

QUITCLAIM WITH WARRANTY COVENANT DEED

SOMERSET PROPERTIES, INC. a Maine corporation, with a place of business in Portland, County of Cumberland and State of Maine, for consideration paid, grants to FRANKLIN & SOMERSET PORTLAND ME, LLC, a Delaware limited liability company with a mailing address at 550 Bowie Street, Austin, Texas, 78703 with Quitclaim Covenants, a certain lot or parcel of land, with the buildings and improvements thereon, located at the intersection of Somerset Street and Pearl Streets in the City of Portland, County of Cumberland and State of Maine, more particularly bounded and described on Schedule A, attached hereto and made a part hereof.

This conveyance is made subject to all real estate taxes and assessments which the Grantee by its acceptance of this deed, hereby assumes and agrees to pay.


IN WITNESS WHEREOF, Somerset Properties, Inc. has caused this deed to be signed and delivered by Peter W. Quesada, its Vice President, this 3rd day of January, 2006.

MAINE REAL ESTATE TAX PAID

WITNESS:

SOMERSET PROPERTIES, INC., a Maine corporation

Barbara Borchardt

By:   
Peter W. Quesada  
Its: Vice President

State of Maine  
County of

January 3, 2006

Personally appeared before me the above named Peter W. Quesada, Vice President of the Grantor herein, who acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said Somerset Properties, Inc.

Barbara Borchardt  
Notary Public/Attorney at Law

Print Name Barbara Borchardt

My Commission Expires July 11, 2010

SEAL

SCHEDULE A

Parcel One

A certain lot or parcel of land with the buildings and improvements thereon situated in the Bayside West Area of the City of Portland, County of Cumberland, State of Maine, and further bounded and described as follows:

Beginning at a point on the southerly side of Fox Street, said point being on the division line between the land herein conveyed and the land conveyed by Portland Renewal Authority to John M. Robinson, Timothy C. Robinson and Frank N. Strout, Trustees, by deed dated May 12, 1969 and recorded in the Cumberland County Registry of Deeds in Book 3087, page 174; thence from said point of beginning and by said Fox Street and Somerset Street on the following described courses and distances: South 35 degrees 16' 28" West 18.10 feet to an angle point; thence South 49 degrees 00' 28" West 190.41 feet to a point of curvature; thence by a curve to the southeast, having a radius of 50.00 feet a distance of 78.54 feet measured on the arc thereof to a point of tangency of the easterly side of Pearl Street; thence by said Pearl Street on the following described courses and distances; South 40 degrees 59' 32" East 161.96 feet to an angle in said Pearl Street; thence South 43 degrees 02' 32" East 165.95 feet to a point at the former northerly sideline of Lancaster Street; thence by said former line of Lancaster Street North 49 degrees 00' 28" East 262.06 feet to a point at the division line aforementioned; thence by said division line North 42 degrees 29' 32" West 382.22 feet to the point of beginning; containing 98,394 square feet, more or less.

Reference is made to an Indenture dated May 12, 1969 by and between Portland Renewal Authority as Seller and Semloh Company as Redeveloper, recorded in said Registry of Deeds in Book 3084, Page 691.

The premises are subject to an easement for wire crossing given by Semloh Company to Central Maine Power Company and New England Telephone and Telegraph Company dated October 9, 1969 and recorded in said Registry of Deeds in Book 3108, Page 70.

The premises are subject to and with the benefit of a joint railspur easement, each part eight (8) feet wide, exchanged between Semloh Company and John M. Robinson, et al., Trustees of the Rapaco Realty Trust by deeds dated May 12, 1969 and recorded in said Registry in Book 3087, Page 180 and 182.

The premises are subject to and with the benefit of a certain lease between Key Bank of Maine, as landlord, and Perkins Paper Company, as tenant, a memorandum of which was recorded in said Registry in Book 10379, Page 46, said Memorandum of Lease having been re-recorded with the exhibit in Book 10495, Page 95.

The premises are subject to an easement to New England Telephone and Telegraph Company for underground wires and cables dated March 5, 1971 and recorded in said Registry in Book 3165, Page 579.

Being the same premises conveyed to Key Bank of Maine by a Deed of Key Bank of Maine dated June 29, 1992 and recorded in the Cumberland County Registry of Deeds in Book 10180, Page 216, which Deed is to be re-recorded and confirmed to correct the acknowledgement of Grantor's signature.

Parcel Two

A certain lot or parcel of land situated in the Bayside West area of the City of Portland, County of Cumberland, State of Maine and further bounded and described as follows:

Beginning at a point on the former northerly sideline of Lancaster Street, said point being on the division line between land herein conveyed and land conveyed to John M. Robinson, Timothy C. Robinson and Frank N. Strout, Trustees, by deed dated in October of 1971.

Thence from said point of beginning and by the former sideline of said Lancaster Street S 49° 00' 28" W 262.06 feet to a point on the easterly sideline of said Pearl Street;

Thence by said Pearl Street on the following described courses and distances:

S 43° 02' 32" E 174.40 feet to an angle in said Pearl Street;

Thence S 44° 15' 32" E 28.02 feet to a point on the former southerly sideline of Laurel Street;

Thence by the former southerly sideline of Laurel Street and its projection N 48° 02' 28" E 259.45 feet to the aforementioned division line;

Thence by said division line N 42° 29' 32" W 197.95 feet to the point of beginning.

Excepting from the above described parcel of land a 30.00 foot wide sewer easement retained by the City of Portland in the former location of Lancaster Street. Said sewer easement being

located 10.00 feet southeasterly of the former northerly sideline of said Lancaster Street and thence running southeasterly 30.00 feet to a line that is 10 feet northwesterly of the former southerly sideline of Lancaster Street. Said easement to run from the easterly side of Pearl Street to the division line described herein.

Also excepting therefrom that portion of the above described parcel conveyed by Semloh Company to Howles Associates by deed dated December 17, 1990 and recorded in Book 9437, Page 156.

Being a portion of the premises conveyed to Semloh Company by Indenture by and between the Portland Renewal Authority and Semloh Company, dated October 18, 1971 and recorded in Book 3196, Page 764.

Being the same premises conveyed to Key Bank of Maine by Deed of Semloh Company, dated October 15, 1993 and to be recorded in the Cumberland County Registry of Deeds.

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