

**FIRST AMENDMENT TO  
EASEMENT AGREEMENT**

This FIRST AMENDMENT TO EASEMENT AGREEMENT (the "Amendment") is effective as of this 15<sup>th</sup> day of December, 2017, by and between 30 LOFTS CONDOMINIUM OWNERS ASSOCIATION, a Maine nonprofit corporation, with a principal place of business in Portland, Maine (the "Association"), and FIVE SEVEN LLC, a Maine limited liability company, with a principal place of business in Portland, Maine ("Five Seven"). The Association and Five Seven are sometimes collectively referred to hereinafter as the "Parties".

**RECITALS:**

- A. Banner Properties, LLC and Five Seven entered into a certain Easement Agreement dated July 17, 2017 and recorded in the Cumberland County Registry of Deeds in Book 34211, Page 83 (the "Easement Agreement") for the purpose of establishing certain appurtenant easements for pedestrian and vehicular access, for parking, and for stormwater runoff as described therein.
- B. Exhibit A attached to the Agreement is a plan depicting the easement areas.
- C. The Parties wish to clarify the driveway and parking locations by recording an updated plan.

**AGREEMENT:**

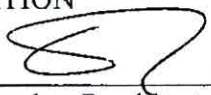
**NOW, THEREFORE**, for good and valuable consideration and the mutual covenants, terms and conditions set forth herein, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

- 1. Exhibit A to the Agreement is hereby replaced by an updated plan attached hereto as **Exhibit A** and incorporated herein. The new plan is being recorded for the sole purpose of clarifying the driveway location.
- 2. Except as expressly stated herein, the Agreement remains in full force and effect and is hereby ratified and affirmed by the Parties.

(signatures on following page)

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

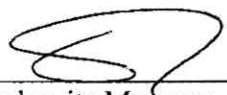
30 LOFTS CONDOMINIUM OWNERS ASSOCIATION



\_\_\_\_\_  
Witness

\_\_\_\_\_  
Thomas Landry, President

FIVE SEVEN LLC



\_\_\_\_\_  
Witness

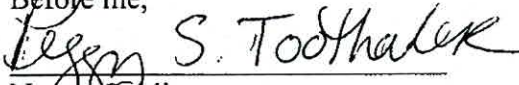
\_\_\_\_\_  
Thomas Landry, its Manager

State of Maine  
Cumberland County, ss.

December 1, 2017

Then personally appeared the above named Thomas Landry as President of 30 Lofts Condominium Association and acknowledged the foregoing instrument to be their free act and deed in said capacities.

Before me,



Notary Public

Printed Name:

My Commission Expires:

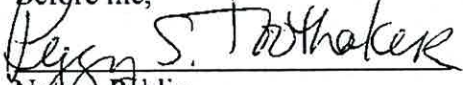
**PEGGY S. TOOTHAKER**  
NOTARY PUBLIC  
State of Maine  
My Commission Expires  
March 22, 2024

State of Maine  
Cumberland County, ss.

December 1, 2017

Then personally appeared the above named Thomas Landry as Manager of Five Seven LLC and acknowledged the foregoing instrument to be his free act and deed in said capacity.

Before me,

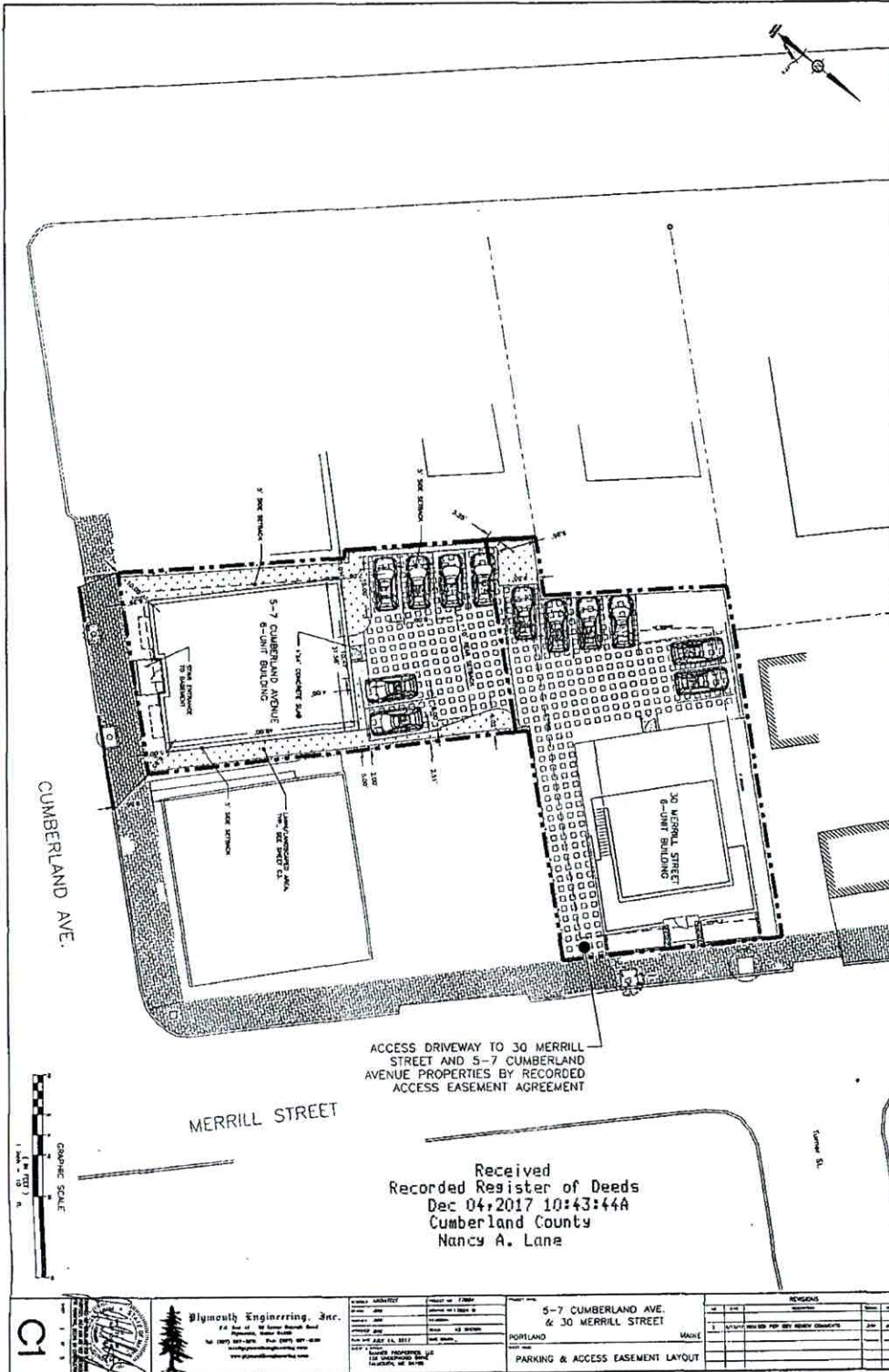


Notary Public

Printed Name:

My Commission Expires:

**PEGGY S. TOOTHAKER**  
NOTARY PUBLIC  
State of Maine  
My Commission Expires  
March 22, 2024



<p><b>Plymouth Engineering, Inc.</b> 141 Elm St., 1st Floor, Portland, ME 04101 Tel: (207) 867-0000 Fax: (207) 867-0000 www.plymouthengineering.com</p>	<p>PROJECT: 5-7 CUMBERLAND AVE. &amp; 30 MERRILL STREET DATE: 11/15/17 DRAWN BY: [Name] CHECKED BY: [Name]</p>	<p>5-7 CUMBERLAND AVE. &amp; 30 MERRILL STREET PORTLAND, MAINE PARKING &amp; ACCESS EASEMENT LAYOUT</p>	<table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>REVISIONS</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>11/15/17</td> <td>ISSUED FOR PERMIT REVIEW</td> </tr> </tbody> </table>	NO.	DATE	REVISIONS	1	11/15/17	ISSUED FOR PERMIT REVIEW
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ALL-STATE LEGAL<sup>®</sup>  
EXHIBIT  
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