

DocuSign Envelope ID: F592A24E-F7F7-4F31-9D10-B09778B4D27E

PROPERTY LOCATED AT: 91 Waites Landing, Falmouth, ME 04105

### PROPERTY DISCLOSURE

Under Maine Law, certain information must be made available to buyers prior to or during preparation of an offer. This statement has been prepared to assist prospective buyers in evaluating this property. This disclosure is not a warranty of the condition of the property and is not part of any contract between Seller and any Buyer. Seller authorizes the disclosure of the information in this statement to real estate licensees and to prospective buyers of this property. The Seller agrees to provide prompt notice of any changes in the information and this form will be appropriately changed with an amendment date. Inspections are highly recommended.

**DO NOT LEAVE ANY QUESTIONS BLANK. STRIKE, WRITE N/A OR UNKNOWN IF NEEDED.**

### SECTION I – WATER SUPPLY

TYPE OF SYSTEM:  Public  Private  Seasonal \_\_\_\_\_  Unknown  
 Drilled  Dug  Other \_\_\_\_\_

MALFUNCTIONS: Are you aware of or have you experienced any malfunctions with the (public/private/other) water system?

Pump (if any): .....  N/A  Yes  No  Unknown

Quantity: .....  Yes  No  Unknown

Quality: .....  Yes  No  Unknown

If Yes to any question, please explain in the comment section below or with attachment.

WATER TEST: Have you had the water tested? .....  Yes  No

~~If Yes, Date of most recent test: \_\_\_\_\_ Are test results available? ..  Yes  No~~

~~To your knowledge, have any test results ever been reported as unsatisfactory or satisfactory with notation? .....  Yes  No~~

~~If Yes, are test results available? .....  Yes  No~~

~~What steps were taken to remedy the problem? \_\_\_\_\_~~

IF PRIVATE: (Strike Section if Not Applicable):

~~INSTALLATION: Location: \_\_\_\_\_~~

~~Installed by: \_\_\_\_\_~~

~~Date of Installation: \_\_\_\_\_~~

~~USE: Number of persons currently using system: \_\_\_\_\_~~

~~Does system supply water for more than one household?  Yes  No  Unknown~~

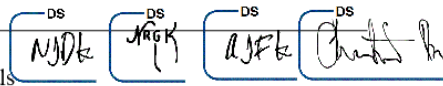
Comments: Public Water - Portland Water District

Source of Section I information: Sellers

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**SECTION II – WASTE WATER DISPOSAL**

TYPE OF SYSTEM:  Public  Private  Quasi-Public \_\_\_\_\_  Unknown

IF PUBLIC OR QUASI-PUBLIC (Strike Section if Not Applicable):

Have you had the sewer line inspected?.....  Yes  No

If Yes, what results: \_\_\_\_\_

Have you experienced any problems such as line or other malfunctions? .....  Yes  No

What steps were taken to remedy the problem? \_\_\_\_\_

IF PRIVATE (Strike Section if Not Applicable):

Tank:  Septic Tank  Holding Tank  Cesspool  Other: \_\_\_\_\_

Tank Size:  500 Gallon  1000 Gallon  Unknown  Other: \_\_\_\_\_

Tank Type:  Concrete  Metal  Unknown  Other: \_\_\_\_\_

Location: Near sunroom OR  Unknown

Date installed: unknown Date last pumped: unknown Name of pumping company: unknown

Have you experienced any malfunctions? .....  Yes  No

If Yes, give the date and describe the problem: \_\_\_\_\_

Date of last servicing of tank: unknown Name of company servicing tank: unknown

Leach Field: .....  Yes  No  Unknown

If Yes, Location: \_\_\_\_\_

Date of installation of leach field: \_\_\_\_\_ Installed by: \_\_\_\_\_

Date of last servicing of leach field: \_\_\_\_\_ Company servicing leach field: \_\_\_\_\_

Have you experienced any malfunctions? .....  Yes  No

If Yes, give the date and describe the problem and what steps were taken to remedy: \_\_\_\_\_

Do you have records of the design indicating the # of bedrooms the system was designed for?  Yes  No

If Yes, are they available? .....  Yes  No

Is System located in a Shoreland Zone? .....  Yes  No  Unknown

Comments: Estate sale; sellers do not live at property

Source of Section II information: Sellers

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SECTION III – HEATING SYSTEM(S)/HEATING SOURCES(S)				
Heating System(s) or Source(s)	SYSTEM 1	SYSTEM 2	SYSTEM 3	SYSTEM 4
TYPE(S)	Steam - Oil	Fireplace - Wood		
Age of system(s) or source(s)	unknown	unknown		
Name of company that services system(s) or source(s)	unknown	unknown		
Date of most recent service call	unknown	unknown		
Annual consumption per system or source (i.e., gallons, kilowatt hours, cords)	unknown	unknown		
Malfunction per system(s) or source(s) within past 2 years	None known	None Known		
Other pertinent information	None	None		

Are there fuel supply lines? .....  Yes  No  Unknown  
 Are any buried? .....  Yes  No  Unknown  
 Are all sleeved? .....  Yes  No  Unknown  
 Chimney(s): .....  Yes  No  
     If Yes, are they lined: .....  Yes  No  Unknown  
     Is more than one heat source vented through one flue? .....  Yes  No  Unknown  
     Had a chimney fire: .....  Yes  No  Unknown  
     Has chimney(s) been inspected? .....  Yes  No  Unknown

If Yes, date: \_\_\_\_\_

Date chimney(s) last cleaned: **unknown**

Direct/Power Vent(s): .....  Yes  No  Unknown

Has vent(s) been inspected? .....  Yes  No  Unknown

If Yes, date: \_\_\_\_\_

Comments: **Estate Sale; sellers do not live at property**

Source of Section III information: **Sellers**

**SECTION IV – HAZARDOUS MATERIAL**

The licensee is disclosing that the Seller is making representations contained herein.

**A. UNDERGROUND STORAGE TANKS** - Are there now, or have there ever been, any underground storage tanks on the property? .....  Yes  No  Unknown

If Yes, are tanks in current use? .....  Yes  No  Unknown

If no longer in use, how long have they been out of service? \_\_\_\_\_

If tanks are no longer in use, have tanks been abandoned according to DEP? .....  Yes  No  Unknown

Are tanks registered with DEP? .....  Yes  No  Unknown

Age of tank(s): \_\_\_\_\_ Size of tank(s): \_\_\_\_\_

Location: \_\_\_\_\_

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DS  DS  DS  DS

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What materials are, or were, stored in the tank(s)? \_\_\_\_\_

Have you experienced any problems such as leakage: .....  Yes  No  Unknown

Comments: None known

Source of information: Sellers

**B. ASBESTOS** — Is there now or has there been asbestos:

As insulation on the heating system pipes or duct work? .....  Yes  No  Unknown

In the ceilings? .....  Yes  No  Unknown

In the siding? .....  Yes  No  Unknown

In the roofing shingles? .....  Yes  No  Unknown

In flooring tiles? .....  Yes  No  Unknown

Other: \_\_\_\_\_  Yes  No  Unknown

Comments: None

Source of information: Sellers

**C. RADON/AIR** - Current or previously existing:

Has the property been tested? .....  Yes  No  Unknown

If Yes: Date: \_\_\_\_\_ By: \_\_\_\_\_

Results: \_\_\_\_\_

If applicable, what remedial steps were taken? \_\_\_\_\_

Has the property been tested since remedial steps? .....  Yes  No  Unknown

Are test results available? .....  Yes  No

Results/Comments: None

Source of information: Sellers

**D. RADON/WATER** - Current or previously existing:

Has the property been tested? .....  Yes  No  Unknown

If Yes: Date: \_\_\_\_\_ By: \_\_\_\_\_

Results: \_\_\_\_\_

If applicable, what remedial steps were taken? \_\_\_\_\_

Has the property been tested since remedial steps? .....  Yes  No  Unknown

Are test results available? .....  Yes  No

Results/Comments: None




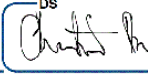
Source of information: Seller

**E. METHAMPHETAMINE** - Current or previously existing:  Yes  No  Unknown

Comments: None known

Source of information: Sellers

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**F. LEAD-BASED PAINT/PAINT HAZARDS** — (Note: Lead-based paint is most commonly found in homes constructed prior to 1978)

Is there now or has there ever been lead-based paint and/or lead-based paint hazards on the property? .....  
.....  Yes  No  Unknown  Unknown (but possible due to age)

~~If Yes, describe location and basis for determination:~~ \_\_\_\_\_

Do you know of any records/reports pertaining to such lead-based paint/lead-based paint hazards:  Yes  No  
~~If Yes, describe:~~ \_\_\_\_\_

Are you aware of any cracking, peeling or flaking paint? .....  Yes  No  
Comments: None

Source of information: Sellers

**G. OTHER HAZARDOUS MATERIALS** - Current or previously existing:

TOXIC MATERIAL: .....  Yes  No  Unknown  
LAND FILL: .....  Yes  No  Unknown  
RADIOACTIVE MATERIAL: .....  Yes  No  Unknown

Other: None known

Source of information: Sellers

**Buyers are encouraged to seek information from professionals regarding any specific issue or concern.**

**SECTION V — GENERAL INFORMATION**

Is the property subject to or have the benefit of any encroachments, easements, rights-of-way, leases, rights of first refusal, life estates, private ways, trails, homeowner associations (including condominiums and PUD's) or restrictive covenants? .....  Yes  No  Unknown

If Yes, explain: 16ft. ROW, Easement, Declaration and ByLaws of Waites Landing Road Association

Source of information: Sellers, Deed, and Declaration

Is access by means of a way owned and maintained by the State, a county, or a municipality over which the public has a right to pass? .....  Yes  No  Unknown

~~If No, who is responsible for maintenance?~~ \_\_\_\_\_

Road Association Name (if known): \_\_\_\_\_

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Are there any tax exemptions or reductions for this property for any reason including but not limited to: Tree Growth, Open Space and Farmland, Veteran's, Homestead Exemption, Blind, Working Waterfront?.....

.....  Yes  No  Unknown

If Yes, explain: Homestead Exemption

Is a Forest Management and Harvest Plan available?.....  Yes  No  Unknown

Is house now covered by flood insurance policy (not a determination of flood zone)  Yes  No  Unknown

Equipment leased or not owned (including but not limited to, propane tank, hot water heater, satellite dish, water filtration system, photovoltaics, wind turbines): Type: unknown

Year Principal Structure Built: 1830

What year did Seller acquire property? 1981

Roof: Year Shingles/Other Installed: Unknown

Water, moisture or leakage: None known

Comments: Estate sale, sellers do not live at property

Foundation/Basement:

Is there a Sump Pump? .....  Yes  No  Unknown

Water, moisture or leakage since you owned the property: .....  Yes  No  Unknown

Prior water, moisture or leakage? .....  Yes  No  Unknown

Comments: None

Mold: Has the property ever been tested for mold? .....  Yes  No  Unknown

If Yes, are test results available? .....  Yes  No

Comments: None

Electrical:  Fuses  Circuit Breaker  Other: \_\_\_\_\_  Unknown

Comments: None

Has all or a portion of the property been surveyed? .....  Yes  No  Unknown

If Yes, is the survey available? .....  Yes  No  Unknown

Manufactured Housing – Is the residence a:

Mobile Home .....  Yes  No  Unknown

Modular .....  Yes  No  Unknown

Known defects or hazardous materials caused by insect or animal infestation inside or on the residential structure .....  Yes  No  Unknown

Comments: None known. Estate sale; sellers do not live at property.

KNOWN MATERIAL DEFECTS about Physical Condition and/or value of Property, including those that may have an adverse impact on health/safety: None known

Comments: None

Source of Section V information: Sellers

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Seller Initials NJDk MAGK AJFK Chris h

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**SECTION VI — ADDITIONAL INFORMATION**

None

ATTACHMENTS EXPLAINING CURRENT PROBLEMS, PAST REPAIRS OR ADDITIONAL INFORMATION IN ANY SECTION IN DISCLOSURE: .....  Yes  No

Seller shall be responsible and liable for any failure to provide known information regarding known material defects to the Buyer.

Neither Seller nor any Broker makes any representations as to the applicability of, or compliance with, any codes of any sort, whether state, municipal, federal or any other, including but not limited to fire, life safety, building, electrical or plumbing.

As Sellers, we have provided the above information and represent that all information is correct. To the best of our knowledge, all systems and equipment, unless otherwise noted on this form, are in operational condition.

DocuSigned by:  
*Nicholas Jeremy David Keen* 4/4/2023  
SELLER DATE

**Nicholas Jeremy David Keen**

DocuSigned by:  
*Alison Jane Felicity Keen* 4/5/2023  
SELLER DATE

**Alison Jane Felicity Keen**

DocuSigned by:  
*Nigel Robert Guy Keen* 4/4/2023  
SELLER DATE

**Nigel Robert Guy Keen**

DocuSigned by:  
*Charlotte Gemma Louise Brennan* 4/4/2023  
SELLER DATE

**Charlotte Gemma Louise Brennan**

I/We have read and received a copy of this disclosure, the arsenic in wood fact sheet, the arsenic in water brochure, and understand that I/we should seek information from qualified professionals if I/we have questions or concerns.

BUYER DATE

BUYER DATE

BUYER DATE

BUYER DATE



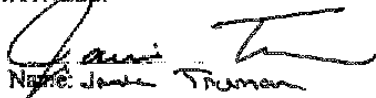
**SHORT FORM TRUSTEES' DEED OF DISTRIBUTION**

**DLN: 1002340223803**

Nicholas Jeremy David Keen, Nigel Robert Guy Keen, Alison Jane Felicity Keen and Charlotte Gemma Louise Brennan, successor Trustees of The Marjorie Keen Revocable Trust, w/a dated April 25, 1995, as amended, and as successor Trustees of The E. David Keen Estate Tax Sheltered Trust, w/a dated April 25, 1995, as amended, by the power conferred by law, and every other power, in partial distribution of the Trust estate, grant to Nicholas Jeremy David Keen, whose mailing address is 206 Gray Road, Falmouth, Maine 04105, Nigel Robert Guy Keen, whose mailing address is 19851 Wesley Street, Downs, Illinois 61736, Alison Jane Felicity Keen, whose mailing address is 13 Virginia Road, Natick, Massachusetts 01760 and Charlotte Gemma Louise Brennan, whose mailing address is 242 Sligo Road, Yarmouth, Maine 04096, being the beneficiaries entitled to such distribution, certain real property, together with any buildings and improvements thereon, located in Falmouth, Cumberland County, Maine, being more particularly bounded and described in Exhibit A attached hereto and incorporated herein by specific reference.

WITNESS our hands and seals this 15 day of DECEMBER, 2022.

WITNESS:

  
Name: Jamie Truman  
**Jamie Truman**


  
Nicholas Jeremy David Keen  
Trustee of The Marjorie Keen Revocable Trust  
Trustee of the E. David Keen Estate Tax Sheltered Trust

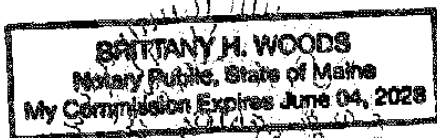
State of MAINE  
County of CUMBERLANDss.

December 15, 2022.

PERSONALLY APPEARED the above-named Nicholas Jeremy David Keen, in his said capacity and acknowledged the foregoing instrument to be his free act and deed.

Before me,

  
Notary Public



WITNESS:

*Jane E Chamberlain*  
Name:

*Nigel Robert Guy Keen*  
Nigel Robert Guy Keen  
Trustee of The Marjorie Keen Revocable Trust  
Trustee of the E. David Keen Estate Tax Sheltered Trust

State of Illinois  
County of McLean, ss.

12/16, 2022.

PERSONALLY APPEARED the above-named Nigel Robert Guy Keen, in his said capacity and acknowledged the foregoing instrument to be his free act and deed.



Before me,

*Jane E Chamberlain*  
Notary Public

WITNESS:

*Ruth A. Bennett*

Name:

*Charlotte Gemma Louise Brennan*

Charlotte Gemma Louise Brennan  
Trustee of The Marjorie Keen Revocable Trust  
Trustee of the E. David Keen Estate Tax Sheltered Trust

State of Maine  
County of Cumberland, ss.

Dec 16, 2022.

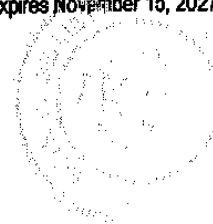
PERSONALLY APPEARED the above-named Charlotte Gemma Louise Brennan, in her said capacity and acknowledged the foregoing instrument to be her free act and deed.

Before me,

*Ruth A. Bennett*

Notary Public

RUTH A. BENNETT  
Notary Public, Maine  
My Commission Expires November 15, 2027



WITNESS:

Name:

*Felicity Keen*  
 \_\_\_\_\_  
 Alison Jane Felicity Keen  
 Trustee of The Marjorie Keen Revocable Trust  
 Trustee of the E. David Keen Estate Tax Sheltered Trust

Commonwealth of Massachusetts  
 County of Middlesex, ss.

12/28, 2022.

PERSONALLY APPEARED the above-named Alison Jane Felicity Keen, in her said capacity and acknowledged the foregoing instrument to be her free act and deed.

Before me,

*[Signature]*  
 \_\_\_\_\_  
 Notary Public



DOC :957 BK:39937 PG:216

RECEIVED - RECORDED, CUMBERLAND COUNTY REGISTER OF DEEDS

01/10/2023, 11:53:27A

Register of Deeds Jessica M. Spaulding E-RECORDED

**EXHIBIT A**

**Grantors:** Nicholas Jeremy David Keen, Nigel Robert Guy Keen, Alison Jane Felicity Keen and Charlotte Gemma Louise Brennan, Trustees of The Marjorie Keen Revocable Trust, and Trustees of The E. David Keen Estate Tax Sheltered Trust

**Grantees:** Nicholas Jeremy David Keen, Nigel Robert Guy Keen, Alison Jane Felicity Keen and Charlotte Gemma Louise Brennan

**Date:** 12/28/2022, 2022

**Instrument:** Short Form Trustees' Deed of Distribution

A certain lot or parcel of land, with the buildings thereon, situated on the Westerly side of Waites Landing Road in Falmouth, County of Cumberland and State of Maine, bounded and described as follows:

Beginning at a stake on the Westerly side of said Waites Landing Road, said stake being the Southeast corner of the lot of land conveyed by John Marshall Brown Company to Mary Elizabeth Laughlin by deed dated September 22, 1938, and recorded in Cumberland County Registry of Deeds in Book 1833, Page 353; thence by said Westerly side of said Waites Landing Road and on a course of South 9° 25' E, sixty-one (61) feet to an iron stake marking an angle in said Westerly side of said Waites Landing Road, thence by said Westerly side of said Waites Landing Road and on a course of South 21° 27' E, a distance of two hundred fifty-four and twenty-nine one hundredths (254.29) feet to a stake; thence on a course of South 48° 11' W, a distance of twenty-three (23) feet to a point; thence on a course of South 41° 49' E, to high water mark; thence Westerly by high water mark to land formerly of Abraham J. Bernstein; thence by land formerly of said Bernstein on a course of North 19° 49' W to a drill hole in ledge; thence on a continuation of the same course North 19° 49' W three hundred thirty-two and sixty-four one-hundredths (332.64) feet and by said Bernstein land to a stake and to land of said feet and by said Bernstein land to a stake and to land of said Laughlin; thence by land of said Laughlin on a course of North 70° 11' E forty-nine and forty-three (49.43) feet to the Westerly side of said Waites Landing Road and to the point of beginning.

The above courses are magnetic and of the date of 1938.

Said premises are conveyed expressly subject to a right of way sixteen (16) feet in width adjoining said land of Laughlin and extending Westerly over said premises from said Waites Landing Road to said land formerly of Bernstein, as more particularly described in an Indenture between said John Marshall Brown Company, Louis Bernstein and Violetta L. Berry, dated September 17, 1946, recorded in said Registry of Deeds.

Also hereby conveying all rights, easements, privileges and appurtenances belonging to the premises hereinabove described.

For source of title, reference may be made to the following deeds:

1. A deed from E. David Keen and Marjorie Keen to the E. David Keen Revocable Trust and the Marjorie Keen Revocable Trust dated September 29, 2005, and recorded in the Cumberland County Registry of Deeds in Book 24171, Page 142.
2. A deed from the E. David Keen Revocable Trust to the E. David Keen Estate Tax Shelter Trust dated July 24, 2012, and recorded in the Cumberland County Registry of Deeds in Book 29784, Page 114.

## LEAD PAINT DISCLOSURE/ADDENDUM

AGREEMENT BETWEEN Nicholas Jeremy David Keen, Nigel Robert Guy Keen, Alison Jane Felicity Keen, Charlotte Gemma Louise Brennan (hereinafter "Seller")  
 AND \_\_\_\_\_ (hereinafter "Buyer")  
 FOR PROPERTY LOCATED AT 91 Waites Landing, Falmouth, ME 04105

Said contract is further subject to the following terms:

### **Lead Warning Statement**

Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to purchase.

### **Seller's Disclosure**

(a) Presence of lead-based paint and/or lead-based paint hazards (**check one below**):

\_\_\_\_ Known lead-based paint and/or lead-based paint hazards are present in the housing (explain).  
 \_\_\_\_\_

Seller has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.

(b) Records and reports available to the Seller (**check one below**):

\_\_\_\_ Seller has provided the Buyer with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (list documents below).  
 \_\_\_\_\_

Seller has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.

### **Buyer's Acknowledgment**

(c) Buyer has received copies of all information listed above.

(d) Buyer has received the pamphlet Protect Your Family from Lead in Your Home.

(e) Buyer has (**check one below**):

\_\_\_\_ Received a 10-day opportunity (or mutually agreed upon period) to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards; or

\_\_\_\_ Waived the opportunity to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards.

### **Agent's Acknowledgment**

(f) Agent has informed the Seller of the Seller's obligations under 42 U.S.C. 4852(d) and is aware of his/her responsibility to ensure compliance.

### **Certification of Accuracy**

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information they have provided is true and accurate.

Buyer	Date	Seller <b>Nicholas Jeremy David Keen</b>	Date
Buyer	Date	Seller <b>Nigel Robert Guy Keen</b>	Date
Buyer	Date	Seller <b>Alison Jane Felicity Keen</b>	Date
Buyer	Date	Seller <b>Charlotte Gemma Louise Brennan</b>	Date
Agent	Date	Agent <b>John Fitzsimons</b>	Date



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Portside Real Estate Group, 417 US Route 1 Falmouth ME 04105  
 John Fitzsimons

Produced with Lone Wolf Transactions (zipForm Edition) 717 N Harwood St, Suite 2200, Dallas, TX 75201 [www.lwolf.com](http://www.lwolf.com)

Phone: 207.233.8314

Fax:



91 Waites Landing



# Fact Sheet: Arsenic Treated Wood

Department of Health and  
Human Services  
11 State House Station  
Augusta, ME 04333

Maine CDC  
Environmental and  
Occupational Health Program  
Toll Free in Maine: 866-292-3474  
Fax: 207-287-3981  
TTY: 207-287-8066  
Email: ehu@maine.gov

## IF YOU WORK WITH CCA WOOD

- **NEVER** burn CCA wood.
- Wear gloves when handling CCA wood
- Wear a dust mask when sanding or cutting CCA wood
- Don't work with CCA wood in an enclosed area (like a garage)

Apply a coating to seal the wood every 1-2 years

## TO LEARN MORE

Eric Frohberg  
Environmental and  
Occupational Health  
Program  
Maine CDC  
Toll-free in Maine 866-  
292-3474  
TTY: 207-287-8066  
[www.maine.gov/dhhs/  
cohp](http://www.maine.gov/dhhs/cohp)

## Does Your New Home Have Arsenic (CCA) Treated Wood?

About half of all Maine homes have a deck, or playground or some other structure that is made of wood treated with arsenic. This wood is called "CCA pressure-treated wood" or just "pressure-treated" wood. The wood was treated with arsenic to protect against rot and insects.

Too much arsenic can cause cancer. So it is good to prevent arsenic getting into your body when you can. When you touch wood treated with arsenic, you can get arsenic on your hands. The arsenic on your hands can get into your mouth if you are not careful about washing before eating. Young children are most at risk because they are more likely to put their hands in their mouths. The good news is that there are simple things you can do to protect yourself and your family from arsenic treated wood. This fact sheet will tell you how.



Children touching unsealed treated wood, and then putting their hands in their mouths is the biggest concern.

### First: Does your house have arsenic treated (CCA) wood?

When arsenic treated wood is new, it tends to have a greenish tint. When CCA wood is older, it is harder to tell. Ask your realtor if the seller knows whether CCA wood was used. You can also test the wood to find out if it contains arsenic. Call us to find out how.

### Second: If so, reduce contact with the arsenic.

You can lower the amount of arsenic on the surface of the wood by applying a coating on the wood every 1-2 years. Oil-based sealants, varnishes, or polyurethane work best for sealing arsenic in the wood. Be sure to wash your children's hands when they finish playing on or near CCA wood.

### Third: If you have any questions, call us toll-free in Maine: 866-292-3474

## Common Questions

### What is CCA wood?

CCA wood is made by dipping the wood in a mixture of chemicals. These chemicals include chromium, copper, and arsenic. This protects the wood against insects and rot. This wood is known as CCA wood or "pressure treated" wood. Most pressure treated wood in the U.S. is CCA wood. After December 31, 2003, no more CCA wood will be made for use around homes. CCA wood may still be sold for home use until April 1, 2004 in the state of Maine.

### What is Arsenic?

Arsenic is found in soil and rocks. Most people get a little arsenic every day from the food they eat. Also, some people have arsenic in their private wells, which is why it is important that anyone with a well have it tested for arsenic. People who are exposed to too much arsenic over many years are more likely to get cancer.

Doc#: 35115 Bk:19168 Pg: 56

**DECLARATION**

This Declaration is made for the purpose of subjecting the real estate of the undersigned parties to the benefits, obligations, rules, restrictions and By-Laws of the Waites Landing Waterfront Association a Maine non-profit association having it's principal place of business at P.O. Box 66815, Falmouth, Maine, 04105.

**WITNESSETH:**

WHEREAS, the undersigned parties are the owner's of real estate described in the attached Exhibit A; and

WHEREAS, the Waites Landing Waterfront Association is the owner of certain real estate described in the attached Exhibit B as well as a certain pier and floats which are attached to said real estate; and

WHEREAS, pursuant to the By-Laws of said Association the membership in the Association is comprised of the owners of the various parcels of real estate described in the attached Exhibit A; and

WHEREAS, the undersigned, being all of the current owners of said real estate, desire to subject their parcels to the Articles of Incorporation, By-Laws and the rules and regulations as may be enacted by said Association;

NOW THEREFORE, for valuable consideration, acknowledged by the Waites Landing Waterfront Association as well as the undersigned the real property described in Exhibit A to this Declaration is and shall be subject to and encumbered by the Articles of Incorporation, By Laws, covenants, restrictions and any other rules and regulations as adopted by the Association. The Association shall regulate among other things the following:

1. The annual budget for the Association and the collection of dues and assessments from the members, the obligation of members to pay dues and assessments and the right of the Association to suspend a member's privileges for non-payment and to take such action as allowed by the By-Laws to collect dues and assessments.
2. Institution of additional rules and regulations with respect to the use of the real estate described in the attached Exhibit B and the pier and floats or any other property which may be owned by the Association.

The covenants, restrictions and other provisions of this Declaration and the By-Laws of the Association as amended from time to time shall run with the land and bind the parcels described in the attached Exhibit A and shall inure to the benefit of and be enforceable by the Association and, if applicable, the owners of any property subject to said Declaration and their respective legal representatives, heirs, successors and assigns.

Doc#: 35115 Bk:19168 Ps: 57

**EXHIBIT A**

1. Carol S. Katz-property described by deed recorded in the Cumberland County Registry of Deeds in Book 15895, Page 94;
2. Joan C. Sandberg- property described by deed recorded in the Cumberland County Registry of Deeds in Book 3246, Page 55;
3. Joseph R. Foley, Jr. and Patricia G. O'Carroll- property described by deed recorded in the Cumberland County Registry of Deeds in Book 11709, Page 325;
4. Anna H. Wells- property described by deed recorded in the Cumberland County Registry of Deeds in Book 9372, Page 297;
5. Anne R. Henry- property described by deed recorded in the Cumberland County Registry of Deeds in Book 2759, Page 481;
6. Patricia V. Robinson- property described by deed recorded in the Cumberland County Registry of Deeds in Book 18227, Page 137;
7. Hugh P. Robinson- property described by deed recorded in the Cumberland County Registry of Deeds in Book 3080, Page 136;
8. Jean Lloyd- Rees- property described by deed recorded in the Cumberland County Registry of Deeds in Book 5056, Page 108;
9. Barbara B. Soule- property described by deed recorded in the Cumberland County Registry of Deeds in Book 3956, Page 179;
10. E. David Keen and Marjorie Keen- property described by deed recorded in the Cumberland County Registry of Deeds in Book 17174, Page 148;
11. Jeremiah S. Burns, Jr. and Susan E. Burns-property described by deed recorded in the Cumberland County Registry of Deeds in Book 13064, Page 267;
12. John M. Robinson and Cornelia L. Robinson-property described by deed recorded in the Cumberland County Registry of Deeds in Book 15109, Page 162;
13. Philip S. Pierce and Rae F. Pierce- property described by deed recorded in the Cumberland County Registry of Deeds in Book 3233, Page 291;

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## Page Two

14. Marilyn S. Praver- property described by deed recorded in the Cumberland County Registry of Deeds in Book 4882, Page 203 and in Book 4816, Page 78;
15. David W. Fisher and Lauri M. Fisher- property described by deed recorded in the Cumberland County Registry of Deeds in Book 11594, Page 110;
16. Donna L. Banks- property described by deed recorded in the Cumberland County Registry of Deeds in Book 18099, Page 311;
17. Franklin B. Miles, Jr., Deborah Miles Czech formerly known as Deborah C. Miles, Lisa H. Miles and Dorinda M. Smith- property described by deed recorded in the Cumberland County Registry of Deeds in Book 7546, Page 140;
18. Pamela G. Wellin- property described by deed recorded in the Cumberland County Registry of Deeds in Book 10349, Page 334;
19. Anne B. Lafond- property described by deed recorded in the Cumberland County Registry of Deeds in Book 17690, Page 187;
20. William P. DuBord as Trustee of the Waites Landing Realty Trust- property described by deed recorded in the Cumberland County Registry of Deeds in Book 9654, Page 304; and
21. Jufraun, Corp.- property described by deed recorded in the Cumberland County Registry of Deeds in Book 8204, Page 97.
22. Richard N. Coffin – property described in deed recorded in the Cumberland County Registry of Deeds in Book 3864 Page 55 as affected by deed recorded in Book 4104 Page 205.

Doc#: 35115 Bk:17168 Pg: 59

## EXHIBIT B

A certain lot or parcel of land adjacent to the southerly end of the Waites Landing Road in Falmouth, County of Cumberland, State of Maine and further described as follows:

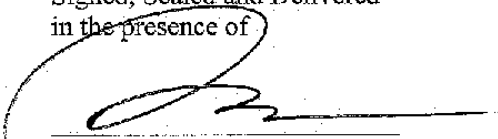
Commencing at a point on the southeasterly side of the Waites Landing Road which point abuts the high water mark of Casco Bay; thence S 21° 27' E along a line as extended from the easterly side of the Waites Landing Road to the low water mark of Casco Bay; thence in a general westerly direction along the low water mark of Casco Bay to the projection S 19° 49' E of the division line between land of Annie L. McCandless and land formerly of Abraham J. Bernstein; thence N 19° 49' W by said Bernstein land to the high water mark in land of said McCandless; thence easterly by the high water mark and land of said McCandless about thirty two (32) feet to a drill hole in the ledge at high water mark in an angle in land of said McCandless; thence by said land of said McCandless N 41° 49' W twenty three and twenty three hundredths (23.23) feet to an iron at an angle in said McCandless land; thence by said McCandless land N 48° 11' E 23 feet to an iron pin; thence by the Waites Landing Road S 21° 27' E about thirty one (31) feet to the high water mark; thence easterly by the high water mark and by the southerly end of said Waites Landing Road to the point of beginning.

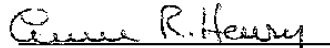
Doc#: 35115 Bk:19168 Ps: 60

Re: Acknowledgment To Declaration

Witness my hand and seal this 3rd day of April, 2003.

Signed, Sealed and Delivered  
in the presence of

  
\_\_\_\_\_  
Witness

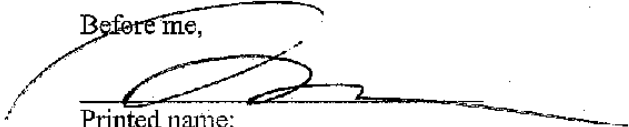
  
\_\_\_\_\_  
Anne R. Henry

State of Maine  
County of Cumberland:ss.

April 3, 2003

Then personally appeared the above named Anne R Henry and acknowledged the foregoing instrument to be her free act and deed.

**KURT E. KLEBE**  
NOTARY PUBLIC, MAINE  
MY COMMISSION EXPIRES MARCH 23, 2005

Before me,  
  
\_\_\_\_\_  
Printed name:  
Notary public/ Attorney at Law

SEAL

Doc#: 35115 Bk:19168 Pg: 61

Re: Acknowledgment To Declaration

Witness my hand and seal this 23rd day of March, 2003.

Signed, Sealed and Delivered  
in the presence of

Catherine L Roberts  
Witness

William P. Dubord  
William P. Dubord, Trustee  
Waites Landing Realty Trust

State of Maine  
County of Kennebec:ss.

March 23, 2003

Then personally appeared the above named William P. Dubord, Trustee of the  
Waites Landing Realty Trust and acknowledged the foregoing instrument to be his free  
act and deed.

Before me,

Catherine L Roberts

Printed name:  
Notary public/ Attorney at Law

**Catherine L. Roberts**  
**Notary Public, Maine**  
**My Commission Expires December 8, 2006**

SEAL

Doc#: 35115 Bk:19168 Pg: 62

Re: Acknowledgment To Declaration

Witness my hand and seal this 13 day of March, 2003.

Signed, Sealed and Delivered  
in the presence of

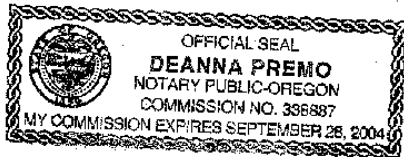
Kerrie L. Maul  
Witness

Lisa H. Miles  
Lisa H. Miles

State of Oregon  
Multnomah County

March 13 2003

Then personally appeared the above named Lisa H. Miles and acknowledged the foregoing instrument to be her free act and deed.



Before me,

Deanna Premo  
Printed name: Deanna Premo  
Notary public/ Attorney at Law

Doc#: 35115 Bk:19168 Pg: 63

Re: Acknowledgment To Declaration

Witness my hand and seal this 27 day of March, 2003.

Signed, Sealed and Delivered  
in the presence of

  
Witness

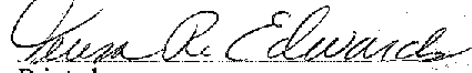
  
Pamela Wellin

State of Maine  
County of Cumberland:ss.

March 27, 2003

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

Before me,



Printed name:

Notary public/ Attorney at Law

TERESA R. EDWARDS  
NOTARY PUBLIC, MAINE  
MY COMMISSION EXPIRES 2/29/2008

SEAL

Doc#: 35115 Bk:19168 Pg: 64

Re: Acknowledgment To Declaration

Witness my hand and seal this <sup>th</sup> 13 day of ~~February~~ <sup>March</sup>, 2003.

Signed, Sealed and Delivered  
in the presence of

\_\_\_\_\_  
Witness

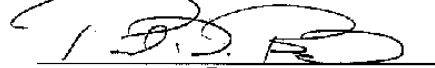
Anna H. Wells  
Anna H. Wells

State of Maine  
County of Cumberland: ss.

March 13  
~~February~~, 2003

Then personally appeared the above named Anna H. Wells and acknowledged the foregoing instrument to be her free act and deed.

Before me,



Printed name: Paul D. PIETROPOLI  
Notary public/ Attorney at Law

Doc#: 35115 Bk:19168 Pg: 65

Re: Acknowledgment To Declaration

Witness my hand and seal this 12 day of ~~February~~<sup>March</sup>, 2003.

Signed, Sealed and Delivered  
in the presence of

Sara Hernandez  
Witness

E. David Keen  
E. David Keen

State of ~~Maine~~<sup>FLORIDA</sup>  
County of ~~Cumberland~~<sup>DADE</sup>:ss.

~~February~~<sup>MARCH</sup> 12 2003

Then personally appeared the above named E. David Keen and acknowledged the foregoing instrument to be his free act and deed.



Cathy B. Owens  
Commission # DD126753  
Expires June 17, 2006  
Bonded Thru  
Atlantic Bonding Co., Inc.

Before me,

Cathy B Owens  
Printed name: Cathy B. Owens  
Notary public/ Attorney at Law

Doc#: 35115 Bk:19168 Ps: 66

Re: Acknowledgment To Declaration

Witness my hand and seal this 12 day of <sup>March</sup> ~~February~~, 2003.

Signed, Sealed and Delivered  
in the presence of

Sara Hernandez  
Witness

Marjorie Keen  
Marjorie Keen

State of ~~Maine~~ FLORIDA  
County of ~~Cumberland~~:ss.  
NADE

February, 2003 March 12<sup>th</sup>

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



Cathy B. Owens  
Commission # DD126759  
Expires June 17, 2006  
Bonded Thru  
Atlantic Surety Co., Inc.

Before me,

Cathy B. Owens  
Printed name: Cathy B. Owens  
Notary public/ Attorney at Law

Doc#: 35115 Bk:19168 Pg: 87

Re: Acknowledgment To Declaration

Witness my hand and seal this 4<sup>th</sup> <sup>March</sup> day of ~~February~~, 2003.

Signed, Sealed and Delivered  
in the presence of

Eileen Kempsey  
Witness

Marilyn S. Praver  
Marilyn S. Praver

State of ~~Maine~~ FLORIDA  
County of ~~Cumberland~~ ss.  
PALM BEACH

March 4, 2003  
~~February 2, 2003~~

Then personally appeared the above named Marilyn S. Praver and acknowledged the foregoing instrument to be her free act and deed.

Before me,

Catherine Twigg  
Printed name:  
Notary public/ ~~Attorney at Law~~



CATHERINE TWIGGS  
MY COMMISSION # DD 121262  
EXPIRES: May 27, 2006  
Bonded Through Budget Notary Services

Doc#: 35115 Bk:19168 Pg: 68

Re: Acknowledgement to Declaration

Witness my hand and seal this 6<sup>th</sup> day of March, 2003

Signed, Sealed and Delivered  
in the presence of

*Rebecca Seguin*  
Witness

*Joseph R. Foley, Jr.*  
Joseph R. Foley, Jr.

State of Maine  
County of Cumberland:ss.

6 March 2003

Then personally appeared the above named Joseph R. Foley, Jr. and  
acknowledged the foregoing instrument to be his free act and deed.

Before me,

*Kallen Kneeland*

Printed name:

Notary public/~~Attorney at Law~~

**Kallen Kneeland, Notary Public  
State of Maine  
My Commission Expires 6/8/2007**

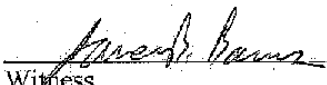
SEAL


Doc#: 35115 Bk:19168 Pg: 69

Re: Acknowledgment To Declaration

Witness my hand and seal this <sup>March 10</sup>~~February~~ 10<sup>th</sup> day of ~~February~~, 2003.

Signed, Sealed and Delivered  
in the presence of

  
Witness

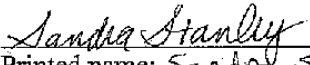
  
Joan C. Sandberg

State of Maine  
County of Cumberland:ss.

<sup>March</sup>  
~~February~~ 10, 2003

Then personally appeared the above named Joan C. Sandberg and acknowledged  
the foregoing instrument to be her free act and deed.


Before me,



  
Printed name: Sandra Stanley  
Notary public/ ~~Attorney at Law~~  
Comm. exp. 7-29-06

Re: Acknowledgment To Declaration Doc#: 35115 Ek:19168 Pg: 70

Witness my hand and seal this 28 day of February, 2003.

Signed, Sealed and Delivered  
in the presence of

  
Witness


Jufraun, Corporation  
By:  Juan Francisco Urruela  
Its:  President

State of Guatemala  
County of Guatemala :ss.

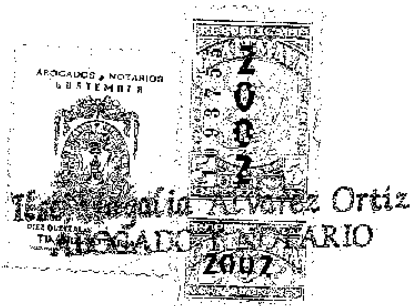
February 28, 2003

Then personally appeared the above named Juan Francisco Urruela of the Jufraun, Corporation, and acknowledged the foregoing instrument to be his free act and deed in his said capacity.

Before me,

  
Abse Magalia Alvarez Ortiz

Printed name: ABOGADO Y NOTARIO  
Notary public/ Attorney at Law

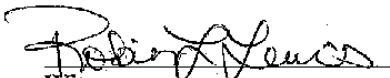


Doc#: 35115 Bk:19168 Pg: 71

Re: Acknowledgment To Declaration

Witness my hand and seal this 8<sup>th</sup> day of March, 2003.

Signed, Sealed and Delivered  
in the presence of

  
Witness

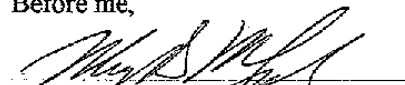
  
Deborah Miles Czech

State of New York  
County of Saratoga:ss.

March 8, 2003

Then personally appeared the above named Deborah Miles Czech and  
acknowledged the foregoing instrument to be her free act and deed.

Before me,

  
Printed name:  
Notary public/ Attorney at Law

MARY B. McLAUGHLIN  
Notary Public, State of New York  
No. 01MCS057020  
Qualified in Saratoga County  
My Commission Expires 3-18 06

SEAL

Doc#: 35115 Bk:19168 Ps: 72

Re: Acknowledgment To Declaration

Witness my hand and seal this 28 day of February, 2003.

Signed, Sealed and Delivered  
in the presence of

Belicia J. Dawson  
Witness

Dorinda M. Smith  
Dorinda M. Smith

State of Maine  
County of Cumberland:ss.

February 28, 2003

Then personally appeared the above named Dorinda M. Smith and acknowledged the foregoing instrument to be her free act and deed.

Before me,

Belicia J. Dawson

Printed name:

Notary public/ Attorney at Law

NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: July 8, 2003  
BONDED THRU NOTARY PUBLIC UNDERWRITERS

SEAL

Doc#: 35115 Bk:19168 Pg: 73

Re: Acknowledgment To Declaration

Witness my hand and seal this 5<sup>th</sup> day of February, 2003.

Signed, Sealed and Delivered  
in the presence of

Heather Noyes  
Witness

Anne B. Lafond  
Anne B. Lafond

State of Maine  
County of Cumberland:ss.

March  
February 5, 2003

Then personally appeared the above named Anne B. Lafond and acknowledged  
the foregoing instrument to be her free act and deed.

Before me,

Sandra Stanley  
Printed name: Sandra Stanley  
Notary public/ ~~Attorney at Law~~  
7/06

Doc#: 35115 Bk:19168 Pg: 74

Re: Acknowledgment To Declaration

Witness my hand and seal this 1 day of <sup>March</sup>~~February~~, 2003.

Signed, Sealed and Delivered  
in the presence of

Cynthia H. Pinkham  
Witness

Rae F. Pierce  
Rae F. Pierce

State of Maine  
County of Cumberland:ss.

~~February 28, 2003~~  
March 1, 2003

Then personally appeared the above named Rae F. Pierce and acknowledged the foregoing instrument to be her free act and deed.

Before me,

Cynthia H. Pinkham  
Printed name:  
Notary public/ ~~Attorney at Law~~

CYNTHIA H. PINKHAM  
NOTARY PUBLIC, MAINE  
My Commission Expires April 2, 2004

Doc#: 35115 Bk:19168 Pg: 75

Re: Acknowledgment To Declaration

Witness my hand and seal this 1 day of <sup>March</sup>~~February~~, 2003.

Signed, Sealed and Delivered  
in the presence of

Cynthia M. Pinkham  
Witness

Philip S. Pierce  
Philip S. Pierce

State of Maine  
County of Cumberland:ss.

~~February 25~~, 2003  
March 1, 2003

Then personally appeared the above named Philip S. Pierce and acknowledged  
the foregoing instrument to be his free act and deed.

Before me,

Cynthia M. Pinkham  
Printed name:  
Notary public/ ~~Attorney at Law~~

CYNTHIA H. PINKHAM  
NOTARY PUBLIC, MAINE  
My Commission Expires April 2, 2004

Doc#: 35115 Bk:19168 Pg: 76

Re: Acknowledgment To Declaration

Witness my hand and seal this 20 day of February, 2003.

Signed, Sealed and Delivered  
in the presence of

*James B. Barnes*  
Witness

*Franklin B. Miles, Jr.*  
Franklin B. Miles, Jr.

State of Maine  
County of Cumberland:ss.

February 20, 2003

Then personally appeared the above named Franklin B. Miles, Jr and  
acknowledged the foregoing instrument to be his free act and deed.

Before me,

*James B. Barnes*  
Printed name: JAMES B. BARNES  
~~Notary public~~ Attorney at Law

JAMES B. BARNES  
Notary Public  
My Commission Expires October 26, 2008

SEAL

Doc#: 35115 Bk:19163 Pg: 77

Re: Acknowledgment To Declaration

Witness my hand and seal this 3 day of February, 2003.

Signed, Sealed and Delivered  
in the presence of

James B. Barns  
Witness

Carol S. Katz  
Carol S. Katz

State of Maine  
County of Cumberland:ss.

February 3, 2003

Then personally appeared the above named Carol S. Katz and acknowledged the foregoing instrument to be her free act and deed.

Before me,

James B. Barns  
Printed name:  
Notary public/ Attorney at Law

JAMES B. BARNES  
Notary Public, Maine  
My Commission Expires October 26, 2008

SEAL

Doc#: 35115 Bk:19168 Pg: 78

Re: Acknowledgment To Declaration

Witness my hand and seal this 21 day of February, 2003.

Signed, Sealed and Delivered  
in the presence of

James B. Barns  
Witness

Jean Lloyd-Rees  
Jean Lloyd-Rees

State of Maine  
County of Cumberland:ss.

February 21, 2003

Then personally appeared the above named Jean Lloyd-Rees and acknowledged  
the foregoing instrument to be her free act and deed.

Before me,

James B. Barns  
Printed name: JAMES B. BARNES  
Notary public/ Attorney at Law

JAMES B. BARNES  
Notary Public, Maine  
My Commission Expires October 26, 2006

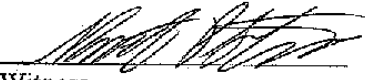
SEAL

Doc#: 35115 Bk:19168 Pg: 79

Re: Acknowledgment To Declaration

Witness my hand and seal this 28<sup>th</sup> day of February, 2003.

Signed, Sealed and Delivered  
in the presence of

  
Witness


  
David W. Fisher

State of Maine  
County of Cumberland:ss.

February \_\_, 2003

Then personally appeared the above named David W. Fisher and acknowledged  
the foregoing instrument to be his free act and deed.

Before me,

  
Printed name:  
Notary public/~~Attorney at Law~~

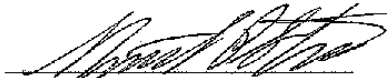
MICHAEL P. STONE  
Notary Public, Maine  
My Commission Expires November 23, 2009

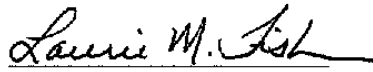
Doc#: 35115 Bk:19168 Ps: 30

Re: Acknowledgment To Declaration

Witness my hand and seal this 28<sup>th</sup> day of February, 2003.

Signed, Sealed and Delivered  
in the presence of

  
Witness

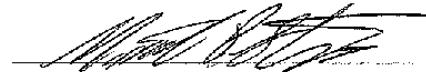
  
~~Lori~~ M. Fisher  
Laurie

State of Maine  
County of Cumberland:ss.

February \_\_, 2003

Then personally appeared the above named Lori M. Fisher and acknowledged the foregoing instrument to be her free act and deed.

Before me,



Printed name:

Notary public/ ~~Attorney at Law~~

**MICHAEL P. STONE**  
Notary Public, Maine

My Commission Expires November 23, 2009

Doc#: 35115 Bk:19168 Pg: 81

Re: Acknowledgment To Declaration

Witness my hand and seal this 28 day of February, 2003.

Signed, Sealed and Delivered  
in the presence of

James B. Barns  
Witness

Donna Banks  
Donna Banks

State of Maine  
County of Cumberland:ss.

February 28, 2003

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

Before me,

James B. Barns  
Printed name:  
Notary public/ Attorney at Law

JAMES B. BARNs  
Notary Public, Maine  
My Commission Expires October 26, 2008

SEAL

Doc#: 35117 Bk:19168 Pg: 82

Re: Acknowledgment To Declaration

Witness our hands and seals this 28<sup>th</sup> day of February, 2003.

Signed, Sealed and Delivered  
in the presence of

Carol J. Terison  
Witness  
John M. Robinson  
Witness

John M. Robinson  
John M. Robinson  
Cornelia L. Robinson  
Cornelia L. Robinson

State of Maine  
County of Cumberland:ss.

February 28, 2003

Then personally appeared the above named John M. Robinson and Cornelia L. Robinson and acknowledged the foregoing instrument to be their free act and deed.

PETER E. HERR  
NOTARY PUBLIC  
STATE OF MAINE  
MY COMM. EXPIRES APRIL 9, 2005

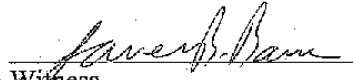
Before me,  
Peter E. Herr  
Printed name: Peter HERR  
Notary public/~~Attorney at Law~~

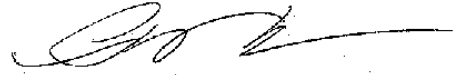
Doc#: 35115 Bk:19168 Pg: 83

Re: Acknowledgment To Declaration

Witness my hand and seal this 26 day of February, 2003.

Signed, Sealed and Delivered  
in the presence of

  
Witness

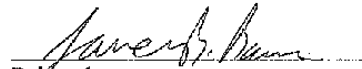
  
Patricia V. Robinson

State of Maine  
County of Cumberland:ss.

February 26, 2003

Then personally appeared the above named Patricia V. Robinson and  
acknowledged the foregoing instrument to be her free act and deed.

Before me,

  
Printed name:  
Notary public/ Attorney at Law

JAMES B. BARNES  
Notary Public, Maine  
My Commission Expires October 26, 2008

SEAL

Doc# 35115 Bk:19168 Pg: 84

Re: Acknowledgment To Declaration

Witness my hand and seal this 26 day of February, 2003.

Signed, Sealed and Delivered  
in the presence of

James B. Barns  
Witness

Hugh P. Robinson  
Hugh P. Robinson

State of Maine  
County of Cumberland:ss.

February 26, 2003

Then personally appeared the above named Hugh P. Robinson and acknowledged  
the foregoing instrument to be his free act and deed.

Before me,

James B. Barns  
Printed name:  
Notary public/ Attorney at Law

JAMES B. BARNES  
Notary Public, Maine  
My Commission Expires October 26, 2008

SEAL

Doc# 35115 Bk:19168 Pg: 85

Re: Acknowledgment To Declaration

Witness my hand and seal this 26 day of February, 2003.

Signed, Sealed and Delivered  
in the presence of

James B. Barns  
Witness

Patricia G. O'Carroll  
Patricia G. O'Carroll

State of Maine  
County of Cumberland:ss.

February 26, 2003

Then personally appeared the above named Patricia G. O'Carroll and  
acknowledged the foregoing instrument to be her free act and deed.

Before me,

James B. Barns  
Printed name:  
Notary public/ Attorney at Law

JAMES B. BARNES  
Notary Public, Maine  
My Commission Expires October 26, 2008

SEAL

Doc#: 35115 Bk:19162 Pg: 96

Re: Acknowledgment To Declaration

Witness my hand and seal this 25 day of February, 2003.

Signed, Sealed and Delivered  
in the presence of

James B. Barns  
Witness

Barbara B. Soule  
Barbara B. Soule

State of Maine  
County of Cumberland:ss.

February 25, 2003

Then personally appeared the above named Barbara B. Soule and acknowledged  
the forgoing instrument to be her free act and deed.

Before me,

James B. Barns  
Printed name:  
Notary public/ Attorney at Law

JAMES B. BARNES  
Notary Public, Maine  
My Commission Expires October 26, 2008

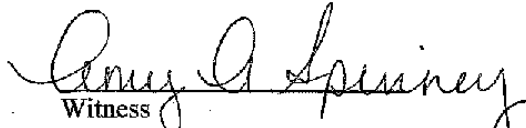
SEAL

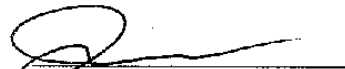
Doc#: 35115 Bk:19168 Pg: 37

Re: Acknowledgment To Declaration

Witness my hand and seal this 27 day of February, 2003.

Signed, Sealed and Delivered  
in the presence of

  
Witness

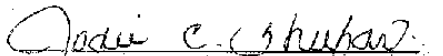
  
Jeremiah S. Burns, Jr.

State of Maine  
County of Cumberland:ss.

February 27 2003

Then personally appeared the above named Jeremiah S. Burns, Jr and  
acknowledged the foregoing instrument to be his free act and deed.

Before me,

  
Printed name: Jodie C. Sheehan

Notary public/ Attorney at Law  
Jodie C. Sheehan, Notary Public  
State of Maine  
My Commission Expires 12/10/2004

SEAL

Doc#: 35115 Bk:19168 Ps: 88

Re: Acknowledgment To Declaration

Witness my hand and seal this 28<sup>th</sup> day of February, 2003.

Signed, Sealed and Delivered  
in the presence of

[Signature]  
Witness

[Signature]  
Susan E. Burns

State of Maine  
County of Cumberland:ss.

February 28, 2003

Then personally appeared the above named Susan E. Burns and acknowledged the foregoing instrument to be her free act and deed.

Before me,

[Signature]  
Printed name:  
Notary public/ Attorney at Law

SEAL

JAMES B. BARNES  
Notary Public, Maine  
My Commission Expires October 26, 2008

Received  
Recorded Register of Deeds  
Apr 02, 2003 03:33:01P  
Cumberland County  
John B. O'Brien

Doc#: 53530 BK:19506 Pg: 98

EASEMENT

KNOW ALL PERSONS BY THESE PRESENTS, That I, Anne R. Henry, of Falmouth, Cumberland County and State of Maine, for consideration paid, grant to the Waites Landing Waterfront Association, a Maine nonprofit association with a place of business in Falmouth, Maine, the following:

The right to use, in common with others, the cove and beach lying to the east of the Waites Landing Road in the Town of Falmouth, County of Cumberland and State of Maine and lying northerly of property currently owned by William P. Dubord as Trustee of the Waites Landing Realty Trust as described in a deed recorded in Book 9654, Page 304. The property shall be accessible to the Grantee for passive recreation, such as swimming, sun bathing, picnicking, nature watching and such other uses as are commonly made of a recreational beach area.

The Grantee shall also have the right to store floats used in connection with the private wharf owned by the Waites Landing Waterfront Association on said beach. Floats may be stored at the beach after September 15 of each year and must be removed by June 15 of each year. If said floats are not removed by June 15 the Grantor, her heirs, successors and assigns may have them removed at the expense of the Grantee, its successors and assigns.

Grantee acknowledges that Grantor is the owner of the underlying fee to the beach and cove area and is also a member of the Waites Landing Waterfront Association. Grantee, its successors and assigns agree to defend, indemnify and hold Grantor harmless from any claims for damages that may be brought by Grantee's members or their guests and invitees relating to their use of the beach and cove area. However, Grantee shall not be obligated to defend Grantor, in her capacity as an the underlying fee owner, in the event of a claim brought against her by her guests or invitees.

The grantee's rights shall be subject to the obligations and conditions set forth by the Waites Landing Waterfront Association so long as said Association is responsible for the care and maintenance of the beach and cove area. Grantee, its successors and assigns, agrees to be responsible for the said care and maintenance. Grantor's obligations with respect to the care and maintenance shall be only as a member of the Waites Landing Waterfront Association and Grantor shall have no individual obligation in her capacity as the underlying fee owner.

Witness my hand and seal this 3<sup>rd</sup> day of June, 2003.

Witness: [Signature]

[Signature]  
Anne R. Henry

STATE OF MAINE  
COUNTY OF CUMBERLAND ss.

June 3, 2003

On June 3, 2003, personally appeared the above-named Anne R. Henry and acknowledged the foregoing instrument to be her free act and deed.

Before me,  
[Signature]  
Notary Public/Attorney at Law

Recorded  
Registered of Deeds  
June 06 2003 01:45:03P  
Cumberland County  
John B. D. Brian

SEA