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April 29, 2011

Michael K. McGovern, Town Manager
TOWN OF CAPE ELIZABETH
320 Ocean House Road
P.O. Box 6260
Cape Elizabeth, ME 04107

RE: CMP Easement

Dear Mike:

Donna Katsiaficas, Corporation Counsel of Portland Water District, has advised me of the need for the Town to grant a utility easement to Central Maine Power Company in connection with the Southern Cape Sewage Treatment Facility on Spurwink Road. She has provided to me a required information worksheet. I have completed that worksheet with the requisite information in regard to this property, the former poor farm property. I am enclosing that worksheet as well as the Deed from the Town as trustee of the Thomas Jordan Trust to the Town.

I have not completed Item 6 which I assume will be your name as Town Manager but wanted to defer in case for some reason this Deed was to be signed by the Chairman of the Town Council.

I am advised this matter should be attended to as soon as possible and hopefully placed on the May 9th Town Council Agenda for Council approval.

Finally, I am advised that Jamie Cough at CMP is the contact person for this and his email address is jamie.cough@cmpco.com.

I will forward a copy of this letter and enclosures to Donna Katsiaficas. I assume once Council authorizes your execution of the easement that you can contact Jamie Cough for further instructions as to delivery.

If you have any questions, please advise.

April 29, 2011
Page 2

Best Regards,

MONAGHAN LEAHY, LLP



By Thomas G. Leahy, Esq.

TGL/jh

cc: Donna Katsiaficas

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CENTRAL MAINE POWER COMPANY – INFORMATION WORKSHEET

The information requested below will be used to prepare an Easement to CMP for new electric/communication service. All the information can be found on your deed.

BRING COMPLETED WORKSHEET TO YOUR CMP APPOINTMENT, OR RETURN IT IN THE ENVELOPE PROVIDED! IF YOU HAVE QUESTIONS, CALL 1-800-750-4000.

*****PLEASE PRINT CLEARLY*****

RESIDENTIAL PROPERTY OWNERS - Complete Numbers 1, 2, 3, 9, 10 and 11:

1. Your Name(s) as it appears on your Deed

_____	_____	_____
First	Middle	Last
_____	_____	_____
First	Middle	Last

2. Mailing Address: _____ City/State/Zip Code

3. Telephone Number: _____

COMMERCIAL PROPERTY OWNERS - Complete Numbers 4 thru 11:

4. TOWN OF CAPE ELIZABETH
Full Name of Company, Corporation, LLC, LP, Estate or Trust – as appears on deed

5. State in which Company, Corporation, LLC, LP, etc. was formed: Maine

6. Person having signature authority: Name _____ Title _____

7. Mailing Address: 320 Ocean House Road, P.O. Box 6260, Cape Elizabeth, Maine 04107
City/State/Zip Code

8. Telephone Number: (207) 799-5251

YOUR DEED INFORMATION:

9. Full name of person(s) you bought property from – as appears on your deed: _____
Town of Cape Elizabeth, as Trustee under the Will of Thomas Jordan

10. Date your deed was recorded: August 24, 1994

11. County your deed was recorded in: Cumberland County, Book# 11599, Page# 046

FOR CMP USE ONLY

NOTIFICATION # _____	TYPE OF EASEMENT:
W/O# _____	Standard <input type="checkbox"/>
Road _____	Corporate <input type="checkbox"/>
Road Alias _____	Estate <input type="checkbox"/>
Town _____	Trustee <input type="checkbox"/>
Commencing Pole/Pad #(s) _____	TYPE OF WORK
To Include Pole/Pad #(s) _____	Overhead/Combo <input type="checkbox"/>
Telephone Company _____	Underground <input type="checkbox"/>
Description _____	Aerial <input type="checkbox"/>
_____	Guying <input type="checkbox"/>

Field Planner Name: _____ Fax# _____

52871

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SHORT FORM QUITCLAIM DEED

The Town of Cape Elizabeth, a body corporate and politic, located at Cape Elizabeth, Cumberland County, State of Maine, in its capacity as Trustee under the Will of Thomas Jordan, for consideration paid, grants to the Town of Cape Elizabeth, a body corporate and politic, with a mailing address of 320 Ocean House Road, P.O. Box 6260, Cape Elizabeth, Maine 04107, the following described premises:

Two certain lots or parcels of land one on each side of Spurwink Avenue in the Town of Cape Elizabeth, County of Cumberland and State of Maine and being all of the premises known as the Thomas Jordan property which was conveyed to the Town of Cape Elizabeth, in trust, by the Will of Thomas Jordan dated in 1825, subject to the following easements and encumbrances:

1. A 30' wide easement conveyed by the Town of Cape Elizabeth to Nellie Dyer Cooper by deed dated September 26, 1977 and recorded in the Cumberland County Registry of Deeds in Book 4109, Page 312 for the purpose of constructing and maintaining a domestic water service line;
2. A sewer easement conveyed by the Town of Cape Elizabeth to Portland Water District by deed dated January 28, 1986 and recorded in said Registry of Deeds in Book 7060, Page 58;
3. A lease from the Town of Cape Elizabeth to Portland Water District, a memorandum of which is dated March 31, 1986 and recorded in said Registry in Book 7126, Page 70.

The premises being conveyed herein are believed to be described as follows:

Parcel One

A certain lot or parcel of land located on the Easterly side of Spurwink Avenue and bounded as follows: On the west by Spurwink Avenue; on the south by land now or formerly of Carrol B. Fleming et al by deed recorded in the Cumberland County Registry of Deeds in Book 9567, Page 123; on the southeast by land now or formerly of Lee R. and Avis C. Leavitt, as conveyed to them by deed recorded in the Cumberland County Registry of Deeds in Book 4901, Page 234, and on the north by land now or formerly of the Town of Cape Elizabeth as conveyed by deed recorded in said Registry in Book 2789, Page 153, by marsh formerly of Clement Jordan and by the east branch of the Spurwink River.

Parcel Two

Also, a certain lot or parcel of land located on the Westerly side of Spurwink Avenue and bounded as follows: Easterly by Spurwink Avenue; southerly and southeasterly by land now or formerly of Dorie S. Barber as conveyed by deed recorded in said Registry in Book 10805, Page 142; westerly by the west

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branch of the Spurwink River and Sawyer Road; northerly by the rear line of several parcels of land which have frontage on Wells Road to the westerly sideline of land now or formerly of Ralph E. Leighton and Alice C. Leighton as conveyed by deed recorded in said Registry in Book 3519, Page 66; easterly by the westerly sideline of said Leighton land; northerly by the east branch of the Spurwink River.

WITNESS:

Barbara B. Ray

TOWN OF CAPE ELIZABETH, TRUSTEE
U/W/D Thomas Jordan
Michael K. McGovern
By Michael K. McGovern
Its Town Manager

STATE OF MAINE
CUMBERLAND, SS.

August 15, 1994

Then personally appeared the above named Michael K. McGovern and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said body corporate, in its capacity as Trustee.

Before me,

RECEIVED
REGISTERED REGISTRY OF DEEDS
94 AUG 24 PM 2:25
CUMBERLAND COUNTY
John B. Brain

Barbara B. Ray
Notary Public/Attorney at Law
Barbara B. Ray
Printed Name

SEAL

My Commission Expires Aug. 21, 1995

Standard Easement Deed

_____ with a mailing address of _____, ME, ('Grantor(s)'), for consideration given, grants to **CENTRAL MAINE POWER COMPANY**, a Maine Corporation with an office at 83 Edison Drive, Augusta, Maine 04336, and **VERIZON NEW ENGLAND INC.**, a New York corporation with a mailing address of 125 High Street, Boston, Massachusetts, 02110, and their respective successors and assigns (collectively 'Grantees'), with warranty covenants, the right and easement to erect, bury, maintain, rebuild, respace, patrol, operate, and remove and do all other actions involving electric and communication distribution equipment and facilities, consisting of wires, cables, anchors, guywires or pushbraces, together with all necessary fixtures and appurtenances over, across and under the surface of the land of the Grantor(s) in the City/Town of _____ County, Maine. The said equipment and facilities are attached to a line commencing at Pole(s)/Pad(s) _____ (Street), _____ (Town), and extending to include Pole(s)/Pad(s) _____ to serve Grantor(s) and others. This easement affects land or rights conveyed to the Grantor(s) in a deed from _____, dated _____, and recorded in the _____ County Registry of Deeds in Book _____ Page _____. The rights granted herein include the right to cut down and trim trees and other vegetation and to use formulations registered with the Environmental Protection Agency or its successor to eliminate vegetation, and modify the growth of trees, which vegetation or growth, in the judgement of Grantees, may interfere with the operation and maintenance of its equipment or facilities; and the right to restrict the construction of buildings, structures and improvements within 15 feet of its equipment and facilities; and the right to keep the surface of ground above its underground cables and other electrical equipment free from structures, improvements and growth which, in the judgment of the Grantees, may interfere with the proper operation or maintenance of said underground cables; and the right to enter upon the land of the Grantor(s) for any and all of the foregoing purposes.

WITNESS the hand(s) and seal(s) of Grantor(s) on _____, 200_.

Signed, Sealed and Delivered in the presence of:
Witness(es)

Grantor(s) Signature(s)

Witness

Printed:

Witness

Printed:

State of _____

County of _____

The above-named _____, personally appeared before me on _____, 200_ and acknowledged the foregoing instrument to be his/her/their free act and deed.

WR#
Acct#

Notary Public/Attorney
Printed Name:
My Commission Expires: