



December 3, 2019
15071-01

Mr. Matthew Sturgis, Town Manager
Town of Cape Elizabeth
P.O. Box 6260
Cape Elizabeth, Maine 04107

Aster Lane Request for Roadway Way Acceptance and Request for Open Space Acceptance – Cottage Brook, LLC and Maxwell Woods, LLC

Dear Mr. Sturgis:

On behalf of Cottage Brook, LLC and Maxwell Woods, LLC, we have assembled this request for acceptance of Aster Lane and Open Space. This request is associated with the Cottage Brook and Maxwell Woods Condominium Developments. In support of the request, we are providing deed descriptions, as-builts, a graphical plan depicting the segments to be accepted and the following summary narrative for Town Council and staff consideration.

- A. Aster Lane - Cottage Brook Development:** This is a short section of Aster Lane and has been completed in its entirety. Attached are the completed As-builts and deed descriptions.
- B. Aster Lane and Open Space “A”, “B” and Agricultural Open Space - Maxwell Woods Development:** This section of Aster Lane has been completed through base paving. We understand accepting this section of Aster Lane will be a conditional acceptance until such time the items listed below are completed. The conditional acceptance of Aster Lane will allow through access for both public and town vehicles through the winter and spring until final completion. The Town will maintain a developer performance bond until the punch list items and surface paving are completed in the spring of 2020. Attached are the progress As-builts and the R.O.W. deed description along with the Open Space “A”, “B” and Agricultural Open Space deeds.

Conditions of Acceptance:

1. Monumentation to be set.
2. Sewer manholes/Catch-basins, Drainage Manholes to be raised to finish pavement at time of finish pavement.
3. Catch-basin and drainage structures to be inspected and cleaned, if needed.
4. As-builts of roadway to be completed in spring once finish pavement is installed. Attached are progress as-builts.
5. Pavement joint between surface and base paving winterized.
6. Culvert outlet from pond to have riprap modified to provide better discharge. Coordinate with engineer.
7. Inspection of trails in the Spring of 2020 after snow and ice cover melt.

As always, please contact me if you have any questions or need additional information.

Sincerely,

SEBAGO TECHNICS, INC.

A handwritten signature in black ink, appearing to read "Owens A. McCullough". The signature is fluid and cursive, with the first name "Owens" being the most prominent.

Owens A. McCullough, P.E., LEED-AP

Sr. Vice President of Strategy and Client Development

OAM: oam

Att. Deed Descriptions
Reference Plan
As-Builts

DEED
(Maine Statutory Short Form)

COTTAGE BROOK, LLC, a Maine Limited Liability Company (“Grantor”), with a place of business in South Portland, Maine, **GRANTS** to **TOWN OF CAPE ELIZABETH**, a municipal corporation organized and existing under the laws of the State of Maine (“Grantee”), whose mailing address is 320 Ocean House Road, P. O. Box 6260, Cape Elizabeth, Maine 04107, with **QUITCLAIM COVENANTS**, the following described premises in Cape Elizabeth, County of Cumberland and State of Maine:

All that certain lot or parcel of land located in the Town of Cape Elizabeth, Cumberland County, and State of Maine, said parcel being known as “Aster Lane Extension” and is being conveyed to said Town in conjunction with the Grantor’s project known as “Cottage Brook”, and with the adjacent project known as Maxwell Woods, owned and developed by MAXWELL WOODS, LLC. The parcel herein conveyed is bounded and described on **Exhibit A**, “Aster Lane Extension,” attached hereto.

IN WITNESS WHEREOF, the said **COTTAGE BROOK, LLC**, has caused this instrument to be signed and sealed in its name by Kelly L. FitzPatrick, its Sole Member, thereunto duly authorized, this _____ day of _____, 2019.

WITNESS:

COTTAGE BROOK, LLC

BY: _____
Kelly L. FitzPatrick
Its Sole Member

STATE OF MAINE
CUMBERLAND, ss.

_____, 2019

Then personally appeared the above-named Kelly L. FitzPatrick, Sole Member, of **COTTAGE BROOK, LLC** and acknowledged the foregoing instrument to be her free act and deed in her said capacity and the free act and deed of said company.

Before me,

Notary Public/Attorney-at-Law
Print Name: _____
My Commission Expires: _____

