

WARRANTY DEED  
(Maine Statutory Short form)

BALLPARK DRIVE DEVELOPMENT, LLC, a Maine limited liability company with a place of business in Portland, Maine and a mailing address of 67 Havertys Way, Portland, Maine 04103 (the "Grantor"), for consideration paid, grants to HELENE B. ANDERSON of Portland, Maine, whose mailing address is 431 Summit Street, Portland, Maine 04103 (the "Grantee"), with WARRANTY COVENANTS, a certain lot or parcel of land situated in the City of Portland, County of Cumberland and State of Maine, more particularly described as follows:

Lot 8 shown on a plan entitled "Plan of Division of Land, The Haverty Estate Property, Ballpark Drive Subdivision" by URS Corporation, Portland, Maine, dated November 22, 2004, recorded in the Cumberland County Registry of Deeds in Plan Book 204, Page 855 (the "Plan"), and on a related plan recorded with the Plan entitled "Residential Lot Subdivision Plat Ballpark Drive Subdivision" dated November 22, 2004, and recorded in said Registry of Deeds in Plan Book 204, Page 856 (the "Subdivision Plan") (the Plan and the Subdivision Plan being hereinafter collectively referred to as the "Project Plans").

Excepting and reserving to the Grantor the fee interest in Ballpark Drive shown on the Project Plans, which the Grantor intends to convey to the City of Portland as a public street following the City's acceptance thereof, but hereby conveying an easement in common with the Grantor, its successors and assigns, and other owners of lots in Ballpark Drive Subdivision, to use Ballpark Drive shown on the Project Plans for vehicular and pedestrian access to and from the above-described premises and for the installation, maintenance, repair and replacement of utilities over, under and through Ballpark Drive to serve the above-described premises including, but not limited to, power lines, sewer and water lines, telephone and other communication lines, and cable television lines. The Grantee, her heirs and assigns, shall repair Ballpark Drive as nearly as practical following any activity therein pursuant to the exercise of said easement, which obligation shall be enforceable by all parties having rights in and to the use of Ballpark Drive. Following the acceptance of Ballpark Drive as a public street, the use thereof by the Grantee, her heirs and assigns, shall be further subject to all applicable municipal ordinances and regulations with respect thereto.

The above-described premises are conveyed subject to the following to the extent they affect the premises or other interests relating thereto and referred to herein:

1. Rights and easements acquired by the City of Portland by virtue of a Taking dated June 3, 1963 and recorded in said Registry of Deeds in Book 2764, Page 362;
2. Rights and easements excepted and reserved in a deed from Mary Margaret I. Haverty to the Grantor dated December 8, 2004 and recorded in said Registry of Deeds in Book 22100, Page 73;
3. General Notes, Setbacks, 75' Stream Buffer, Easements and other matters set forth, shown on, or referred to on the Project Plans, particular reference being made to (a) the

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restrictions and limitations set forth or referred to on said Project Plans regarding activities within the 75' Stream Buffer along the southern edge of the intermittent brook running through Lots 1 through 9, and (b) General Note 12 on the Subdivision Plan that reads as follows:

No public service (i.e., snow plowing, trash removal, lighting) will be provided unless and until the proposed street is accepted by the City Council. The Developer shall provide a performance guarantee for a time period of up to two years to the City which shall include the cost of curbside trash removal, snow plowing, street maintenance, and lighting. The City will not release the performance guarantee unless the road is accepted by the City Council. In the interim, the developer shall be responsible for snow plowing, street maintenance, lighting and curbside trash removal.

4. Easement Deed from Mary Margaret I. Haverty to the Portland Water District dated January 10, 2005 and recorded in said Registry of Deeds in Book 22228, Page 90;
5. Easement Deed for drainage and culvert easements from the Grantor to the City of Portland dated January 13, 2005 and recorded in said Registry of Deeds in Book 22268, Page 53;
6. Easement Deed for sewer line easement from the Grantor to the City of Portland dated January 13, 2005 and recorded in said Registry of Deeds in Book 22268, Page 57;
7. Declaration of Covenants and Restrictions by the Grantor regarding Lots 1 through 16 in Ballpark Drive Subdivision dated January 27, 2005 and recorded in said Registry of Deeds in Book 22278, Page 204, as amended by Amendment to Declaration of Covenants and Restrictions dated March 2, 2005 and recorded in said Registry of Deeds in Book 22380, Page 177;
8. Trail Easement over Lot 18 in Ballpark Drive Subdivision from the Grantor to Portland Trails dated January 24, 2005 and recorded in said Registry of Deeds in Book 22284, Page 63; and
9. Standard Easement Deed from the Grantor to Central Maine Power Company and Verizon New England, Inc. dated December 27, 2004 and recorded in said Registry of Deeds in Book 22384, Page 105.

The above-described premises are further conveyed together with the benefit of a Declaration of Covenants and Restrictions by the Grantor regarding Lot 18 in Ballpark Drive Subdivision dated January 13, 2005 and recorded in said Registry of Deeds in Book 22268, Page 59.

Reference is made to said deed from Mary Margaret I. Haverty to the Grantor dated December 8, 2004 and recorded in said Registry of Deeds in Book 22100, Page 73, for the Grantor's source of title to the above-described premises conveyed herein.

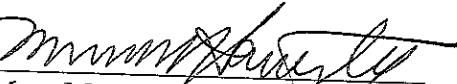
IN WITNESS WHEREOF, BALLPARK DRIVE DEVELOPMENT, LLC has caused this

instrument to be executed by Mary Margaret I. Haverty, its Chief Executive Officer and Manager, thereunto duly authorized, as of the 13 day of October, 2005.

WITNESS:

BALLPARK DRIVE DEVELOPMENT,  
LLC

  
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By:   
Mary Margaret I. Haverty, its Chief  
Executive Officer and Manager

STATE OF MAINE  
COUNTY OF CUMBERLAND, ss.

October 13, 2005

Then personally appeared the above-named Mary Margaret I. Haverty, Chief Executive Officer and Manager of Ballpark Drive Development, LLC, and acknowledged the foregoing instrument to be her free act and deed in her said capacity and the free act and deed of said limited liability company.

Before me,

  
\_\_\_\_\_  
Attorney at Law/Notary Public

  
\_\_\_\_\_  
Print name

Received  
Recorded Register of Deeds  
Oct 13, 2005 03:30:08P  
Cumberland County  
John B O'Brien