CITY OF PORTLAND, MAINE — RESURGAM
Reviewed for Code Compliance
Inspections Division
Approved with Conditions
Date: 01/25/17

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Instr. Date
Description

Doc#: 34000 Bk:26151 Pg: 99 DiDonato DED DMK 1 1 22.07

QUITCLAIM DEED

KNOW ALL PERSONS BY THESE PRESENTS, that the **Portland Water District**, a quasi- municipal corporation organized and existing under the laws of the State of Maine, with a mailing address of 225 Douglass Street, Portland, Maine 04104-3553 in consideration of one dollar ($1.00) and other valuable consideration paid by Frank DiDonato and Santo DiDonato., with a mailing address of 87 Skylark Road, Portland, Maine, the receipt whereof is hereby acknowledged, does hereby remise, release, bargain, sell and convey and forever quitclaim with quitclaim covenants, to the said Frank DiDonato and Santo DiDonato as joint tenants, , their heirs and assigns, a certain lot or parcel of land described in Schedule A, attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the said Portland Water District has hereunto caused this instrument to be signed by Ronald Miller, its duly authorized General Manager, this 6th day of February, 2007.

MAINE REAL ESTATE TAX PAID

PORTLAND WATER DISTRICT

Witness

By: Ronald Miller
Ronald Miller
General Manager

STATE OF MAINE
CUMBERLAND, ss.

February 6, 2007

Personally appeared the above-named Ronald Miller in his capacity as the General Manager of the Portland Water District, and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of the Portland Water District.

Before me,

Norman V. Twaddel
Notary Public/Attorney at Law

Printed Name

NORMAN V. TWADDEL
NOTARY PUBLIC, MAINE
MY COMMISSION EXPIRES DECEMBER 17, 2009

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SCHEDULE A

Two certain lots or parcels of land situated on the Southerly side of Bertha Street in said Portland and bounded and described as follows, viz.: Lots numbered 82 and 83 as shown on a plan entitled "Plan of Portland Highlands" made by Ernest W. Branch, C. E., dated July 22, 1924 and recorded in Cumberland County Registry of Deeds in Plan Book 16, Page 10, to which plan reference is made for a more particular description of said lots. Being a part of the same premises conveyed to Irene I. Nowell by Frank P. Bailey by warranty deed dated April 15, 1936, and recorded in said Registry of Deeds in Book 1510, Page 162, together with the rights, privileges and easements and subject to the conditions and limitations and restrictions contained in said deed.

Also a certain other lot or parcel of land situated on the Westerly side of Pennell Avenue in said Portland and bounded and described as follows, viz.: Lot numbered 47 as shown on plan entitled "Plan of The Holmsteads" dated September 1921, and recorded in said Registry of Deeds in Plan Book 14, Page 70, to which plan reference is made for a more particular description of said lot. Being a portion of the same premises described in a certain deed from Florence E. Webb, et als to Irene I. Nowell, dated March 3, 1945 and recorded in said Registry of Deeds in Book 1777, Page 31.

Meaning and intending to convey the property conveyed to this Grantor by deed of Irene I. Nowell dated November 16, 1953 and recorded in Cumberland County Registry of Deeds in Book 2156, Page 61.

Also hereby conveying all right, title and interest of the Grantor in and to those portions of Bertha Street and Pennell Avenue adjacent to the above described lots, except such rights as reserved below in Pennell Avenue.

The Grantor herein reserves an easement on said property and described as follows:

Beginning at an iron pipe at the southeast corner of Lot #83 as shown on said plan of Portland Highlands recorded in Plan Book 16, Page 10;

Thence southwesterly along the boundary line of Lots #83 and #82 forty-eight and six tenths (48.6) feet to the southeast corner of Lot #81 as shown on said plan;

Thence northwesterly by the boundary line of Lot #81 fifty and zero hundredths (50.00) feet to a point;

Thence northeasterly at right angles to the last described course eighty-seven (87) feet more or less to a point on the southwest sideline of Pennell Avenue;

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Doc#: 34000 Bk:26151 Pg: 101 DiDonato DED.DMK.1 1.22.07

Thence southeasterly along the southwest sideline of Pennell Avenue fifty and zero hundredths (50.00) feet to a point;

Thence southwesterly forty-two feet to the iron pipe at the corner of Lot #83 and the point of beginning.

Also including the rights described below within the limits of said Pennell Avenue as shown on said plan.

The DISTRICT shall have the following permanent easement rights in the easement area described above and in Pennell Avenue:

1. the right to install, maintain, replace and remove conduits or pipelines for conveying water, wastewater and/or storm water, with all necessary fixtures and appurtenances, including electric or other energized control lines; and

2. the right to make connections with the conduits or pipelines on land adjacent to the easement area and Pennell Avenue; and

3. 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 DISTRICT; and

4. the right to enter on the easement area and Pennell Avenue at any and all times for any of these purposes.

DIDONATO and their heirs and assigns, reserve the use and enjoyment of the easement area and Pennell Avenuefor any purpose that does not interfere with the use of the easement area or Pennell Avenue by the DISTRICT for its own purposes; provided that none of the following improvements may be made by DIDONATO, their heirs and assigns, in the easement area or in the area of the District's conduits or pipelines in Pennell Avenue without the written permission of the DISTRICT:

1. No buildings or any other permanent structures are allowed.

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.

3. The right to enter on the easement area at any and all times for any of these purposes.

Received
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Jan 24,2008 10:49:28A
Cumberland County
Pamela E. Lovley