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**Port Property
Management**

Fax

To:	David Lloyd	From:	Tom Watson
Fax:	772-4056	Pages:	2 + cover
Phone:	772-6022	Date:	1.4.2006
Re:	The Earl R.O.W.	CC:	

Urgent

For Review

Please Comment

Please Reply

Return A.S.A.P.

David: Attached is a copy of the deed, wherein the right of way is described. There are 3 properties that border the R.O.W. - us, the Teen Center (formerly the Box Company), and Marie's (the Italian restaurant) parking lot only. In short, we + the Teen Center use the right of way. We use it to roll our garbage totes down to the street for the private garbage collector - and I believe the Teen Center uses their side door there for deliveries etc. It's not a busy space. Pretty slow.

Tom.

BK | 759 | PG | 98

SCHEDULE A

To Deed from Wadsworth Corporation to Earl Apartments LLC

Two certain lots or parcels of land, with the buildings and improvements thereon, both situated in the City of Portland, County of Cumberland and State of Maine, more particularly bounded and described as follows:

Parcel 1 (341 Cumberland Avenue/The Earl Apartments):

The following described real estate, with the buildings thereon, situated in said City of Portland on the northwesterly side of Cumberland Avenue and bounded and described as follows:

Beginning at the easterly corner of land now or formerly of S. B. Bedlow on said Cumberland Avenue; thence running northwesterly by a fence on line between said Bedlow land and the land being described; one hundred (100) feet, more or less, to a fence on the rear line of this lot; thence by said last mentioned fence and the continuation of said course fifty-six (56) feet, more or less, to land of J. R. Swett; thence by a fence on line of said Swett land southeasterly ninety-eight and one-half (98.5) feet, more or less, to said Cumberland Avenue; thence by said Avenue southwesterly fifty-six and one-half (56.5) feet, more or less, to the point of beginning; together with a right of way sixteen (16) feet in width leading from the rear of the above described lot to Portland Street.

Excepting, however, from the above described real estate, a certain small triangular shaped lot or parcel of land, part of the lot above described and in the rear thereof, and bounded and described as follows:

Beginning at the southeasterly corner of the lot of land conveyed by Elijah Kellogg to Charles Staples on May 10, 1830 by deed recorded in the Cumberland County Registry of Deeds in Book 122, Page 397, said lot being now or lately owned by Dorothy S. Hillman; and said point being at the northerly face of the brick building on the land above described; thence westerly by the southerly line of land of said Hillman thirty and sixteen hundredths (30.16) feet, more or less, to a stake at the southwest corner of said Hillman lot; thence southerly in a prolongation of the westerly line of said Hillman lot one and seventy-four hundredths (1.74) feet, more or less, to the northerly face of the brick building on the land above described; thence easterly by the northerly face of the brick building on the land above described thirty and one-tenth (30.1) feet, more or less, to the point of beginning.

Right of Way.

Together with a right of way in common with others in that certain passageway being more particularly bounded and described as follows:

Beginning at a point on the southerly sideline of Portland Street at the northeasterly corner of land conveyed to Casco Paper Box Realty Associates by Maine Air

BK | 759 | PG | 99

Conditioning Company by Deed recorded in Cumberland County Registry of Deeds in Book 4402, Page 235;

Thence S 26° 44' 00" E along said land of Casco Paper Box Realty Associates 87.31 feet to a point in the northerly boundary of the above described premises;

Thence N 86° 12' 50" E along said northerly boundary 13.03 feet to land now or formerly of William J. Dowd;

Thence N 26° 44' 00" W along said Dowd land 85.88 feet to a point on the said sideline of Portland Street;

Thence N 88° 15' 00" W along said sideline of Portland Street 13.65 feet to the point of beginning.

4 Boundary lines of right of way

Parcel 1 is otherwise more particularly bounded and described as follows:

A certain lot or parcel of land situated on the northwesterly side of Cumberland Avenue in the City of Portland, County of Cumberland and State of Maine, bounded and described as follows:

Beginning at a point on the northwesterly sideline of Cumberland Avenue at the southwesterly corner of land conveyed to Madeline A. Napolitano by Anthony J. Napolitano by deed recorded in the Cumberland County Registry of deeds in Book 11868, Page 239, said point being on the easterly face of the building located on the premises herein described, and distant 122,70 feet as measured along said street line from a City Monument at or near its intersection with Preble Street;

Thence S 67° 22' 30" W along said sideline of Cumberland Avenue 56.20 feet to the southeasterly corner of land now or formerly of Casco Paper Box Realty Associates, said point being on the easterly face of the building located on land of said Realty Associates;

Thence N 25° 53' 30" W along said Realty Associates land by the easterly face of the building thereon, 101.63 feet to the corner of the building;

Thence N 71° 24' 40" E along said Realty Associates land by the southerly face of the building thereon, 12.37 feet to the corner of the building;

Thence N 86° 12' 50" E across the terminus of a 12 foot wide passageway leading to Portland Street, 13.03 feet to a point on the westerly boundary of land now or formerly of William J. Dowd;

Thence S 26° 44' 00" E along said Dowd land 1.74 feet to a point on the northerly face of the building located on the premises herein described;