

WINTHROP STREET

From County Road Book  
Records 1797-1831  
Pages 226 - 227

August 28, 1813

To Mr. James Black one of the Constables of the town of Augusta,

SS

Greeting

You are hereby required in the name of the Commonwealth of Massachusetts to summon and notify the freeholders and other inhabitants of said Town of Augusta, qualified by law to vote in town affairs, to assemble at the Townhouse in Augusta on Saturday and twenty-eight day of Augusta instant, at one o'clock in the afternoon to act on the following articles, viz:

2. To see if the Town will accept of any road or roads which have been laid by the Selectmen, agreeable to their minutes.

At a legal meeting of the freeholders and other inhabitants of the Town of Augusta, qualified to vote in town affairs, held in the Townhouse in said town on the 28 of Augusta, A.D., 1813.

VOTED and chose Seith Williams, moderator.

ARTICLE 2, VOTED to accept a road leading from Colo. Lithgow's to the Winthrop Road in this town near Nathaniel Cummings according to the following minutes, viz:

Beginning on the dividing line between Hallowell and Augusta on the third range of lots on the west side of Kennebec River, about one rod and three quarters easterly of a beech tree and near the middle of the road now travelled; thence North twenty-seven degrees East sixty rods to a stake in the old road near Colo. Lithgow's dwelling-house; thence North eleven degrees East twenty-four rods; thence North nineteen degrees East forty rods to the dividing line between Salmon Rockwood and Nathaniel Cummings' land; thence North about twenty-three degrees and thirty minutes East on said dividing line about fifty-seven rods to the County Road leading from Kennebec Bridge to Winthrop. The road is laid out three rods wide, and the above mentioned courses and distances are in the middle thereof until it meets Cummings' land, then the above line to be the east side of the road.

Original in County Commissioner's Safe.

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Winthrop Street

1799 Beg. on the W. side of the Ken. Riv. th. 3 R. N. of the N. of lot #7 in Aug. at a stake & in the wharf bel. to Gage and Vose from th. run. par. N. 68 W. 31 R. th. S. 22 W. 3 R. the N. line of lot #7 th. N. 68 W. 300 R. the N. W. cor. of lot # 7 thence N. 68 W. 56 R. th. W. 52 R. th. N. 69 W. 216 R. th. 72 W. 47 R. th. N. 82 W. 22 R. th. N. 68 W. 200 R.

about 6 R. S. of Nath. Cousins barn th. S. 88 W. 39 R. th. S. 71 W. 14 R. th. S 75 W. 103 R. th. S. 74 W. 20 R. th. N. 60 W. 40 R. th. N. 56 W. 21 R. th. N. 51 W. 53 R. th. N. 80 W. 9 R. to Hallowell line. Road N. of above line 8 R. wide from Riv. to W. end of front lots and 4 R. wide from there to Hall. line.

1801 Winthrop St. Alteration.

Beg. at the margin of the riv. at H.W. mark 3 1/2 R. N. of the N. line of lot #7 thence run. N. 67 1/2 W. about 5 ft. N. of the N.W. cor. of Vose store 30 R. to a stake, thence. N. 83 W. 10 R. to a stake thence 68 W. 225 R. to the N.W. cor. of lot #7 to a stake thence beg. at the margin of the riv. at H.W. mark 7 1/2 R. N. of first men. bounds thence run. N. 68 1/2 W. 20 R. to the S.E. cor. of Theo Hamlins barn to a stake th. N. 79 W. 14 R. & 5 L. to the cor. bet. Childs and Partridge thence N. 71 W. 14 R. thence N. 68 W. about 290 R. to the W. end of the Riv. lots. Said Rd. opp. Childs 5 R. 8 L. in width from jail to W. end of lot 7. Continue to Hall. line as above described.

1833 Pa. 104 Beg. at a stone monument marked R erected in the N. edge of B. Nason's stone wall on the S. side of the existing road on the high lot thence run. N. 74 1/2 W. 28 1/2 R. to S.M. marked R. N. 84 1/2 W. 31 R. to S.M. marked R. N. 77 W. 28 R. to S.M. marked R. standing in the S. line of the existing rd.

The hgy. to be 4 R. wide and upon the N. side of above described line and monuments.

Winthrop St., No. line from State St. Easterly to Winthrop Ct. Co. Commisioners made record of the following Jan. 1913.

Commencing at a point in the E. line of State St. in the City of Augusta, Maine loo' Northerly of an iron bolt in the stone wall in the N. W. Cor. of the Ken. Co. Court Ho. lot and 50' from the S. Easterly cor. of the lot now occupied by the Lithgow Library sd. point being about 2' 1" W.ly of the corner of a granite wall loc on the lot formerly owned by Al Staples and recently purchased for the Y.M.C.A. being marked on the plan & made a part of the record from said point running on a course of S. 56 57 E, a distance of 140 8/10 feet to the S.E. cor. of the wall standing at the S.E. cor. of said Staples lot and being in the W.ly line of a passageway known as Winthrop Ct. said point being 124 8/10 ft. from the N. E. Cor. of the belt course of the Ct. Ho. near Perham St. and 37 8/10 ft. from a cut in the top of a stone mt. at the E.ly line of Winthrop Ct. aforesaid thence above designated point being marked D on the plan.

See plan made for Y.M.C.A. and copy used for Ken Co. Com. record for this description.

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**WINTHROP STREET, WATER STREET  
AND POST OFFICE**

From Jr. Bd. Ald.  
Vol. 8, Page 100

May 16, 1885

The following was presented by Alderman Walker

Ordered that the south line of Winthrop Street and east of Water Street be and the same is hereby established agreeably to the Petition of J. W. Patterson and others as follows:

Beginning at a stone monument near the northwest corner of the Maine Farmer Building and thence running south westerly in the east line of Water Street as last established, 146 feet to an iron bolt set in the top of the stone bank wall at John Dulen's northwest corner. Beginning at the stone monument before mentioned and thence running right angles to the said east line of Water Street as above described 109.06 feet to a stone monument at the northwest corner of land of the Kennebec and Boston Steamboat Company; thence in the same course to the Kennbec River for the new south line of Winthrop Street- all according to the plan hereto annexed and which is hereby made a part of the description.

Read and passed and sent down for concurrence.

Returned passed in concurrence.

Adjourned

A True Record Attest W.F. Blanchard, City Clerk

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**WINTHROP STREET  
(Discontinue)**

County Roads Pa. 45  
Aug. 2, 1904  
Vol. 16, Pa. 113

To discontinue a part of Winthrop St. N. of the P.O. Building. Beginning at the N. W. corner of the lot of land on which the present Federal Building now Stands, said point being on the E.ly line of water St. as delineated on the plan of land in Aug. Me. purchased for a Post Office Bldg., said plan being dated May 1885 and recorded in the Ken. Reg. of Deeds.

From said N. W. Cor. running N. 25 E. in a line in continuation of the E.ly line of Water St. as delineated on said plan, 93 1/2 thence S. 65 4' E.47' thence by a curve to the right with a radius of 20.46' a di stance of 24.55' thence S. 3 42' W. 46.60 thence S. 26 W. 37 ft. to the northerly line of the lot on which the Federal Building now stands; thence N.65 4' W. 84' to the point of beginning.

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**PROOFED**

**WINTHROP STREET  
at Haymarket Square**

From Jr. Bd. Ald.  
Vol. 19, Page 229

May 21, 1928

Due and legal notice thereof having been given as ordered, the Special Committee of the City Council consisting of the Mayor, Aldermen Patnaude and Ingraham and Councilors Nash and Worthing, to which committee was referred the proposed laying out, establishment, alteration discontinuance of the premises hereinafter described, met at the Aldermen's Room in the City Building, in said Augusta, on the 14<sup>th</sup> day of May, 1928, at seven o'clock in the afternoon, at which time and place a hearing relative to the proposed laying out, establishment, alteration and discontinuance of the premises hereinafter described was had.

The Committee, having considered the matter therein, beg leave to report to the City Council of the City of Augusta, that subject to acceptance and allowance by the said Council they do hereby layout, establish and alter the south line of Winthrop Street in said Augusta, in that part of said street known as Market, or Haymarket Square being a street, a public or town way, and discontinue as a street, a public or town way, a portion thereof in accordance with a plan by Henry F. Hill, City Engineer, dated May 5, 1928 and filed at the office of the City Clerk on May 7, 1928, a description of which is as follows:

A part of Winthrop Street in said Augusta, extending from the Kennebec River, to the line between the City of Augusta and the town of Manchester in the County of Kennebec and State of Maine, and more particularly a part of said Winthrop Street lying between Water Street in said Augusta and the right of way of the Maine Central Railroad Company, and in Market Square of Haymarket Square so-called, being a street, a public or town way, and more particularly described as follows:

Beginning at the southwest corner of Water and Winthrop Streets; thence running northerly on the west side of Water Street a distance of twelve feet and eight inches (12' 8"); thence running westerly at right angles, a distance of seventy five feet and seven and one half inches (75' 7 1/2") to a point on the westerly line extended, of the Augusta Opera House; thence running southerly on said extended west line of the Augusta Opera House, a distance of eleven feet and nine inches (11' 9") to the south line of Winthrop Street; thence running easterly of said south line of Winthrop Street a distance of about seventy-five feet and seven and one half inches (75' 7 1/2") to the place of beginning."

A plan showing said laying out, establishment, alteration and discontinuance as aforesaid by Henry F. Hill, City Engineer dated May 5, 1928, is filled at the office of the City Clerk with this report of the committee.

The Committee finds no damages are suffered by any abutting owner or any other person arising from said laying out, establishment, alteration and discontinuance as aforesaid, and no damages are assessed.

Wilfred Patnaude  
Edson L. Worthing  
Horace Ingraham  
Ernest L. McLean  
Danforth L. Nash

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**PROOFED**

**WINTHROP STREET**  
**Notice**

From Street Book 1923-199\_  
Pages 14-17

May 7, 1928

ACCEPTED AND PASSED

Augusta, Maine

WHEREAS, application is made to the City Council of the City of Augusta, County of Kennebec, State of Maine, by William B. Williamson of said Augusta, to layout, establish and alter the south line of Winthrop Street in said Augusta, in that part of said street known as Market, or Haymarket Square, being a street, a public or town way, and to discontinue as a street, a public or town way, a portion thereof in accordance with a plan by Henry F. Hill, City Engineer, dated May 5, 1928, and filed at the office of the City Clerk on May 7, 1928, a description of which is as follows:

A part of Winthrop Street in said Augusta, extending from the Kennebec River to the line between the City of Augusta and the Town of Manchester in the County of Kennebec and State of Maine, and more particularly a part of said Winthrop Street lying between Water Street in said Augusta and the right-of-way of the Maine Central Railroad Company, and in Market Square or Haymarket Square, so-called, being a street, a public or town way, and more particularly described as follows:

Beginning at the southwest corner of Water and Winthrop Streets; thence running northerly on the west line of Water Street a distance of twelve feet and eight inches (12' 8"); thence running westerly, at right angles, a distance of seventy-five feet seven and one-half inches (75' 7 ½") to a point on the west line extended, of the Augusta Opera House; thence running southerly, on said extended west line of the Augusta Opera House, a distance of eleven feet and nine inches (11' 9") to the south line of Winthrop Street; thence running easterly, on said south line of Winthrop Street a distance of about seventy-five, feet seven and one-half inches (75' 7 ½") to the place of beginning.

WHEREAS, the City Council has directed that an Order of Notice be issued upon such application.

All persons interested are therefore notified of the intention of the City Council to layout, establish and alter the south line of said Winthrop Street, and to discontinue a portion of said street, and are further notified to appear before a special committee of the City Council having the matter in charge, consisting of the Mayor, Aldermen Patnaude and Ingraham, and Councillors Nash and Worthing, at the Aldermen's Room in the City Building in said Augusta, on the 14<sup>th</sup> day of May, 1928, at seven o'clock in the afternoon, at which time and place a hearing relative to the proposed laying out, establishment, alteration and discontinuance will be had.

Daniel W. Cony, City Clerk Under Direction of Special Committee of the City Council as aforesaid.

May 7, 1928

I, this day by direction of the City Clerk, posted two notices, true copies of the notice of the laying out, establishment, and alteration of Winthrop Street as stated above, and of the discontinuance of a portion of same as set forth above, one at the billboard on the north side of the Augusta Opera House in Market Square, and one at the billboard on the east side of the Augusta Opera House on Water Street, being two public places in said Augusta in the vicinity of Market Square, so-called, referred to in said notice.

Harvey V. Pierce     Constable, City of Augusta

I hereby certify that I caused the posting of the notices specified in the return of Harvey V. Pierce, Constable.

Daniel W. Cony     City Clerk of Augusta

May 14, 1928

At the hearing relative to the foregoing application regarding the laying out, establishing and altering the south line of Winthrop Street, in said Augusta, etc., there were present Aldermen Ingraham and Patnaude and Councillor Worthing.

Meeting was called to order by Alderman Ingraham, and was adjourned from Aldermen's Room to the Mayor's Office, City Hall.

Motion was made and seconded that the abandonment of the street be granted in accordance to the report as offered.

The matter of the lease and deed was then taken up.

Motion was made and seconded that meeting should be adjourned.

Attest Marion E. Damren     Deputy City Clerk

CITY OF AUGUSTA

Augusta, Maine

May 14, 1928

Due and legal notice thereof having been given as ordered, the Special Committee of the City Council consisting of the Mayor, Aldermen Patnaude and Ingraham, and Councillors Nash and Worthing, to which committee was referred and proposed laying out, establishment, alteration and discontinuance of the premises hereinafter described, met at the Aldermen's Room in the City Building, in said Augusta, on the 14<sup>th</sup> day of May, 1928 at seven o'clock in the afternoon, at which time and place a hearing relative to the proposed laying out, establishment, alteration and discontinuance of the premises hereinafter described was had. The Committee, having considered the matter therein, beg leave to report to the City Council of the City of Augusta, that subject to acceptance and allowance by the said Council they do hereby layout, establish and alter the south line of Winthrop Street in said Augusta, in that part of said street known as Market, or Haymarket Square, being a street, a public or town way, and discontinue as a street, a public or town way, a portion thereof in accordance with a plan by Henry F. Hill, City Engineer,

dated May 5, 1928, and filed at the office of the City Clerk on May 7, 1928, a description of which is as follows:

A part of Winthrop Street in said Augusta, extending from the Kennebec River to the line between the City of Augusta and the Town of Manchester in the County of Kennebec and State of Maine, and more particularly a part of said Winthrop Street lying between Water Street in said Augusta and the right-of-way of the Maine Central Railroad Company, and in Market Square or Haymarket Square, so-called, being a street, a public or town way, and more particularly described as follows:

Beginning at the southwest corner of Water and Winthrop Streets; thence running northerly on the west line of Water Street a distance of twelve feet and eight inches (12' 8"); thence running westerly, at right angles, a distance of seventy-five feet seven and one-half inches (75' 7 1/2") to a point on the west line extended, of the Augusta Opera House; thence running southerly, on said extended west line of the Augusta Opera House, a distance of eleven feet and nine inches (11' 9") to the south line of Winthrop Street; thence running easterly, on said south line of Winthrop Street a distance of about seventy-five feet seven and one-half inches (75' 7 1/2") to the place of beginning.

A plan showing said laying out, establishment, alteration and discontinuance as aforesaid, by Henry F. Hill, City Engineer dated May 5, 1928, is filed at the office of the City Clerk with this report of the committee.

The Committee finds no damages are suffered by any abutting owner or any other person arising from said laying out, establishment, alteration and discontinuance as aforesaid, and no damages are assessed.

Wilfred Patnaude  
Edson L. Worthing  
Horace Ingraham  
Ernest L. McLean  
Danforth Gash

Augusta, Maine

May 7, 1928

To the City Council of the City of Augusta, Maine:

Application is hereby respectfully made by William B. Williamson of said Augusta, that the City Council of said Augusta layout, establish and alter the south line of Winthrop Street in said Augusta in that part of said street known as Market, of Haymarket Square, being a street, public or town way, a portion thereof in accordance with a plan by Henry F. Hill, City Engineer, dated May 5, 1928, accompanying this application, description of which is as follows:

Beginning at the southwest corner of Water and Winthrop Streets; thence running northerly on the west line of Water Street a distance of twelve feet and eight inches (12' 8"); thence running westerly, at right angles, a distance of seventy-five feet seven and one-half inches (75' 7 1/2") to a point on the west line extended, of the Augusta Opera House; thence running southerly, on said extended west line of the Augusta Opera House, a distance of eleven feet and nine inches (11' 9") to the south line of Winthrop Street; thence running easterly, on said

south line of Winthrop Street a distance of about seventy-five feet seven and one-half inches (75' 7 1/2") to the place of beginning.

William B. Williamson

CITY OF AUGUSTA

In Board of Aldermen

May 7, 1928

ORDERED, that the application presented at this meeting to the City Council by William B. Williamson to layout, establish and alter the south line of Winthrop Street in that part of said street known as Market, or Haymarket Square, being a street, a public or town way, and discontinue as a street, a public or town way a portion thereof in accordance with a plan by Henry F. Hill, City Engineer, dated May 5, 1928 accompanying said application, be and hereby is accepted, and that the City Council hereby directs and order of notice upon such application in accordance with the provisions of Chapter Twelve of the Revised Ordinances of the intention of the City Council to layout, establish and alter the south line of said Winthrop Street and to discontinue a portion thereof as a street, a public or town way, and of a hearing thereon; and that the foregoing matter be referred to a special committee of the City Council consisting of the Mayor, Aldermen Patnaude and Ingraham, and Councillors Nash and Worthing.

Introduced by Alderman Ingraham

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PROOFED

WINTHROP STREET

From Jr. Bd. Ald.  
Vol. 19, Page 230

May 14, 1928

The Special Committee of the City Council consisting of the Mayor, Aldermen Patnaude and Ingraham, and Councilors Nash and Worthing to which was referred an Order heretofore passed by the City Council with reference to the leasing of certain land on the southerly side of Haymarket Square and northerly of the Opera House Block, so-called, to William B. Williamson, having considered the matter therein, beg leave to report.

1. That to satisfy certain requirements of the law, proceedings of abandonment of that portion of Haymarket Square desired by said Williamson having been instituted and said abandonment has been approved by the Committee of the City Council to which the same was referred;
2. That to carry out the purposes and intents of said Order heretofore passed by the City Council as above stated, the City should convey to the said Williamson the land described in copy of a deed hereto attached by deed substantially in accordance with said copy, said Williamson should convey to the City the premises described in copy of a deed attached hereto substantially upon the terms therein set forth, and the said City should

lease and permit to said Williamson certain rights set forth in a copy of a lease hereto attached and substantially upon the terms therein set forth;

3. That in said deeds and said lease proper references to source of title and to the acts of the City Government authorizing the same should be inserted as requested by the City Solicitor.

Ernest L. McLean  
Danforth L. Nash  
Edson L. Worthing  
Horace Ingraham  
Wilfred Patnaude

KNOW ALL MEN BY THESE PRESENTS

THAT, City of Augusta, a body politic and corporate, located in the County of Kennebec, State of Maine for One dollar and other valuable consideration, the receipt whereof it does hereby acknowledge, does hereby remise, release, bargain, sell and convey and forever quitclaim unto William B. Williamson of said Augusta, his heirs and assigns forever, a certain lot or parcel of land situated in said Augusta and more particularly described as follows:

“Beginning at the southwest corner of Water and Winthrop Streets; thence running Northerly on the west line of Water Street a distance of twelve feet and eight inches (12’ 8”); thence running Westerly at right angles, a distance of seventy-five and seven and one half inches (75’ 7 1/2”) to a point on the west line extended, of the Augusta Opera House; thence running Southerly on the said extended west line of the Augusta Opera House, a distance of eleven feet and nine inches (11’ 9”) to the south line of Winthrop Street; thence running Easterly on said south line of Winthrop Street a distance of about seventy-five feet and seven and one half inches (75’ 7 1/2”) to the place of beginning”, as set forth on a Plan by Henry F. Hill, City Engineer, dated May 5, 1928 to be recorded in the Kennebec County Registry of Deeds.

IN WITNESS WHEREOF, the said City of Augusta has caused this deed to be subscribed by \_\_\_\_\_ and its corporate seal to be hereunto affixed this \_\_\_\_\_ day of \_\_\_\_\_ in the year of our Lord one thousand nine hundred and twenty-eight.

CITY OF AUGUSTA

By

STATE OF MAINE  
KENNEBEC, SS.

Then personally appeared \_\_\_\_\_ and severally acknowledged the foregoing instrument by them subscribed to be the free act and deed of the City of Augusta.

Before me,

Justice of the Peace

KNOW ALL MEN BY THESE PRESENTS

THAT I, William B. Williamson of Augusta, County of Kennebec State of Maine, in consideration of One Dollar and other valuable consideration paid by the City of Augusta, a body politic and corporate located in said county and State, the receipt whereof I do hereby acknowledge, do hereby remise, release, bargain, sell and convey and forever quitclaim unto the said City of Augusta, its Successors and Assigns, forever, a certain lot or parcel of land hereinafter referred to as the premises, situated in said Augusta and more particularly described as follows:

“Beginning at the southwest corner of Water and Winthrop Streets; thence running Northerly on the west line of Water Street a distance of twelve feet and eight inches (12’ 8”); thence running Westerly, at right angles, a distance of seventy-five feet and seven and one half inches (75’ 7 ½”) to a point on the west line extended, of the Augusta Opera House; thence running Southerly on said extended west line of the Augusta Opera House, a distance of eleven feet and nine inches (11’ 9”) to the south line of Winthrop Street, thence running easterly, on said south line Winthrop Street a distance of seventy-five feet and seven and one half inches (75’ 7 ½”) to the place of beginning.”

as set forth on a Plan by Henry F. Hill, City Engineer, dated May 5, 1928 to be recorded in the Kennebec County Registry of Deeds.

Reserving and excepting, however, to the said William B. Williamson, his heirs and assigns, the use and occupance of said premises for any and all purposes including any buildings erected or to be erected thereon and including the right to erect buildings thereon attached to and in connection with, and forming a part of the present Opera House Building, so-called, for a period of Thirty-three (33) years from the date hereof with the further right in the said Williamson, his heirs and assigns, upon notice in writing directed to the Mayor or the then executive head of said City at least three months prior to the end of said thirty-three year period to extend said use and occupation as aforesaid for a further period of seventeen (17) years from the expiration of the thirty-three (33) year period above referred to, and further reserving and excepting to the said William B. Williamson, his heirs and assigns, the right to remove all buildings erected on said premises within a reasonable time after the expiration of his use and occupancy of said premises.

The said Williamson, on behalf of himself, his heirs and assigns, agrees

1. That during the period of his use and occupation of said premises he will pay to the City of Augusta Two Hundred Dollars (\$200.) each year, the first payment to be made one year from the date hereof.
2. That when requested thereto by the City of Augusta, he will construct and maintain, during a period of thirty-three years from the date hereof, a public way for pedestrians, in substance a sidewalk, substantially in accordance with plans for the remodeling of said Opera House Building heretofore submitted to the said City of Augusta by the said Williamson extending along or near the northerly bound of said premises from Water Street to the westerly bound of said premises, and within the Opera House Building, so-called, when the same shall be reconstructed, and connecting with the abutment hereinafter described.

Said Williamson further agrees to maintain proper and suitable entrances and exits, steps, approaches and landings, at each terminal of said public way, the detail and specifications of which are to be determined between the City of Augusta and the said Williamson. Said approaches are to be held to include the extension of the existing sidewalk on the westerly side of Water Street and easterly side of the Opera House Building as it now stands northerly the full width of said building as remodeled and reconstructed, and so much further as to provide a suitable and sufficient exit from said sidewalk to said Market Square, not exceeding twenty-five (25) feet for the purpose of safeguarding pedestrians with reference to vehicular traffic between said Water Street and the southerly portion of said Market Square.

It shall be the duty of said Williamson to maintain said public way, however, only during the period in which the said City of Augusta shall permit him, his heirs and assigns, by lease or otherwise, to use the retaining wall or abutment located westerly of said Opera House Building and extending substantially at right angles thereto northerly to, or across, the southerly line of said Market Square for any and all reasonable and proper purposes in connection with the reconstruction or remodeling of said Opera House, and the use and occupancy thereof, and to build or erect, and to use, a platform from said Opera House Building as reconstructed to said retaining wall or abutment for purposes of entrance or exit to said building and for purposes of said public way substantially in accordance with plans therefor as heretofore submitted to said City of Augusta by Williamson.

Said City of Augusta shall have the right to require said public way to be available for use of the public during the normal business hours for any business for which said Opera House Building as reconstructed above the street floor thereof is for the time being occupied, or during which the public is expressly or impliedly invited to enter by the owner or occupant of the building above the street floor.

Upon the said Williamson, his heirs and assigns, exercising the right to use and occupancy of said premises for a period of seventeen years following the period expiring thirty-three years from the date hereof as set forth above, the City of Augusta shall have the right then to determine that, and during what hours, the said public way shall be maintained for the further period of seventeen years.

3. The said Williamson agrees to remodel and reconstruct, within a reasonable time, the Opera House Building, so-called, substantially in accordance with plans therefor heretofore submitted to the said City of Augusta by the said Williamson and further, if required by said City of Augusta to make, at his expense all improvements, repairs or alterations necessary or occasioned by reason of said proposed construction in said Water Street and said Market Square.

In accepting this deed said City of Augusta agrees to permit under the conditions above outlined, the said Williamson to do all things needful or proper in improving, repairing or altering said Water Street and said Market Square occasioned by reason of the said proposed construction, under such restrictions as are provided by the Revised Ordinances of said City of Augusta relative thereto provided, however, that no alterations or changes shall be made in said Water Street or said Market Square which shall interfere with the use of said street or said Square for public uses to which said street and said Square are dedicated.

Said Williamson further agrees to secure, at this own expense, all rights necessary for the proper performance of his agreements in and to the premises adjoining said Opera House Building on the west from the owner thereof including assent of said owner to this deed.

4. Said Williamson further agrees that all the plans and specifications for said reconstruction and remodeling of said Opera House Building hereinbefore mentioned and for any structure to be erected on said premise, or any part thereof, shall be approved by the Chief Engineer of the Fire Department and the Building Inspector of said City of Augusta. He further agrees that any reconstruction or further alterations of said Opera House Building upon said premises shall be substantially in accordance with the design of said building when reconstructed and remodeled as is now proposed, unless the same shall be approved by said City of Augusta; provided, however, that any increase in the number of stories of said building shall not be regarded as a change of design.

Nothing in this deed or in the agreements contained herein shall, in any way, be construed to restrict, to waive, or to modify the rights of the said City of Augusta with respect to any zoning, building or other ordinances relative to said Opera House Building and said premises now existing or hereafter to be ordained.

Upon failure of said Williamson, his heirs and assigns, to carry out the agreements contained in this deed, said reservation and exceptions above referred to shall be null and void.

IN WITNESS WHEREOF, I, the said William B. Williamson, and Ida G. Williamson, wife of the said William B. Williamson, joining in this deed as Grantor, and relinquishing and conveying my rights by descent and all my other rights in the above described premises have hereunto set our hands and seals this \_\_\_\_\_ day of \_\_\_\_\_ in the year of our lord one thousand nine hundred and twenty-eight.

Signed, sealed and Delivered  
in the presence of

\_\_\_\_\_  
\_\_\_\_\_

STATE OF MAINE  
KENNEBEC, SS.

Augusta, 1928

Personally appeared the above named William B. Williamson and acknowledged the above instrument to be his free act and deed,

Before me,

\_\_\_\_\_  
Justice of the Peace

THIS INDENTURE made the \_\_\_\_\_ day of \_\_\_\_\_ in the year of our lord one thousand nine hundred and twenty-eight,

WITNESSETH:

That the City of Augusta, a body politic and corporate, situate in the County of Kennebec, State of Maine, does hereby lease, demise, let and permit unto William B. Williamson of said Augusta, his heirs and assigns, the right to use the retaining wall or abutment located westerly of the Opera House Building in said Augusta and extending substantially at right angles thereto northerly to and across the southerly line of Market Square, so-called, in said Augusta, for any and all reasonable and proper purposes in connection with the reconstruction or remodeling of said Opera House Building and the use and occupancy thereof, and the right to build or erect, and to use a platform, being in width all or any part of the distance from the north wall of the said Opera House Building as it now stands to the north wall of the Opera House Building as it shall be reconstructed, from said Opera House Building as reconstructed to said retaining wall or abutment, for purposes of entrance or exit to said building, and for purposes of a public way should a public way be there requested by said City of Augusta for the period during which the said Williamson, his heirs and assigns, may use and occupy the premises and the buildings thereon as described and set forth in a deed of even date from the said Williamson to the said City of Augusta conveying certain interests in land as set forth on a plan by Henry F. Hill, City Engineer, dated May 5, 1928, which deed and plan are to be recorded in the Kennebec County Registry of Deeds.

And said Lessees promises to pay therefor the rent of One Dollar per annum, the first payment to be made one year from the date hereof, and to quit and deliver up the premises to the Lessor or its attorney, peaceably and quietly at the end of the period of said lease in as good order and condition (reasonable use and wearing thereof or inevitable accident excepted) as the same are or may be put into by the said Lessee, and not make or suffer any waste thereof.

And the Lessor may expel the Lessee if he shall fail to pay the rent aforesaid, whether said rent be demanded or not, or if he shall make or suffer any strip or waste thereof, or shall fail to quit and surrender the premises to the Lessor at the end of the period of this lease, or shall violate any of the covenants in this lease by the said Lessee to be performed.

The Lessee shall have the right to assign this lease or underlet the premises or any part thereof without the consent of the Lessor, to any grantee or assignee of said building or any part thereof, provided, however, said Lessee shall not thereby be excused from performance of any of the covenants in this Lease by the said Lessee to be performed.

IN WITNESS WHEREOF, The said City of Augusta has caused these presents, and a like instrument of even tenor and date herewith to

be subscribed by \_\_\_\_\_ and its corporate seal to be hereto affixed,

and the said William B. Williamson has set his hand and seal on these presents and on a like instrument of even tenor and date \_\_\_\_\_.

CITY OF AUGUSTA

By

STATE OF MAINE  
KENNEBEC, SS.

Then personally appeared \_\_\_\_\_ and severally acknowledged the foregoing instrument by them subscribed to be the free act and deed of said City of Augusta,

Before me,

\_\_\_\_\_  
Justice of the Peace

STATE OF MAINE  
KENNEBEC, SS.

Augusta 1928

The personally appeared the abovenamed William B. Williamson and acknowledged the foregoing instrument by him subscribed to be his free act and deed,

Before me,

\_\_\_\_\_  
Justice of the Peace

Justice of the Peace

ORDERED, That, the Council concurring, William B. Williamson of Augusta, be and hereby is authorized and empowered to place in Water Street and in Winthrop Street any materials for making or repairing said streets or for erecting, repairing, finishing, remodeling, or reconstructing, the Opera House Block, so-called, including exits and entrances thereto, provided that not more than one-third of the width of said streets shall be so occupied, for such time as may be necessary, but not, however, beyond January 1, 1929, without the further permission of the City Council, and conditioned further upon compliance with the provisions of the Revised Ordinances relative to fencing and lighting at night.

ORDERED, That, the Council concurring, the Mayor, Aldermen Patnaude and Ingraham, and Councillors Nash and Worthing, are hereby authorized and directed:

Forthwith to execute, in the name and on behalf of the City and under its corporate seal, a deed to William B. Williamson, his heirs and assigns, as set forth in Schedule A annexed hereto and forming a part hereof, and a Lease and permit to the said William B. Williamson, his heirs and assigns, as set forth in Schedule B annexed hereto and forming a part hereof.

And forthwith to accept the delivery, on behalf of the City, of a deed from William B. Williamson to said City as set forth in Schedule C annexed hereto and forming a part hereof.

Such references to sources of title and to acts of the City Government may be inserted in said deeds and Lease and permit as may be approved by the City Solicitor.

(See pages 229-230-231-232-233-234-235/236)

ORDERED, That, the City Council concurring, the city council does hereby lay out, establish and alter the south line of Winthrop Street in said Augusta, in that part of said street known as Market, or Haymarket Square, being a street, a public or town way, and discontinue as a street, a public or town way, a portion thereof in accordance with a plan by Henry F. Hill, City Engineer, dated May 5, 1928 and filed at the office of the City Clerk on May 7, 1928, a description of which is as follows:

A part of Winthrop Street in said Augusta, extending from the Kennebec River to the line between the City of Augusta and the Town of Manchester in the County of Kennebec and State of Maine, and more particularly a part of said Winthrop Street lying between Water Street in said Augusta and the right of way of the Maine Central Railroad Company, and in Market Square or Haymarket Square, so-called, being a street, a public or town way, and more particularly described as follows:

“Beginning at the southwest corner of Water and Winthrop Streets; thence running Northerly on the west line of Water Street a distance of twelve feet and eight inches (12’ 8”); thence running Westerly, at right angles, a distance of seventy-five feet and seven and one half inches (75’ 7 ½”) to a point on the west line extended of the Opera House; thence running Southerly, on said extended west line of the Augusta Opera House, a distance of eleven feet and nine inches (11’ 9”) to the south line of Winthrop Street; thence running Easterly on said south line of Winthrop Street a distance of about seventy-five feet and seven and one half inches (75’ 7 ½”) to the place of beginning.

A plan showing said laying out, establishment, alteration and discontinuance as aforesaid, by Henry F. Hill, City Engineer, dated May 5, 1928, was filed at the office of the City Clerk with the report of the Committee having the matter in charge on May 14, 1928, which report is hereby accepted and allowed.

ORDERED, That, the Council concurring, the City Solicitor be and hereby is authorized to appear before the County Commissioners of Kennebec County in the matter of a petition of William B. Williamson for the laying out, establishment and alteration of the south line of Winthrop Street in Augusta, and the discontinuance of a portion of said Winthrop Street as set forth in a copy of said petition to the County Commissioners dated May 21, 1928, attached hereto, and to consent to said laying out, establishment, alteration and discontinuance as aforesaid on behalf of the City.

To the Honorable County Commissioners of the County of Kennebec, State of Maine.  
RESPECTFULLY REPRESENTS the undersigned, William B. Williamson of Augusta, County of Kennebec, State of Maine, that Winthrop Street in said Augusta, is a highway leading from or near the Kennebec River to the town line between the Town of Manchester and said City of Augusta.

And the said Petitioner requests that the south line of said Winthrop Street be laid out, established and altered, and that a portion of said Winthrop Street be discontinued in accordance with a plan by Henry F. Hill dated May 5, 1928 and filed at the office of the Clerk of the County Commissioners on May 21, 1928, a description of which is as follows:

A part of Winthrop Street in said Augusta, extending from the Kennebec River to the line between the City of Augusta and the Town of Manchester in the County of Kennebec, State of

Maine, and more particularly a part of said Winthrop Street lying between Water Street in said Augusta and the right of way of the Maine Central Railroad Company, and in Market Square or Haymarket Square, so-called, and more particularly described as follows:

“Beginning at the southwest corner of Water and Winthrop Street; thence running Northerly on the west line of Water Street a distance of twelve feet and eight inches (12’ 8”); thence running Westerly at right angles, a distance of seventy-five feet and seven and one half inches (75’ 7 ½”) to a point on the west line extended, of the Augusta Opera House; thence running Southerly, on said extended west line of the Augusta Opera House, a distance of eleven feet and nine inches (11’ 9”) to the south line of Winthrop Street; thence running Easterly, on said south line of Winthrop Street a distance of about seventy-five feet and seven and one half inches (75’ 7 ½”) to the place of beginning”.

WHEREFORE, the said Petitioner prays that your Honorable Board will, after due notice and hearing, determine that the south line of Winthrop Street be laid out, established and altered as described above and that a portion of said Winthrop Street be discontinued as described above.

Dated at said Augusta, this 21<sup>st</sup> day of May, 1928

WILLIAM B. WILLIAMSON

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