

EASEMENT DEED

PORTLAND WATER DISTRICT a public quasi-municipal Maine corporation of Portland, Maine with a place of business at 225 Douglas Street, Portland, Maine ("District"), for consideration paid, hereby grants to the **MICHAEL J. G. SOMERS and EVELYN M. SOMERS**, with a mailing address of 38 Far Reach Road, Westwood, MA 02090 (the "SOMERS") with quit-claim covenants an appurtenant easement on property located on Park Avenue on Peaks Island in the City of Portland, Cumberland County, Maine, bounded and described as follows (Easement Area):

Beginning at a stone at the east corner of land of SOMERS also being the northerly corner of land of the DISTRICT;

Thence easterly along the northerly boundary line of the DISTRICT Land twenty-three (23) feet to a point;

Thence southerly perpendicular to the last course forty (40) feet to a point;

Thence westerly perpendicular to the last course thirty-five (35) feet, more or less, to the boundary line between land of the SOMERS and land of the DISTRICT; thence northeasterly along said boundary line forty-two (42) feet to the point of beginning.

The SOMERS shall have the following permanent easement rights in the Easement Area described above:

1. the right to construct, install, maintain, repair, replace and remove a subsurface wastewater disposal system, which shall be conducted in full compliance with all applicable federal, state and local laws and regulations, with all necessary fixtures and appurtenances, including electric or other energized control lines; and
2. the right to trim, cut down, and/or remove bushes, grass, crops, trees or any other vegetation, to such extent as is necessary for any of these purposes in the sole judgment of the SOMERS; and
3. the right to change the existing surface grade of the Easement Area as is reasonably necessary for any of these purposes; and
4. the right to enter on the Easement Area at any and all times for any of these purposes.

In the event that public sewer service becomes available to the SOMERS' property, they shall have one year from the date the sewer is placed in service to connect to said public sewer, and this easement shall terminate. Should the DISTRICT take enforcement action against the

SOMERS to enforce this condition, the SOMERS shall be responsible for all costs of enforcement, including but not limited to reasonable attorney's fees.

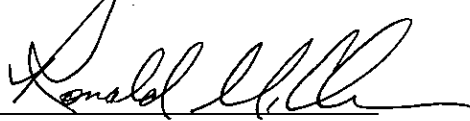
The DISTRICT reserves the use and enjoyment of the Easement Area for any purpose that does not interfere with the use of the Easement Area by the SOMERS for its own purposes; provided that none of the following improvements may be made by DISTRICT in the Easement Area, without the written permission of the SOMERS:

1. No buildings or any other permanent structures shall be constructed on the Easement Area..
2. No earth shall be removed, no fill may be added, and no other change shall be made to the surface grade of the Easement Area.

This easement deed is signed as a document under seal.

Dated: April 14, 2011

PORTLAND WATER DISTRICT

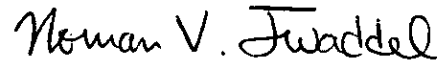


Ronald Miller
General Manager

State of Maine
County of Cumberland

April 14, 2011

Ronald Miller personally appeared before me and acknowledged that his signature on this document was his free act and deed on behalf of the Portland Water District.



Notary Public/~~Attorney at Law~~

NORMAN V. TWADDEL

NOTARY PUBLIC, MAINE
MY COMMISSION EXPIRES DECEMBER 17, 2016

Print Name

Received
Recorded Register of Deeds
Apr 20, 2011 01:14:47P
Cumberland County
Pamela E. Lovley