

**AMENDMENT TO CONSERVATION EASEMENT
EAST WINDHAM CONSERVATION AREA**

This AMENDMENT TO CONSERVATION EASEMENT is made this 21st day of September, 2023 by and between the **TOWN OF WINDHAM**, a duly organized Maine municipal corporation, located and operating in Cumberland County, Maine and having an office at 8 School Road, Windham ME 04062 (hereinafter "GRANTOR," or "LANDOWNER" which words are intended to include, unless the context clearly indicates otherwise, the above-named GRANTOR, its successor and assigns, and any successors in interest to the Protected Property), and the **PRESUMPCOT REGIONAL LAND TRUST**, a Maine non-profit corporation with a mailing address of P.O. Box 33, Gorham, Maine 04038 (hereinafter "HOLDER," which word shall, unless the context clearly indicates otherwise, include HOLDER's successors and/or assigns).

WHEREAS Grantor granted to Holder a conservation easement dated September 21, 2023 to be recorded in the Cumberland County Registry of Deeds in Book 40378, Page 285 (the Conservation Easement) on 697.4 acres of land (the "Protected Property") located in the Town of Windham, as more fully described in the exhibits to the Conservation Easement; and

WHEREAS Grantor has subsequently acquired via a release deed additional acreage contiguous with the Protected Property which it desires to encumber with the Conservation Easement, which additional lands are depicted on a plan entitled "Boundary Survey, BICS, LLC Parcel B, off Falmouth Road - Nash Road, Windham Maine" dated February 2023, prepared by Survey, Inc. and recorded in Cumberland County Registry of Deeds in Plan Book 223, Pages 284 as "Area In Question" (hereinafter "Contiguous Acres");

WHEREAS the Grantor and Holder agree that amending the Conservation Easement to add the Contiguous Acres enhances the conservation values intended to be protected by the Conservation Easement;

NOW THEREFORE, in consideration of the foregoing recitals, Grantor and Holder agree as follows:

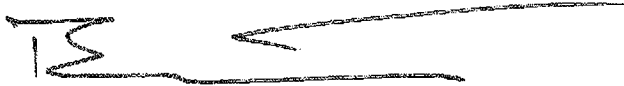
1. The above set forth recitals are incorporated by reference and made a part hereof.
2. The Conservation Easement is hereby amended in its initial paragraph to expand the definition of the Protected Property so that the clause beginning on the fourteenth line of Page 1 reads:

"...more particularly described in **Exhibits A-1 and A-2 and A-3** and approximately as depicted on the map of the property at **Exhibit B** attached hereto and made part hereof (hereinafter referred to collectively as the "Protected Property")."

- 3. The Conservation Easement is hereby amended by adding immediately preceding Exhibit B the exhibit attached hereto which is labeled "Exhibit A-3".
- 4. The Conservation Easement, as amended hereby, is hereby ratified and confirmed, and shall remain in full force and effect.

IN WITNESS WHEREOF, the Town of Windham has caused this Amendment to Conservation Easement to be signed and sealed in its name by and its acknowledgement and seal to be hereto affixed and these presents to be signed by Barry Tibbetts, its Town Manager in its name and on its behalf this 21 day of September, 2023.

TOWN OF WINDHAM

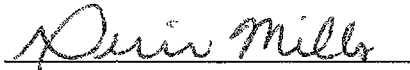


By: Barry Tibbetts
Its: Town Manager

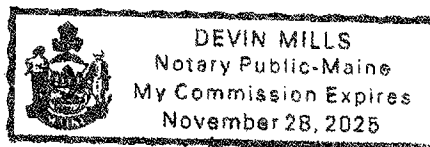
STATE OF MAINE
COUNTY OF CUMBERLAND, ss

September 21, 2023

Personally appeared before me the above named, Barry Tibbetts, Town Manager of the TOWN OF WINDHAM, and acknowledged the foregoing instrument to be their free act and deed in their said capacity and the free act and deed of the TOWN OF WINDHAM.



Notary Public/Attorney at Law
Print Name: Devin Mills
My commission expires/Maine Bar No.:



IN WITNESS WHEREOF, Presumpscot Regional Land Trust, has caused this Amendment to Conservation Easement to be signed and sealed in its name by and through Rachelle Curran Apse, its Executive Director, hereunto duly authorized, this 21 day of September, 2023.

Presumpscot Regional Land Trust

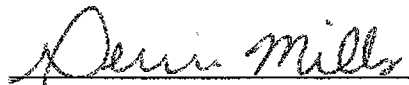


By: Rachelle Curran Apse
Its: Executive Director

STATE OF MAINE
COUNTY OF CUMBERLAND, ss

September 21, 2023

Personally appeared before me the above named Rachelle Curran Apse, Executive Director and authorized representative of the PRESUMPCOT REGIONAL LAND TRUST, and acknowledged the acceptance of the foregoing instrument to be her free act and deed in her said capacity, and the free act and deed of the PRESUMPSOCT REGIONAL LAND TRUST.



Notary Public/Attorney at Law
Print Name: Devin Mills
My commission expires/Maine Bar No.:

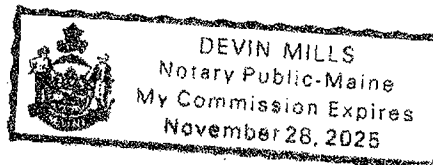


EXHIBIT A-3
Amendment to East Windham Conservation Area
Conservation Easement

The premises situated in the Town of Windham, County of Cumberland, and State of Maine, described as follows:

That certain lot or parcel of land identified as "Area in Question" on the plan entitled "Boundary Survey BICS, LLC Parcel B, off Falmouth Road – Nash Road, Windham, Maine" dated February, 2023, prepared by Survey, Inc., Job No. 22-211, and recorded in the Cumberland County Registry of Deeds at Plan Book 223, Page 284.

Meaning and intending to describe in this Exhibit A-3 and to encumber with the conservation easement herein all and the same premises as conveyed to the Town of Windham by the following deed:

Release Deed of September 21, 2023 from BICS, LLC to the Town of Windham to be recorded in the Cumberland County Registry of Deeds herewith.