, a chord bearing of S 72°-14'-02" E and a chord distance of 23.08 feet, to a point of reverse curvature;

Thence through land of the Grantor, following a curve to the right, having a radius of 102.00 feet, an arc length of 26.62 feet, a chord bearing of S 71°-31'-20" E and a chord distance of 26.54 feet, to a point of compound curvature;

Thence through land of the Grantor, following a curve to the right, having a radius of 60.95 feet, an arc length of 26.90 feet, a chord bearing of S 51°-24'-20" E and a chord distance of 26.68 feet;

Thence through land of the Grantor, following a curve to the right, having a radius of 21.00 feet, an arc length of 36.69 feet, a chord bearing of S 56°-28'-04" E and a chord distance of 32.20 feet;

Thence S 84°-02'-48" E, through land of the Grantor, a distance of 7.75 feet to the Point of Beginning.

Meaning and intending to describe an easement containing 2,227 square feet, more or less. The bearings referenced herein are based upon Grid North.