

EASEMENT DEED

KNOW ALL PERSONS BY THESE PRESENTS, that **THE INHABITANTS OF THE TOWN OF NEW GLOUCESTER**, a municipal corporation under the laws of the State of Maine ("Grantor"), for good and sufficient consideration, the receipt of which is hereby acknowledged, does hereby GRANT to the **NEW GLOUCESTER WATER DISTRICT**, a quasi-municipal corporation and water district organized and existing under the laws of the State of Maine ("Grantee"), its successors and assigns, the following perpetual rights and easement, in gross, in, on, over, upon, across, through and under certain property located on Bald Hill Road in the Town of New Gloucester, County of Cumberland and State of Maine owned by the Town of New Gloucester and shown on Town of New Gloucester Tax Map 10 as Lot 12 (the "Premises"), which easement is more particularly described in Exhibit A attached hereto (the "Easement Area"), for the purposes of withdrawal, storage and conveyance of drinking water.

The Grantee shall have the following permanent easement rights in the Easement Area described above:

1. the right to construct, install, use, operate, maintain, reconstruct, repair, modify, alter, replace and remove wells, storage tanks, pumphouses and similar structures, and pipelines, with all necessary appurtenances and fixtures, including electric or other energized control lines; and
2. the right to withdraw, store and convey drinking water; and
3. the right to make connections with the conduits or pipelines on land adjacent to the Easement Area; and
4. the right to trim, cut down, and/or remove bushes, grass, crops, trees or any other vegetation, to such extent as is necessary for any of these purposes in the sole judgment of the Grantee; and
5. the right to change the existing surface grade of the Easement Area as is reasonably necessary for any of these purposes; and
6. the right to enter onto the Easement Area, with people and machines, at any and all times for any of these purposes; and
7. a right-of-way from Bald Hill Road over a portion of the Premises, together with the right to install utility facilities in the right-of-way access and utility easement and wellhead easement, all as included in the Easement Area described in Exhibit A.

After the exercise from time to time of any of the rights granted herein, Grantee agrees to restore the Easement Area to its prior condition.

The Grantor reserves the use and enjoyment of the Easement Area for any purpose that does not unreasonably interfere with the use of the easement area by the Grantee for its own purposes, provided that Grantor's uses are consistent with the terms of any Wellhead Protection

Plan for the Easement Area to be prepared by the New Gloucester Water District in accordance with the requirements of the Maine Department of Health and Human Services, Maine Drinking Water Program, and with the terms of any Wellhead Protection Ordinance that the Town of New Gloucester may enact, and further provided that none of the following improvements may be made by the Grantor in the Easement Area without the prior written permission of the Grantee, which permission shall not be unreasonably withheld:

1. No buildings or any other permanent structures are allowed, except utilities.
2. No earth shall be removed, no fill may be added, and no other change shall be made to the surface grade of the Easement Area.
3. No conduits, pipelines or facilities shall be installed within 5 feet of or above any conduit or pipeline installed by the Grantee.

This Easement shall be assignable by the District to another quasi-municipal corporation and water district with the prior written consent of the Town, which consent shall not be unreasonably withheld. At such time as the easement no longer is needed by the District, its successor or its permitted assign for the purposes of withdrawal, storage and conveyance of drinking water, the District, its successor or assign shall convey this easement to the Town.

Meaning and intending to describe portions of the Premises conveyed to the Inhabitants of the Town of New Gloucester from Trotter's Park, Inc. by a deed dated July 16, 2002 recorded in the Cumberland County Registry of Deeds in Book 17882, Page 1.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed by Sumner M. Field, III in his capacity as Town Manager on this ____ day of _____, 2013.

WITNESS:

THE INHABITANTS OF THE TOWN OF NEW
GLOUCESTER

Sumner M. Field, III, Town Manager
Town of New Gloucester

State of Maine
Cumberland, ss:

_____, 2013

Then personally appeared the above-named Sumner M. Field, III, Town Manager of the Town of New Gloucester, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of the Inhabitants of the Town of New Gloucester.

Before me,

Notary Public/Maine Attorney at Law
Printed Name: _____

95069
November 29, 2012

Easement Area
(Wellhead Easement
together with an
Access and Utility Easement)

A certain easement lying southwesterly of, but not adjacent to, Bald Hill Road in the Town of New Gloucester, County of Cumberland, State of Maine being bounded and described as follows:

Commencing on the southwesterly sideline of Bald Hill Road at land now or formerly of Richard L. and Sarah R. McCann as described in a deed recorded in Book 12013, Page 1 and Book 12012, Page 349 in the Cumberland County Registry of Deeds (CCRD);

Thence S 48° 48' 35" W, by and along the northeasterly side of land of McCann, a distance of 207.73 feet to the Point of Beginning;

Thence southerly, by and along a curve concave to the right having a radius of 300.00 feet, an arc length of 61.33 feet to a point witnessed by a 5/8 inch rebar set, capped PLS 2118, said curve have a chord which bears S 29° 44' 13" E a distance of 61.22 feet;

Thence southerly, by and along a curve concave to the right having a radius of 300.00 feet, an arc length of 271.06 feet to a point witnessed by a 5/8 inch rebar set, capped PLS 2118, said curve have a chord which bears S 02° 00' 16" W a distance of 261.94 feet;

Thence southwesterly, by and along a curve concave to the right having a radius of 300.00 feet, an arc length of 271.60 feet to a point witnessed by a 5/8 inch rebar set, capped PLS 2118, said curve have a chord which bears S 53° 49' 31" W a distance of 262.42 feet;

Thence westerly, by and along a curve concave to the right having a radius of 300.00 feet, an arc length of 57.54 feet to a point witnessed by a 5/8 inch rebar set, capped PLS 2118, said curve have a chord which bears S 85° 15' 21" W a distance of 57.45 feet;

Thence northwesterly, by and along a curve concave to the right having a radius of 300.00 feet, an arc length of 357.91 feet to a point witnessed by a 5/8 inch rebar set at land now or formerly of A&P Management, LLC as described in a deed recorded in Book 24032, Page 244 (CCRD), said curve have a chord which bears N 55° 04' 16" W a distance of 337.07 feet;

Thence N 52° 58' 06" E, by and along land of A&P Management, LLC, a distance of 119.75 feet to a corner of land of A&P Management, LLC;

Thence N 37° 27' 40" W, by and along land of A&P Management, LLC, a distance of 175.00 feet to a 5/8 inch iron bolt at a corner of land of A&P Management, LLC;

Thence N 54° 32' 20" E, by and along land of A&P Management, LLC, a distance of 225.66 feet to an easterly corner of land of A&P Management, LLC and a westerly corner of land of said McCann;

Thence N 40° 55' 15" E, by and along land of McCann, a distance of 276.75 feet to a 1 inch iron pipe 12 inches tall at a southerly corner of McCann;

Thence N 48° 48' 35" E, by and along the northeasterly side of land of McCann, a distance of 225.89 feet to the Point of Beginning.

The wellhead easement to encumber approximately 4.77 acres.

Together with an access and utility easement on the southwesterly side of Bald Hill Road in the Town of New Gloucester, County of Cumberland, State of Maine being bounded and described as follows:

Beginning on the southwesterly sideline of Bald Hill Road at land now or formerly of Richard L. and Sarah R. McCann as described in a deed recorded in Book 12013, Page 1 and Book 12012, Page 349 in the Cumberland County Registry of Deeds (CCRD);

Thence S 48° 48' 35" W, by and along the northeasterly side of land of McCann, a distance of 207.73 feet;

Thence southerly, by and along a curve concave to the right having a radius of 300.00 feet, an arc length of 61.33 feet to a point witnessed by a 5/8 inch rebar set, capped PLS 2118, said curve have a chord which bears S 29° 44' 13" E a distance of 61.22 feet;

Thence N 52° 43' 06" E a distance of 220.04 feet to the southwesterly sideline of Bald Hill Road;

Thence N 40° 55' 15" W, by and along the southwesterly sideline of Bald Hill Road a distance of 75.00 feet to the Point of Beginning.

The access and utility easement to encumber approximately 14,403 square feet.

Meaning and intending to convey, and hereby conveying, an easement with a radius of 300.00 feet centered on the well head for the water supply for the New Gloucester Water District and an access and utility easement over land of the Inhabitants of the Town of New Gloucester as described in a deed dated July 16, 2002 recorded in Book 17882, Page 1 in the Cumberland County Registry of Deeds.