

1

QUITCLAIM DEED WITHOUT COVENANT

KNOW ALL MEN BY THESE PRESENTS THAT, Marie L. Spaulding, Annette Tukey, Barbara J. Steward, Paul E. Richard and Patricia A. Richard, Co-Trustees of the Revocable trust U/A 12/6/99 and Kennebec Savings Bank, a Maine Banking Corporation with a place of business in Augusta, Maine **GRANT** to the Inhabitants of the City of Augusta, all of the grantors' rights, title and interest in the following described premises, to wit:

A certain lot or parcel of land located in the City of Augusta, County of Kennebec and state of Maine and being more particularly described in Exhibit "A" attached hereto and incorporated by reference herein.

WITNESS our hands and seals this 31st day of December 2003.

Signed, Sealed and delivered
in the presence of:

Nathaniel M. Rodriguez
Witness

Marie L. Spaulding
Marie L. Spaulding

Nathaniel M. Rodriguez
Witness

Annette Tukey Tilsley
Annette Tukey Tilsley

[Signature]
Witness

Barbara J. Steward
Barbara J. Steward

[Signature]
Witness

Paul E. Richard
Paul E. Richard, Co-Trustee of the
Paul E. Richard and Patricia A. Richard
Revocable Trust U/A 12/6/99

[Signature]
Witness

Patricia A. Richard
Patricia A. Richard, Co-Trustee of the
Paul E. Richard and Patricia A. Richard
Revocable Trust U/A 12/6/99

KENNEBEC SAVINGS BANK

Stell Savage
Witness

Gary Lapierre
by: VICE PRESIDENT
its duly authorized

Gary Lapierre
Notary Public, Maine
My commission expires May 9, 2007

DECEMBER 31, 2003

STATE OF MAINE
KENNEBEC, SS.

Then personally appeared the above named Marie L. Spaulding and acknowledged the foregoing instrument to be her free act and deed.

Before me,

Tammy L. Bilodeau
Notary Public/Attorney at Law

Print Name:

My Commission Expires:

TAMMY L. BILODEAU
Notary Public, Maine
My Commission Expires October 7, 2007

STATE OF MAINE
KENNEBEC, SS.

2003

Then personally appeared the above named Annette Tukey and acknowledged the foregoing instrument to be her free act and deed.

Before me,

Tammy L. Bilodeau
Notary Public/Attorney at Law

Print Name:

My Commission Expires:

TAMMY L. BILODEAU
Notary Public, Maine
My Commission Expires October 7, 2007

STATE OF MAINE
KENNEBEC, SS.

2003

Then personally appeared the above named Barbara J. Steward and acknowledged the foregoing instrument to be her free act and deed.

Before me,

Tammy L. Bilodeau
Notary Public/Attorney at Law

Print Name:

My Commission Expires:

TAMMY L. BILODEAU
Notary Public, Maine
My Commission Expires October 7, 2007

STATE OF MAINE
KENNEBEC, SS.

2003

Then personally appeared the above named Paul E. Richard in his said capacity as Co-Trustee of the Paul E. Richard and Patricia A. Richard Revocable Trust U/A 12/6/99 and acknowledged the foregoing instrument to be his free act and deed in his said capacity.

Before me,

Tammy L. Bilodeau
Notary Public/Attorney at Law

Print Name:

My Commission Expires:

TAMMY L. BILODEAU
Notary Public, Maine
My Commission Expires October 7, 2007



STATE OF MAINE
KENNEBEC, SS.

Then personally appeared the above named Patricia A. Richard in her said capacity as Co-Trustee of the Paul E. Richard and Patricia A. Richard Revocable Trust U/A 12/6/99 and acknowledged the foregoing instrument to be her free act and deed in her said capacity.

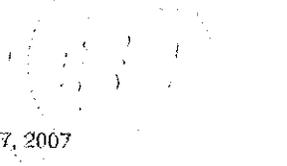
Before me,

Tammy L. Bilodeau
Notary Public/Attorney at Law

Print Name:

My Commission Expires:

TAMMY L. BILODEAU
Notary Public, Maine
My Commission Expires October 7, 2007



STATE OF MAINE
KENNEBEC, SS.

Then personally appeared the above named _____ and acknowledged the foregoing instrument to be his/her free act and deed in his/her said capacity.

Before me,

Notary Public/Attorney at Law

Print Name:

My Commission Expires:

EXHIBIT "A"

Beginning at a point on the easterly line of Lot #2 as shown on a Plan entitled "Green Acres Subdivision, Rene Rodrigue and Son, Owners", by G.C. Poulin, R.L.S. dated January 25, 1978 and on file at the Kennebec County Registry of Deeds, Plan File #78039. Said point being the northerly or northwesterly terminus of that portion of Roseanne Avenue accepted as a City Street, December 19, 1988 ; thence N 45° 56' 00" E along the easterly line of said Lot # 2 (60.00') feet to a point; thence S 44° 04' 00" E (40.00') feet to a point on the westerly line of Lot #7 as shown on said Plan; thence S 45° 56' 0" W along the westerly line of said Lot # 7 (22.73') feet to a point. Said point being the westerly corner of said Lot # 7 and the northwesterly corner of Lot #8 as shown on said Plan; thence S 45° 56' 00" W along the westerly line of said Lot # 8 (7.27') feet to a point; thence S 44° 04' 00" E thirty (30.00') feet to a point; thence S 45° 56' 00" W thirty (30.00') feet to a point; thence N 44° 04' 00" W thirty (30.00') feet to a point on the westerly line of said Lot # 8. Said point being the northeasterly terminus of that portion of Roseanne Avenue accepted as a City Street December 19, 1988 thence N 44° 04' 00" W (40.00') feet to the point of beginning.

The parcel described above contains 3,300 square feet more or less.

Bearings are based on the above referenced Plan.

Meaning and intending to convey a portion of Roseanne Avenue and a portion of Lot # 8 as shown on a Plan entitled "Green Acres Subdivision, Rene Rodrigue and Son, Owners, by G.C. Poulin, R.L.S., dated January 25, 1978 and recorded in the Kennebec County Registry of Deeds, Plan File # D78039.

The purpose of this conveyance is for a City street and turn-around.

Kennebec Savings bank joins herein in order to release its interest in the aforesaid premises as a result of mortgages recorded in the Kennebec County Registry of Deeds, Book 6756, Page 123, and Book 4111, Page 346.

DRAFT

QUITCLAIM DEED WITHOUT COVENANT

KNOW ALL MEN BY THESE PRESENTS THAT, David W. Kaplan, Susan A. Kaplan, Marie L. Spaulding and Annette Tisley GRANT to The Inhabitants of the City of Augusta, a drainage easement on the following described premises, to wit:

A certain easement on a parcel of land located in the City of Augusta, County of Kennebec and state of Maine and being more particularly described in Exhibit "A" attached hereto and incorporated by reference herein.

WITNESS our hands and seals this 22nd day of January 2004.

Signed, Sealed and delivered in the presence of:

Carl Volpin
Witness

David W. Kaplan

Marguerite R. Rodriguez
Witness

Susan A. Kaplan

Witness

Marie L. Spaulding

Witness

Annette Tisley
Tisley

STATE OF MAINE
KENNEBEC, SS.

22nd January, 2004

Personally appeared the above named David W. Kaplan and acknowledged the foregoing instrument to be his free act and deed.

Before me, Tammy L. Biodeau

Notary Public/Attorney at Law.

Print Name:

My Commission Expires:

TAMMY L. BILODEAU
Notary Public, Maine
My Commission Expires October 7, 2007

STATE OF MAINE
KENNEBEC, SS.

22nd, January

, 2004

Personally appeared the above named Susan A. Kaplan and acknowledged the foregoing instrument to be her free act and deed.

Before me,

Tammy L. Biodeau

Notary Public/Attorney at Law

Print Name:

My Commission Expires:

Notary Public, Maine

My Commission Expires October 7, 2007

STATE OF MAINE
KENNEBEC, SS.

22nd, January

, 2004

Personally appeared the above named Marie L. Spaulding and acknowledged the foregoing instrument to be her free act and deed.

Before me,

Tammy L. Biodeau

Notary Public/Attorney at Law

Print Name:

My Commission Expires:

TAMMY L. BILODEAU

Notary Public, Maine

My Commission Expires October 7, 2007

STATE OF MAINE
KENNEBEC, SS.

22nd, January

, 2004

Personally appeared the above named Annette Tisley and acknowledged the foregoing instrument to be her free act and deed..

Before me,

Tammy L. Biodeau

Notary Public/Attorney at Law

Print Name:

My Commission Expires:

TAMMY L. BILODEAU

Notary Public, Maine

My Commission Expires October 7, 2007

EXHIBIT "A"

DRAFT

Beginning at a point on the northeasterly side of the proposed conveyance of land to be used as a city street and turn-around located at the end of Roseanne Avenue. This point to be located in the center of an existing drainage way and approximately 60 feet beyond the portion of Roseanne Avenue as accepted by the City of Augusta December 19, 1988. Thence continuing in a northerly direction along such existing drainage way over Lots #1 and # 2. Thence continuing along the existing drainage way over Lot #1 to the existing drainage way located northwesterly of Lot #1.

Meaning and intending to describe a drainage easement 20 feet wide and located 10 feet each side of center of the existing drainage way to be used for the flowage of surface water from Roseanne Avenue including the turn-around as accepted by the City of Augusta to the existing drainage way located northwesterly of Lot # 1.

The City of Augusta shall have the right to enter onto such property within this easement in order to properly maintain the drainage way.

Lot references made as shown on a Plan entitled "Green Acres Subdivision, Rene Rodrigue and Son, Owners", by G.C. Poulin, R.L.S., dated January 25, 1978 and on file at the Kennebec County Registry of deeds, Plan File #78039.

Reference is hereby made to deeds recorded in the Kennebec County Registry of Deeds, Book 7186, Page 24 and Book 7171, Page 190.

QUITCLAIM DEED WITHOUT COVENANT

KNOW ALL MEN BY THESE PRESENTS THAT, Rene Rodrigue and Constance A. Rodrigue, of Augusta, County of Kennebec and State of Maine **GRANT** to the Inhabitants of the City of Augusta, all of our rights, title and interest in a certain portion of Maureen Drive and Rodrigue Heights, so-called, located in the City of Augusta, County of Kennebec and State of Maine, being more particularly described as follows:

See Exhibit "A" attached hereto and incorporated by reference herein.

WITNESS our hands and seals this 31st day of December 2003.

Signed, Sealed and delivered
in the presence of:

Katharine M. Rodrigue
Witness

Rene Rodrigue
Rene Rodrigue

Katharine M. Rodrigue
Witness

Constance A. Rodrigue
Constance A. Rodrigue

STATE OF MAINE
KENNEBEC, SS.

31st, December 2003

Then personally appeared the above named Rene Rodrigue and Constance A. Rodrigue, and acknowledged the foregoing instrument to be their free act and deed.

Before me,

Tammy L. Bilodeau
Notary Public ~~Attorney at Law~~

Print Name:

My Commission Expires:

TAMMY L. BILODEAU

Notary Public, Maine

My Commission Expires October 7, 2007

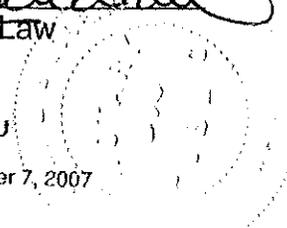


EXHIBIT "A"

A certain lot or parcel of land in Augusta, Kennebec County, Maine, bounded and described as follows:

Beginning at a point of compound curvature on the northerly line of Maureen drive near the southwesterly corner of Lot #4 as shown on a Plan entitled "Green Acres Subdivision, Rene Rodrigue and Son, Owners", by C.G. Poulin, R.L.S. dated January 25, 1978, and on file at the Kennebec County Registry of Deeds, file # D78039, to which reference is made for clarification; thence running northeasterly on the arc of a 20 foot radius curve, 22.6 feet to a point of tangency; thence running North 45° 56' E, 357.83 feet to point on the easterly line of Lot #2; thence running South 44° 04' minutes E, 40.0 feet to a point; thence running South 45° 56' W, 305.63 feet to a point of curvature; thence running southeasterly, on a 20 foot radius curve 45.1 feet to a point; thence running N 83° 14' W, 13.3 feet to a point; thence running northwesterly, along the arc of a 360.8 foot radius curve, 87.44 feet to the point of beginning.

Meaning and intending to describe a parcel of land 40 feet wide and 380 feet long, more or less, to be used as a City Street.

Reference is also made to council order accepting said street dated December 19, 1988. For title purposes, reference is also made to deed to the grantors recorded in the Kennebec County Registry of Deeds in Book 2097, Page 202.

HISTORY OF THE END OF ROSEANNE AVE

In late 2001, Lionel, Bruce, John Charest, Paul Rodrigue, Dave Kaplan, and Stephen Langsdorf met on site at the end of Roseanne Ave to discuss building a new home on Lot 1 as shown on the subdivision plan of Green Acres in 1978. The terrain of lot 1 drops off to a natural drainage course to the north of the lot. In order to build on the lot, the structure would have to be built close to the cul-de-sac and may not meet the setbacks.

The paper street law that took affect in 1997 essentially terminated the public rights in the unaccepted portion of Roseanne Avenue that were created when the subdivision plan was recorded in 1978 (incipient dedication). Based upon the Paper Street law, the City believed that the abutting property owners of this section of unaccepted road now owned to the center of the proposed roadway as shown on the plan (see the attached sketch). This included Lot 1 which meant that the lot increased in size and moved the "front" property line southerly which increased the amount of developable land. The question remained whether the setbacks that had to be maintained by the structures was from the new property line created by the Paper Street law or from the remaining private rights of the other lot owners over the cul-de-sac as shown on the subdivision plan.

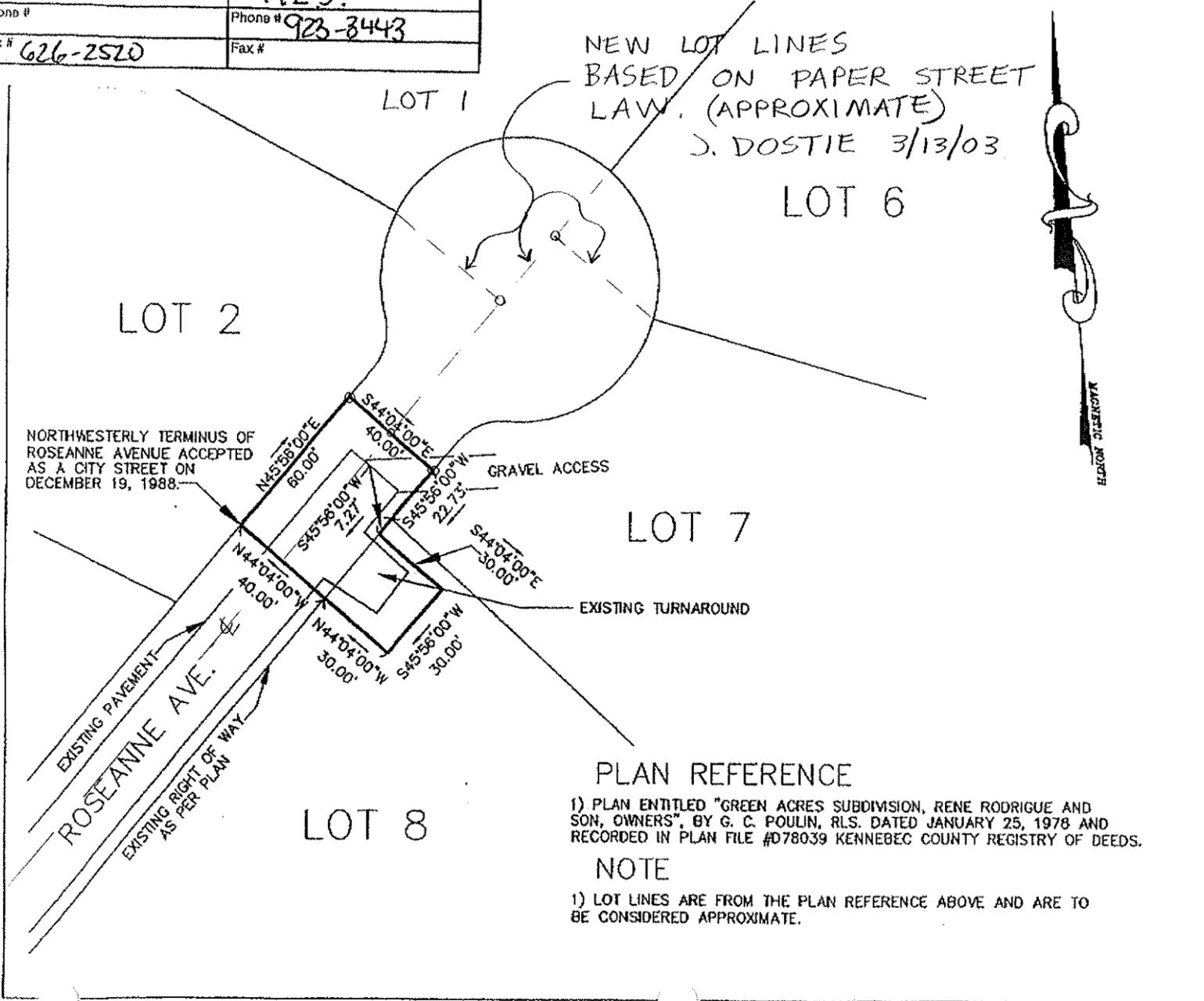
Stephen Langsdorf believed that the required setbacks were now from the new property lines and that structures could be built up to the cul-de-sac in which private rights still remained. This was stated in a letter from George Soucy to Paul Rodrigue on December 30, 2002. Dave Kaplan and Paul Rodrigue then constructed a new home on Lot 1 based upon and adhering to this information.

Another question that was asked at the meeting was what would be required by the City for a permanent turnaround since this road was a dead end. It was agreed upon that a cul-de-sac did not need to be built, but that a hammerhead turn-around would need to be built in the vicinity of the end of the existing road that had already been accepted by the City. This turnaround would need to be constructed according to city standards and then turned over to the city through the formal acceptance procedure. The City would require a deed for the parcel on which the turnaround would be located (owned in fee). The turnaround was constructed according to the standards and a deed was drawn up that needed to be signed by all of the new property owners created by the Paper Street law. A drainage easement was also requested since the surface water from this turnaround flowed in a northwesterly direction over private property (Lots 1 & 2). This would also have to be signed by these individuals.

Jerry Dostie
March 13, 2003

FROM : MORIN LAND SURVEYING FAX NO. : +923 3648 Feb. 07 2003 10:00AM P.1

Post-It [®] Fax Note	7671	Date	# of pages
To	J. DOSTIE	From	MIKE MORIN
Co./Dept.		Co.	M.L.S.
Phone #		Phone #	923-3443
Fax #	626-2520	Fax #	



PLAN REFERENCE
 1) PLAN ENTITLED "GREEN ACRES SUBDIVISION, RENE RODRIGUE AND SON, OWNERS", BY G. C. POULIN, R.L.S. DATED JANUARY 25, 1978 AND RECORDED IN PLAN FILE #078039 KENNEBEC COUNTY REGISTRY OF DEEDS.

NOTE
 1) LOT LINES ARE FROM THE PLAN REFERENCE ABOVE AND ARE TO BE CONSIDERED APPROXIMATE.

PROJECT / CLIENT: PAUL RODRIGUE 25 BIRCHMEW DRIVE, AUGUSTA, MAINE 04330	PROJECT TITLE: SKETCH PLAN OF THE PROPOSED TURNAROUND DETAIL
PROJECT LOCATION: ROSEANNE AVENUE AUGUSTA, KENNEBEC COUNTY, MAINE	SCALE: 1" = 50'
FILE No.: AUG20K PL. BOOK No.: 3	DATE: 11-26-2002
MORIN LAND SURVEYING <small>Surveyors, Maine 025-3443</small>	



CITY COUNCIL
City of Augusta, Maine

February 2, 2004

TITLE Street Acceptance/Extension of Roseanne Avenue

ORDERED, That an extension of Roseanne Avenue (approximately 60 feet) as shown on a plan entitled "Sketch Plan of the Proposed Turnaround Detail", dated November 26, 2002, on file at the City of Augusta Engineer's Office, be accepted as a city street.

Beginning at a point of the easterly line of Lot #2 as shown on a plan entitled "Green Acres Subdivision, Rene Rodrigue and Son, Owners", by G.C. Poulin, R.L.S. dated January 25, 1978 and on file at the Kennebec County Registry of Deeds, Plan File #78039. Said point being the northerly or northwesterly terminus of that portion of Roseanne Avenue accepted as a City Street, December 19, 1988; thence N 45 degrees 56' 00" E along the easterly line of said Lot #2 60.00 feet to a point; thence S 44 degrees 04' 00" E 40.00 feet to a point on the westerly line of Lot #7 as shown on said plan; thence S 45 degrees 56' 00" W along the westerly line of said Lot #7 22.73 feet to a point. Said point being the westerly corner of said Lot #7 and the northwesterly corner of Lot #8 as shown on said plan; thence S 45 degrees 56' 00" W along the westerly line of said Lot #8 7.27 feet to a point; thence S 44 degrees 04' 00" E 30.00 feet to a point; thence S 45 degrees 56' 00" W 30.00 feet to a point; thence N 44 degrees 04' 00" W 30.00 feet to a point on the westerly line of said Lot #8. Said point being the northeasterly terminus of that portion of Roseanne Avenue accepted as a City Street December 19, 1988; thence N 44 degrees 04' 00" W 40.00 feet to the point of beginning.

Meaning and intending to describe a parcel of land extending in a northeasterly direction from the end of Roseanne Avenue accepted December 19, 1988 approximately 60 feet in length to be used as a City Street and turnaround.

BE IT FURTHER ORDERED, That a drainage easement be accepted for the purpose of conveying surface water from the above parcel to the natural drainage way located northwesterly of the above parcel.

Beginning at a point on the northeasterly side of the above parcel. This point being located at the intersection of the northeasterly line and the center of the existing drainage way; thence continuing in a northerly direction along the existing drainage way over Lots #1 and #2 to the existing natural drainage way located northwesterly of Lot #1.

Introduced By

Moved By

Seconded By

A TRUE COPY

ATTEST

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

DATE

02/06/04



CITY COUNCIL
City of Augusta, Maine

February 2, 2004

TITLE Street Acceptance/Extension of Roseanne Avenue (*Con't*)

Meaning and intending to describe a drainage easement 20 feet wide and located 10 feet each side of center of the existing drainage way to be used for the conveyance of surface water from Roseanne Avenue including the turnaround to the existing drainage way located northwesterly of Lot #1.

21

Introduced By

Moved By

Seconded By

21
CITY COUNCIL
City of Augusta, Maine

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

Title Street Acceptance/Ext of
Roseanne Ave.
February 2, 20 04
 Read and Passed ✓
 Tabled _____
 Moved By Veilleux Yeas 7
 Sec'd. By Lund Nays _____

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

ATTEST:

Barbara C. Wardwell
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		

ATTEST:

CITY CLERK

*Council At-Large

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

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