

## **DRAINAGE EASEMENT**

**KNOW ALL PERSONS BY THESE PRESENTS**, that the BERGS, Axel Berg and Mary Berg (“Grantors”), owners of certain real property located in the Town of Falmouth, Maine, for consideration of one dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, does hereby for owner and assigns give, grant, bargain, sell and convey unto the Town of Falmouth, a municipal corporation, under the laws of the State of Maine, whose mailing address is 271 Falmouth Road, Falmouth, Maine 04105, its successors and assigns (the “Town”), a permanent 30’ wide drainage easement, for access to and for the construction, installation, maintenance, use, repair, and reconstruction of storm drain, manholes, rip-rap, and erosion control stabilization located on Map/Lot U20-005 of the Town.

The Town shall indemnify, defend, and hold Grantors harmless from and against any and all losses and expenses incurred by Grantors arising from damage to property of Grantors caused by the Town. Grantors acknowledge that the Town is a government entity which enjoys sovereign immunity and other protections under Maine law from various claims. As such, any indemnification by the Town under this instrument shall be only to the extent permitted by law and shall be limited to the extent of available proceeds under the insurance policies which may be carried by the Town at the time any damage to property of the Grantors occurs.

Meaning and intending to convey and hereby conveying a strip of land 30 feet in width. Said land shall begin and run parallel along the easterly side property line on the property and as shown on a plan entitled “MIDDLE ROAD RECONSTRUCTION 2017, Middle Road, Falmouth, Maine” dated April 14, 2017, and on file at the Falmouth Parks and Public Works Office, and included as ATTACHMENT “A”. And, also granting general drainage right to the Town at the end of said easement as may be necessary for the proper runoff of any ground or surface waters.

IN WITNESS WHEREOF, Axel and Mary Berg, in his/her capacity as property owners for #378 Middle Road, has hereunto set his/her hand this 10 day of May, 2017.

[Signature]  
Witness

Signature: [Signature]  
Name: AXEL BERG

Signature: [Signature]  
Name: Mary Berg

Its: Owner  
Hereunto Duly Authorized

STATE OF MAINE  
CUMBERLAND, ss.

May 10, 2017

Then personally appeared before me the above-named Axel + Mary Berg, in their capacity as grants for The Town of Falmouth, and acknowledged the foregoing instrument to be the free act and deed of said company.

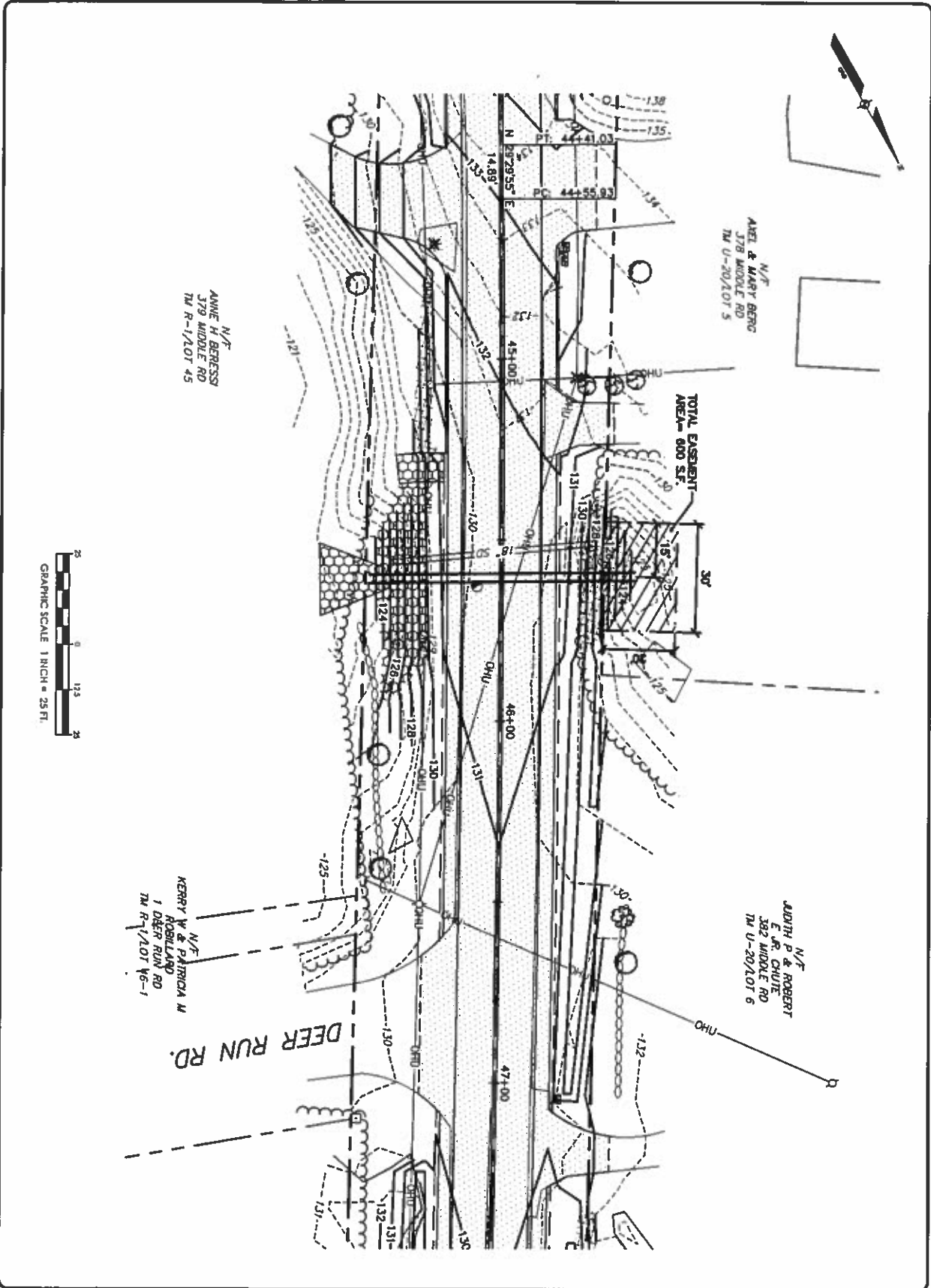
Before me,

[Signature]  
Notary Public



Book #:  
Page #:

Linda M. Case  
Notary Public Maine  
My Commission Expires June 29, 2019



SHEET 1 OF 1

**STORMWATER EASEMENT-378 MIDDLE ROAD OF:**  
**MIDDLE ROAD RECONSTRUCTION 2017**  
 MIDDLE ROAD  
 FALMOUTH MAINE  
 FOR:  
**TOWN OF FALMOUTH**  
 271 FALMOUTH ROAD  
 FALMOUTH MAINE

**SEBAGO**  
 TECHNICS  
 WWW.SEAGOTECHNICS.COM

75 John Roberts Rd. Suite 1A  
 South Portland, ME 04106  
 Tel. 207-200-2100

250 Coddard Rd. Suite B  
 Lewiston, ME 04240  
 Tel. 207-783-5656

THIS PLAN SHALL NOT BE  
 MODIFIED WITHOUT  
 WRITTEN PERMISSION FROM  
 SEBAGO TECHNICS, INC.  
 ANY ALTERATIONS,  
 AUTHORIZED OR  
 OTHERWISE, SHALL BE AT  
 THE USER'S SOLE RISK  
 AND WITHOUT LIABILITY TO  
 SEBAGO TECHNICS, INC.