



TOWN OF FALMOUTH

ORDER NO 100-2016

Order Authorizing Agreement With Drummond Woodsum and Heidi G. Almy and Douglas C. Schnapp Regarding Easement for Mill Creek Force Main

WHEREAS, the Town is undertaking a project to replace the Mill Creek pump station and the force main connecting the pump station to the Town's sewer treatment plant (the "Project"); and

WHEREAS, accomplishment of the force main portion of the Project requires a certain 40' wide easement affecting a portion of property located at 19 Depot Road (the "Easement"), which property is owned by Heidi G. Almy and Douglas C. Schnapp (together, the "Property Owner");

WHEREAS, the Property Owner has agreed to execute and deliver the Easement to the Town in consideration of payment by the Town of the sum of \$15,000 (the "Consideration"); and

WHEREAS, the Town, the Property Owner, and the Town's attorney, Drummond Woodsum, desire to enter in an Agreement under which the Property Owner shall execute and deliver the Easement to Drummond Woodsum to be held in escrow until such time as the Falmouth Town Council has voted to proceed with the Project, and until such time as the Property Owner has received the Consideration in full from the Town; and

NOW THEREFORE, BE IT HEREBY ORDERED THIS 14th DAY OF MARCH, 2016, BY THE FALMOUTH TOWN COUNCIL, FALMOUTH MAINE, IN TOWN COUNCIL ASSEMBLED: the Agreement among the Town, Drummond Woodsum, and the Property Owner substantially in the form presented to the Town Council at this meeting be and hereby is approved and the Town Manager be and hereby is authorized and empowered, in the name of and on behalf of the Town, to executed and deliver said Agreement, with such incidental changes and modifications as the Town Manager may approve, his approval to be conclusively evidenced by his execution thereof;

AND FURTHER THAT: at such time that the Easement may be released from escrow, the Town Manager be and hereby is authorized and empowered to accept the Easement, substantially in the form presented to the Town Council at this meeting, in the name of and on behalf of the Town.

Attest: _____

**Ellen Planer
Town Clerk**