

EASEMENT DEED

KNOW ALL PERSONS BY THESE PRESENTS, that **Richard O. Hagar**, with a mailing address of 35 Blackstrap Road, Cumberland Center, Maine, in consideration of One Dollar (\$1.00) and other valuable consideration paid by the **CITY OF PORTLAND**, a body politic and corporate with a mailing address of 389 Congress Street, Portland, Maine, does hereby remise and release and forever quitclaim to the said City of Portland any interest she may have in certain easements and rights of way as described in Exhibit A attached hereto and incorporated herein by reference.

Said easement for the purpose of and conveying the right to perpetually maintain through, under and across said property an access way with all necessary fixtures and appurtenances for installing and maintaining through, under, and across said property conduits or pipelines with all necessary fixtures and appurtenances for conveying storm water and sewer water and to lay, relay, repair, maintain, clean and remove said storm water and sewer water pipe or pipes upon or under said strips, with all necessary fixtures and appurtenances, together with the right at all times to make connections with said conduits or pipelines to land adjoining said sewer and drainage easement by means of pipes or other services; to trim, cut down and remove trees, bushes, and other vegetation of all kinds, to remove debris and deposits of any kind and to alter and regrade the contours of said easement to such extent as in the sole judgment of the Grantee is necessary or appropriate for any of the above purposes; and to enter upon said easement at any and all times for any of the foregoing purposes, reserving to the Grantor and their successors and assigns the use and enjoyment of said strips and for such purposes only as will in no way interfere temporarily or otherwise with the perpetual use thereof by the Grantee, its successors and assigns for the purpose above mentioned, provided that no building or any kind of permanent structure, including, but not limited to, walls and fences, shall be erected on said strip by the Grantor, their successors or assigns; and that the Grantor, their successors and assigns shall not remove earth from said easement without the written permission of the Grantee, its successors and assigns.

IN WITNESS WHEREOF, the said Richard O. Hagar has hereunto caused this instrument to be signed this 14 day of DECEMBER, 2009.

WITNESS:

GRANTOR

Richard O. Hagar
Richard O. Hagar

STATE OF MAINE
CUMBERLAND, ss.

December 14, 2009

Personally appeared the above-named Richard O. Hagar and acknowledged the foregoing instrument to be his free act and deed.

Before me,

Norman V. Twaddel
Notary Public/Attorney-at-Law

NORMAN V. TWADDEL
Print Name
NOTARY PUBLIC - MAINE
MY COMMISSION EXPIRES DEC 17, 2009

Exhibit A

A certain Sewer and Drainage easement across lands situated on the southeasterly side line of Rye Road (formerly known as Chandler Ave.) and the southwesterly side of Ohio Avenue in the City of Portland, Cumberland County, State of Maine, and bounded and described as follows:

COMMENCING at a point at the intersection of the northwesterly sideline of Maine Avenue as accepted by order of the Portland City Council on May 5, 1930, City of Portland Clerk's Records Volume 56, Page 145 with the northeasterly sideline of Washington Avenue as accepted by the Cumberland County Commissioners on June 4, 1897, Cumberland County Commissioner's Records Volume 17, Page 963, said point is located N09°37'29"E four and eighty-five hundredths feet (4.85') from a found 6"x 6" granite monument with a brass plug at the three foot offset lines of Maine Avenue and Washington Avenue;

THENCE, N28°36'42"W two hundred sixty-four and ninety-four hundredths feet (264.94') along the northeasterly side line of said Washington Avenue to its intersection with the southeasterly side line of said Rye Road which is shown as Chandler Avenue on a Plan of Wadco Park, dated August, 1905 and recorded in Plan Book 12, Page 17;

THENCE, N47°24'13"E three hundred thirty-six and fifty-seven hundredths feet (336.57') along the southeasterly side line of said Rye Road to its point of intersection with the northeasterly line of the 1953 Fall Brook Branch Combined Sewer Right of Way as taken by Order of the Portland City Council on June 15, 1953 and recorded in City Clerk Volume 71, Page 278 and **THE POINT OF BEGINNING**;

THENCE, continuing N47°24'13"E two hundred thirty-two and eight hundredths feet (232.08') along the southeasterly side line of said Rye Road to a point of intersection with a second northeasterly line of the 1953 Fall Brook Branch Combined Sewer Right of Way, said point is located S47°24'13"W one hundred eight and forty hundredths feet (108.40') along the southeasterly side line of said Rye Road from its intersection with the southwesterly side line of Ohio Avenue as accepted by Order of the City Council, dated November 4, 1963 and recorded in City Clerk Volume 79, Page 209;

THENCE, S03°47'18"W seventy-two and forty-eight hundredths feet (72.48') through land now or formerly of Joseph H. and Marjorie N. Keeley as described in a deed dated May 5, 1956 and recorded in Deed Book 2288, Page 145 (CCRD) to a point;

THENCE, S47°24'13"W one hundred eighty and no hundredths feet (180.00') along a line that is parallel to and fifty and no hundredths feet (50.00') southeasterly of and as measured perpendicular to the southeasterly side line of said Rye Road and continuing through land now or formerly of Keeley and through land now or formerly of Richard O. Hagar as described in a deed dated May 12, 1982 and recorded in Deed Book 5047, Page 306 (CCRD) to a point in the first described northeasterly line of the 1953 Fall Brook Branch Combined Sewer Right of Way;

THENCE, N42°08'20"W fifty and no hundredths feet (50.00') along the first described northeasterly line of the 1953 Fall Brook Branch Combined Sewer Right of Way to its intersection with the southeasterly side line of said Rye Road and **THE POINT OF BEGINNING**.

Meaning and intending to convey a sewer and drainage easement across land of the Grantor.

Said Grantor's property interest was acquired in a deed from Carolyn H. Schmigle and David P. Hagar to Richard O. Hagar, dated May 12, 1982 and recorded in Deed Book 5047, Page 306 (CCRD). Carolyn H. Schmigle, David P. Hagar and Richard O. Hagar were the sole heirs of their father, Hazen O. Hagar, deceased, testate, late of Sangerville, County of Piscataquis, State of Maine, whose will was duly filed and probated in Piscataquis County Probate Court, an abstract of which is recorded in the Cumberland County Registry of Deeds in Deed Book 4982, Page 131.

This deed description is based on a plan titled "Fall Brook Sewer and Drainage Right of Way, Allen Avenue to Rye Road", dated 2009, by the City of Portland, Maine, Public Services Department, Engineering Section to be on file at said Public Services Department Engineering and Archives Vault and to be recorded at said Registry.

Bearings referenced herein are Grid North, Maine State Plane Coordinate System NAD 1983 (HARN) (2-zone projection), West Zone.

Received
Recorded Register of Deeds
Dec 22, 2009 02:28:48P
Cumberland County
Pamela E. Lovley

*City of Portland
Engineering Section
2009*

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