



**CITY COUNCIL**  
**City of Augusta, Maine**

February 2, 2004

**TITLE** Street Acceptances/Extension of Gabriel Dr. & 1st Portion of Ludger Dr.

**ORDERED, That** an extension of Gabriel Drive (approximately 250 feet) and the first portion of Ludger Drive (approximately 80 feet) known as Phase 2A as shown on a plan entitled "Modification to the Central Maine Business Park Subdivision, New North Augusta Trust, Gabriel Drive & Ludger Drive, Augusta, Maine", drawings 1 and 2 of 2, dated and revised through June 11, 2002, by Thayer Engineering Company, Inc., Farmingdale, Maine, recorded in Kennebec County Registry of Deeds in Plan File E2002-126 and E2002-127 (2002 Plan), be accepted as city streets.

BE IT FURTHER ORDERED, That drainage, snow storage, and utility easements associated with the above sections of roadways, be accepted. Such easements are described in a deed from New North Trust to the City of Augusta dated January 22, 2004 to be recorded in the Kennebec County Registry of Deeds.

20

Introduced By

Moved By

Seconded By

A TRUE COPY

ATTEST

*Barbara E. Wardwell*  
Barbara E. Wardwell, City Clerk  
Augusta, Maine

DATE

*02/02/04*

20  
CITY COUNCIL  
City of Augusta, Maine

	Yea	Nay
Sotir		
Doore		
Veilleux		
Foster		
*Lerman		
*Davis		
*Koski		
*Lund		
Mayor		
Total		

Title Street Acceptance / Ext  
of Gabriel Dr & 1st Portion  
of Ludger Dr  
February 2, 20 04  
Read and Passed ✓  
Tabled \_\_\_\_\_  
Moved By Veilleux Yeas 7  
Sec'd. By Lund Nays 0

	Yea	Nay
Sotir	✓	
Doore	✓	
Veilleux	✓	
Foster		
*Lerman	✓	
*Davis	✓	
*Koski	✓	
*Lund	✓	
Mayor		
Total	7	0

	Yea	Nay
Sotir		
Doore		
Veilleux		
Foster		
*Lerman		
*Davis		
*Koski		
*Lund		
Mayor		
Total		

ATTEST:

*Brian Woodwell*  
CITY CLERK

	Yea	Nay
Sotir		
Doore		
Veilleux		
Foster		
*Lerman		
*Davis		
*Koski		
*Lund		
Mayor		
Total		

**SECOND READING**  
\_\_\_\_\_ 20 \_\_\_\_\_  
Read and Passed - -  
\_\_\_\_\_  
\_\_\_\_\_  
Moved By \_\_\_\_\_ Yeas \_\_\_\_\_  
Sec'd. By \_\_\_\_\_ Nays \_\_\_\_\_

	Yea	Nay
Sotir		
Doore		
Veilleux		
Foster		
*Lerman		
*Davis		
*Koski		
*Lund		
Mayor		
Total		

	Yea	Nay
Sotir		
Doore		
Veilleux		
Foster		
*Lerman		
*Davis		
*Koski		
*Lund		
Mayor		
Total		

ATTEST:

\_\_\_\_\_  
CITY CLERK  
\*Council At-Large

NO TRANSFER  
TAX PAID

TRUSTEE'S DEED

KNOW ALL BY THESE PRESENTS, That **ROGER R. POMERLEAU**,  
**TRUSTEE OF NEW NORTH AUGUSTA TRUST**, under Declaration of Trust dated  
November 6, 1998 and recorded in the Kennebec County Registry of Deeds in Book 5779,  
Page 257 ("Grantor"), by the power conferred by law, and every other power, for  
consideration paid, grants to the **CITY OF AUGUSTA**, Maine, a municipal corporation,  
with a mailing address of City Center Plaza, 16 Cony Street, Augusta, Maine 04330  
("Grantee"), the land in the City of Augusta, Kennebec County, Maine, described in  
Schedule A attached hereto and incorporated herein.

WITNESS my hand and seal this 22 day of January, 2004.

By: Roger R Pomerleau  
~~Robert R. Pomerleau~~, Trustee of  
New North Augusta Trust

STATE OF MAINE  
COUNTY OF KENNEBEC, ss.

On January 22, 2004, personally appeared the above-named Roger R.  
Pomerleau in his said capacity and acknowledged the foregoing to be his free act and  
deed.

Before me,

Carol Bondeson  
Notary Public  
Printed Name: Carol Bondeson



COMMISSION EXPIRES 1/28/2005

⑤ City of Augusta

## "Schedule A"

### Gabriel Drive Extension

A certain lot or parcel of land situate at the northwesterly terminus of Gabriel Drive, so-called, in the City of Augusta, Kennebec County, State of Maine, being the parcel designated "Phase 2A, Gabriel Drive Extension" on a plan entitled "Modification to the Central Maine Business Park Subdivision, New North Augusta Trust, Gabriel Drive & Ludger Drive, Augusta, Maine", drawings 1 and 2 of 2, dated and revised through June 11, 2002, by Thayer Engineering Company, Inc., Farmingdale, Maine, recorded in Kennebec County Registry of Deeds in Plan File E2002-126 and E2002-127 (2002 Plan), and being further bounded and described as follows:

Beginning at the northwesterly terminus of Gabriel Drive as accepted by the City of Augusta, reference deed recorded in said Registry of Deeds in Book 3784, Page 42, on the northeasterly line of Lot 24 as shown on a plan entitled "Subdivision Plan, Central Maine Business Park, H.R.C. Development Co., Inc., Civic Center Drive, Augusta, Maine", dated November 1987, revised through February 8, 1989, by Thayer Engineering Company, Inc., Farmingdale, Maine, recorded in said Registry of Deeds in Plan File E-89081 and E-89082 (1989 Plan), all as shown on the 2002 Plan;

Thence N 39° 18' 29" W along the northeasterly line of Lot 24 a distance of 195.00 feet to a point of curvature opposite Road Centerline P.C. Station 24+95.00;

Thence in a general northwesterly direction along the northeasterly line of Lot 24 and along the northeasterly line of Lot 23 as shown on the 1989 Plan along a curve to the left having a radius of 1,470.00 feet through a central angle of 2° 06' 03" an arc length of 53.90 feet to a southerly corner of Lot #13-22 as shown on the 2002 Plan, said corner being N 40° 21' 30" W and a chord distance of 53.90 feet from the last mentioned point;

Thence N 48° 35' 28" E along a southeasterly line of Lot #13-22 a distance of 60.00 feet to a point and the southwesterly line of Lot #10A as shown on the 2002 Plan;

Thence in a general southeasterly direction along the southwesterly line of Lot #10A along a curve to the right having a radius of 1,530.00 feet through a central angle of 0° 37' 19" an arc length of 16.61 feet to a point of reverse curvature, said point being S 41° 05' 52" E and a chord distance of 16.61 feet from the last mentioned point;

Thence in a general easterly direction along the southerly line of Lot #10A along a curve to the left having a radius of 20.00 feet through a central angle of  $88^{\circ} 31' 16''$  an arc length of 30.90 feet to a point of tangency, said point being  $S 85^{\circ} 02' 51'' E$  and a chord distance of 27.92 feet from the last mentioned point;

Thence  $N 50^{\circ} 41' 31'' E$  along a southeasterly line of Lot #10A a distance of 30.52 feet to the southwesterly line of proposed Ludger Drive as shown on the 2002 Plan at a point northwesterly of and opposite Road Centerline Station 10+80.00;

Thence  $S 39^{\circ} 18' 29'' E$  along the southwesterly line of proposed Ludger Drive through Road Centerline Station 10+80.00 a distance of 60.00 feet to a northwesterly line of Lot 5 as shown on the 1989 Plan;

Thence  $S 50^{\circ} 41' 31'' W$  along a northwesterly line of Lot 5 a distance of 30.00 feet to a 5/8-inch iron rod found capped "Thayer Engineering Company" and a point of curvature;

Thence in a general southerly direction along the westerly line of Lot 5 along a curve to the left having a radius of 20.00 feet through a central angle of  $90^{\circ} 00' 00''$  an arc length of 31.42 feet to a 5/8-inch iron rod found capped "Thayer Engineering Company" and a point of tangency, said point being  $S 5^{\circ} 41' 31'' W$  and a chord distance of 28.28 feet from the last mentioned iron rod;

Thence  $S 39^{\circ} 18' 29'' E$  along the southwesterly line of Lot 5 a distance of 135.00 feet to the northwesterly terminus of Gabriel Drive;

Thence  $S 50^{\circ} 41' 31'' W$  along the northwesterly terminus of Gabriel Drive a distance of 60.00 feet to the point of beginning, containing 18,170 square feet, more or less.

Bearings are based upon a magnetic north observation as referenced on the 1989 Plan.

The premises are conveyed together with the following easements, all as shown on the 2002 Plan, and together with the rights and obligations to said following easements as described in Articles V.B. and V.C. of Declaration of Covenants and Easements, Central Maine Business Park, dated December 14, 1989, recorded in said Registry of Deeds in Book 3666, Page 122:

1. A 5-foot wide snow storage and utility easement adjoining the southwesterly side of Gabriel Drive Extension hereinabove described over, across, under and through Lots #23 and #24, a 5-foot wide snow storage and utility easement adjoining northeasterly and southeasterly

sides of Gabriel Drive Extension over, across, under and through Lot #5, and a 5-foot wide snow storage and utility easement adjoining northwesterly and northeasterly sides of Gabriel Drive Extension over, across, under and through Lot #10A.

2. A drainage easement over, across, under and through an area 20 feet by 30 feet located at the westerly corner of Lot 5.
3. A drainage easement over, across, under and through an area 20 feet by 30 feet on the northeasterly side of Lot 24 opposite Road Centerline Station 23+05.
4. A 35-foot wide drainage easement over, across, under and through Lot #10A from a point northeasterly of and opposite approximate Road Centerline Station 25+15 along and adjoining the southwesterly line of Lot #10A to a point northeasterly of and opposite Road Centerline Station 28+70. This drainage easement encompasses and expands the two (2) drainage easements shown on the 1989 plan northeasterly of and opposite Road Centerline Stations 27+15 and 28+50.
5. A 30-foot wide drainage easement centered on an existing swale from the northwesterly end of the above described 35-foot wide drainage easement over, across, under and through westerly portions of Lot #10A and Lot #9A and an easterly portion of Lot #13-22 to Detention Area 2.

The above-described premises are subject to the following, where applicable:

1. Deed dated August 7, 1990 from Wishcamper-O'Neil Properties, Inc. to Augusta Sanitary District recorded in Kennebec County Registry of Deeds in Book 3784, Page 48.
2. Deed dated January 4, 1990 from Wishcamper-O'Neil Properties, Inc. to Augusta Water District recorded in Kennebec County Registry of Deeds in Book 3684, Page 171.
3. Deed dated June 4, 1990 from Wishcamper-O'Neil Properties, Inc. to Central Maine Power Company and New England Tel & Tel Company recorded in Kennebec County Registry of Deeds in Book 3774, Page 295.
4. Polyphase Contract dated July 10, 1990 between Central Maine Power Company and Wishcamper-O'Neil Properties, Inc., recorded in Kennebec County Registry of Deeds in Book 3864, Page 210 and as revised by documents recorded in Kennebec County Registry of Deeds in Book 4186, Page 162, Book 4428, Page 238, Book 4909, Page 241, Book 5264, Page 153 and Book 5514, Page 14.

5. The terms and conditions of Department of the Army Programmatic General Permit #200201942 dated August 14, 2002.
6. The terms and conditions of Maine Department of Environmental Protection Site Location Orders dated and recorded as follows:
  - a) August 9, 1988, recorded in said Registry of Deeds in Book 3972, Page 80.
  - b) March 8, 1989, recorded in said Registry of Deeds in Book 3519, Page 136.
  - c) December 13, 1989, recorded in said Registry of Deeds in Book 3671, Page 319.
  - d) January 24, 1990, recorded in said Registry of Deeds in Book 3691, Page 96.
  - e) March 8, 1990, recorded in said Registry of Deeds in Book 3717, Page 182.
  - f) August 3, 1990, recorded in said Registry of Deeds in Book 3787, Page 46.
  - g) November 20, 1990, recorded in said Registry of Deeds in Book 3840, Page 327.
  - h) April 22, 2002, New North Augusta Trust Modification, recorded in said Registry of Deeds in Book 6920, Page 48.
  - i) April 23, 2002, New North Augusta Trust Modification, recorded in said Registry of Deeds in Book 6920, Page 55.
  - j) April 29, 2002, New North Augusta Trust Modification, recorded in said Registry of Deeds in Book 6920, Page 42.
  - k) June 26, 2002, New North Augusta Trust Transfer; recorded in said Registry of Deeds in Book 6986, Page 220.

Being a portion of the premises described in a deed of Wishcamper-O'Neil Properties, Inc. to Roger R. Pomerleau, Trustee of the New North Augusta Trust, dated August 15, 2002, recorded in Kennebec County Registry of Deeds in Book 7021, Page 96.

Received Kennebec SS.  
03/12/2004 10:37AM  
# Pages 5 Attest:  
BEVERLY BUSTIN-HATHEWAY  
REGISTER OF DEEDS