

QUITCLAIM DEED WITH COVENANT

KNOW ALL PERSONS BY THESE PRESENTS, That the Inhabitants of the Town of Yarmouth, a body corporate and politic, located in the Town of Yarmouth, County of Cumberland and State of Maine, for consideration paid, grants to Yarmouth Historical Society, a Maine non-profit corporation, having a principal office located at 118 East Elm Street, Yarmouth, Maine, and a mailing address of P.O. Box 107, Yarmouth, ME 04096, with Quitclaim Covenant, the following land:

A certain lot or parcel of land, together with the improvements located thereon, on the northerly side of East Elm Street, in the Town of Yarmouth, County of Cumberland, and State of Maine and bounded on the north by the Royal River, on the west by the Atlantic & St. Lawrence Railroad, and on the south and east by East Elm Street, which parcel being more particularly bounded and described as follows:

Beginning at a point on the southerly shoreline of the Royal River on the easterly sideline of the Atlantic & St. Lawrence Railroad;

Thence S 13° 12' 29" W a distance of 14 feet, more or less, along said Railroad easterly sideline to a 5/8" rebar set;

Thence continuing S 13° 12' 29" W a distance of 181.99 feet to a 5/8" rebar set on the northerly sideline of said East Elm Street;

Thence N 67° 24' 35" E a distance of 304.80 feet along the northerly sideline of East Elm Street to a 5/8" rebar set;

Thence N 35° 12' 43" E a distance of 56 feet, more or less, along the northerly sideline of East Elm Street to the southerly shoreline of the Royal River;

Thence in a general westerly direction along the shoreline of the Royal River to the point of beginning.

This conveyance is made subject to an easement granted by the Town of Yarmouth to Yarmouth Water District by instrument dated February 15, 2013, and recorded in the Cumberland County Registry of Deeds in Book 30420, Page 71.

Being the same premises conveyed to said Inhabitants of the Town of Yarmouth by Yarmouth Water District by deed dated June 17, 2010, and recorded in the Cumberland County Registry of Deeds in Book 27875, Page 211.

Reserving to the Grantor for the benefit of the present and future residents of the Town of Yarmouth, the easements set forth below in and upon the Easement Area depicted on the plan attached hereto as Exhibit A.

The general purpose of the easements herein reserved is to provide access from East Elm Street across and within the easement area to the Royal River for recreational purposes, including, but not limited to, swimming, ice skating and launching and landing of kayaks, canoes and similar portable watercraft into and from the Royal River. The easement does not include the use of the Easement Area as a boat launch for watercraft transported on trailers or similar equipment, and does not include the parking of any vehicle or equipment that occupies more than one designated parking space or extends out beyond a designated parking space. The easement includes the right, in connection with the use of the easement for recreation, to make use of any available designated parking spaces in the easement area, provided the Grantor agrees upon Grantee's request, to impose and enforce reasonable restrictions to limit or prohibit public parking during Grantee's hours of operation and any special events hosted on the premises hereby conveyed. The Grantor shall have the right to maintain, operate, repair and replace the existing signage, bench, waste receptacles and canoe/kayak storage racks (the "Chattel"). The Grantor agrees to keep the Chattel in good repair and to maintain the waste receptacles and surrounding area in a clean and sanitary condition. The Grantor agrees to relocate the Chattel at Grantee's reasonable request. The Grantor agrees to maintain the parking area, driveway, and river access area within the Easement Area in neat, orderly, safe and healthful condition, including mowing, raking, snow removal, and repair and replacement of pavement.

The premises are hereby conveyed together with the right to use nearby shared public parking at the Royal River Park parking areas immediately across Elm Street from the above-described premises, or reasonably comparable offsite parking accommodations as may be determined by the Grantor.

The easements reserved herein are easements in gross. The rights of the Grantee set forth herein are appurtenant to the within conveyed premises and shall run with the land.

In witness whereof, the Inhabitants of the Town of Yarmouth have caused this instrument to be executed by Nathaniel J. Tupper, its Town Manager, thereunto duly authorized, this ____ day of August, 2021.

Town of Yarmouth

By: _____

Nathaniel J. Tupper, its Town Manager

State of Maine
Cumberland, ss.

August ____, 2021

Personally appeared before me the above named Nathaniel J. Tupper, Town Manager of the Town of Yarmouth, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of the Town of Yarmouth.

Notary Public

Printed name:

Exhibit A
(Plan showing perimeter of Easement Area)