

WARRANTY DEED

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, and TIDEWATER FARM HOMEOWNER'S ASSOCIATION, a Maine non-profit corporation with a mailing address c/o Phoenix Management, P.O. Box 759, Saco, ME 04072, for consideration paid, grant to the TOWN OF FALMOUTH, a Maine municipal corporation with a mailing address of 271 Falmouth Road, Falmouth, Maine, 04105, with Warranty Covenants, the following described parcel of land, being such portion of Farm Gate Road as is located in the Tidewater Farm Subdivision, in the Town of Falmouth, County of Cumberland, and State of Maine, as more particularly bound and described on Schedule A attached hereto and made a part hereof.

The within conveyed premises are comprised of (a) all of the premises conveyed to Tidewater, LLC by Emery-Waterhouse Company by deed dated October 12, 2005 and recorded in said Registry of Deeds in Book 23279, Page 226, and (b) a portion of the premises conveyed to Tidewater, LLC 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. Reference is also made to a deed of near or recent date herewith from Tidewater, LLC to Tidewater Farm Homeowner's Association.

Together with easement rights, in common with Tidewater, LLC and Tidewater Farm Homeowner's Association, for the installation of utilities between the within conveyed premises and Lunt Road as granted to Tidewater, LLC by Dianne S. Catalano in an Easement Deed dated February 16, 2006 and recorded in the Cumberland County Registry of Deeds in Book 23776, Page 325, to the extent said rights are appurtenant to the within conveyed premises.

In Witness Whereof, Tidewater, LLC and Tidewater Farm Homeowner's Association, have caused this instrument to be executed effective as of the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

WITNESS:

TIDEWATER, LLC

By Bateman Partners, LLC  
Its Managing Member

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

\_\_\_\_\_

WITNESS:

\_\_\_\_\_

TIDEWATER FARM HOMEOWNER'S  
ASSOCIATION

By: \_\_\_\_\_  
Clifford Gilpin  
Its President

State of Maine  
County of Cumberland

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

Personally appeared before me the above named Nathan Bateman, in his capacity as 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 Tidewater, LLC.

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

State of Maine  
County of Cumberland

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

Personally appeared before me the above named Clifford Gilpin, in his capacity as President of Tidewater Farm Homeowner's Association, and acknowledged the foregoing instrument to be his free act and deed in said capacity and the free act and deed of Tidewater Farm Homeowner's Association.

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

Schedule A

A certain lot or parcel of land, being that portion of Farm Gate Road as is located in the Tidewater Farm Subdivision, situated on the westerly side of Clearwater Drive in the Town of Falmouth, County of Cumberland and State of Maine and bounded and described as follows:

Commencing on the westerly sideline of Clearwater Drive at the southeasterly corner of land now or formerly of The Town of Falmouth recorded book 3173/446;

Thence, S 34°26'19" W along the westerly sideline of Clearwater Drive 72.00 feet to the point of beginning;

Thence, S 34°26'19" W along the westerly sideline of Clearwater Drive 70.00 feet;

Thence, along a curve to the left, having a radius of 10.00 feet an arc length of 15.71 feet with a chord bearing of N 10°33'41" W with a chord length of 14.14 feet;

Thence, N 55°29'45" W 174.38 feet;

Thence, along a curve to the right, having a radius of 175.00 feet an arc length of 36.61 feet;

Thence, N 43°30'38" W 99.86 feet;

Thence, N 39°51'26" W 7.22 feet;

Thence, N 42°49'32" W 53.80 feet;

Thence along a curve to the left, having a radius of 275.00 feet an arc length of 203.35 feet;

Thence, N 85°11'29" W 162.74 feet;

Thence, along a curve to the right, having a radius of 225.00 feet an arc length of 200.92 feet;

Thence, N 34°01'37" W 110.31 feet;

Thence, along a curve to the right, having a radius of 325.00 feet an arc length of 101.25 feet;

Thence N 16°10'40" W 212.29 feet;

Thence, along a curve to the left, having a radius of 175.00 feet an arc length of 189.36 feet;

Thence, N 78°10'23" W 193.67 feet;

Thence, along a curve to the right, having a radius of 175.00 feet an arc length of 82.81 feet to the Farm Gate Subdivision recorded in Plan Book 212 Page 110;

Thence, N 35°36'35" E along the Farm Gate Subdivision 50.12 feet;

Thence, along a curve to the left, having a radius of 125.00 feet an arc length of 62.06 feet with a chord bearing of S 63°57'00" E and a chord length of 61.42 feet;

Thence, S 78°10'23" E 193.67 feet;

Thence, along a curve to the right, having a radius of 225.00 feet an arc length of 243.46 feet;

Thence, S 16°10'40" E 212.29 feet;

Thence, along a curve to the left, having a radius of 275.00 feet an arc length of 85.67 feet;

Thence, S 34°01'37" E 110.31 feet;

Thence, along a curve to the left, having a radius of 175.00 feet an arc length of 156.27 feet;

Thence, S 85°11'29" E 162.74 feet;

Thence, along a curve to the right, having a radius of 325.00 feet an arc length of 240.31 feet;

Thence, S 42°49'32" E 55.10 feet;

Thence, S 39°51'26" E 6.92 feet;

Thence, S 43°30'38" E 98.27 feet;

Thence along a curve to the left, having a radius of 125.00 feet an arc length of 26.15 feet;

Thence, S 55°29'45" E 174.32 feet;

Thence, along a curve to the left, having a radius of 10.00 feet an arc length of 15.71 feet to the westerly sideline of Clearwater Drive and the point of beginning, containing 92,124 S.F. or 2.11 acres.

Reference is made to a plan entitled "Tidewater Farm, Falmouth, Maine, Second Amended Final Subdivision Plan" Fay, Spofford & Thorndike, Inc. dated Nov. 2013, most recently revised March 4, 2014, recorded in the Cumberland County Registry of Deeds in Plan Book 214, Page 63.

The above described premises are conveyed subject to the following:

1. Rights and easements granted to Emery-Waterhouse Company by Tidewater, LLC in an instrument dated October 14, 2005 and recorded in said Registry of Deeds in Book 23279, Page

233, for use of the roads within the Tidewater Subdivision for the purpose of access between Clearwater Drive and Lunt Road.

2. Rights granted to the Town of Falmouth by Tidewater, LLC as set forth in a Conservation Easement dated October 14, 2005 and recorded in said Registry of Deeds in Book 23279, Page 235.
3. Covenants, conditions and restrictions set forth in the Amended and Restated General Declaration of Covenants and Restrictions, Tidewater Farms dated November 29, 2005 and recorded in the Cumberland County Registry of Deeds in Book 23443, Page 129.
4. Terms and conditions of a Maine Department of Environmental Protection Site Location of Development Act Natural Resource Protection Act, Tier Two Wetland, Alteration Water Quality Certification Findings of Fact and Order dated September 12, 2005 and recorded in the Cumberland County Registry of Deeds in Book 23197, Page 47, and a Corrected Order dated September 22, 2005 and recorded in said Registry of Deeds in Book 23257, Page 289, including the requirement that deeds specifically include references to the conditions stated therein, as affected by a Condition Compliance dated December 20, 2005 and recorded in said Registry of Deeds in Book 23586, Page 292, and a Minor Amendment Findings of Fact and Order dated April 21, 2009 and recorded in said Registry of Deeds in Book 26879, Page 41, and an Order dated March 5, 2010 and recorded in said Registry of Deeds in Book 27667, Page 31.
5. Rights and easements granted to Portland Water District by Tidewater, LLC as set forth in an Easement Deed dated November 29, 2005 and recorded in the Cumberland County Registry of Deeds in Book 23443, Page 168.
6. Rights and easements granted to Central Maine Power Company and Verizon New England, Inc. by Tidewater, LLC as set forth in an Easement dated May 5, 2006 and recorded in the Cumberland County Registry of Deeds in Book 24247, Page 240, and an Easement dated January 8, 2007 and recorded in the Cumberland County Registry of Deeds in Book 24835, Page 55.
7. Rights, easements, equipment and property granted to Central Maine Power Company as set forth in a Line Extension Conveyance dated May 5, 2006 and recorded in the Cumberland County Registry of Deeds in Book 24247, Page 241.