

## **EASEMENT**

(Subdivision sign and cul de sac landscaping)

FL VENTURES, LLC, a Maine Limited Liability Company having a place of business in Portland, Cumberland County, Maine (the “Grantor”), conveys to ELM LANDING HOMEOWNERS ASSOCIATION, a Maine non-profit corporation having a place of business in Falmouth, Cumberland County, Maine (the “Grantee”), an easement to enter upon a portion of the right of way of the road known as Garden Way, in Falmouth, Maine as may be necessary to maintain, repair and replace those portions of the existing “Elm Landing” stone wall sign (the “Sign”) situated within the right of way of Garden Way in Falmouth, Maine on the date hereof, as shown on **Exhibit A**. Grantee shall remain solely responsible for maintaining, repairing and replacing the Sign in accordance with Article D, Section 1 of the Declaration of Covenants, Restrictions and Easements dated May 19, 2008 and recorded in the Cumberland County Registry of Deeds in Book 26108, Page 106, as amended by a First Amendment recorded in Book 29887, Page 124 (the “Declaration”).

This easement includes the right to maintain said Sign where it is now located, notwithstanding that it encroaches upon the said “Garden Way”.

### OPEN SPACE D

Also conveying to the Grantee an easement over “Open Space D” as depicted on the plan entitled “The Ledges Residential Subdivision, Third Amended Subdivision Plat Plan” recorded in the Cumberland County Registry of Deeds in Plan Book 213, Pages 405 and 406 (the “Plan”) for the purpose of maintaining and replacing shrubs, flowers, grasses and other vegetation therein, which shall be subject to the approval of Grantor and successor owners of Open Space D. . The Grantor, its successors and assigns, shall have no responsibility for replacing, or repairing damage to, the shrubs, flowers, grasses and other vegetation placed within “Open Space D,” including without limitation, damage relating to excavation or other construction work or snow plowing. Grantor reserves the right to trim or remove anything placed within “Open Space D” that is inconsistent with, or materially interferes with, the Grantor’s use of “Open Space D” or the road.

The conveyances herein are subject to and with the benefit of, matters depicted on the Plan, and the notes as set forth on the Plan, and are subject to the terms of the Declaration.

By its acceptance hereof, the Grantee hereby accepts the rights and obligations set forth herein, and the Grantor and Grantee agree that such rights and obligations shall run with the land and shall be binding upon, and shall inure to the benefit of, the parties and their respective successors and assigns.

**IN WITNESS WHEREOF**, Scott Lalumiere and Justin M. Fletcher, Members of FL Ventures, LLC, have caused this instrument to be executed on this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

**FL VENTURES, LLC**

By: \_\_\_\_\_  
Scott Lalumiere  
Its Authorized: Member

By: \_\_\_\_\_  
Justin M. Fletcher  
Its Authorized: Member

**STATE OF MAINE**

\_\_\_\_\_, ss.

\_\_\_\_\_, 2018

Then personally appeared before me the above-named Scott Lalumiere, Member of said Grantor Limited Liability Company as aforesaid, and acknowledged the foregoing instrument to be his free act and deed in his said capacity, and the free act and deed of said Limited Liability Company.

\_\_\_\_\_  
Notary/Attorney at Law  
Printed name:  
My commission expires:

**STATE OF MAINE**

\_\_\_\_\_, ss.

\_\_\_\_\_, 2018

Then personally appeared before me the above-named Justin M. Fletcher, Member of said Grantor Limited Liability Company as aforesaid, and acknowledged the foregoing instrument to be his free act and deed in his said capacity, and the free act and deed of said Limited Liability Company.

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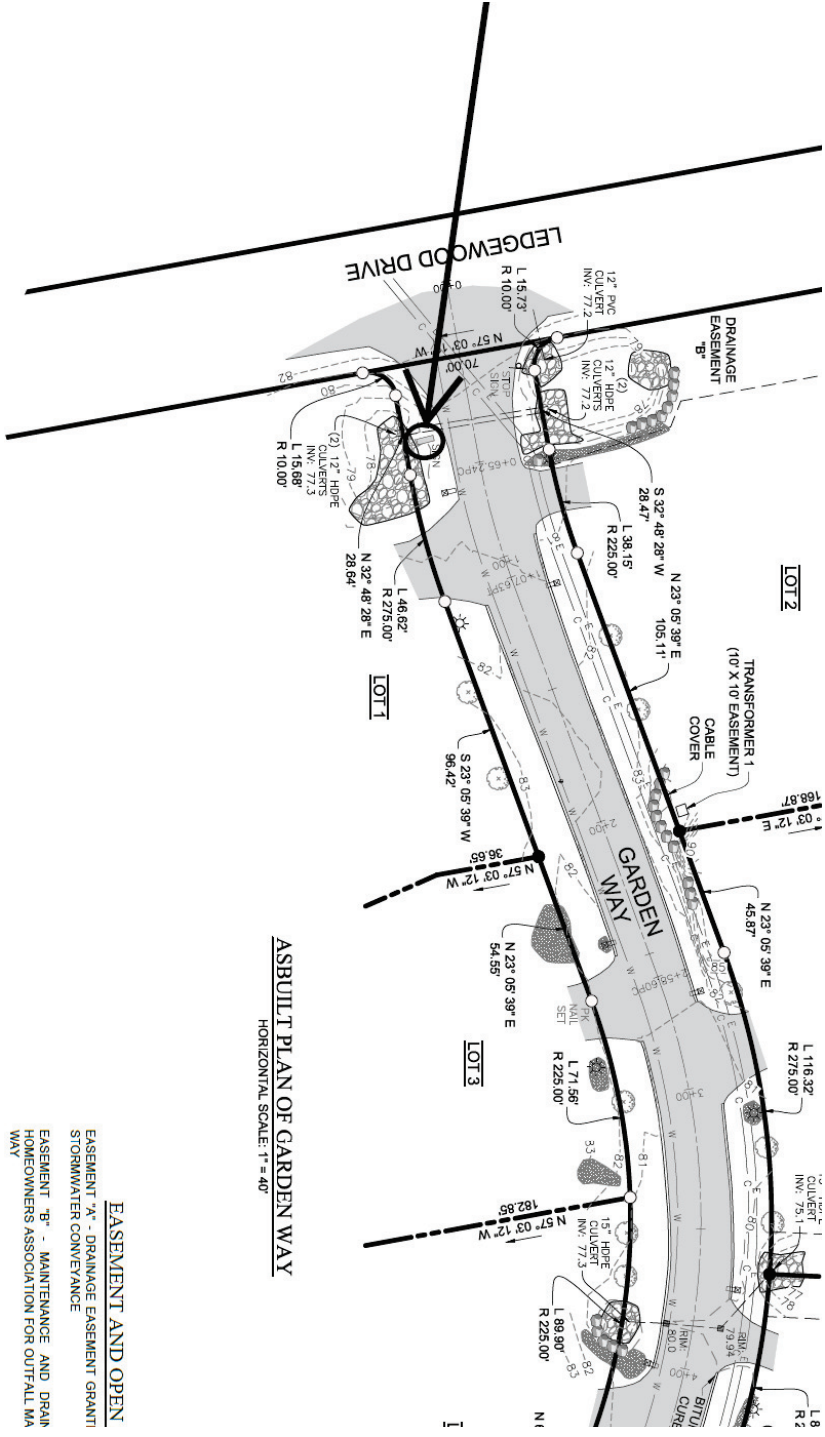
Notary/Attorney at Law

Printed name:

My commission expires:

EXHIBIT A  
(Subdivision Sign)

EXISTING SUBDIVISION SIGN



ASBULLT PLAN OF GARDEN WAY  
HORIZONTAL SCALE: 1" = 40'

- EASEMENT AND OPEN**
- EASEMENT 'A' - DRAINAGE EASEMENT GRANT STORMWATER CONVEYANCE
  - EASEMENT 'B' - MAINTENANCE AND DRAIN HOMEOWNERS ASSOCIATION FOR OUTFALL MA WAY
  - EASEMENT 'C' - 10 FOOT WIDE EASEMENT TO DRIVE CONSTRUCTION AND MAINTENANCE OF THE DRIVEWAY
  - OPEN SPACE 'D' - OWNERSHIP AND MAINTENANCE

Elm Landing Sign Photographs  
Taken 5-3-2018



Front of Sign



Back of sign