

**QUITCLAIM DEED WITH COVENANT  
Maine Statutory Short Form**

MAINE REAL ESTATE TAX PAID

**JPH Properties, Inc.**, a Texas corporation with a place of business at 1929 Allen Parkway, Houston, County of Harris, State of Texas, for consideration paid, grants to Martin B. Dassa and Rochelle G. Dassa, whose mailing address is 64 Montclair Avenue, Montclair, New Jersey, 07042, as joint tenants, with Quitclaim Covenants, the land in Portland, County of Cumberland and State of Maine, described as follows:

See Exhibit A attached hereto and mad a part hereof.

The property is conveyed **SUBJECT TO** the encumbrances listed on Exhibit B attached hereto and made a part hereof.

In witness whereof, **JPH Properties, Inc.** has caused this instrument to be signed in its corporate name and sealed with its corporate seal by Michael L. Decell, its Vice President, hereunto duly authorized, this 7<sup>th</sup> day of November 2006.

Witness:

*David A. Wilkens*  
David A. Wilkens

**JPH Properties, Inc.**  
By: *Michael L. Decell*  
Michael L. Decell  
Vice President

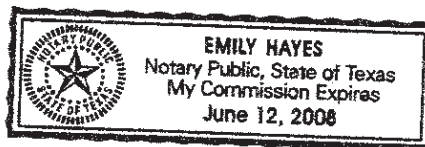
STATE OF TEXAS       §  
                                  §  
COUNTY OF HARRIS   §

November 7, 2006

Then personally appeared the above named Michael L. Decell, Vice President, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said corporation.

Before me,

*Emily Hayes*  
Emily Hayes  
Notary Public, State of Texas  
My commission expires: June 12, 2008



**EXHIBIT A**

**LEGAL DESCRIPTION OF PROPERTY**

A certain lot or parcel of land situated on the northeasterly side of Congress Street and the westerly side of Mellen Street in the City of Portland, County of Cumberland, State of Maine and being more particularly bounded and described as follows:

BEGINNING at a #5 rebar with a plastic cap stamped "Des Lauriers PLS 1314" on the northeasterly right-of-way line of Congress Street, said rebar being the southwesterly corner of land now or formerly (N/F) owned by DRE Management as recorded in Book 13698, Page 223 Cumberland County Registry of Deeds (CCRD);

THENCE N 55°05'06" W along said northeasterly right-of-way line of Congress Street 65.66' to a #5 rebar with a plastic cap stamped "Des Lauriers PLS 1314";

THENCE N 52°21 '06" W continuing along said northeasterly right-of-way line of Congress Street 16.59' to a point, said point being the southerly corner of land N/F owned by John A. McIntosh, Jr. as recorded in Book 9618, Page 98 CCRD;

THENCE N 34°28'21" E along the southeasterly line of said McIntosh 41.81' to a point; THENCE N 55°3 1 '36" W along the southeasterly line of said McIntosh 1.69' to a point; THENCE N 34°16'06" E along the southeasterly line of said McIntosh 28.14' to a point; THENCE S 55°31 '36" E along the southeasterly line of said McIntosh 1.79' to a point;

THENCE N 34°28'21" E along the southeasterly line of said McIntosh 27.76' to a railroad spike in a paved parking lot;

THENCE N 34°34'58" W continuing along lands of said McIntosh 50.00' to #5 rebar with a plastic cap stamped "Titcomb PLS 1273" said rebar being the southerly corner of other lands N/F of John A. McIntosh Jr. as recorded in Book 16332, Page 93, CCRD;

THENCE N 07°1 8'32" E along the easterly line of said McIntosh Jr. 142.39' to a point;

THENCE N 00°36'33" W continuing along the easterly line of said McIntosh Jr. 11.94' to a point. Said point being the southeasterly corner of lands N/F of Betty M. Smith as recorded in Book 16732, Page 52, CCRD;

THENCE continuing N 02°00'12" E along the easterly line of said Smith 29.39' to a #5 rebar with a plastic cap stamped "Titcomb PLS 1273", said rebar being the southwesterly

corner of lands N/F Otis C. & Mavourenne Thompson as recorded in Book 14839, Page 286, CCRD;

THENCE S 87°3 5'00" E along lands of said Thompson, along lands N/F of Matthew N. Cobb as recorded Book 18820, Page 323, CCRD and along a line running parallel to and maintaining a distance of 1' from the northerly face of a structure located on the parcel herein described 49.80'

to a drill hole in concrete wall, said drill hole being the southwesterly corner of lands N/F of Ralph W. and Donna J. Lamb as recorded in Book 12028, Page 271, CCRD. Said drill hole is also a northwesterly corner of lands N/F of Community Alcoholism Orientation House as recorded in Book 3200, Page 757, CCRD;

THENCE S 02°28'54" W along lands of said Community Alcoholism Orientation House 66.28' to a #5 rebar with a plastic cap stamped "Titcomb PLS 1273;

THENCE S 50°53 '53" E continuing along lands of said Community Alcoholism Orientation House 40.04' to a ¼" iron rod in twin 10" maple tree;

THENCE S 1 0°49 '19" W continuing along lands of said Community Alcoholism Orientation House and along lands N/F of Jacqueline Laird Price as recorded in Book 13527, Page 215, CCRD, 101.74' to a point at the southwesterly corner of said Price;

THENCE S 80°33'01" E along lands of said Price 119.19' to a point on the westerly right-of-way line of Mellen Street;

THENCE S 09°26'59" W along said westerly right-of-way line of Mellen Street 35.00' to a point, said point being the northeasterly corner of lands N/F of 14 Mellen Street Condominium as recorded in Book 22754, Page 164;

THENCE N 80°33'01" W along the northerly line of said Condominium 102.53' to a point;

THENCE S 34°40'47" W along the northwesterly line of said Condominium and partially along the northeasterly face of the concrete foundation of a structure located on the parcel herein described a total distance of 43.32' to a #5 rebar with a plastic cap stamped "Titcomb PLS 1273", said rebar being 1' northeasterly from the northeasterly face of the concrete foundation of a structure located on the parcel herein described;

THENCE S 55°25'40" E along the southwesterly line of said Condominium and along a line running parallel to and maintaining a distance of 1' from the northeasterly face of the concrete foundation of a structure located on the parcel herein described 26.61' to a #5 rebar with a plastic cap stamped "Des Lauriers PLS 1314";

THENCE S 80°41 '35" E along the southerly line of said Condominium 3.41' to a #5 rebar with a cap stamped "Titcomb PLS 1273", said rebar being the northwesterly corner of lands of said Dubois Real Estate Management;

THENCE S 35°05'35" W along lands of said DRE Management 85.48' along a line which partially runs parallel to and maintains a distance of 0.5' from a northeasterly face of a structure located on the parcel herein described to the POINT OF BEGINNING.

The above parcel contains 27,819 SF.

The basis of bearing for the above described parcel is 1985 magnetic north meridian. Meaning and intending to describe a portion of the property conveyed in the deed from SCI Funeral Services, Inc. to JPH Properties, Inc. dated September 30, 1996 in Book 13301, Page 67, CCRD and all of the property conveyed in the deed from John A. McIntosh, Jr. to JPH Properties, Inc. dated April 16, 2001 in Book 16332, Page 91, CCRD.

The property is conveyed together with a perpetual non-exclusive easement and right-of-way for vehicular and pedestrian access as more particularly described in a deed from SCI Maine Funeral Services, Inc. (formerly known as SCI Maine) to JPH Properties, Inc. dated September 30, 1996 and recorded in the Cumberland County Registry of Deeds in Book 13301, Page 67. Also together with the rights and easements relating to water, sewer and utility pipes as described in said deed.

**Exhibit B**

The above-described property is conveyed subject to the following encumbrances:

1. Title to and rights of the public and others entitled thereto in and to those portions of the insured premises lying within the bounds of adjacent streets, roads and ways.
2. Such state of facts as shown on ALTA/ACSM Land Title Survey for SCI Project, 749 Congress Street, Portland, Maine for Martin B. Dassa dated September 13, 2006, revised through October 31, 2006 by Northeast Civil Solutions.
3. Terms and conditions, rights and easements set forth in deed from John A. McIntosh Jr. to SCI Maine Funeral Services, Inc. dated September 30, 1994 and recorded in the Cumberland County Registry of Deeds in Book 11651, Page 182.
4. Rights and easements granted to Central Maine Power Company and New England Telephone and Telegraph Company by John A. McIntosh, Jr. as set forth in an Easement Deed dated July 16, 1996 and recorded in the Cumberland County Registry of Deeds in Book 12644, Page 70.
5. Rights and easements set forth in a deed from JPH Properties, Inc. to John A. McIntosh, Jr. dated April 27, 2001 and recorded in the Cumberland County Registry of Deeds in Book 16332, Page 93.
6. By acceptance of this deed, the Grantees agree for themselves and their heirs and assigns that the above-described property shall not be used as a funeral home, crematory or cemetery, or be used for casket or monument sales, pre-need funeral or cemetery sales and/or services. This use restriction shall run with the land but shall terminate upon the twentieth (20<sup>th</sup>) anniversary of the recording of this deed.

Received  
Recorded Register of Deeds  
Nov 15, 2006 02:36:34P  
Cumberland County  
John B. O'Brien