MEMORANDUM

TO: Cape Elizabeth Town Council
FROM: Planning Board
DATE: July 28, 2015
SUBJECT: 2015 Paper Street Report Recommendation

Introduction

The Town Council referred to the Planning Board a review of the 2015 Paper Street Report as part of the Paper Street Public Engagement Plan. A summary of the Planning Board process and its recommendation follows.

Process

The Planning Board reviewed the Paper Street Report in detail at the June 3, 2015 workshop. An aerial photo depicting the paper street and adjacent area including related features was reviewed for each paper street. The Planning Board discussed the elements identified in the report, with the most emphasis on paper streets needed to preserve access to unbuilt lots, paper streets where utilities are located, and open space/trail connections. The board prepared a recommendation to "retain" or "vacate" for each paper street.

At the June 16, 2015 meeting, the Planning Board tabled a draft recommendation to the July 21, 2015 meeting, when a public hearing was held. At the public hearing, the Planning Board heard from 3 speakers and also discussed written comments submitted by members of the public. The recommendation for Thompson Rd (U10-1) was discussed and revised. The Board encouraged members of the public to participate in the "Part 2" neighborhood meetings to be hosted by the Town Council.

Public Comment

The Planning Board received comment from the following:

Ellen and Steve Brewster, 4 Drew Rd South Portland (Paper Street id U2-2) - Request to vacate

Anne Cranshaw, Dearborn Dr (Paper Street id U21-1, U21-2) - Request to vacate

Maureen Quinlan and Eric Kruger, 33 Beach Bluff Terrace (Paper Street id U10-1) - Request to retain

Chris Boulos, 67 Edgewood Rd (Paper Street id U1-1a) - Request to vacate

Susan Murray Guerrette, Katahdin Rd (all paper streets) - Request to retain

Russ Keenan, 3 Spoondrift Ln (Paper Street id U36-1) - Request to vacate
Summary of Recommendation

Attached is the Paper Street Inventory Chart with the Planning Board recommendation for each paper street shown in column 15. Please note that the Planning Board supports vacation of paper street id U21-2 as long as a pedestrian easement is retained to provide for continued pedestrian access currently used by school children.

At the July 21st meeting, the following motion was adopted by the Planning Board in a 5-0 vote:

BE IT ORDERED that, based on the meeting materials and the facts presented, the Planning Board recommends that the paper streets shown on the Paper Streets Inventory Chart be vacated or retained. Where paper streets are recommended to be retained, the Planning Board's recommendation is based on the features found in and adjacent to the paper street as identified on the Paper Street Inventory Chart.
<table>
<thead>
<tr>
<th>ID #</th>
<th>Name/Location</th>
<th>Length (ft)</th>
<th>Year Planted</th>
<th>Rating #</th>
<th>Pedestrian/Trail Access</th>
<th>Light Access</th>
<th>Land Use</th>
<th>Future Use</th>
<th>Retain</th>
<th>2015 Conservation Commission Recommendation</th>
<th>2015 Planning Board Recommendation</th>
</tr>
</thead>
</table>
Request for information on paper road decisions for Cape Elizabeth

9 messages

Steven Brewster <brewsterfam@gmail.com>  
To: maureen.omeara@capeelizabeth.org  
Fri, Jan 9, 2015 at 5:34 PM

Ms. O'Meara,

My husband and I talked with you back in Nov. regarding paper roads in Cape Elizabeth, and the best way forward for a planned renovation. You mentioned that all the paper roads are up for review, possibly this year? Our house sits on the border of Cape Elizabeth & South Portland (4 Drew Road) - we pay property taxes in both - and we want to build a garage in the rear of our home that would connect with a paper road and give us access to Ottawa. You were very helpful, and, as per our conversation, we have subscribed to notices of town meetings and made effort to get legal advice. However, we would like to get an idea of when this issue will appear on the agenda of the Planning Board/Town Council. I have been looking at the agendas and I believe there is no mention thus far. We are eager to get started on plans with our architect/builder, but until we have clarification the way forward is unclear.

Please inform us at your earliest convenience if & when this issue will be addressed - even a rough idea is better than no idea. Are we wiser to ask for a variance based on hardship? Currently we share a driveway with our neighbor and cannot park on the driveway as 2 vehicles will not fit abreast: we would block access to their garage and vice versa. Also, while the driveway is parallel to their garage, it is perpendicular to ours. In order to ingress/egress, we have to execute a 90 degree turn up/down into our garage. On days where there is significant ice, we run the risk of hitting their garage when we back out of ours as their garage sits partially in the path of our exit.

Finally, on the survey I will attach to this email, you can see that there are 3 possible locations for the paper road, which, according to our deed, we have access to. One is not very favorable for us, so there is another possible issue for us to deal with. It certainly is complicated. We appreciate your time and any information you can impart.

Kindest regards,

Ellen & Steven Brewster  
brewsterfam@gmail.com  
(360) 515-6806

4 Drew Survey.pdf  
755K

Maureen O'Meara <maureen.omeara@capeelizabeth.org>  
To: Steven Brewster <brewsterfam@gmail.com>  
Mon, Jan 12, 2015 at 10:12 PM

Mr. Brewster,

I am completing the paper street report this month. It is in draft being reviewed by my other staff. I have included a reference to your desire to vacate the road in the report. So, there should be more information on next steps around the beginning of February.

Maureen
Sent from my iPad

> On Jan 9, 2015, at 5:34 PM, Steven Brewster <brewsterfam@gmail.com> wrote:
> 
> > Ms. O'Meara,
> > 
> > My husband and I talked with you back in Nov. regarding paper roads in Cape Elizabeth, and the best way forward for a planned renovation. You mentioned that all the paper roads are up for review, possibly this year? Our house sits on the border of Cape Elizabeth & South Portland (4 Drew Road) - we pay property taxes in both - and we want to build a garage in the rear of our home that would connect with a paper road and give us access to Ottawa. You were
> > <mime-attachment>
> > <4 Drew Survey.pdf>

Brewster Family <brewsterfam@gmail.com>  
To: Maureen O'Meara <maureen.omeara@capeelizabeth.org>  

Maureen,

Thank you very much for the update. We appreciate that you have indicated on your report that we would like the paper road vacated, and we will hope for favorable progress in Feb.

Kindest regards,

Ellen & Steve Brewster

[Quoted text hidden]

Brewster Family <brewsterfam@gmail.com>  
To: Maureen O'Meara <maureen.omeara@capeelizabeth.org>  

Maureen,

Is there any update on the paper street report for Cape Elizabeth? Any idea when recommendations will be finalized or voted on?

Kind regards,

Ellen & Steven Brewster

[Quoted text hidden]

Brewster Family <brewsterfam@gmail.com>  
To: Maureen O'Meara <maureen.omeara@capeelizabeth.org>  

Ms. O'Meara,

My husband and I were wondering if there were yet any dates set for public engagement on Cape Elizabeth's plans for paper roads? We have been in contact with Norman Twaddle, a right of way agent for the Portland Water District, and have asked him to mark our sewer line. In his opinion, the PWD would have no objections to the vacation of the paper road abutting our property.

We want to be sure not to miss any meetings where this issue will be discussed--hence this email. Thank you for all your assistance, and your forbearance.

Kind regards,

Ellen & Steve Brewster

[Quoted text hidden]
Maureen O'Meara <maureen.omeara@capeelizabeth.org> 
To: Brewster Family <brewsterfam@gmail.com> 
Bcc: Michael McGovern <michael.mcgovern@capeelizabeth.org>  

Mon, Apr 27, 2015 at 12:44 PM  

Mr. and Mrs. Brewster,  

No meeting dates have been set yet. I expect the Planning Board and Conservation Commission review to happen in May-July, then the Town Council sponsored neighborhood meetings at dates yet to be determined. In case you have not yet seen it, attached is the Town Council adopted Paper Street Public Engagement Plan.  

Maureen  
[Quoted text hidden]  

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Maureen O'Meara  
Cape Elizabeth Town Planner  
320 Ocean House Rd  
Cape Elizabeth, Maine 04107  
(207) 799-0115  
maureen.omeara@capeelizabeth.org  

Public Engagement Plan 4-6-2015.docx  
133K  

Michael McGovern <michael.mcgovern@capeelizabeth.org>  
To: Maureen O'Meara <maureen.omeara@capeelizabeth.org>  

Mon, Apr 27, 2015 at 1:17 PM  

I am confused, this references marking their sewer line. I thought the PWD had their lines in this area. Either water or sewer.  

Michael K. McGovern  
Town Manager  
Town of Cape Elizabeth, Maine  
PO Box 6260, 320 Ocean House Road  
Cape Elizabeth, ME 04107  
michael.mcgovern@capeelizabeth.org  
www.capeelizabeth.com  
Phone: 207-619-6716  

[Quoted text hidden]  

Brewster Family <brewsterfam@gmail.com>  
To: Maureen O'Meara <maureen.omeara@capeelizabeth.org>  

Mon, Jun 1, 2015 at 3:36 PM  

Mr. O'Meara (Maureen),  

My husband and I are very interested in Cape Elizabeth's paper road report and the proposed public engagement meeting dates. Will Wednesday's meeting (June 3rd) decide the dates for engaging the public in discussion of paper roads—or discuss anything about our particular paper road (Ottawa)? As mentioned in previous emails, and in person with you, we want to build a garage in the rear of our house (4 Drew Street, SoPo) with access to Ottawa, commencing construction just after Labor Day. A survey the previous owner commissioned indicates 3 possible paper roads; the determination of the actual paper road location for setback purposes is crucial to our ability to build. Also, if the paper road is eventually to be vacated by Cape Elizabeth, it will still be necessary to determine its location so that it may be equitably divided among the property owners abutting it and so that we can meet setback requirements.  

If the determination of whether to vacate the paper road—or not—will not occur before we would like to begin construction, is there the possibility of petitioning Cape Elizabeth to recognize one paper road as being more
accurate? Our deed states that our property extends “fifty feet, more or less, to the Northeasterly sideline of Sea View Avenue (Sea View & Ottawa being synonymous) which would make the the 2 paper roads closest to us ineligible for consideration as possibilities anyway. The 3rd paper road gives us the opportunity to meet Cape Elizabeth’s setback guidelines.

PWD and Cape Elizabeth both came out to mark our sewer and storm drain lines. Neither poses any difficulty to our building plans as both actually arc southward away from our house towards the sewer station on Ottawa.

As you mentioned late last year, there exists the possibility of petitioning Cape Elizabeth for a variance based on hardship caused by our current garage/driveway situation. To recap, we share a driveway with our neighbor at 2 Drew, but unlike them, have to execute a 90 degree turn into our garage. Their garage is positioned in such a way that if we pull straight out of our garage, we will damage theirs; moreover, the entry into our garage has an incline which causes winter snow and ice to make ingress/egress hazardous; there were weeks this winter where we simply could not use our garage because of ice and the danger of sliding into their garage. Of course this option entails the most time and cost, and we would like to avoid it; however, we will have been in our house a year in August, and worry about facing another winter without adequate garage coverage. Too, we have engaged a designer, but she cannot design a garage until we get this paper road issue settled.

We look forward to hearing from you and thank you for all your assistance.

Kindest regards,

Ellen & Steven Brewster
4 Drew Road
South Portland
(360)515-6806
brewsterfam@gmail.com

[Quoted text hidden]

Maureen O'Meara <maureen.omeara@capeelizabeth.org>  
Mon, Jun 1, 2015 at 4:30 PM  
To: Brewster Family <brewsterfam@gmail.com>  
Cc: Benjamin McDougal <benjamin.mcdougal@capeelizabeth.org>, Michael McGovern <michael.mcgovern@capeelizabeth.org>  
Bcc: Carol Anne Jordan <cJordan@jordansfarm.com>, Elaine Falender <gayerfal@maine.rr.com>, Henry Steinberg <hneysteinberg@yahoo.com>, Hiromi Dolliver <thedollivers@yahoo.com>, Jonathan Sahrbeck <jonathansahrbeck@hotmail.com>, Josef Chalat <azimuth@maine.rr.com>, Peter Curry <peterc.curry@gmail.com>, Victoria Volent <VVolent@gmail.com>, Garvan Donegan <Garvan.Donegan@maine.edu>, Jeremy Gabrielson <jeremygabrielson@hotmail.com>, Jim Tasse <jamestasse@mac.com>, Mark Fleming <mflmng@maine.rr.com>, Marti Blair <martiblair@maine.rr.com>, Mitch Wachsman <mitch_wachsman@hotmail.com>, Molly MacAuslan <mmacauslan@gmail.com>, Zach Matzkin <zmatzkin@mac.com>

Mr. and Mrs. Brewster,

The public engagement plan included three steps. Step 1 was a review by the Conservation Commission and Planning Board. The Conservation Commission has almost completed their review and will probably conclude at the June 4th meeting. The Planning Board will begin their review at the June 3rd workshop. No public comment is allowed at the Planning Board workshops, but I have forwarded your comments to the Planning Board. The Conservation Commission allows public comment at every meeting and I have also forwarded your comments to them.

The public engagement plan proposes to focus public comments on steps 2 and 3 and that scheduling will be decided by the Town Council. I am skeptical that those steps will be completed by Labor Day. I am not sure how the town would make a decision as to the “right” location of Seaview Ave prior to completing the paper street process. As for a variance, I do not know what success you might have. You would need to pursue that with Ben and an application to the Zoning Board.

Maureen

https://mail.google.com/mail/u/0?ui=2&ik=89f4b2b172&view=pt&search=all&ui=2&query=after &related=all&sig=14ad0d550401c07b&sig=14ad0d550401c07b&sig=14c7be275662e203&sig=14c7be275662e203
Conservation Commission meeting
2 messages

Anne Cranshaw <acransh1@maine.rr.com>  Tue, Jul 14, 2015 at 8:59 AM
To: Maureen O'Meara <maureen.omeara@capeelizabeth.org>

Hi Maureen,
I am planning on attending tonight’s meeting.

An update on the paper street next to our property on Star Road:
The President of the Brentwood Association and a Brentwood resident attorney have determined that
the association does not belong to them by virtue of it not being on the assessor list and that there
is apparently no insurance on the property. They have stated that they will not contest a vacation of
the property.

Thanks,
Anne Cranshaw
232-3265

Maureen O'Meara <maureen.omeara@capeelizabeth.org>  Tue, Jul 14, 2015 at 11:10 AM
To: Anne Cranshaw <acransh1@maine.rr.com>
Cc: Benjamin McDougal <benjamin.mcdougal@capeelizabeth.org>
Bcc: Garvan Donegan <Garvan.Donegan@maine.edu>, Jeremy Gabrielson <jeremygabrielson@hotmail.com>, Jim
tasse <jamestasse@mac.com>, Mark Fleming <mfleming@maine.rr.com>, Marti Blair <martiblair@maine.rr.com>,
Mitch Wacksman <mitch_wacksman@hotmail.com>, Molly MacAuslan <mmacauslan@gmail.com>, Zach Matzkin
<zmatzkin@mac.com>, Carol Anne Jordan <cajordan@jordansfarm.com>, Elaine Falender
<gayerfal@maine.rr.com>, Henry Steinberg <henrysteinberg@yahoo.com>, Hiromi Dolliver
<thedollivers@yahoo.com>, Jonathan Sahrbeck <jonathansahrbeck@hotmail.com>, Josef Chalat
<azimuth@maine.rr.com>, Peter Curry <peterl.curry@gmail.com>, Victoria Volent <VVolent@gmail.com>

Mrs. Cranshaw,

That appears consistent with what I found. Your comments will be forwarded to the Conservation Commission
and the Planning Board.

Maureen
[Quoted text hidden]

--
Maureen O'Meara
Cape Elizabeth Town Planner
320 Ocean House Rd
Cape Elizabeth, Maine 04107
(207) 799-0115
maureen.omeara@capeelizabeth.org
The Neighborhood of Brentwood West

232-3265
ACRANSH @ MAINE.COM

Solid black lines indicate the pedestrian easements

The green sections indicate property owned by Brentwood West Association
Maureen P. Quinlan
Eric R. Kruger
33 Beach Bluff Terrace
Cape Elizabeth, ME 04107

July 12, 2015

Planning Board
C/O Maureen O'Meara
Town Planner
P.O. Box 6260
Cape Elizabeth, Maine 04107

RE: Thompson Road & 33 Beach Bluff Terrace, Cape Elizabeth (Map U10, Lot 026, Account: K0896R)

Dear Mr. Jonathan Sahrbeck, Ms. Carol Anne Jordan, Ms. Victoria Volent, Ms. Elaine S. Falender,
Mr. Henry Steinberg, Mr. Josef Chalat, & Mr. Peter L. Curry,

We are writing to comment on the 2015 Paper Street Report. We wish to express our concerns about the possibility of Thompson Road lapsing and town rights to the road being vacated. We purchased our home, at 33 Beach Bluff Terrace, in 1997. Years later we purchased the property behind our home and lots to the east. As you are aware, Thomson Road runs through these lots.

Our lot borders the second home of the driveway of Thomson Road. It appears the entire length of Thompson Road will not be extinguished. We request the Planning Board allow the paper road to continue at least to our property. If Thompson Road is extinguished it would be difficult for us to access the property via Beach Bluff Terrace. Our home on Beach Bluff Terrace covers a substantial width of our Beach Bluff Terrace frontage, making even a private driveway to the back lot difficult to build. We have a driveway only one car width wide.

We wish to continue, to have the option, to access the lot from Thompson Road. In the future, it is our wish to sub-divide our lot on Thomson Road from 33 Beach Bluff Terrace. We have two children. We hope to leave the house to one of our children and the lot to the other child, to build a home. In that way they always have a home in Maine. These children are now minors and as such we have not made plans for such a division. We hope and pray to be here for next discussion regarding paper roads in twenty years. We can, if need be, extend the driveway during that twenty year period.

Thank you for your time and consideration in this matter.

Sincerely,

Maureen P. Quinlan
Maureen P. Quinlan

Eric R. Kruger
Eric R. Kruger
2015 Paper Street Report
2 messages

Russ Keenan <rkeenan@integral-corp.com>                   Tue, Jul 21, 2015 at 6:41 PM
To: "maureen.omeara@capeelizabeth.org" <maureen.omeara@capeelizabeth.org>
Cc: Russ & Donna Keenan <rkeenan2@maine.rr.com>

Dear Maureen,

I just became aware of the 2015 Paper Street Report and the accompanying 2015 Draft Paper Streets Inventory that will be part of tonight's discussion at the Cape Elizabeth Planning Board meeting. Unfortunately, I am unable to attend tonight's meeting and must apologize for the late timing of this letter, but I wanted to bring to your attention an inaccuracy in the Report and Draft Inventory.

My wife, Donna, and I live at 3 Spoondrift Lane and we are the owners of that property (ID: U36-061-000-000) as well the undeveloped property on Avon Road (ID: U12-011-000-000). My most immediate concern has to do with the designation of Paper Street U36-1 in the Draft Inventory and the current recommendation to retain it as a paper street. U36-1 is incorrectly designated as a paper street because this parcel of land was conveyed to us by Warranty Deed on January 4, 1991 as part of the 3 Spoondrift Lane property that we purchased on that date. I have attached a copy of that Warranty Deed for your reference. Please refer to paragraphs 5, 6, and 7 which refer to that parcel, which was conveyed to the previous owners of the 3 Spoondrift Lane property, William J. and Cynthia A. Bouman, by deed of I. Alan Balfour on May 15, 1984.

Thank you for your attention to this matter and for all of your good work on behalf of the Town of Cape Elizabeth.

Sincerely,

Russ Keenan
3 Spoondrift Lane
(207) 767-5082 (home)
Maureen O'Meara <maureen.omeara@capeelizabeth.org>
To: Russ Keenan <rkeenan@integral-corp.com>
Cc: Durward Parkinson <dparkinson@bergenparkinson.com>
Bcc: Carol Anne Jordan <cajordan@jordansfarm.com>, Elaine Falender <gayerfal@maine.rr.com>, Henry Steinberg <hsteinberg@yahoo.com>, Hiromi Dolliver <thedollivers@yahoo.com>, Jonathan Sahrbeck <jonathansahrbeck@hotmail.com>, Josef Chalat <azimuth@maine.rr.com>, Peter Curry <peteric.curry@gmail.com>, Victoria Volent <VVolent@gmail.com>, Patricia Grennon <patricia.grennon@capeelizabeth.org>, Caitlin Jordan <Caitlin.Jordan@capeelizabeth.org>, Deb Lane <Debra.lane@capeelizabeth.org>, James Wagner <jamie.wagner@capeelizabeth.org>, James Walsh <jwalsh@llbean.com>, Jessica Sullivan <jessica.sullivan@capeelizabeth.org>, Kathy Ray <retbank@maine.rr.com>, Michael McGovern <michael.mcgovern@capeelizabeth.org>, Molly MacAuslan <mmacauslan@gmail.com>

Wed, Jul 22, 2015 at 9:53 AM

Mr. Keenan,

I will forward your comments to the Planning Board and to the Town Council.

Thank you for reviewing the report, and for providing supporting documentation. The potential rights the town may have in paper streets is a legal question, and the Town Council has retained legal counsel specifically for advice about paper streets. Because the Town may have residual paper street rights over the land that you own in fee, I included it in the report. If there may be some rights, this process could benefit you by having the town affirmatively extinguish those rights.

Many of us have been frustrated by the lack of legal clarity regarding paper streets, and we hope one outcome of this effort is definitive answers to legal status.

Maureen

[Quoted text hidden]

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Maureen O'Meara
Cape Elizabeth Town Planner
320 Ocean House Rd
Cape Elizabeth, Maine 04107
(207) 799-0115
maureen.omeara@capeelizabeth.org

3_Spoonrift_Warranty_Deed.pdf
146K
WARRANTY DEED
(Maine Statutory Short Form)

KNOW ALL MEN BY THESE PRESENTS,

That William J. Bouman and Cynthia A. Bouman a/k/a Cynthia Ann Bouman, of 3 Spoondrift Lane, Cape Elizabeth, Maine 04107, for consideration paid, grant to Russell E. Keenan and Donna L. Keenan, whose mailing address is 597 Sawyer Street, South Portland, Maine 04106, as Joint Tenants and not as Tenants in Common, with WARRANTY COVENANTS, the land in Cape Elizabeth, County of Cumberland, State of Maine, described as follows:

A certain lot or parcel of land, with the buildings thereon situated on the northerly side of Spoondrift Lane, in the Town of Cape Elizabeth, County of Cumberland and State of Maine, bounded and described as follows: Beginning on the northeasterly side of Spoondrift Lane at the westerly corner of land conveyed by I. Alan Balfour to George J. Scully by deed dated March 23, 1959 and recorded in Cumberland County Registry of Deeds in Book 2465, Page 20; thence North 57 degrees 46 minutes West by the northeasterly side line of Spoondrift Lane, seventy-two and four hundredths (72.04) feet to an angle; thence South 70 degrees 54 minutes West by the northwesterly side line of Spoondrift Lane, seventy (70) feet to a point; thence North 19 degrees 06 minutes West by land now or formerly of I. Alan Balfour, eighty (80) feet to an angle; thence North 27 degrees 42 minutes East by said Balfour land, one hundred ten and five hundredths (110.05) feet to the westerly corner of land conveyed by Paul C. Goodey to Guy W. Farley by deed dated May 14, 1958 and recorded in said Registry in Book 2409, Page 81; thence South 55 degrees 30 1/2 minutes East by said Farley land, ninety-one and six tenths (91.6) feet to an angle; thence North 58 degrees 54 minutes East by said Farley land, ninety-one and six tenths (91.6) feet to an angle; thence South 53 degrees 55 minutes East by said Farley land, fifty and forty-three hundredths (50.43) feet to the northerly corner of said Scully land; thence South 32 degrees 14 minutes West by said Scully land, one hundred seventy-nine and sixty-one hundredths (179.61) feet to the point of beginning.

Said above described courses are magnetic as of the year 1954.

Being the same premises conveyed to the Grantors herein by deed of Russell C. Briggs and Barbara M. Briggs, recorded in the Cumberland County Registry of Deeds in Book 6339, Page 11.

Also conveying the land in Cape Elizabeth, County of Cumberland, State of Maine, described as follows: Beginning on the northerly sideline of Spoondrift Lane at the southwesterly corner of land now or formerly of the Grantors herein, being Lot 61 as shown on "Plan of Land in Cape Elizabeth, Maine made for I. Alan Balfour, Broad Cove" by H.I. and E.C. Jordan, dated May 1964, recorded in the Cumberland County Registry of Deeds in Plan Book 77, Page 39; thence North 19° 06' West along the westerly sideline of Lot 61 eighty (80) feet; thence North 27° 42' East along the westerly sideline of Lot 61 one hundred ten and five hundredths (110.05) feet to the northwest corner of Lot 61; thence southwesterly along southerly line of land now or formerly of Shore Acres Land Company fifty-six (56) feet, more or less, to the northeast corner of Lot 60 on said plan; thence South 27° 42' West along the easterly sideline of Lot 60 ninety (90) feet, more or less, to a corner of said Lot 60; thence South 19° 06' East along the easterly sideline of Lot 60 ninety-seven and thirty-one hundredths (97.31) feet to the northerly sideline of Spoondrift Lane; thence North 70° 54' East along the northerly sideline of Spoondrift Lane forty (40) feet to the southwest corner of Lot 61 and the point of beginning; said land being designated Private Way on said Plan.

The above described parcel of land shown on said recorded plan as a private way aforesaid is hereby conveyed subject to the rights of others which may have been acquired by virtue of deed references to said private way or to said plan or by virtue of the recording of said plan or by use of said way.

Being the same premises conveyed to the Grantors herein by deed of I. Alan Balfour, dated May 15, 1984 and recorded in the Cumberland County Registry of Deeds in Book 6454, Page 125.
WITNESS our hand(s) and seal(s) this 4th day of January, 1991.

William J. Bouman

STATE OF MAINE
COUNTY OF Cumberland ss:

Personally appeared the above-named William J. Bouman and Cynthia A. Bouman a/k/a Cynthia Ann Bouman, and acknowledged the above instrument to be their free act and deed.

Before me,

Notary Public/Attorney at Law

My Commission Expires: 12/31/93

Typed Name of Notary/Attorney

January 4, 1991