CITY OF PORTLAND, MAINE RESURGAM
Reviewed for Code Compliance
Inspections Division
Approved with Conditions
Date: 04/29/16

AMENDED EASEMENT AGREEMENT

AGREEMENT made this 23rd day of November, 2015, by and betw **KIEFNER and NANCY E. BOGG, TRUSTEES OF THE MARK G. KIE TRUST and NANCY E. BOGG and MARK G. KIEFNER, TRUSTEES OF T BOGG LIVING TRUST**, of Portland, County of Cumberland and State of Maine (collectively "KIEFNER/BOGG") and **SHERIDAN CER, LLC,** a Maine limited liability company, located in Portland, County of Cumberland and State of Maine ("SHERIDAN").

WITNESSETH

WHEREAS, KIEFNER/BOGG are the owners of certain property located on Sheridan Street in Portland, Maine, as more particularly described in a release deed dated September 14, 2015 and recorded in the Cumberland County Registry of Deeds in Book 32591, Page 304 (the "KIEFNER/BOGG Deed"), which property is subject to and benefitted by a shared driveway easement with SHERIDAN as described in the KIEFNER/BOGG Deed; and

WHEREAS, SHERIDAN is the owner of certain property located on Sheridan Street in Portland, Maine as more particularly described in a deed dated September 14, 2015 and recorded in the Cumberland County Registry of Deeds in Book 32591, Page 301 (the "SHERIDAN Deed"), which property is subject to and benefitted by a shared driveway easement with KIEFNER/BOGG as described in the SHERIDAN Deed; and

WHEREAS, SHERIDAN and KIEFNER/BOGG have agreed to amend and revise such shared driveway easement rights as contained in their respective deeds;

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. KIEFNER/BOGG and SHERIDAN hereby amend and replace in its entirety the shared driveway easement as described in their respective deeds as provided in this agreement.

2. The parties hereto agree that the revised description of the shared driveway easement shall be and hereby is amended to be as described in Exhibit A attached hereto and incorporated herein and each party hereby grants to the other such rights as necessary to confirm the location of the shared driveway easement to be consistent with the description attached hereto as Exhibit A.

3. The purpose of the shared driveway easement is for ingress and egress by vehicle or foot of the respective parties to their respective properties and for the maintenance of or construction of improvements on their respective properties, so long as such use does not unreasonably restrict ingress or egress to the respective properties and access to parking areas or garages on the respective properties. Permanent parking on the shared driveway access easement is not permitted, but temporary parking shall be permitted so long as such use does not prevent ingress and egress for the respective properties.

RESURGAM. CITY OF PORTLAND, MAINE
Reviewed for Code Compliance
Inspections Division
Approved with Conditions
Date: 04/29/16

4. The cost of maintenance and repair of the shared driveway easement equally between the owners of the respective properties.

5. This easement shall run with and bind the title to the parties' respecti described in the SHERIDAN Deed and the KIEFNER/BOGG Deed and sh on and be a benefit to the parties' respective successors and/or assigns of the respective properties.

6. In the event of any conflict between the terms of the shared driveway as contained in the SHERIDAN Deed or the KIEFNER/BOGG Deed, the terms of this Agreement shall control.

IN WITNESS WHEREOF, Sheridan Cer, LLC has caused this instrument to be executed by Ronald L. Gan, its Manager, thereunto duly authorized this 23rd day of November, 2015.

WITNESS

Sheridan Cer, LLC

By: Ronald L. Gan
Its: Manager

State of Maine
Cumberland, ss.

November 23, 2015

Personally appeared before me Ronald L. Gan and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of Sheridan Cer, LLC.

Before me,

Notary Public/~~Attorney-at-Law~~

SEAL

MAME J. MARTIN
Notary Public, Maine
My Commission Expires April 14, 2019

RESURGAM. CITY OF PORTLAND, MAINE
Reviewed for Code Compliance
Inspections Division
Approved with Conditions
Date: 04/29/16

WITNESS

_____

Mark G. Kiefner, Trustee of
Mark G. Kiefner Living Trust
the Nancy E. Bogg Living Trust

_____

Nancy E. Bogg, Trustee of the
Nancy E. Bogg Living Trust and Trustee of
the Mark G. Kiefner Living Trust

State of Maine
Cumberland, ss.

November 24, 2015

Then personally appeared the above-named Mark G. Kiefner and Nancy E. Bogg and acknowledged the foregoing instrument to be their free act and deed in their said capacities and the free act and deed of the Mark G. Kiefner Living Trust and the Nancy E. Bogg Living Trust.

Before me,

Mamie J. Martin

Notary Public
My Commission Expires:

SEAL

MAMIE J. MARTIN
Notary Public, Maine
My Commission Expires April 14, 2019

Reviewed for Code Compliance
Inspections Division
Approved with Conditions

Date: 04/29/16

EXHIBIT A

Description: Shared Driveway 98-100 Sheridan Street

A shared driveway located on the west bounds of Sheridan Street along the split between land owned by Sheridan CER LLC described in Book 32591, Page 301 and Mark G. Kiefner Living Trust and Nancy E. Bogg Living Trust described in Book 32591, Page 304 in the City of Portland, Cumberland County, and State of Maine and being more particularly described as follows:

Beginning at a point on the west bounds of Sheridan Street being N 14°-55'-02" W forty and zero hundredths (40.00) feet along the west bounds of Sheridan Street from a 5/8" rebar found with cap at the northeast corner of land of Arlene Kelly described in Book 23451 Page 70;

1) Thence S 75°-04'-58" W forty three and zero hundredths (43.00) feet to a point;
2) Thence N 14°-55'-02" W twenty three and zero hundredths (23.00) feet to a point;
3) Thence N 75°-04'-58" E fourteen and twenty-seven hundredths (14.27) feet to a point;
4) Thence S 14°-55'-02" E three and zero hundredths (3.00) feet to a point;
5) Thence N 75°-04'-58" E twelve and seventy-three hundredths (12.73) feet to a point;
6) Thence S 14°-55'-02" E four and five hundredths (4.05) feet to a point;
7) Thence N 75°-04'-58" E sixteen and zero hundredths (16.00) feet to a point on the west bounds of Sheridan Street;
8) Thence S 14°-55'-02" E fifteen and ninety-five hundredths (15.95) feet along the west bounds of Sheridan Street to the point of beginning.

Reference may be had to the Boundary Survey & Split for land located at 98-100 Sheridan Street, Portland, Maine, for land owned by Sheridan CER, LLC and the Mark G. Kiefner Living Trust and the Nancy E. Bogg Living Trust, prepared by R.W. Eaton Associates Land Surveying & Real Estate, dated June 28, 2012, revised through November 20, 2015, recorded in the Cumberland County Registry of Deeds in Plan Book 215, Page 475.

G:\CLIENTS\S\SheridanCerman\Condo\DrivewayEasement\AmendedEasementAgmt.11202015.docx

Received
Recorded Register of Deeds
Nov 25,2015 01:05:13P
Cumberland County
Nancy A. Lane