

060605

~~509090~~

BK 9015 PG 016

ITEM #70

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that STONEGATE ASSOCIATES, a Maine limited partnership whose mailing address is 594 Congress Street, Portland, Maine 04101, does hereby GIVE, GRANT, BARGAIN AND CONVEY, with WARRANTY COVENANTS, unto the TOWN OF CAPE ELIZABETH, whose mailing address is 320 Ocean House Road, Cape Elizabeth, Maine, its successors and assigns, the following real estate:

A certain lot or parcel of land located in Cape Elizabeth, County of Cumberland, Maine being that portion of Stonegate Road contained within Phase II of Stonegate Subdivision as shown on a Plan entitled "Subdivision Plat, Stonegate, Cape Elizabeth, Maine" by Owen Haskell, Inc., revised August 6, 1989 and recorded in the Cumberland County Registry of Deeds in Plan Book 158, Pages 4 and 5.

Being a portion of one or more of the properties described in deeds to Stonegate Associates and recorded in the said Registry of Deeds at Book 7201, Page 40 and Page 43 and Page 46.

This conveyance is subject to a Declaration of Covenants, Conditions and Restrictions recorded in said Registry of Deeds at Book 8016, Page 199, as amended at Book 8340, Page 45 and Book 8834, Page 125; subject to all notes conditions and easements shown on said Plan; and is subject to easements granted by the said Stonegate Associates to Central Maine Power Company, New England Telephone Company and Portland Water District all for the purpose of installing utilities serving the subdivision.

IN WITNESS WHEREOF, the said STONEGATE ASSOCIATES has caused this instrument to be duly executed by Robert H. Taylor, Jr., its Managing General Partner, this 5TH day of DECEMBER, 1989

STONEGATE ASSOCIATES

Andrew McInnis  
Witness

Robert H. Taylor, Jr.  
By Robert H. Taylor, Jr.  
Its Managing General Partner

STATE OF MAINE  
CUMBERLAND, SS.

Dec 5, 1989

PERSONALLY appeared the above-named Robert H. Taylor, Jr. and acknowledged the foregoing to be his free act and deed and the free act and deed of Stonegate Associates.

Before me,

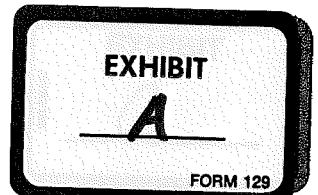
Barbara B. Ray 12/5/89  
Notary Public

My Commission Expires Aug. 21, 1995

RECEIVED  
RECORDS DEPT. OF DEEDS  
1989 DEC -8 PM 2:47  
CUMBERLAND COUNTY

Robert H. Taylor, Jr.

SEAL



## STONEGATE

DECLARATION OF COVENANTS, CONDITIONS  
AND RESTRICTIONS

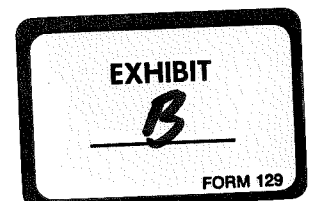
This Declaration, made on the date hereinafter set forth by STONEGATE ASSOCIATES, a Maine limited partnership, hereinafter referred to as "Declarant".

## W I T N E S S E T H:

Whereas, Declarant is the owner of certain property in the Town of Cape Elizabeth, County of Cumberland and State of Maine, more particularly shown on a Plan entitled "Subdivision Plat, Stonegate, Cape Elizabeth, Maine" by Owen Haskell, Inc., revised August 6, 1986 and recorded in the Cumberland County Registry of Deeds in Plan Book 158, Pages 4 and 5 (the "Plan").

NOW THEREFORE, Declarant hereby declares that the property described above, excepting Lot No. 52, that area shown as "Common Open Space" on the Plan, and those areas shown as roads on the Plan shall be held, sold and conveyed subject to the following easements, restrictions, covenants, and conditions, which are for the purpose of protecting the value and desirability of, and which shall run with, the real property and be binding on all parties having any right, title or interest in the described property or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each Owner thereof.

-/-



ARTICLE I

DEFINITIONS

Section 1. "Association" shall mean and refer to STONEGATE HOME OWNERS ASSOCIATION, its successors and assigns.

Section 2. "Owner" shall mean and refer to the record Owner, whether one or more persons or entities, of a fee simple title to any Lot which is a part of the Property, including contract sellers, but excluding those having such interest merely as security for the performance of an obligation.

Section 3. "Property" shall mean and refer to that certain real property hereinbefore described, and such additions thereto as may hereafter be brought within the jurisdiction of the Association.

Section 4. "Lot" shall mean and refer to those numbered building sites, excepting Lot #52, shown upon the Plan.

Section 5. "Declarant" shall mean and refer to STONEGATE ASSOCIATES, its successors and assigns if such successors or assigns should acquire more than one undeveloped Lot from the Declarant for the purpose of development.

Section 6. "Declaration" shall mean and refer to the Declaration of Covenants, Conditions and Restrictions applicable to the Property recorded in the Cumberland County Registry of Deeds.

Section 7. "Phase" shall mean and refer to those areas designated "PHASE I", "PHASE II" and "PHASE III" on the Plan.

## ARTICLE II

USE AND OCCUPANCY REGULATIONS

Each lot conveyed in Stonegate shall be subject to the following covenants and restrictions which shall run with the land:

1. The lot conveyed hereby shall be used only for single family residential purposes and shall not be subdivided. No one shall reside in trailers, mobile homes or other temporary structures on said land. No trade, business or commercial activity of any nature shall be conducted on said land except those of a limited professional use which would not have as a natural consequence of said professional use an increase in flow of traffic.

2. No building or other structure or installation, including fences, swimming pools or storage buildings with the exception of lamp posts, mailboxes, stone walls no more than four (4) feet high and appurtenances to underground utility installations, shall be erected, placed, constructed, altered or maintained on the land within twenty-five (25) feet of any lot sides or rear line or forty (40) feet of a street line or such greater distances as given in Table II-2, all as indicated on the Plan. Only one (1) single family residential dwelling shall be permitted on any individual lot and in addition to a garage only one (1) other detached building shall be permitted. No structure shall exceed thirty-five (35) feet in height and all residential dwellings shall have a minimum of

fifteen hundred (1500) square feet of heated, finished living space, counting both floors in two-story homes, but not including porches, screened, glassed-in or otherwise, stoops, garages, carports, or other outside living spaces. All buildings or other structures shall have the roof and outside finish completed within one (1) year after construction is begun. All landscaping and driveway surfacing shall be completed within nine (9) months of occupancy of the dwelling.

TABLE II-2  
SPECIAL SETBACK REQUIREMENTS  
(FEET)

LOT	FROM COMMON OPEN SPACE BOUNDARY	FROM REAR BOUNDARY	NOTES
11-15	-	50	-
16-17	-	80	From common rear corner, per plan
18-22	-	70	-
35	50	-	Per plan
36-37	50	-	-
39-40	50	-	-
41	50	-	Northern boundary only, per plan
42-47	100	-	Southern boundary only, per plan

3. All structures shall have brick, wood or other natural siding on the exterior. The use of simulated or artificial brick or stone composition siding shall not be permitted.

4. No garbage, trash, noxious or offensive objects, or junk vehicles, which do not pass the State of Maine Motor Vehicle Inspection laws, shall be kept on any lot.

5. No trees in excess of eight (8) inches caliper shall be cut within fifteen (15) feet of any lot side or rear line or within thirty (30) feet of any street line except:

- a. For the purposes of constructing, replacing and maintaining the roads, walks, driveways and utilities serving each lot and the Property;
- b. Clearing or restoration of trees damaged by the forces of nature or disease.

6. Lots shown on the Plan as being affected by a slope easement shall be subject to the rights of the Declarant, its successors and assigns to construct, maintain, alter and repair a slope for the support of the roadbed and maintenance of the shoulders and sight lines. The lot owner shall be prohibited from disturbing in any manner the soil located within the slope easement, including but not limited to its excavation and removal.

7. Lots shown on the Plan as being affected by a drainage easement shall be subject to the rights of the Declarant, its successors and assigns to construct, maintain, alter and repair any culverts, swalls, pipes or other facility necessary for adequate drainage.

8. Lot 25 and Lot 9 shall be subject to a landscape easement as shown on the Plan and shall be subject to the rights of the Declarant, its successors and assigns to erect, maintain and repair a stone wall and to perform any associated landscaping activity including, but not limited to planting and cultivating, lawns, plants, flowers, shrubs or trees.

9. Within the area shown on the Plan as being affected by the Wetland Easement, no alteration shall be made to the surface of the easement area other than that caused by the forces of nature, or unless required to maintain the property and streambed located therein as a drainage course to ensure the unobstructed flow of surface water across said premises. No commercial, residential, industrial, quarrying or mining activities shall be permitted on the easement area. There is, however, retained in the Declarant, its successors and assigns, the following rights:

i. the right to excavate in connection with the installation, maintenance, improvement, alteration or replacement of water, sewerage, drainage, electric, telephone and other underground utility services related to the residential use of the premises provided such activity is performed in conformance with all local, state and federal laws and regulations governing such activity and further provided that the land and vegetation be thereafter restored, as nearly as possible, to its prior undisturbed state;

ii. the right to construct and maintain foot trails and fire protection lanes; and

iii. the right to construct roads, utilities and drainage facilities as approved by the Cape Elizabeth Planning Board.

10. Lot 40 and Lot 41 shall be subject to a watermain easement as shown on the Plan and shall be subject to the right

of the Declarant, its successors and assigns to install, repair, maintain, alter and operate a watermain and appurtenances in, over, across and under the area as shown on the Plan.

11. Prior to commencement of construction of the dwelling to be constructed initially on each Lot, the Lot owner shall submit to Declarant the following: (a) a site plan showing the location on the Lot of the dwelling, the garage, the driveway, the walks, the drainage features and utility locations, (b) floor plans for the dwelling, and (c) elevation plans showing all facades of all buildings on the Lot. Declarant shall approve such plans provided that they conform to this Declaration, are of regionally traditional character, and the Declarant determines, in its sole discretion, that construction in accordance with such plans will not be detrimental to Stonegate. The initial dwelling on each lot shall be constructed only in conformity with such approved plans. Upon completion, all dwellings shall be deemed to have complied with this paragraph.

12. The wholesale cutting or clearing of trees on a Lot, whether for commercial lumbering purposes or otherwise, is prohibited. Subject to Section II. 5., this does not prevent a Lot owner from cutting trees to construct or enhance the homesite on the Lot, to provide a view from his Lot or to preserve the wooded environment of his Lot.

13. Construction on lots within Stonegate shall meet the following requirements:



- a. A site plan prepared by a licensed Professional Engineer or Landscape Architect at a scale of 1" = 40', shall be submitted to the Town for review by the Building Inspector and/or the Town Engineer.
  - b. Driveway gradient shall be a minimum of 0.5% and a maximum of 10.0%;
  - c. The site shall be graded around principal structures to slope away from the structure at a minimum gradient of 3% for 15 feet or 5% for 10 feet;
  - d. Drainage swales shall have a minimum gradient in the direction of flow of 2% and shall not direct flow over drives or walks;
  - e. Water and sewer services shall be protected against frost;
  - f. Where basements are constructed, foundation drains shall be provided which shall discharge to daylight or the storm drainage system; if connected to a storm drain, the foundation drains shall be equipped with a backflow preventer.
14. No motor home, boat or trailer in excess of twenty-four (24) feet in overall length may be stored on any Lot, except by the Declarant for construction purposes.
15. Each Lot owner shall be a member of the Stonegate Home Owners Association, a nonprofit corporation organized under the laws of the State of Maine. Membership shall be appurtenant to the lots, and the transfer of title to a lot shall automatically transfer the membership.

16. In any voluntary conveyance of a Lot deed, it shall be the duty of the seller to furnish the buyer with a copy of this Declaration.

The provisions of this Declaration and the rights and obligations established thereby shall be deemed to be covenants, running with the land, and shall inure to the benefit of and be binding upon each and all of the Lot Owners and their respective heirs, representatives, successors, assigns, purchasers, lessees, grantees and mortgagees. By the recording or the acceptance of a deed conveying a Lot or any interest therein, or any ownership interest in the property whatsoever, the person to whom such Lot or interest is conveyed shall be deemed to accept and agree to be bound by and subject to all of the provisions of this Declaration.

### ARTICLE III

#### ASSOCIATION

The Association shall be responsible for maintaining, repairing and replacing the stone walls within that area shown on the Plan as the landscape easement as well as stonewalls and landscaping within the road rights of way where such maintenance is not the responsibility of the Town of Cape Elizabeth. The Association shall be authorized to assess each lot owner its proportionate share of the expense of such maintenance, repair and replacement and each lot owner hereby covenants and agrees to pay to the Association any such

assessment levied. The Association shall be governed by the By-Laws of the STONEGATE HOME OWNERS ASSOCIATION.

#### ARTICLE IV

##### RIGHTS OF DECLARANT

The Declarant reserves the right until the construction, marketing and sale of all Lots is completed to:

(a) Change the size, number and location of Lots and other improvements, and the size, layout, and location of any Lot for which a purchase and sale agreement has not been executed by the Declarant or with respect to which the purchaser is in default. The change or changes shall be effective upon the recording of an amendment to this Declaration and/or the filing of modified site plan indicating the changes made.

(b) Locate on the premises, even though not depicted on the Plan, and grant and reserve easements and rights of way for the installation, maintenance, repair, replacement and inspection of, utility lines, wires, pipes, conduits, and facilities, including, but not limited to, water, electric, telephone and fuel oil and sewer.

(c) Connect with and make use of utility lines, wires, pipes and conduits located on the property for construction and sales purposes, provided that the Declarant shall be responsible for the cost of service so used.

(d) Utilize any lot or structure thereon controlled by

the Declarant for construction, development or marketing purposes.

(e) Connect with any and all roads shown on the Plan for the purpose of serving adjacent developments and providing pedestrian, vehicular and utility access to such adjacent developments.

#### ARTICLE V

##### AMENDMENT

The provisions of Article II, Sections 1, 2, 5, 6, 7, 9, 12, 13 and 15 and the provisions of Article III shall not be amended without the approval of the Cape Elizabeth Planning Board. The provisions of Article II, Section 11, and Articles IV, V and VI shall not be amended prior to January 1, 2000 without the approval of the Declarant.

This Declaration may be amended by a vote or by written approval of the Lot Owners to whom sixty-seven percent (67%) of the votes are allocated. Lot Owners, other than the Declarant, shall be entitled to one vote for each lot owned; in no event shall more than one vote be cast with respect to any lot owned by other than Declarant. The Declarant shall be entitled to three (3) votes for each lot owned until the occurrence of either of the following events, whichever occurs earlier:

- a) the conveyance by the Declarant of thirty-six (36) lots to purchasers;
- b) three (3) years from the date of conveyance of the first lot by Declarant to a purchaser.

Thereafter, the Declarant shall be entitled to one (1) vote for each lot owned by the Declarant.

ARTICLE VI

ANNEXATION

Additional abutting land may be annexed by the Declarant without the consent of members.

IN WITNESS WHEREOF, the said STONEGATE ASSOCIATES, has caused this instrument to be signed by Robert H. Taylor, Jr., its General Partner, thereunto duly authorized, this 14<sup>TH</sup> day of OCTOBER, 1987.

WITNESS:

*Marjorie Slagis*

STONEGATE ASSOCIATES

BY: *R. H. Taylor, Jr.*  
General Partner

STATE OF MAINE  
CUMBERLAND, ss.

*October 14*, 1987

Personally appeared before me the above named Robert H. Taylor, Jr., of said STONEGATE ASSOCIATES, 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 STONEGATE ASSOCIATES.

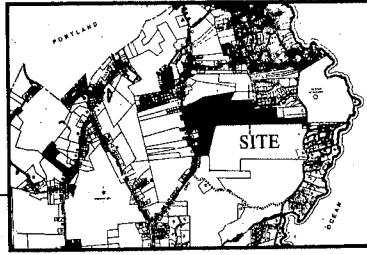
Before me,

*Linda Ann Curpan*  
Notary Public

LINDA ANN CURPAN  
NOTARY PUBLIC, MAINE  
MY COMMISSION EXPIRES NOVEMBER 10, 1988



SITE LOCATION



APPROVED: CAPE ELIZABETH PLANNING BOARD  
(See Note 4)

*[Signature]*  
CHAIRPERSON

*[Signature]*

*[Signature]*

DATE: 5/20/80

CENTERLINE CURVE DATA

CURVE #1	CURVE #2A	CURVE #2B	CURVE #2C
R= 313.90' Δ= 38°-56'-00" A= 213.30' PC= 6+69.90 Ahead PT= 8+85.46	R= 235.20' Δ= 57°-05'-20" A= 234.35' PC= 10+65.65 PT= 13+00.00	R= 279.00' Δ= 105°-04'-37" A= 526.28' PC= 13+00.00 PT= 18+26.28	R= 279.00' Δ= 14°-00'-03" A= 72.24' PC= 18+26.28 PT= 18+98.52
CURVE #3	CURVE #4	CURVE #5	CURVE #6
R= 403.25' Δ= 31°-00'-00" A= 218.18' PC= 23+96.82 PT= 26+15.00	R= 250.00' Δ= 63°-32'-00" A= 277.22' PC= 28+65.78 PT= 30+30.00	R= 250.00' Δ= 42°-13'-12" A= 184.22' PC= 30+50.00 PT= 31+43.00	R= 200.00' Δ= 14°-19'-26" A= 50.00' PC= 4+00.00 PT= 0+50.00
CURVE #7	CURVE #8	CURVE #9	CURVE #10
R= 200.00' Δ= 70°-29'-25" A= 246.06' PC= 1+54.81 PT= 4+00.87	R= 200.00' Δ= 19°-05'-27" A= 66.64' PC= 0+00.00 PT= 0+66.64	R= 168.72' Δ= 24°-16'-38" A= 57.43' PC= 1+72.34 PT= 2+43.83	R= 88.13' Δ= 37°-35'-57" A= 57.43' PC= 2+43.83 PT= 3+01.64

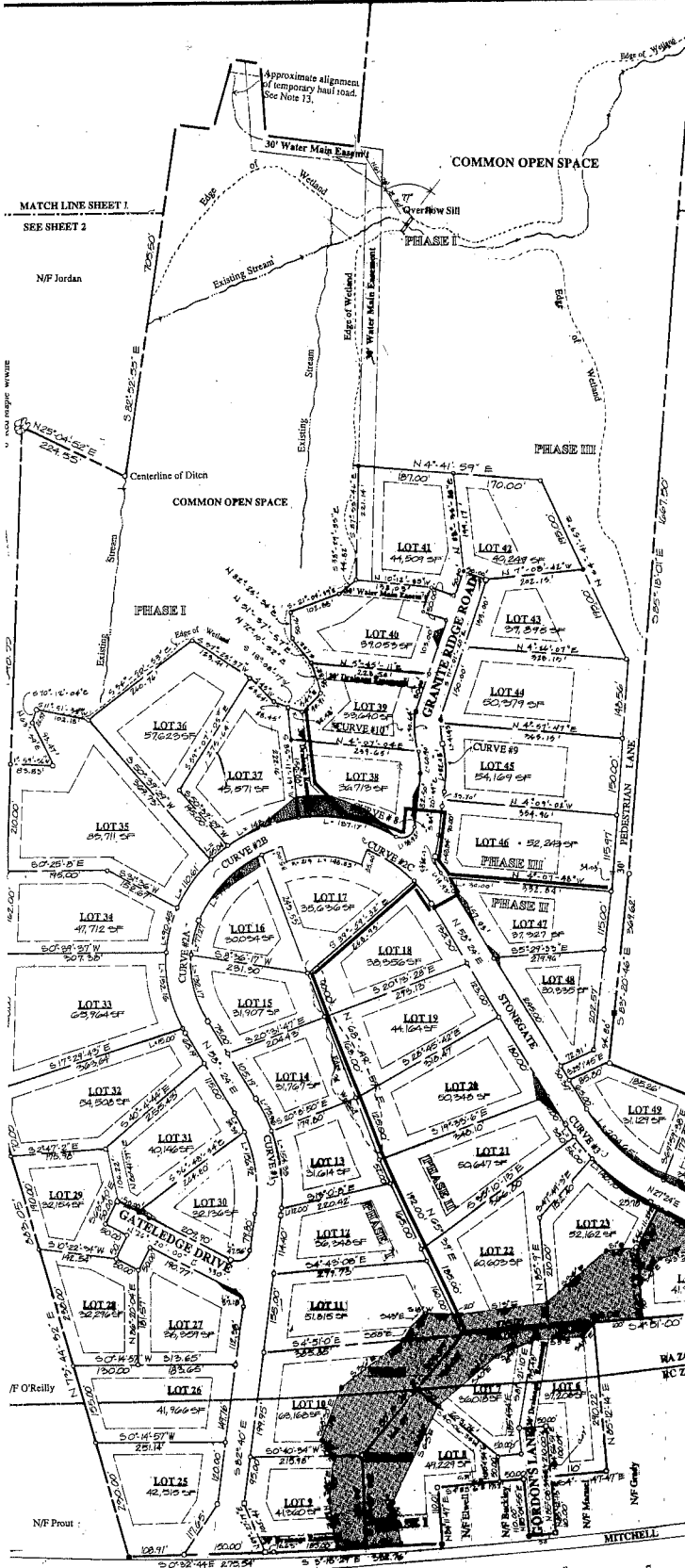
SURVEY NOTES

- See unrecorded plan of land of Hon. Joseph W. Symonds, by F. J. Inley, no date, traced 1922 by H.I. & E.C. Jordan.
- See unrecorded plan of Sherwood Forest by H.I. & E.C. Jordan.
- 25' utility easement per plan Note 2.
- Allen Road width assumed at 40 feet.
- See CCRD PB22 PG 33-34 for Shore Road relocation and Cumberland County Highway Commission Plan R.
- Mitchell Road sideline assumed.

LEGEND

- PROPERTY LINE
- SETBACK LINE
- EASEMENT
- EX. STREET LINE
- CENTER LINE
- PHASE LINE
- ZONING DISTRICT
- MATCH LINE
- IRON PIN FOUND
- IRON PIN TO BE SET
- GRANITE MON. FOUND
- GRANITE TO BE SET
- WETLAND EASEMENT
- SLOPE EASEMENT

State of Maine, Cumberland as  
Registry of Deeds  
Received *5/20/80*  
at *11:01 AM* and recorded in  
Plan Book *155* Page *59*  
Attest *[Signature]*  
1 of 2



I Certify that this survey conforms to the  
Maine Board of Registration for Land  
Surveyors



Surveyors Standards for Standard  
Boundary Survey Condition II.

STONEGATE  
CAPE ELIZABETH, MAINE

SUBDIVISION PLAT APRIL 15, 1986  
DEVELOPER Ibis Corporation  
594 Congress Street Portland, ME 04101


LANDSCAPE ARCHITECT Mitchell-DeWan Associates  
386 Fore Street Portland, ME 04101

SURVEYOR Owen Haskell, Inc.  
9 Broadway South Portland, ME

SHEET 1 of 1

SCALE

EXHIBIT  
C

	<b>Sarasota County Property Appraiser</b>	PA@SC.PA.com <b>Bill Furst</b>
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## 2011 Detail Information for Parcel 0021-16-0036

Search	Print	Nearby IDs	Districts	2010 Tax Bill
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**Ownership**

PETER I WOVKONISH  
 WONGTHONG WOVKONISH  
 4605 HAMLETS GROVE DR  
 SARASOTA, FL 34235

**Situs Address**

4605 HAMLETS GROVE DR  
 SARASOTA, FL 34235

**Parcel Description**

LOT 66 THE GROVE AT BEEKMAN PL...

**View Another Parcel**

-  -

**Parcel Characteristics**

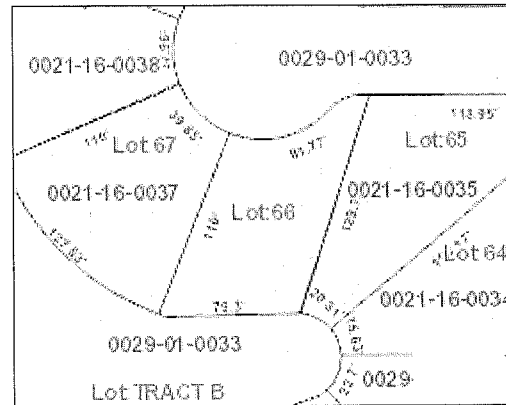
**Land Area:** 8,165 (square feet)  
**Incorporation:** UNINCORPORATED  
**Subdivision Code:** 2307  
**Use Code:** N/A  
**Sec/Twp/Rge:** 04-36S-18E  
**Census (FIPS):** 121150012011  
**Zoning:** RSF2

**Code Lookups**

2010	<< Prior ID	Change Year	Next ID >>	2011
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**2011 Values** *(Available Mid July)*

**Just (Market) Value:** N/A  
**Land Value:** N/A  
**Improvement Value:** N/A  
**Assessed Value:** N/A  
**Homestead:** N/A  
**Exemptions:** N/A  
**Total Taxable:** N/A



*Property records have been updated with 2011 information. To view your 2010 values, please click the 2010 button above.*

Buildings	Exemptions	Value Changes	Documents	Transfers
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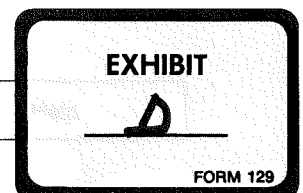
**Improvements** *(Preliminary)*

**Total Building Area:** 2,586  
**Total Living Area:** 1,946  
**Living Units:** 1  
**Bed / Bath:** 4 Bed/2 Bath  
**Pool:** Yes (Built 1991)  
**Year Built:** 1991

**Last Sale/Transfer**

**Sale Price:** \$200,000  
**Date Sold:** 8/7/2009  
**Sales Qual. Code:** 01  
**Deed Type:** WD  
**Grantor:** GOLDSTEIN TTEE,VICKY  
**Instrument #:** 2009100843

Home Page	Real Property	Personal Property	Sales Search
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## TOWN OF CAPE ELIZABETH

Assessing/ Codes/Planning  
P.O. Box 6260  
320 Ocean House Road  
Cape Elizabeth, Maine 04107-0060

Phone 207-799-1619  
Fax 207-799-5598  
Email [matthew.sturgis@capeelizabeth.org](mailto:matthew.sturgis@capeelizabeth.org)

September 24, 2009

Sarasota County Property Appraiser  
2001 Adams Lane  
Sarasota, FL 34237

Dear Sarasota County Appraiser:

This letter is written to confirm that the Homestead Exemption applied to Mr. Peter I Wovkonish is removed. Mr. Wovkonish brought in evidence that he is a resident of Sarasota, FL and requested that I remove the exemption on September 24, 2009. As a result of his visit I removed them from his assessment that day. This will be in effect immediately.

If you have any questions regarding the removal of Mr. Moody's exemptions, do not hesitate in contacting me at 207-799-1619.

Sincerely,

Matthew Sturgis, CMA  
Assessor

EXHIBIT

E

FORM 129



WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS, that I,  
Peter I. Wovkonish, of Cape Elizabeth, County of Cumberland,  
State of Maine, for consideration paid, grant to Peter I.  
Wovkonish, of Cape Elizabeth, County of Cumberland, State of  
Maine, whose mailing address is 370 Mitchell Rd., Cape  
Elizabeth, ME 04107, with warranty covenants, the land in Cape  
Elizabeth, County of Cumberland and State of Maine, bounded and  
described as follows:

See Exhibit A attached hereto and incorporated herein.

This purpose of this deed is to supplement a prior deed to  
Peter I. Wovkonish recorded in Cumberland County Registry of  
Deeds in Book 3282, Page 118.


WITNESS, my hand and seal this 10th day of September ,  
2010.

  
\_\_\_\_\_  
Witness

  
\_\_\_\_\_  
Peter I. Wovkonish

State of Maine, Cumberland, ss. Sept. 10, 2010

Then personally appeared the above named Peter I. Wovkonish  
and acknowledged the foregoing instrument to be his free act and  
deed.

Before me,  
  
\_\_\_\_\_  
Charles J. Kahill  
Attorney at Law/Notary Public

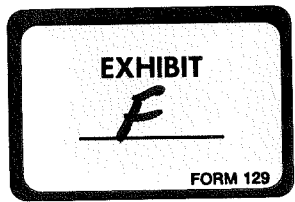


Exhibit A

Lot on easterly side of Mitchell Road  
Cape Elizabeth, Maine  
21,938± sq.ft. portion of  
Peter I. Wovkonish, Book 3282, Page 118

A certain lot or parcel of land situated on the easterly side of Mitchell Road in the Town of Cape Elizabeth, County of Cumberland and State of Maine, bounded and described as follows:

Beginning at an old axle iron marking the intersection of the easterly sideline of Mitchell Road with the northerly sideline of Stonegate Road as shown on Stonegate Subdivision Plan recorded in Cumberland County Registry of Deeds in Plan Book 158, Page 4; thence N 08° 39' 40" W along the easterly sideline of Mitchell Road 117.66 feet to an iron rod with survey cap no. 1172; thence N 85° 11' 45" E parallel with the said northerly sideline of Stonegate Road 189.71 feet to an iron rod with survey cap no. 1172; thence S 05° 54' 00" E 117.42 feet to an iron rod with survey cap no. 1172 on the northerly sideline of Stonegate Road; thence S 85° 11' 45" W along the northerly sideline of Stonegate Road 184.04 feet to the point of beginning. Containing 21,938 square feet, more or less.

Bearings are referenced to the 1985 magnetic meridian.

Being a portion of the premises conveyed by Richard Grossinger and Lindy H. Grossinger to Peter I. Wovkonish and Natalie E. Wovkonish by deed dated August 4, 1972 and recorded in Cumberland County Registry of Deeds in Book 3282, Page 118. Reference is also made to Divorce Judgments awarding and setting aside said premises to Peter I. Wovkonish, abstracts thereof recorded in said Registry of Deeds in Book 4877, Page 67, and Book 17119, Page 26.

Received  
Recorded Register of Deeds  
Sep 13, 2010 10:17:33A  
Cumberland County  
Pamela E. Lovley

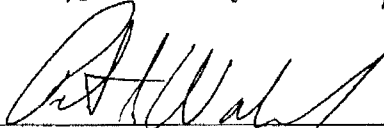
WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS, that I, Peter I. Wovkonish, of Cape Elizabeth, County of Cumberland, State of Maine, for consideration paid, grant to EARLY BIRD GROUP, LLC, a Maine limited liability company doing business in Cape Elizabeth, County of Cumberland, State of Maine, whose mailing address is 76 Two Lights Rd., Cape Elizabeth, ME 04107, with warranty covenants, the land in Cape Elizabeth, County of Cumberland and State of Maine, bounded and described as follows:

See Exhibit A attached hereto and incorporated herein.

WITNESS, my hand and seal this 15<sup>th</sup> day of September, 2010.

  
Witness

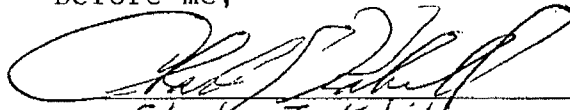
  
Peter I. Wovkonish

State of Maine, Cumberland, ss.

Sep. 15, 2010

Then personally appeared the above named Peter I. Wovkonish and acknowledged the foregoing instrument to be his free act and deed.

Before me,

  
Charles J. Kahill  
Attorney at Law/Notary Public

MAINE REAL ESTATE TAX PAID

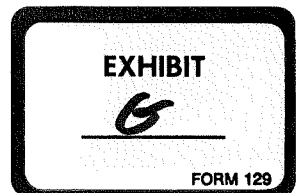


Exhibit A

Lot on easterly side of Mitchell Road  
Cape Elizabeth, Maine  
21,938± sq.ft. portion of  
Peter I. Wovkonish, Book 3282, Page 118

A certain lot or parcel of land situated on the easterly side of Mitchell Road in the Town of Cape Elizabeth, County of Cumberland and State of Maine, bounded and described as follows:

Beginning at an old axle iron marking the intersection of the easterly sideline of Mitchell Road with the northerly sideline of Stonegate Road as shown on Stonegate Subdivision Plan recorded in Cumberland County Registry of Deeds in Plan Book 158, Page 4; thence N 08° 39' 40" W along the easterly sideline of Mitchell Road 117.66 feet to an iron rod with survey cap no. 1172; thence N 85° 11' 45" E parallel with the said northerly sideline of Stonegate Road 189.71 feet to an iron rod with survey cap no. 1172; thence S 05° 54' 00" E 117.42 feet to an iron rod with survey cap no. 1172 on the northerly sideline of Stonegate Road; thence S 85° 11' 45" W along the northerly sideline of Stonegate Road 184.04 feet to the point of beginning. Containing 21,938 square feet, more or less.

Bearings are referenced to the 1985 magnetic meridian.

Being a portion of the premises conveyed by Richard Grossinger and Lindy H. Grossinger to Peter I. Wovkonish and Natalie E. Wovkonish by deed dated August 4, 1972 and recorded in Cumberland County Registry of Deeds in Book 3282, Page 118. Reference is also made to Divorce Judgments awarding and setting aside said premises to Peter I. Wovkonish, abstracts thereof recorded in said Registry of Deeds in Book 4877, Page 67, and Book 17119, Page 26.

Received  
Recorded Register of Deeds  
Sep 15, 2010 11:03:26A  
Cumberland County  
Pamela E. Lovley

BK8076PG0288

WARRANTY DEED  
(Maine Statutory Short Form)

068591

KNOW ALL MEN BY THESE PRESENTS,

THAT STONEGATE ASSOCIATES, a Maine Limited Partnership with a place of business at Portland, County of Cumberland, and State of Maine, for consideration paid, grant to the TOWN OF CAPE ELIZABETH, a municipal body corporate and politic, and having its principal office in the Town of Cape Elizabeth, County of Cumberland and State of Maine, whose mailing address is Ocean House Road, Cape Elizabeth, Maine 04107, with WARRANTY COVENANTS, the land in Cape Elizabeth, County of Cumberland, State of Maine, described as follows:

Certain lots or parcels of land, with all improvements located thereon, situated on the easterly side of Mitchell Road in the Town of Cape Elizabeth, County of Cumberland and State of Maine, and being those areas shown on a Plan entitled "Subdivision Plat, Stonegate, Cape Elizabeth, Maine" by Owen Haskell, Inc. revised August 6, 1986 and recorded in the Cumberland County Registry of Deeds in Plan Book 158, Pages 4 and 5, as Gordon's Lane, Gateledge Drive and those portions of Stonegate Road and Granite Ridge Road lying within the boundaries of Phase I as shown on said Plan.

Reserving to the Stonegate Homeowners Association the right to enter upon that area of Stonegate Road which contains stone walls and landscaping, said area being at or near the intersection of said Stonegate Road with the said Mitchell Road. Reference is hereby made to the Stonegate Declaration of Covenants, Conditions and Restrictions recorded in said Registry of Deeds in Book 8016, Page 199 for the Stonegate Homeowners Association's obligation to maintain said stone walls and landscaping located within the roadways conveyed to the said

EXHIBIT

H

FORM 129

BK8076PG0289

Town of Cape Elizabeth.

IN WITNESS WHEREOF, the said STONEGATE ASSOCIATES, has caused this instrument to be signed by Robert H. Taylor, Jr. and M. Dana Goodwin, its General Partners, thereunto duly authorized, this 12<sup>th</sup> day of November, 1987.

WITNESS:

Marjorie Slagus

Marjorie Slagus

STONEGATE ASSOCIATES

BY: Robert H. Taylor, Jr.  
Robert H. Taylor, Jr.

BY: M. Dana Goodwin  
M. Dana Goodwin  
Its General Partners

STATE OF MAINE  
COUNTY OF CUMBERLAND, ss.

November 12, 1987

Then personally appeared the above named Robert H. Taylor, Jr. and M. Dana Goodwin, General Partners of said STONEGATE ASSOCIATES, as aforesaid, and acknowledged the foregoing instrument to be their free act and deed in their said capacity and the free act and deed of said STONEGATE ASSOCIATES.

Before me,

James J. Walsh  
Attorney at Law/Notary Public

SEAL

RECEIVED  
RECORDED REGISTRY OF DEEDS  
1987 NOV 23 PM 1:22  
CUMBERLAND COUNTY  
James J. Walsh