

**EASEMENT DEED**

The UNIVERSITY OF MAINE SYSTEM, a body politic and corporate and an instrumentality and agency of the State of Maine, with a mailing address of 16 Central Street, Bangor, Maine 04401 ("Grantor"), grants to the CITY OF PORTLAND, a municipal corporation with a mailing address of 389 Congress Street, Portland, Maine 04101 (the "City"), the following rights and easements over a portion of Grantor's property situated on Bedford Street in the City of Portland, Cumberland County, Maine, said portion of Grantor's property being more particularly described on Exhibit A attached hereto:

An easement for pedestrian passage over the sidewalk shown as "brick sidewalk" on the plan entitled "Grading Plan," USM Portland Campus, Koetter|Kim & Associates, Inc., Architect, Drawing No. C203, dated February 12, 2007, and approved by the City of Portland Planning Board on March 13, 2007, a copy of which is attached as Exhibit B hereto, granting to the public all the same rights to use the sidewalk as the public enjoys in City-owned sidewalks.

Also granting to the City an easement within the esplanade area between the sidewalk and the sideline of the right of way of Bedford Street as shown on the aforementioned plan, for all public purposes, provided that: the City shall not install any structures within the esplanade area other than signage and traffic control devices and such utility installations as would customarily be installed within a public right of way; the use of the easement area by the City and the public shall not unreasonably interfere with pedestrian use of the area by Grantor's students, faculty, staff, employees and visitors; and the City shall not license any street vendors to operate within the easement area.

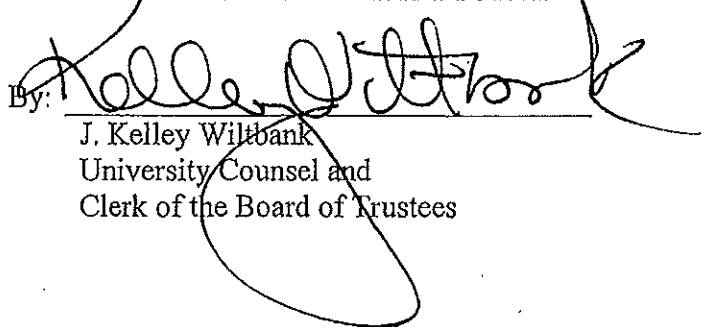
Grantor shall be responsible for constructing, maintaining and repairing the sidewalk, including plowing, sanding and salting, to the same standards of maintenance and repair as the City applies to the City-owned sidewalks on Bedford Street and shall enter into a maintenance agreement with the City concerning details of such maintenance and repair.

IN WITNESS WHEREOF, the University of Maine System has caused this instrument to be signed in its corporate name by J. Kelley Wiltbank, its University Counsel and Clerk of the Board of Trustees, duly authorized, this 9<sup>th</sup> day of April 2008.

WITNESS



UNIVERSITY OF MAINE SYSTEM

By:   
J. Kelley Wiltbank  
University Counsel and  
Clerk of the Board of Trustees

STATE OF MAINE  
COUNTY OF PENOBSCOT, ss.

*April 9*, 2008

PERSONALLY APPEARED the above-named J. Kelley Wiltbank in his capacity as University Counsel and Clerk of the Board of Trustees of the University of Maine System and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of the University of Maine System.

*Angela R. Nickerson*  
Notary Public/ Attorney at Law



Angela R. Nickerson  
Notary Public, State of Maine  
My Commission Expires 03/09/2013

SEAL

**Easement Description**  
**University of Maine System to City of Portland**

A certain lot or parcel of land, situated on the southerly sideline of Bedford Street Street, in the City of Portland, County of Cumberland, and State of Maine, bounded and described as follows:

Commencing on said southerly sideline of Bedford Street at its intersection with the northwesterly terminus of the discontinued portion of Surrenden Street;

Thence, N 56° 17' 14" E, along said southerly sideline of Bedford Street, 187.92 feet to the point of beginning;

Thence, from said point of beginning, the following courses and distances along said southerly sideline of Bedford Street:

N 56° 17' 14" E a distance of 669.60 feet;

S 33° 42' 46" E a distance of 7.26 feet;

N 56° 21' 19" E a distance of 168.15 feet to a point of curvature at the intersection with the southwesterly sideline of Forest Avenue;

Thence, 45.23 feet along a curve to the right, having a radius of 34.00 feet, and a delta of 76° 13' 13";

Thence, S 47° 13' 06" E along said southwesterly sideline of Forest Avenue, 3.67 feet;

Thence, leaving said sideline and crossing the land of the grantor the following courses and distances:

13.35 feet along a curve to the left, with a radius of 10.00 feet, and a delta of 76° 29' 40";

S 56° 17' 14" W a distance of 768.08 feet;

16.58 feet along a curve to the right, with a radius of 52.00 feet and a delta of 18° 16' 26";

S 74° 33' 40" W a distance of 24.23 feet;

17.97 feet along a curve to the left, with a radius of 40.00 feet and a delta of 25° 44' 27";

S 48° 48' 38" W a distance of 21.58 feet;

20.61 feet along a curve to the right with a radius of 50.01 feet and a delta of 23° 37' 08";

N 18° 32' 27" W a distance of 19.34 feet to the aforementioned southerly sideline of Bedford Street and the point of beginning.

Being a portion of premises described in the following deeds recorded in the Cumberland County Registry of Deeds:

Jean R. Glasier to University of Maine, dated June 22, 1959, recorded in Book 2479, Page 460;

Myron Finkelman to University of Maine, dated October 24, 1968, recorded in Book 3064, Page 594;

Bedford-Forest Associates to University of Maine System, dated March 21, 1990, recorded in Book 9115, Page 269;

Apex, Inc. to University of Maine System, dated March 31, 1992, recorded in Book 9983, Page 179.

# Exhibit B

<p><b>USM</b> Portland Campus</p>	<p><b>Koetter   Kim &amp; Associates Inc.</b> 12000 SW 10th Ave Portland, OR 97219 Tel: 503.288.1234</p>	<p><b>University Commons</b> 12000 SW 10th Ave Portland, OR 97219 Tel: 503.288.1234</p>	<p><b>GRADING PLAN</b></p>	<p><b>C203</b></p>
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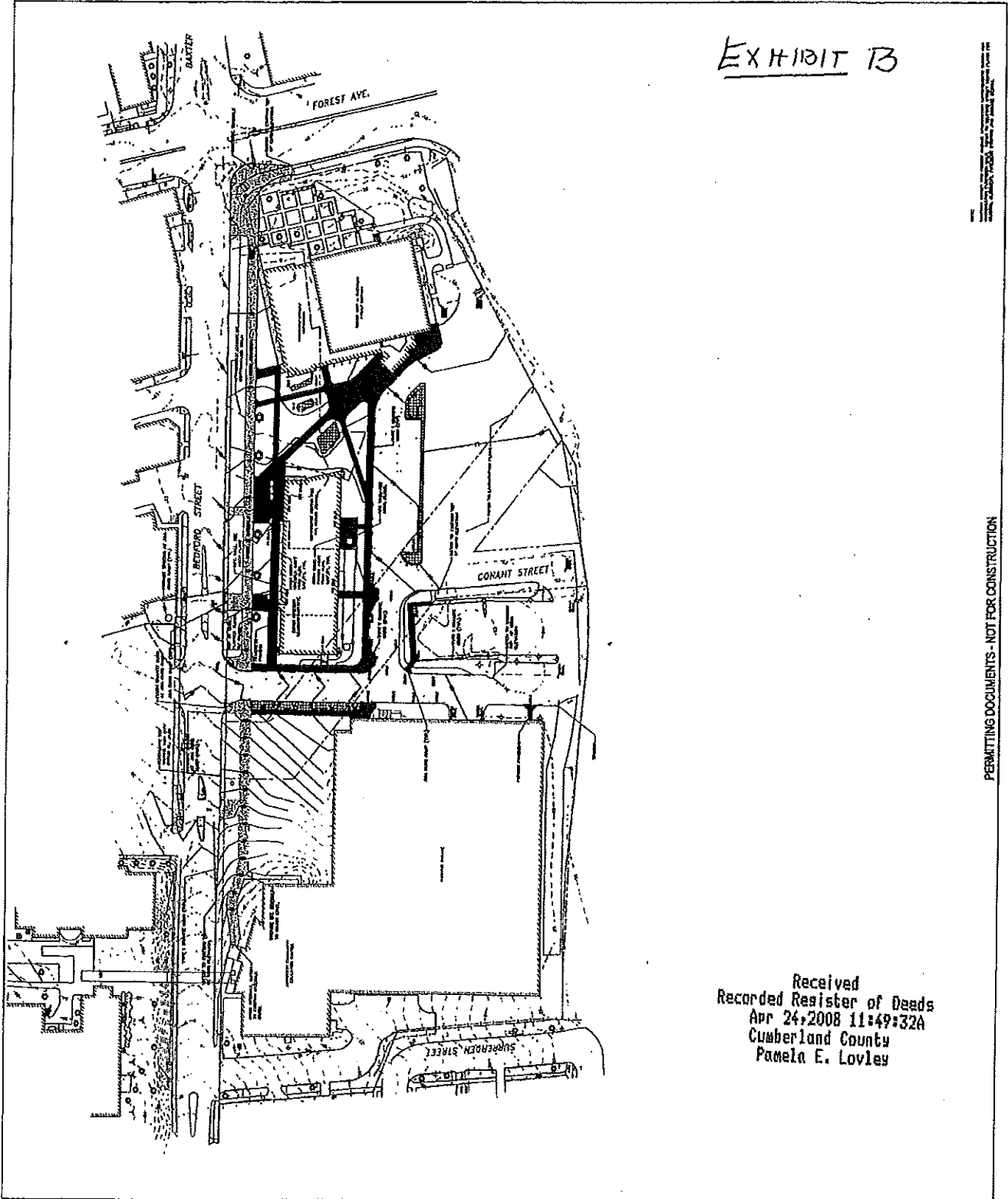


EXHIBIT B

PERMITTING DOCUMENTS - NOT FOR CONSTRUCTION

Received  
 Recorded Register of Deeds  
 Apr 24, 2008 11:49:32A  
 Cumberland County  
 Pamela E. Lovley

