

2. RIGHT, TITLE AND INTEREST

2.1 OVERVIEW

The applicant owns the project site. A copy of the deed is included in Attachment C to this application.

2.2 ATTACHMENT

Attachment C – Deed

ATTACHMENT C

Deed

073915

ANDREW J. W. REDMOND, of North Anson, Maine, Trustee of Redmond Land Trust (which trust was dated February 2, 1973, and recorded in the Cumberland County Registry of Deeds in Book 3358, Page 11, and amended by an Amendment of Declaration of Trust dated February 2, 1973, said amendment recorded in the Cumberland County Registry of Deeds in Book 3372, Page 251), by the power conferred by law, and every other power, in consideration of One (\$1.00) Dollar and other good and valuable consideration, paid by EARL W. NOYES & SON . . ., a Maine corporation, of Portland, Maine, the receipt whereof I do hereby acknowledge, do hereby grant, remise, release, bargain, sell and convey, and forever quit-claim unto the said EARLE W. NOYES & SON , its successors and assigns forever, a certain lot or parcel of land together with any and all improvements, structures or buildings now or hereafter located thereon, situated generally on the southeasterly side of Marginal Way, so-called, in said City of Portland, and being more particularly bounded and described as follows:

Beginning at a point marked by an iron in the southeasterly sideline of Marginal Way, two hundred twenty and five hundredths feet (220.05') southwesterly from an iron marking the intersection of the southeasterly line of Marginal Way with the southwesterly line of Franklin Street (as said southwesterly line of Franklin Street existed in 1945), which point of beginning also marks the most westerly corner of land conveyed by the Clement Realty Co. to Mobil Oil Corporation by deed dated June 23, 1966, and recorded in the Cumberland County Registry of Deeds, Book 2962, Page 552; thence southwesterly along the southeasterly sideline of Marginal Way three hundred sixteen and eighty-seven hundredths feet (316.87'), more or less, to land now or formerly of Haverty Development Corporation; thence southeasterly along the division line between land now or formerly of said Haverty Development Corporation and the land herein described by an included angle of ninety degrees (90°) with the southeasterly sideline of Marginal Way, for a distance of two

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hundred sixty-five and four tenths feet (265.4'), more or less, to an iron and land now or formerly of Portland Terminal Company; thence northeasterly by said Portland Terminal Company land on a course of North Thirty-five degrees Thirty-seven Minutes East (N 35° 37' E) for a distance of Two Hundred Fifty-five and Thirty Hundredths Feet (255.30') to an iron set in the ground; thence on a course of North Thirty-two degrees Forty-four Minutes East (N 32° 44' E) for a distance of Sixty-one and Eighty Hundredths feet (61.80') to an iron set in the ground; thence on a course of North twenty-eight degrees thirty minutes East (N 28° 30' E) by said Portland Terminal Company land, eight and fifty-four hundredths feet (8.54'), more or less, to land of said Mobil Oil Corporation; thence northwesterly along the line of land of said Mobil Oil Corporation for a distance of One Hundred Eighty-five and Twenty-seven Hundredths feet (185.27'), more or less, to Marginal Way and the point of beginning.

The aforescribed premises are conveyed subject to a certain easement in a fifteen foot (15') strip of land lying next adjacent to said land now or formerly of Haverty Development Corporation, which easement was granted to the City of Portland by deed of Clement Realty Co., dated January 17, 1963, and recorded in the Cumberland County Registry of Deeds in Book 2803, Page 477.

The aforescribed premises are also conveyed subject to another certain easement of the Portland Terminal Company given by H. Walker Noyes, Jr. dated May 19, 1972 and recorded in the Cumberland County Registry of Deeds, Book 3270, Page 375 relating to right to pass by foot and by vehicle on and along a portion of the above described premises.

The aforescribed premises are also conveyed subject to an Indenture of Lease between Redmond Realty Co. and Noyes Tire Co. dated January 15, 1973, and an Assignment of Lease from Noyes Tire Co. to Goodyear Tire & Rubber Company dated February 28, 1985.

The above described premises being the same as those conveyed to Redmond Realty Co. by deed of H. Walker Noyes, Jr. to Redmond Realty Co. dated February 1, 1973, and recorded in the Cumberland County Registry of Deeds in Book 3356, Page 329.

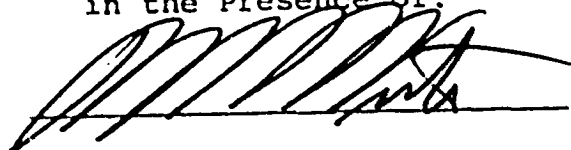
The above described premises being the same as those conveyed to Andrew Redmond, as Trustee of The Redmond Land Trust, by deed of Redmond Realty Co. dated February 2, 1973, and recorded in Cumberland County Registry of Deeds in Book 3358, Page 17.

TO HAVE AND TO HOLD the same, together with all the privileges and appurtenances thereunto belonging, to the said EARLE W.

C.R. NOYES & SON, as aforesaid.

IN WITNESS WHEREOF, said ANDREW REDMOND, as Trustee afore-
said, has executed this instrument, this 22^d day of December,
1986.

Signed, Sealed and Delivered
in the Presence of:



REDMOND LAND TRUST

By: Andrew Redmond
Andrew Redmond, Trustee

STATE OF MAINE
CUMBERLAND, ss.

December 22, 1986

Personally appeared ANDREW REDMOND, Trustee of the Redmond
Land Trust, and acknowledged the execution of the foregoing in-
strument to be the free act and deed of said Trust and his free
act and deed in said capacity.

Before me,


Notary Public ROBERT E. PRETT

CERTIFICATE

I, ANDREW J. W. REDMOND (a/k/a Andrew Redmond), individually
and as Trustee of the Redmond Land Trust, do hereby certify and
affirm that the Redmond Land Trust is in existence; that the terms
thereof as reflected in the Amendment of the Declaration of Trust
dated February 2, 1973, are still in full force and effect; that I
am the sole Trustee of said trust; and that I have full power and
authority, as Trustee thereof, to execute the foregoing deed and
to sell and dispose of the property therein described in my capacity
as aforesaid.

DATED this 22^d day of December, 1986.

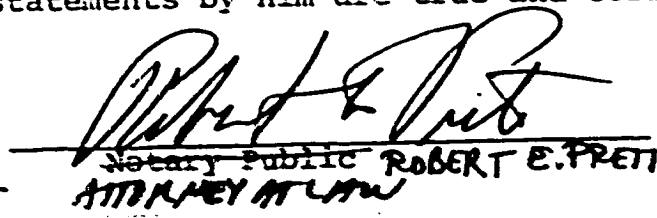
Andrew J. W. Redmond
Andrew J. W. Redmond

STATE OF MAINE
CUMBERLAND, ss.

December 22, 1986

Personally appeared, the above-named ANDREW J. W. REDMOND and
made oath that the foregoing statements by him are true and correct.

Before me,


Notary Public ROBERT E. PRETT
ATTORNEY AT LAW

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1986 DEC 31 AM 11:33
CUMBERLAND COUNTY
James J. Walsh