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

# SHERIDAN CERMAN CONDOMINIUM
# UNIT OWNERS AGREEMENT
# TO TERMINATE CONDOMINIUM

Agreement made this 14 day of September, 2015, by and between **SHERIDAN CER, LLC**, a Maine limited liability company, with an office and place of business located in Portland, County of Cumberland and State of Maine and **MARK G. KIEFNER and NANCY E. BOGG, Trustees of the MARK G. KIEFNER LIVING TRUST and NANCY E. BOGG and MARK G. KIEFNER, Trustees of the NANCY E. BOGG LIVING TRUST**, of Portland, County of Cumberland and State of Maine.

W I T N E S S E T H:

WHEREAS, by instrument dated December 1, 2014, Sheridan CER, LLC executed a Declaration of Condominium for the Sheridan Cerman Condominium (the "Condominium"), which Declaration was duly recorded in the Cumberland County Registry of Deeds in Book 31948, Page 30 (the "Declaration"); and

WHEREAS, pursuant to the Declaration two units were created in the Condominium; and

WHEREAS, by Deed dated December 4, 2014 and recorded in the Cumberland County Registry of Deeds in Book 31955, Page 151, Unit 2 was conveyed to Mark G. Kiefner and Nancy E. Bogg, Trustees of the Mark G. Kiefner Living Trust and Nancy E. Bogg and Mark G. Kiefner, Trustees of the Nancy E. Bogg Living Trust (which Deed contains two incorrect spellings of the name "Kiefner"); and

WHEREAS, Unit 1 was not separately conveyed and remains titled in the name of Sheridan CER, LLC; and

WHEREAS, Sheridan and Keifner and Bogg, being the owners of all of the units in the Condominium are mutually desirous of terminating the said Condominium;

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

1. The parties hereto unanimously agree to terminate the Sheridan Cerman Condominium which was created by a Declaration of Condominium dated December 1, 2014 and recorded in the Cumberland County Registry of Deeds in Book 31948, Page 30.

2. This Termination Agreement will be void unless recorded in the Cumberland County Registry of Deeds on or before October 31, 2015. This Termination Agreement will be effective only upon recordation.

3. Title to the real estate described in Exhibit A attached hereto shall vest in Sheridan CER, LLC upon termination.

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4. Title to the real estate described in Exhibit B attached hereto shall v Kiefner and Nancy E. Bogg, Trustees of the Mark G. Kiefner Living Tru Bogg and Mark G. Kiefner, Trustees of the Nancy E. Bogg Liv termination.

5. This agreement is intended to fully and completely terminate the said condominium in accordance with the provisions of Title 33 MRSA §1602-118 and in accordance with the provisions of Section 133 the said Declaration such that the provisions of the declaration shall no longer encumber the Property described therein or the property described in Exhibits A and B attached hereto.

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the date first above written.

WITNESS

Sheridan CER, LLC

By: Ronald L. Gan
Its: Manager

STATE OF MAINE
Cumberland, ss.

September 14, 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,

SEAL

Notary Public

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

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IN WITNESS WHEREOF, the parties hereto have executed this agreement as above written.

WITNESS

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

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

STATE OF MAINE
Cumberland, ss.

September 14, 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,

Notary Public

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

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SEAL

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# EXHIBIT A

A certain lot or parcel of land located on the west bounds of Sheridan Street a bound of land of David O'Donnell described in Book 25844 Page 268 in the ( Cumberland County, and State of Maine and being more particularly described as follows.

Beginning at a point on the west bounds of Sheridan Street at the southeast corner of land of David O'Donnell described in Book 25844 Page 268 and also marked by the southeast corner of a Granite Post.

1. Thence S 14° 55' 02" E forty and forty hundredths (40.40) feet along the west bounds of Sheridan Street to a point at the northeast corner of land to be conveyed to Kiefner and Bogg at the centerline of a shared driveway.
2. Thence S 75° 04' 58" W fifty eight and twenty six hundredths (58.26) feet along the center of the shared driveway and said land of Kiefner and Bogg to a 5/8" rebar set with cap on the east bounds of land of Arlene Kelly described in Book 23451 Page 70.
3. Thence N 06° 22' 37" W eight and forty nine hundredths (8.49) feet along the east bounds of land of Kelly to a 5/8" rebar set with cap.
4. Thence S 75° 04' 58" W seven and twenty seven hundredths (7.27) feet along the northeast bounds of land of Kelly to a 5/8" rebar set with cap.
5. Thence N 07° 18' 05" W thirty two and twenty eight hundredths (32.28) feet along land of Kelly and the east bounds of land of Meghan Quinn described in Book 26123, Page 109 to a point on the south bounds of land of Joanne Seneca described in Book 25870, Page 108.
6. Thence N 75° 04' 58" E fifty nine and ninety nine hundredths (59.99) feet along the south bounds of land of Seneca and land of David O' Donnell described in Book 25844, Page 268 to the point of beginning.

Containing 2,472 Square Feet or 0.06 acres.

Subject to a Retaining Wall Agreement described in Book 9376, Page 222, Cumberland County Registry of Deeds.

Also subject to and together with a twenty (20) foot wide and fifty (50) foot long shared driveway, right of way being ten (10) feet wide on each side along the south bounds of the above described property. Such right of way is for the purpose of ingress and egress with vehicles or foot for each property abutting such right of way. The right of way shall not be used for parking except for temporary dropp off and pick up. The owner of the above-described property shall not exercise the beneficial easement rights conveyed herein until such time as parking can be done on the above property and not on the easement area. Until such time, Grantee shall have no obligation to contribute to the cost of maintenance and repair of the easement area. Thereafter, the cost of maintenance and repair shall be shared equally with owners of each abutting properties. For further reference see recorded plan titled Boundary Survey and Split Land located at 98-100 Sheridan Street, Portland, Maine recorded in Plan Book 215, Page 326.

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# EXHIBIT B

A certain lot or parcel of land located on the west bounds of Sheridan Street and east bounds of land of Arlene Kelly described in Book 23451 Page 70 in the ( Cumberland County, and State of Maine and being more particularly described as follows:

Beginning at a 5/8" rebar found with cap on the west bounds of Sheridan Street at the northeast corner of land of Arlene Kelly described in Book 23451 Page 70 and also being N 14° 55' 02" W one hundred one and sixty hundredths (101.60) feet along the west bounds of Sheridan Street from a point at the intersection of the north bounds of Cumberland Avenue and the west bounds of Sheridan Street.

1. Thence S 75° 04' 58" W sixty five and seventy seven hundredths (65.77) feet along the north bounds of land of Kelly to a 5/8" set with cap.
2. Thence N 06° 22' 37" W fifty and fifty six hundredths (50.56) feet along the east bounds of land of Kelly to a 5/8" rebar set with cap at the southwest corner of land to be conveyed to Sheriden CER, LLC.
3. Thence N 75° 04' 58" E fifty eight and twenty six hundredths (58.26) feet along said land of Sheridan CER, LLC and along centerline of a shared driveway to a point on the west bounds of Sheridan Street.
4. Thence S 14° 55' 02" E fifty and zero hundredths (50.00) feet along the west bounds of Sheridan Street to the point of beginning.

Containing 3,101 Square Feet or 0.07 acres.

Also subject to and together with a twenty (20) foot wide and fifty (50) foot long shared driveway, right of way being ten (10) feet wide on each side along the south bounds of the above described property. Such right of way is for the purpose of ingress and egress with vehicles or foot for each property abutting such right of way. The right of way shall not be used for parking except for temporary dropp off and pick up. Grantor, as owner of the property described in a deed of even or recent date given by Grantee to Grantor shall not exercise the common beneficial easement rights over the easement area until such time as parking can be done on the said property conveyed to Grantor and not on the easement area. Until such time, Grantee shall have sole obligation to contribute to the cost of maintenance and repair of the easement area. Thereafter, the cost of maintenance and repair shall be shared equally with owners of each abutting properties. For further reference see recorded plan titled Boundary Survey and Split Land located at 98-100 Sheridan Street, Portland, Maine recorded in Plan Book 215, Page 326.

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Received
Recorded Register of Deeds
Sep 15,2015 03:33:47P
Cumberland County
Nancy A. Lane