

Corporation Counsel
Gary C. Wood



CITY OF PORTLAND

Associate Counsel
Charles A. Lane
Elizabeth L. Boynton
Donna M. Katsiaficas
Penny Littell

Tuesday, May 23, 2000

189-A-001

Daniel Fitzgerald
1236 Congress Street
Portland, Maine 04102

Re: Easement to City of Portland

Dear Mr. Fitzgerald:

The City is preparing to proceed with the widening of Congress Street. To that end, and as previously agreed, I am enclosing a deed transferring the sliver of property from the lot at 1236 Congress Street. You will need to have this document executed by the owners of this lot. If they would like to have their execution witnessed here at City Hall, any attorney in the legal department would be happy to perform this duty. Or they may simply have their signature witnessed by a notary public.

In addition to the execution of this easement, a partial release of The Paint Pot's mortgages will be necessary, as will a release of the tax liens on the property. I have drafted such releases and will be sending them out to your mortgagors of record and the Maine Revenue Service. It would be extremely helpful to obtain your mortgage account numbers as this has proven to speed the process along greatly.

Please contact me should you have any questions about this process. I thank you in advance for your cooperation and I look forward to your return of the easement.

Sincerely,

Penny Littell
Associate Corporation Counsel

Enclosures

Cc: William Bray, Director of Public Works
Larry Ash, Traffic Engineer
Lee Urban, Director of Economic Development
Marge Schmukal, Zoning Administrator

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QUITCLAIM DEED

KNOW ALL PERSONS BY THESE PRESENTS, that **R&F, LLC**, a Maine Limited Liability Company located in the County of Cumberland, State of Maine, in consideration of one dollar (\$1.00) and other valuable consideration paid by the **City of Portland**, a body politic and corporate in the County of Cumberland, State of Maine, the receipt whereof is hereby acknowledged, does hereby remise, release, bargain, sell and convey and forever quitclaim to the said **City of Portland**, a certain lot or parcel of land described in Schedule A, attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the said **R&F, LLC** has hereunto caused this instrument to be signed by _____, its duly authorized _____, this ____ day of _____, 2000.

R&F, LLC

Witness

By: _____

Its: _____

STATE OF MAINE
CUMBERLAND, ss.

_____, 2000

Personally appeared the above-named _____, in his capacity as the _____, of R&F, LLC, and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of R&F, LLC.

Before me,

Notary Public/Attorney at Law

Printed Name

A certain lot or parcel of land located on the southwesterly side of Congress Street in the City of Portland, County of Cumberland, State of Maine, bounded and described as follows:

Beginning at a point on the southwesterly sideline of Congress Street at the northerly corner of land now or formerly of Olympia Equity Investors I, L.P. as described in a deed recorded in the Cumberland County Registry of Deeds in Book 12942, Page 266. Thence:

- (1) S 29°21'45" W by land of said Olympia Equity Investors I, L.P. a distance of Two and 01/100 (2.01) feet to a point.
- (2) Northwesterly, following a curve to the left having a radius of Two Thousand Eight Hundred Twenty-Seven and 79/100 (2827.79) feet, an arc distance of Forty-Eight and 37/100 (48.37) feet to a point and the southerly sideline of said Congress Street, said point being located N 54°39'22" W a distance of Forty-Eight and 37/100 (48.37) feet from the last mentioned point.
- (3) Southeasterly by said Congress Street, following a curve to the right having a radius of Thirty-Six and 40/100 (36.40) feet, an arc distance of Nine and 47/100 (9.47) feet to a point, said point being located S 63°01'50" E a distance of Nine and 45/100 (9.45) feet from the last mentioned point.
- (4) S 55°34'29" E by said Congress Street a distance of Thirty-Eight and 83/100 (38.83) feet to the point of beginning.

The above described parcel contains 71 square feet and being a portion of a parcel of land described in a deed to R & F LLC as described in a deed recorded in the Cumberland County Registry of Deeds in Book 13966, Page 100. Bearings are referenced to magnetic north 1980.

Reference is herein made to the following plans:

- (1) Plan of Land on Congress Street & Sewall Street, Portland, Maine, made for Olympia Equity Investors I, L.P. by Owen Haskell, Inc. dated July 22, 1999 and revised August 8, 1999.
- (2) Plan of Land in Portland, Maine, made for C.S.R. Associates by Owen Haskell, Inc. dated September 24, 1973 and revised January 15, 1996. Recorded in the Cumberland County Registry of Deeds in Plan Book 197, Page 32.
- (3) Existing Conditions Survey, Congress Street, Portland, Maine, made for Gorrill-Palmer Consulting Engineers by Titcomb Associates dated July 19, 1999 and revised December 6, 1999.