

## SEWER PUMP STATION EASEMENT

TIDEWATER, LLC, a Maine limited liability company with a place of business in Portland, Maine and a mailing address of P.O. Box 3572, Portland, Maine 04104 ("Grantor"), for consideration paid, grants to the TOWN OF FALMOUTH, a Maine municipal corporation with a mailing address of 271 Falmouth Road, Falmouth, Maine, 04105 ("Grantee"), the perpetual right and easement to enter at any and all times upon a certain Easement Area located on the easterly side of Farm Gate Road, in the Tidewater Farm Subdivision, in the Town of Falmouth, County of Cumberland, and State of Maine, for the purpose of installing, maintaining, repairing and replacing a sewer pump station and sewer lines relating thereto, together with all other fixtures and appurtenances relating thereto (collectively, the "Pump Station") within the Easement Area, said Easement Area being more particularly described as follows:

### Easement Area:

A certain lot or parcel of land, situated on the easterly side of Farm Gate Road in the Town of Falmouth, County of Cumberland and State of Maine depicted on a plan titled "Tidewater Farm Falmouth, Maine, Second Amended Final Subdivision Plan, Tidewater LLC" by Fay, Spofford & Thorndike, Inc. dated November 2013, most recently revised March 4, 2014, and recorded in the Cumberland County Registry of Deeds in Plan Book 214, Page 63, and being bounded and described as follows:

Beginning on the easterly sideline of Farm Gate Road at a point on a curve, said point being an arc length of 134.15 feet from the northwesterly point of curvature of a curve having a radius of 225.00 feet;

Thence, N 45°59'20" E a distance of 40.00 feet;

Thence, S 44°00'40" E a distance of 65.00 feet;

Thence, S 45°59'20" W a distance of 49.59 feet to the easterly sideline of Farm Gate Road;

Thence, along a curve to the left having a radius of 225.00 feet, an arc length of 65.94 feet, a chord bearing of N 35°36'59" W and chord distance of 65.70 feet to the point of beginning.

Containing 2,806 square feet.

The Easement Area is a portion of the property conveyed to the Grantor by Mary H. Goodwin, Mark S. Finks and Bangor Savings Bank, Co-Trustees under the Nancy C. Finks Revocable Trust u/a dated June 26, 1997, and the Henry B. Finks Revocable Trust u/a dated June 26, 1007, as amended, by deed dated October 14, 2005 and recorded in the Cumberland County Registry of Deeds in Book 25572, Page 25.

The rights granted herein include the right to cut down and trim trees and other vegetation and to eliminate or modify the growth of trees, branches and other vegetation within the Easement Area, to the extent such trees and other vegetation, in the judgment of the Grantee, may interfere with the operation, maintenance and replacement of the Pump Station; the right to restrict the construction of buildings, structures and other improvements within the Easement Area which may, in the judgment of the Grantee, interfere with the installation, operation, maintenance and replacement of the Pump Station; and the right to enter upon the Easement Area for any and all of the foregoing purposes.

Reserving to the Grantor the use and enjoyment of the Easement Area for all purposes as are not inconsistent with and shall not materially interfere with the use thereof by the Grantee, for the purposes hereinabove described.

The rights and easement granted herein and the terms and conditions hereof shall be binding upon and shall inure to the benefit of the parties hereto, and their respective heirs, successors and assigns.

The Grantor further acknowledges and agrees that the Pump Station shall be owned by the Grantee and that the maintenance, repair and replacement thereof may be undertaken by third parties on behalf of the Grantee.

In Witness Whereof, Tidewater, LLC, has caused this instrument to be executed this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

WITNESS:

TIDEWATER, LLC  
By Bateman Partners, LLC  
Its Managing Member

\_\_\_\_\_

By: \_\_\_\_\_  
Nathan Bateman  
Its Member

State of Maine  
County of Cumberland

\_\_\_\_\_, 2014

Personally appeared before me the above named Nathan Bateman, Member of Bateman Partners, LLC, Managing Member of Tidewater, LLC and acknowledged the foregoing instrument to be his free act and deed in said capacity and the free act and deed of said entities.

\_\_\_\_\_  
Notary Public/Attorney at Law  
Print Name \_\_\_\_\_  
My Commission Expires \_\_\_\_\_