

**WARRANTY DEED**  
**For Street Acceptance**  
(Maine Statutory Short Form)

KNOW ALL BY THESE PRESENTS, that BODKIN FARMS DEVELOPMENT COMPANY, INC., a Maine business corporation, with a place of business in Falmouth, Cumberland County, Maine (“Grantor”), for consideration paid, grants with WARRANTY COVENANTS to the TOWN of FALMOUTH a body corporate and politic, in the County of Cumberland and State of Maine, with a mailing address of 271 Falmouth Road, Falmouth, Maine 04105 (“Grantee”), with warranty covenants, the land in Town of Falmouth, County of Cumberland and State of Maine, described as follows:

A certain corridor of land with improvements therein, known as Spoonrift Road, in the Town of Falmouth, County of Cumberland, and State of Maine, being for the most part 50 feet in width, and shown in its entirety on a certain subdivision plan entitled, “Jeffrey Soule Record Owner Bodkin Farms Babbidge Road, Falmouth, Maine” dated March 24, 2004 revised through October 21, 2004 and recorded in the Cumberland County registry of Deeds in plan book 204 page 849, whose centerline is more particularly described as follows, to wit:

**Commencing** at the westerly corner of Blackstrap Acres Minor Subdivision as shown on the subdivision plan of the same name recorded in the aforesaid registry of deeds in plan book 165 page 55, said point of commencement also situated on the northerly side of Babbidge Road in the aforesaid Town, County and State and marked with a capped rebar inscribed “PLS 1273” and thence proceeding N 36°-20’-39” W along the northerly sideline of Babbidge Road as redefined by the Commissioners of Cumberland County June 16, 1965 and on file in the aforesaid County Commissioner’s office for a distance of 120.11 feet to a certain granite right of way marker as shown on the aforesaid County Commissioners Plan of Redefinition, and proceeding thence N 38°-49’-39” W along said northerly sideline of Babbidge Road for a distance of 274.92 feet to a granite monument at the southeast corner of Spoonrift Road, so called, and **Point of Beginning** herein;

Thence by the following courses in a counter-clockwise direction following the perimeter of the hereby described and conveyed Spoonrift Road right of way;

- 1.) Thence on a curve to the right whose radius is 10 feet for a distance as measured along the arc of said curve of 17.45 feet to a Point of Tangency and granite monument;
- 2.) Thence N 61°-10’-21” E for a distance of 31.63 feet to a Point of Curvature and granite monument;
- 3.) Thence on a curve to the right whose radius is 275 feet for a distance as measured along the arc of said curve of 100.69 feet to a Point of Tangency and granite monument;
- 4.) Thence N 82°-09’-05” E for a distance of 100 feet to a Point of Curvature and granite monument;

- 5.) Thence on a curve to the left whose radius is 205 feet for a distance as measured along the arc of said curve of 300.58 feet to a Point of Tangency and granite monument;
- 6.) Thence N 01°-51'-29" W for an overall distance of 310.73 feet to a Point of Curvature and granite monument, this overall distance of 310.73 feet being the sum total of the two associated dimensions stipulated on the Bodkin Farms plan;
- 7.) Thence on a curve to the right whose radius is 375 feet for an overall distance as measured along the arc of said curve of 299.87 feet to a Point of Tangency and granite monument, this overall distance of 299.87 feet being the sum total of the three associated dimensions stipulated on the Bodkin Farms plan;
- 8.) Thence N 43°-57'-34" E for an overall distance of 342.17 feet to a Point of Curvature and granite monument, this overall distance of 342.17 feet being the sum total of the three associated dimensions stipulated on the Bodkin Farms plan;
- 9.) Thence on a curve to the left whose radius is 240 feet for a distance as measured along the arc of said curve of 95.35 feet to a Point of Tangency and granite monument;
- 10.) Thence N 21°-11'-51" E for a distance of 435.33 feet to a Point of Curvature;
- 11.) Thence on a curve to the left whose radius is 250 feet for a distance as measured along the arc of said curve of 185.27 feet to a Point of Tangency;
- 12.) Thence N 21°-15'-48" W for a distance of 38.00 feet to land now or formerly of Gail Hawkes;
- 13.) Thence S 28°-44'-15" W along land of Gail Hawkes for a distance of 65.32 feet;
- 14.) Thence turning in a general southerly direction along a non-tangential curve to the right whose radius is 200 feet for a distance as measured along the arc of said curve of 144.23 feet to a Point of Tangency, said curve subtended by a chord bearing S 00°-32'-17" W and being 141.12 feet in length;
- 15.) Thence S 21°-11'-51" W for a distance of 288.70 feet to a Point of Curvature;
- 16.) Thence turning in an westerly and northerly direction following a non-tangential curve to the left whose radius is 240 feet for a distance as measured along the arc of said curve of 122.31 feet to a point at the land of the aforesaid Gail Hawkes, said curve subtended by a chord bearing N 31°-03'-41" W and being 121.00 feet in length;
- 17.) Thence S 28°-44'-15" W along land of Gail Hawkes for a distance of 52.46 feet;
- 18.) Thence along a non-tangential curve to the right whose radius is 190 feet for an overall distance as measured along the arc of said curve of 283.08 feet to a Point of Tangency and granite monument, said curve subtended by a chord bearing S 01°-16'-41" W and being 257.61 feet in length;

- 19.) Thence S  $43^{\circ}-57'-34''$  W for a distance of 67.40 feet to a Point of Curvature and granite monument;
- 20.) Thence on a curve to the right whose radius is 12 feet for a distance as measured along the arc of said curve of 18.85 feet to a Point of Tangency and granite monument;
- 21.) Thence N  $46^{\circ}-02'-26''$  W for a distance of 38 feet to a Point of Curvature and granite monument;
- 22.) Thence S  $43^{\circ}-57'-34''$  W for a distance of 50 feet to a granite monument;
- 23.) Thence S  $46^{\circ}-02'-26''$  E for a distance of 38 feet to a granite monument;
- 24.) Thence on a curve to the right whose radius is 12 feet for a distance as measured along the arc of said curve of 18.85 feet to a Point of Tangency and granite monument;
- 25.) Thence S  $43^{\circ}-57'-34''$  W for an overall distance of 201.77 feet to a Point of Curvature and granite monument, this overall distance of 201.77 feet being the sum total of the two associated dimensions stipulated on the Bodkin Farms plan;
- 26.) Thence on a curve to the left whose radius is 425 feet for an overall distance as measured along the arc of said curve of 339.85 feet to a Point of Tangency and granite monument, this overall distance of 339.85 feet being the sum total of the two associated dimensions stipulated on the Bodkin Farms plan;
- 27.) Thence S  $01^{\circ}-51'-29''$  E for an overall distance of 310.72 feet to a Point of Curvature and granite monument, this overall distance of 310.72 feet being the sum total of the three associated dimensions stipulated on the Bodkin Farms plan;
- 28.) Thence on a curve to the right whose radius is 155 feet for an overall distance as measured along the arc of said curve of 227.26 feet to a Point of Tangency and granite monument, this overall distance of 227.26 feet being the sum total of the two associated dimensions stipulated on the Bodkin Farms plan;
- 29.) Thence S  $82^{\circ}-09'-05''$  W for a distance of 100 feet to a Point of Curvature and granite monument;
- 30.) Thence on a curve to the left whose radius is 325 feet for an overall distance of 119.00 feet as measured along the arc of said curve to a Point of Tangency and granite monument, this overall distance of 119.00 feet being the sum total of the two dimensions stipulated on the Bodkin Farms plan;
- 31.) Thence S  $61^{\circ}-10'-21''$  W for a distance of 43.97 feet to a Point of Curvature and granite monument;

32.) Thence on a curve to the right whose radius is 10 feet for a distance as measured along the arc of said curve of 13.96 feet to a Point of Tangency and granite monument set in the northerly sideline of Babbidge Road;

33.) Thence S 38°-49'-39" E along the northerly sideline of Babbidge Road aforesaid for a distance of 70.87 feet to a granite monument and **Point of Beginning** herein;

Excepting and reserving any utility or light poles and related fixtures and appurtenances located with the Street, which shall remain the property of the Grantor and for which the Grantor shall have the right to enter upon the Street 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 the Grantee of even or recent date herewith and recorded in said Registry of Deeds.

Including with the herein conveyance all or Grantor's right, title and interest in the pipes, wires, cables, conduits and other public utilities and facilities located over, under or in such road, if any, subject to, however, the rights of all public utilities with respect thereto.

Being a portion of the premises conveyed to Bodkin Farms Development Company, Inc. by Jeffrey W. Soule by deed dated March 14, 2005, and recorded at the Cumberland County Registry of Deeds in Book 22416, Page 328.

ALSO CONVEYED is an access, grading, drainage and maintenance easement adjacent to Spoondrift Road as shown on said plan, for the purposes of maintaining the drainage along said Road, if not otherwise maintained by the Bodkin Farms Owners Association as required by the Declaration of Easements, Covenants and Restrictions and Reservation of Rights Affecting the Subdivision Called Bodkin Farms in the Town of Falmouth, County of Cumberland, and State of Maine, Recorded in the Cumberland County Registry of Deeds at Book 22416, Page 330.

ALSO CONVEYED an easement over the land in Town of Falmouth, County of Cumberland and State of Maine, described as follows:

A certain parcel of land, encompassing a dredged pond and its associated improvements (the "fire pond"), in the Town of Falmouth, County of Cumberland, and State of Maine, said pond being depicted on a certain subdivision plan entitled, "Jeffrey Soule Record Owner Bodkin Farms Babbidge Road, Falmouth, Maine" dated March 24, 2004 revised through October 21, 2004 and recorded in the Cumberland County registry of Deeds in plan book 204 page 849, whose easement parcel boundaries more particularly described as follows, to wit:

**Commencing** at the westerly corner of Blackstrap Acres Minor Subdivision as shown on the subdivision plan of the same name recorded in the aforesaid registry of deeds in plan book 165 page 55, said point of commencement also situated on the northerly side of Babbidge Road in the aforesaid Town, County and State and marked with a capped rebar inscribed "PLS 1273" and thence proceeding N 36°-20'-39" W along the northerly sideline of Babbidge Road as redefined by the Commissioners of Cumberland County June 16, 1965 and on file in the aforesaid County

Commissioner's office for a distance of 120.11 feet to a certain granite right of way marker as shown on the aforesaid County Commissioners Plan of Redefinition, and proceeding thence N 38°-49'-39" W along said northerly sideline of Babbidge Road for a distance of 346.00 feet to a granite monument at the southwest corner of Spoondrift Road, so called, and **Point of Beginning** herein;

Thence by the following courses in a clockwise direction following the perimeter of the hereby described and conveyed fire pond easement parcel;

- 1.) N 38°-49'-39" W along the said northerly sideline of Babbidge Road for a distance of 120.07 feet;
- 2.) Thence N 51°-10'-21" E for a distance of 100 feet to a point on the southerly edge of an area identified on said Bodkin Farms plan as "Community Open Space";
- 3.) Thence S 38°-49'-39" E along said open space for a distance of 54.88 feet to a certain survey marker and the west corner of Lot 1 as shown on said Bodkin Farms plan, and continuing on same course S 38°-49'-39" E along Lot 1 for a distance of 95.12 feet to a certain survey marker and westerly sideline of Spoondrift Road, so called;
- 4.) Thence turning non-tangentially along the westerly sideline of Spoondrift Road in a general southerly direction and proceeding along a curve to the left whose radius is 325 feet for a distance of 50.06 feet to granite monument, said curve subtended by a chord bearing S 65°-35'-05" W and being 50.01 feet in length;
- 5.) Thence S 61°-10'-21" W along Spoondrift Road for a distance of 43.97 feet to a Point of Curvature and a granite monument;
- 6.) Thence along a fillet curve to the right whose radius is 10 feet for a distance as measured along the arc of said curve of 13.96 feet to a Point of Tangency and granite monument and **Point of Beginning herein**, encompassing an area of 13776 square feet, or 0.31 acres, more or less.

Parcel corners described herein as "certain survey marker" are 5/8" diameter steel rebar with identification caps inscribed, "Royal River PLS 1154".

ALSO CONVEYED a vehicular and pedestrian access to the fire pond easement area, the parking area and dry hydrant, as they presently exist on the southeasterly side of the fire pond, for purposes of inspection, maintenance and repair of the fire pond, together with the right to draw water from the fire pond for emergency extinguishment of fires which are not able to be reasonably controlled by other means.

IN WITNESS WHEREOF, BODKIN FARMS DEVELOPMENT COMPANY, INC. has caused this deed to be executed in its name by Jeffrey W. Soule, its \_\_\_\_\_ thereunto duly authorized on this \_\_\_\_ day of \_\_\_\_\_, 2010.

WITNESS:

BODKIN FARMS DEVELOPMENT  
COMPANY, INC.:

\_\_\_\_\_

By: \_\_\_\_\_

JEFFREY W. SOULE

Its:

STATE OF MAINE  
CUMBERLAND, ss.

\_\_\_\_\_, 2010

Then personally appeared before me the above-named JEFFREY W. SOULE, as aforesaid, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of the company.

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

Printed Name: \_\_\_\_\_