

KENILWORTH STREET

STATUTORY VACATION

Short Street Off Bancroft St. & 294' Northeasterly of Capisic Street

August 11, 2009

It appears that a Kenilworth Street was not accepted, and may be Statutorily Vacated.

Kenilworth Street is a 50' x 80' street located 294' +/- northeasterly of Capisic Street, as measured along the southeasterly line of Bancroft Street, and runs approximately 80' southeasterly from Bancroft Street.

Kenilworth Street was created by an approved subdivision plan titled "Plan of Emerson Woods - Portland, Maine - made for Cheney Realty" dated 4/5/1973 by Robert P. Titcomb, Registered Land Surveyor, and recorded at the Cumberland County Registry of Deeds in Plan Book 94, Page 19.

Kenilworth Street, as created by the Emerson Woods plan, does not connect with Kenilworth Street, the accepted street which runs off the southerly line of Brighton Avenue.

Kenilworth Street is not listed on the City of Portland City Council Order #84 titled "Order Excepting Streets From Deemed Vacation", as passed on September 3, 1997 and recorded in the Cumberland County Registry of Deeds in Deed Book 13326, Page 19. **Omission of the unaccepted portion of Kenilworth Street from the City Council Order #84 may possibly be deemed a STATUTORY VACATION** as the City Council did not file another Order Excepting Streets From Deemed Vacation prior to or on September 29, 1997. An Attorney should be consulted further on the subject of title and any claims of title.

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