



December 4, 2017

Amanda Lessard
Town of Windham
8 School Road
Windham, Maine 04062

**Re: Response to Comments - Major Subdivision Final Plan Application
River Road Subdivision
River Road Housing, LLC – Applicant**

Dear Amanda:

We received comments from the Town of Windham in an email from you dated , and also from an email from Town Engineer Jon Earle, PE dated December 1 and offer the following response:

Town Engineer Comments:

- We have added a waiver of section 911-M-5-B-6-2 which requires the construction of a sidewalk or expanded shoulder for Minor Local Streets within a subdivision that is located within 1,000 feet of a public space, in this case a church. The proposed 24-foot wide paved surface with 2-foot gravel shoulders is sufficient to accommodate the needs of both motorists and pedestrians on this 600-foot long roadway, and there are no connecting sidewalks on River Road.
- A copy of the approved MDOT Driveway Entrance Permit is enclosed.
- A Condition of Approval note requiring the project to comply with MS4 standards has been added to the plan.
- Call-out notes have been added to the Roadway Plan & Profile drawing indicating that the existing 18" HDPE culvert at the driveway entrance may require resetting. The culvert is a new HDPE pipe placed during the Maine DOT reconstruction of River Road and is in good condition.
- A proposed deed for "Lot A" indicating the presence of the stormwater drainage easement and buffers is attached.
- The Stormwater Treatment Table has been added to the subdivision plan. A new note 16 on the subdivision plan refers to the Stormwater Treatment Plan for depiction of proposed clearing limits and impervious surfaces.

Town Planner Comments:

- A letter of Financial Capacity is enclosed.
- An electronic copy of the submission and digital GIS transfer of subdivision plan data is enclosed.
- A copy of the MDOT Driveway Entrance Permit is enclosed. A copy of the MDEP Stormwater Permit By Rule notification form is also attached.
- Map and Lot numbers have been added to the subdivision plan as provided to us by the Town Assessing Department, and the road name Abenaki Drive has been approved.
- A waiver for a sidewalk has been requested, as indicated previously.
- Well exclusion areas have been shown to demonstrate that a subsurface disposal field can be located on each lot.

59 Harvest Hill Road, Windham, ME 04062 ○ (207) 310-0506 ○ dustin@dmroma.com

- A note requiring sprinkler systems for each building has been added to the Subdivision Plan.
- A note requiring marking of stormwater buffers has been added to the Subdivision Plan.
- We have enclosed deeds for the proposed lot conveyances that indicate maintenance responsibilities of the roadway and associated stormwater infrastructure.
- A proposed deed for “Lot A” has been enclosed which grants permission to “Lot A” to use the roadway and grants permission for others to utilize land on “Lot A” for stormwater purposes.
- Street trees have been added to the Roadway Plan & Profile sheet.
- Conditions of approval and waivers granted have been added to the Subdivision Plan.

Upon your review of this information, please let us know if you have any questions or require any additional information.

Sincerely,

DM ROMA CONSULTING ENGINEERS

Dustin M Roma

Dustin M. Roma, P.E.
President

Cc: River Road Housing, LLC
Enc.

**TOWN OF WINDHAM
SUBDIVISION & SITE PLAN APPLICATION**

Performance and Design Standards Waiver Request Form

(Section 808 – Site Plan Review, Waivers)
(Section 908 – Subdivision Review, Waivers)

For each waiver request from the Performance and Design Standards detailed in Section 811 or Section 911 of the Town of Windham Land Use Ordinance, as applicable, please submit a separate completed copy of this waiver request form.

Subdivision or Project Name: RIVER ROAD SUBDIVISION

Tax Map: 8A **Lot:** 56

**Waivers are requested from the following Performance and Design Standards
(add rows as necessary):**

Ordinance Section	Standard	Mark which waiver this form is for
911-M-5-B-5-2	DEAD END STREET TURN-AROUND STANDARD	X
911-M-5-B-6-2	SIDEWALKS OR EXPANDED SHOULDER REQUIRED	X

- a. Describe how a waiver from the standard indicated above will improve the ability of the project to take the property's pre-development natural features into consideration. Natural features include, but are not limited to, topography, location of water bodies, location of unique or valuable natural resources, relation to abutting properties or land uses. Attach a separate sheet if necessary.

1. THE PROPOSED DEAD-END STREET WILL BE CONSTRUCTED WITH A HAMMERHEAD TURN-AROUND INSTEAD OF A CUL-DE-SAC. THE TOWN ENGINEER AND PUBLIC WORKS DIRECTOR HAVE ENDORSED THIS REQUEST.

2. THE PROPOSED 24-FOOT WIDE PAVED SURFACE WITH 2-FOOT SHOULDERS WILL BE ADEQUATE FOR BOTH PEDESTRIAN AND VEHICULAR MOVEMENTS FOR THE RELATIVELY SHORT 600-FOOT LONG STREET. THERE ARE NO SIDEWALKS ON RIVER ROAD.

(continued next page)

b. Will the waiver have an impact on any of the following criteria?

	Yes	No
Water or air pollution		X
Light pollution or glare		X
Water supply		X
Soil erosion		X
Traffic congestion or safety		X
Pedestrian safety or access		X
Supply of parking		X
Sewage disposal capacity		X
Solid waste disposal capacity		X
Scenic or natural beauty, aesthetics, historic sites, or rare or irreplaceable natural areas		X
Flooding or drainage issues on abutting properties		X
The Town's ability to provide the subdivision with public safety services (if subdivision)		X

If granting the waiver will result in an impact on any of the criteria above, please provide more detail below.



Maine Department of Transportation

Paul R. LePage
Governor

Driveway/Entrance Permit

David Bernhardt, P.E.,
Commissioner

Permit Number: 25434 - Entrance ID: 1

OWNER

Name: **River Road Housing, LLC**
Address: **105 Standish Neck Road**
Standish, ME 04084
Telephone:

Date Printed: **November 22, 2017**

LOCATION

Route: **C446N, River Road**
Municipality: **Windham**
County: **Cumberland**
Tax Map: **8A Lot Number: 56**
Culvert Size: **18 inches**
Culvert Type: **plastic**
Culvert Length: **70 feet**
Date of Permit: **November 22, 2017**
Approved Entrance Width: **24 feet**

In accordance with rules promulgated under 23 M.R.S.A., Chapter 13, Subchapter I, Section 704, the Maine Department of Transportation (MaineDOT) approves a permit and grants permission to perform the necessary grading to construct, in accordance with sketch or attached plan, **an Entrance to Subdivision/Development** at a point **1661 feet South** from **Presumpscot Road**, subject to the Chapter 299 Highway Driveway and Entrance Rules, standard conditions and special conditions (if any) listed below.

Conditions of Approval:

This Permittee acknowledges and agrees to comply with the Standard Conditions and Approval attached hereto and to any Specific Conditions of Approval shown here.

(G = GPS Location; W = Waiver; S = Special Condition)

G - THE ENTRANCE SHALL BE LOCATED AT GPS COORDINATES: 43.790330N, -70.439700W.

S - In the town of Windham on the easterly side of River Road, the centerline being approximately 1661 feet southerly of the centerline of Presumpscot Road and approximately opposite utility pole 240.

S - The entrance shall be paved, at a minimum, from the edge of the highway pavement to the edge of the highway right-of-way.

Approved by: Anthony Fontaine Date: 11-22-2017

STANDARD CONDITIONS AND APPROVAL

1. Provide, erect and maintain all necessary barricades, lights, warning signs and other devices as directed by MaineDOT to properly safeguard traffic while the construction is in progress.
2. At no time cause the highway to be closed to traffic
3. Where the driveway is located within a curb, curb and gutter, and/or sidewalk section, completely remove the existing curb, curb and gutter, and/or sidewalk as may be required to create the driveway and restore drainage. All driveways abutting sidewalk sections shall meet the requirements set forth in the Americans with Disabilities Act of 1990, 42 U.S.C. Sec. 12131 et seq.
4. Obtain, have delivered to the site, and install any culverts and/or drainage structures which may be necessary for drainage, the size, type and length as called for in the permit pursuant to 23 M.R.S.A. Sec. 705. All culverts and/or drainage structures shall be new.
5. Start construction of the proposed driveway within twenty-four (24) months of the date of permit issuance and substantially complete construction of the proposed driveway within twelve months of commencement of construction.
6. Comply with all applicable federal, state and municipal regulations and ordinances.
7. Do not alter, without the express written consent of the MaineDOT, any culverts or drainage swales within the MaineDOT right of way.
8. File a copy of the approved driveway permit with the affected municipality or LURC, as appropriate within 5 business days of receiving the MaineDOT approval.
9. Construct and maintain the driveway side slopes to be no steeper than the adjacent roadway side slopes, but in no case to be steeper than 3 horizontal to 1 vertical, unless the side slope is behind existing roadway guardrail, in which case it shall be no steeper than 2 horizontal to 1 vertical.
10. Notify the MaineDOT of a proposed change of use served by the driveway when increase in traffic flow is expected to occur. This does not exempt the need for obtaining a Traffic Movement Permit (TMP) if trip generation meets or exceeds 100 passenger car equivalents (PCE) during the peak hour of the day.
11. Construct or implement and maintain erosion and sedimentation measures sufficient to protect MaineDOT facilities.
12. Driveways shall be designed such that all maneuvering and parking of any vehicles will take place outside the highway right-of-way and where vehicles will exit the premises without backing onto the highway traveled way or shoulders. All driveways will have a turnaround area to accommodate vehicles using the premises.

FURTHER CONDITION OF THE PERMIT

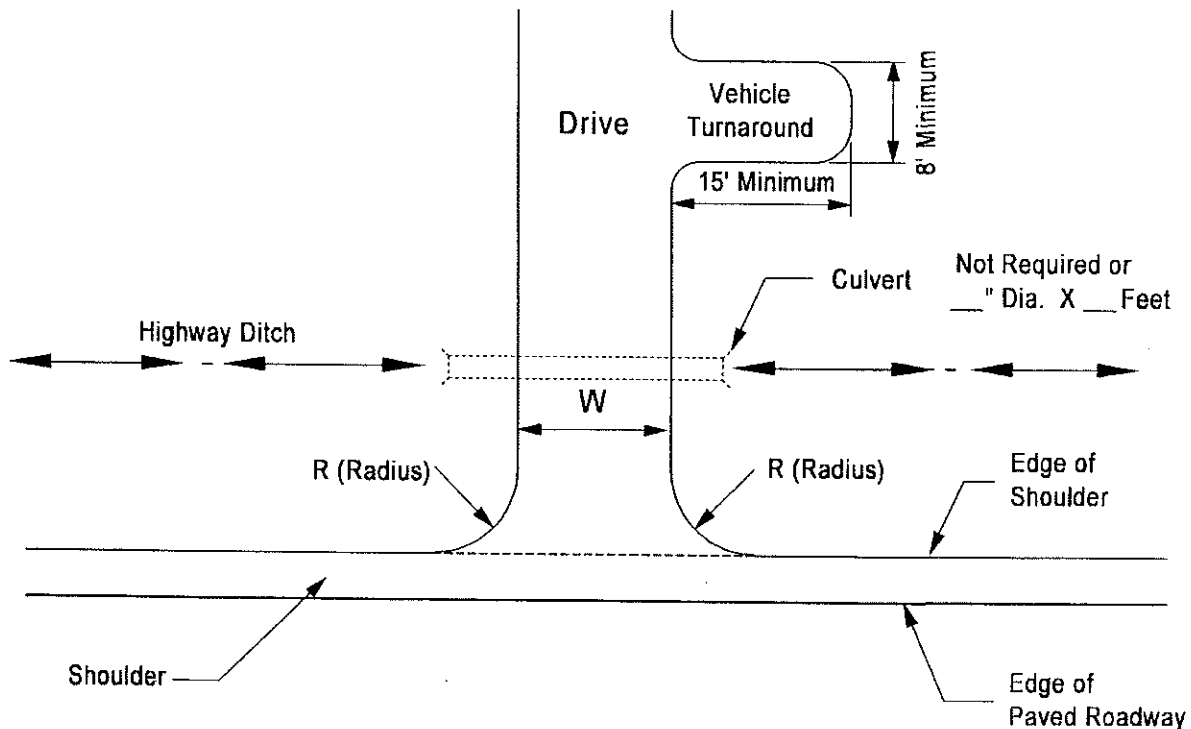
The owner shall assume, the defense of, and pay all damages, fines, and penalties for which he/she shall become liable, and shall indemnify and safe harmless said Department, its representatives, agents and employees from liability, actions against all suits, claims, damages for wrongful death, personal injuries or property damage suffered by any person or association which results from the willful or negligent action or inaction of the owner/applicant (agent) and in proceedings of every kind arising out of the construction and maintenance of said entrance(s), including snow removal.

Nothing herein shall, nor is intended to, waive any defense, immunity or limitation of liability which may be available to the MaineDOT, their officers, agents or employees under the Maine Tort Claims Act or any other privileges and/or immunities provided by law. It is a further condition that the owner will agree to keep the right of way inviolate for public highway purposes and no signs (other than traffic signs and signals), posters, billboards, roadside stands, culvert end walls or private installations shall be permitted within Right of Way limits.



State of Maine
Department of Transportation
Entrance / Driveway Details

PLAN

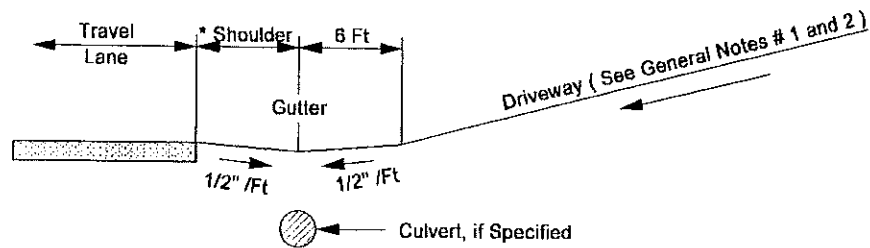


GENERAL NOTES -

1. ALL RESIDENTAL OR COMMERCIAL DRIVES WITH 10% GRADE OR MORE SLOPING DOWN TOWARDS THE HIGHWAY SHALL BE PAVED TO THE RIGHT OF WAY LINE, AS A MINIMUM, INCLUDING SHOULDER, IF GRAVEL AND HAVE DITCHES TO CONTROL RUNOFF.
2. DRIVES SLOPING TO THE HIGHWAY SHALL BE CROWNED (1/2" PER FT. MINIMUM).
3. TO THE MAXIMUM EXTENT PRACTICAL, THE ENTRANCE MUST BE CONSTRUCTED PERPENDICULAR TO THE HIGHWAY AT THE POINT OF ACCESS. EXCEPT WHERE CURBING EXISTS OR IS PROPOSED, THE MINIMUM RADIUS ON THE EDGES OF THE ENTRANCE MUST BE 10 FEET OR AS OTHERWISE REQUIRED AS SHOWN.
4. ENTRANCES/DRIVEWAYS WILL BE BUILT WITH AN ADEQUATE TURN-AROUND AREA ON SITE TO ALLOW ALL VEHICLES TO MANUEVER AND PARK WITHOUT BACKING ONTO THE HIGHWAY. THIS TURN-AROUND SHALL BE AT LEAST 8 FEET WIDE BY 15 FEET LONG.
5. ENTRANCES/DRIVEWAYS AND OTHER ASSOCIATED SITE WORK WHICH DIRECTS WATER (RUNOFF) TOWARD THE HIGHWAY MUST BE CONSTRUCTED, CROWNED STABILIZED AND MAINTAINED WITH MATERIALS AND APPROPRIATE TEMPORARY/PERMANENT EROSION CONTROL MATERIALS IN ACCORDANCE WITH MDOT BEST MANAGEMENT PRACTICES.
6. THE PROFILE OF THE ENTRANCES MUST COMPLY WITH THE DETAILS SHOWN ON PAGE 2.

MDOT Entrance / Driveway Details, Continued

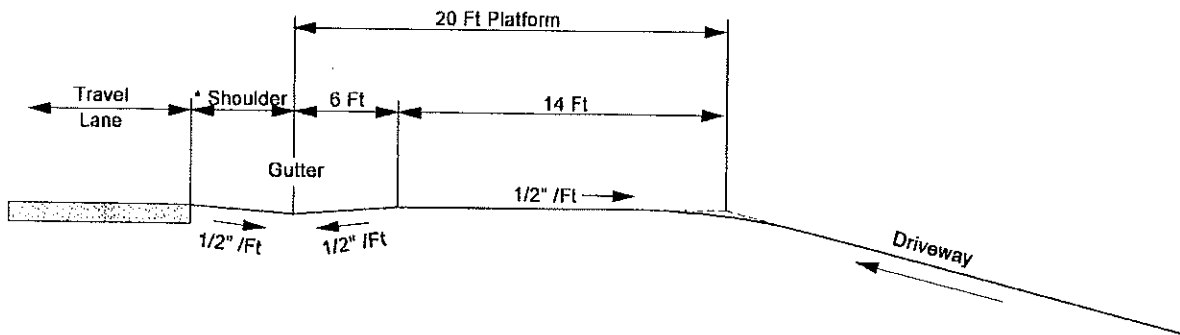
PROFILE Details



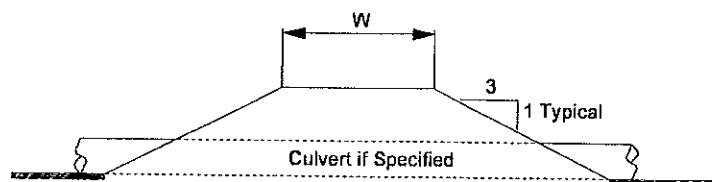
NOTE :

Grade of Existing Shoulder Should Be Maintained To Create A Gutter With a Minimum Of Three Inches Below The Edge Of Traveled Way.

* Distance Of The Gutter From The Edge Of Traveled Way Should Be The Same As Existing Shoulder Or A Minimum Of 4 Feet.



Driveway Cross Section



1. Name of Applicant:		River Road Housing, LLC		5. Name of Agent: (if applicable)		DM Roma Consulting Engineers C/O Dustin Roma, PE	
2. Applicant's Mailing Address:		105 Standish Neck Road Standish, ME 04084		6. Agent's Mailing Address:		59 Harvest Hill Road Windham, ME 04062	
3. Applicant's Daytime Phone #:		207-329-4612		7. Agent's Daytime Phone #:		207-310-0506	
4. Applicant's email address:		rigojo53@aol.com		8. Agent's email address:		dustin@dmroma.com	
9. Location of Project: (Road, Street, Rt.#)		River Road		10. Town:		Windham	
				11. County:		Cumberland	
12. Is this PBR for renewal of an individual stormwater permit? If yes, skip to Block 27 and signature page.							<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
13. Type of Direct Watershed: (Check all that apply)		<input type="checkbox"/> Lake not most at risk <input type="checkbox"/> Lake most at risk <input type="checkbox"/> Lake most at risk, severely blooming <input type="checkbox"/> River, stream or brook <input type="checkbox"/> Urban impaired stream <input checked="" type="checkbox"/> Freshwater wetland <input type="checkbox"/> Coastal wetland <input type="checkbox"/> Wellhead of public water supply		14. Amount of Developed Area:		<input type="checkbox"/> Total # of _____ acres OR <input checked="" type="checkbox"/> Total # of <u>134,415</u> square feet	
				15. Amount of Impervious Area:		<input type="checkbox"/> Total # of _____ acres OR <input checked="" type="checkbox"/> Total # of <u>39,605</u> square feet	
16. Creating a common plan of development or sale?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		17. Is this activity part of a larger project?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
18. Name of waterbody (ies) drained to		Otter Brook Dundee Pond		19. Name of impaired Waterbody, if applicable		N/A	
20. Brief Project Description:		7-lot subdivision + 1 additional lot (Lot A) including 660' paved roadway, utilities and stormwater infrastructure					
21. Size of Lot or Parcel and UTM locations, if known:		<input type="checkbox"/> _____ square feet OR <input checked="" type="checkbox"/> <u>12.22</u> acres		UTM Northing, if known:		UTM Easting, if known:	
22. Deed Reference Numbers:		Book#: 24181 Page#: 70 34180 67		23. Map and Lot Numbers:		Map #: 8A Lot #: 56	
24. DEP Staff Previously contacted		N/A		25. Project started prior to application?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
26. Resubmission of PBR Application?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		If yes, prior application #:		Prior project manager:	
27. Written Notice of Violation?		<input type="checkbox"/> Yes → <input checked="" type="checkbox"/> No		If yes, name of DEP enforcement staff involved:			
28. Detailed Directions to the Project Site: (Attach separate sheet if necessary)		From Forest Ave (Rt 302) continue onto Bridgton Rd into Westbrook. Continue on Route 302 for approx. 4.7 miles and turn left onto Pope Rd. Continue on Pope Rd. for 3.9 miles and turn left onto Park Rd and follow Park Rd until it ends at River Rd. Take a right onto River Rd and the site will be on your right after passing Dundee Rd on the left.					
29. Renewal of individual stormwater permit		DEP Permit#:		Project Manager:			
30. SUBMISSIONS ▼							
<input checked="" type="checkbox"/> This form (signed and dated) <input checked="" type="checkbox"/> Fee		<input type="checkbox"/> Dept. of Inland Fisheries and Wildlife Approval (if in Essential Habitat)		<input checked="" type="checkbox"/> Photos of Area <input checked="" type="checkbox"/> ESC Plan <input checked="" type="checkbox"/> Location Map <input checked="" type="checkbox"/> Site Plan		For Renewal of an individual Stormwater permit only: <input type="checkbox"/> This form (signed and dated) <input type="checkbox"/> Copy of original stormwater permit <input type="checkbox"/> Fee	
Does the agent have an interest in this project? If yes, what is the interest?				No			

CERTIFICATIONS AND SIGNATURES LOCATED ON PAGE 2

CERTIFICATIONS / SIGNATURES

Applicant's Statement:

I am applying for a Stormwater PBR and have attached the required PBR submissions. I have read the requirements herein and I affirm that my project satisfies the applicable stormwater management standards. I authorize staff of State and Federal agencies having jurisdiction over this activity, to access the project site for the purpose of determining compliance with the rules.

Signed: Dustin M. Roma Date: 11/29/2017

Notice of Intent to Comply
with Maine Construction
General Permit

With this Stormwater PBR notification form and my signature below, I am filing notice of my intent to carry out work which meets the requirements of the Maine Construction General Permit. I have read and will comply with all of the MCGP standards. In addition, I will file a Notice of Termination (NOT) within 20 days of project completion.

If this form is not being signed by the landowner or lessee of the property, attach documentation showing authorization to sign.

Signed Dustin M. Roma Date: 11/29/2017



1 Landing Road
Windham, Maine 04062
Phone 207-892-9037
Fax 207-892-3461

Town of Windham
8 School St
Windham, ME 04062


Re: Brian D Aaskov

To whom it may concern:

Please let this letter serve as an indicator that Brian Aaskov and his related companies have the ability and financial capacity to purchase and develop land located along River Rd in Windham.

Mr. Aaskov has been known to the writer for 30 plus years and I have seen him undertake and complete various projects, many of which Key Bank provided financing. I trust that this letter meets your needs.

Sincerely,


Lee Ann Sanborn
Assistant Vice President
Licensed Relationship Manager

CORRECTIVE Warranty Deed

(Maine Statutory Short Forms Deeds Act - 33 M.R.S.A. § 761 et seq.)

Stephen R. Farrar and **Patricia Y. Farrar**, both of the Town of Windham, County of Cumberland and State of Maine, for consideration paid, grant to **Ricky G. Jones**, of the Town of Standish, County of Cumberland and State of Maine, and **Brian D. Aaskov**, of the Town of Windham, County of Cumberland and State of Maine, with a mailing address of c/o Ricky G. Jones, 105 Standish Neck Road, Standish ME 04084, as tenants in common and with warranty covenants, the land in the Town of **Windham**, County of Cumberland and State of Maine, bounded and described as set forth on Exhibit A, attached and incorporated herein by reference.

This deed is give to correct prior deed recorded in said Registry of Deeds in **Book 34181, Page 70** in which certain calls were incorrectly stated. Reference is also made to Corrective Warranty Deed from Ricky G. Jones and Brian D. Aaskov to Stephen R. Farrar and Patricia Y. Farrar of recent date and recorded prior hereto.

Witness our hands and seals this date: December, 2017.

Stephen R. Farrar

Patricia Y. Farrar

State of Maine
Cumberland, ss.

Date: December ____, 2017

Personally appeared the above-named STEPHEN R. FARRAR and PATRICIA Y. FARRAR and severally acknowledged the foregoing instrument to be their free at and deed. Before me,

Exhibit A

A certain parcel of land situated on the easterly side of River Road in the Town of Windham, County of Cumberland, State of Maine being bounded and described as follows:

Beginning on the easterly side of River Road at land now or formerly of Jesse R. Cloutier as described in a deed recorded in Book 29923 Page 38 in the Cumberland County Registry of Deeds;

Thence N 75° 04' 09" E, by and along land of Jesse R. Cloutier, a distance of 320.85 feet;

Thence S 11° 04' 08" E a distance of 129.49 feet to a point at land to be conveyed to River Road Housing, LLC by Farrar, recorded herewith, and the northwesterly sideline of a proposed fifty foot right of way;

Thence southwesterly, by and along said northwesterly sideline of said fifty foot right of way, along a curve concave to the left having a radius of 205.00 feet an arc distance of 14.88 feet to a point of tangency;

Thence S 58° 09' 02" W, by and along the said northwesterly sideline of said fifty foot right of way, a distance of 100.08 feet to a point of curvature;

Thence westerly, by and along the northerly sideline of said fifty foot right of way, along a curve concave to the right having a radius of 155.00 feet an arc distance of 77.65 feet to a point of tangency;

Thence S 86° 51' 11" W, by and along said northerly sideline of said fifty foot right of way, a distance of 152.63 feet to the easterly sideline of River Road;

Thence N 4° 44' 59" W, by and along the easterly sideline of River Road, a distance of 136.90 feet to the Point of Beginning.

The parcel contains approximately 1.15 acres.

Bearings are Grid North.

SAMPLE DEED - Jones & Aaskov to Buyer - Parcel A

Quitclaim Deed with Covenant

(Statutory Short Forms Deeds Act 33 M.R.S.A. § 761 et seq.)

Ricky G. Jones of the Town of Standish, County of Cumberland and State of Maine, and **Brian D. Aaskov**, of the Town of Windham, County of Cumberland and State of Maine, for consideration paid, grant to _____, of the Town of _____, County of _____ and State of Maine, with a mailing address of _____ with quitclaim covenants and as (joint tenants), the land in the Town of **Windham**, County of Cumberland and State of Maine, bounded and described as set forth on Exhibit A and incorporated herein by reference.

Witness our hands and seals this date: _____.

Ricky G. Jones

Brian D. Aaskov

State of Maine
Cumberland, ss.

Date: _____

Personally appeared the above-named RICKY G. JONES and BRIAN D. AASKOV and severally acknowledged the foregoing instrument to be their free act and deed. Before me,

Exhibit A

A certain parcel of land situated on the easterly side of River Road in the Town of Windham, County of Cumberland, State of Maine being bounded and described as follows:

Beginning on the easterly side of River Road at land now or formerly of Jesse R. Cloutier as described in a deed recorded in Book 29923 Page 38 in the Cumberland County Registry of Deeds; Thence N 75° 04' 09" E, by and along land of Jesse R. Cloutier, a distance of 320.85 feet; Thence S 11° 04' 08" E a distance of 129.49 feet to a point at land to be conveyed to River Road Housing, LLC by Farrar, recorded herewith, and the northwesterly sideline of a proposed fifty foot right of way; Thence southwesterly, by and along said northwesterly sideline of said fifty foot right of way, along a curve concave to the left having a radius of 205.00 feet an arc distance of 14.88 feet to a point of tangency; Thence S 58° 09' 02" W, by and along the said northwesterly sideline of said fifty foot right of way, a distance of 100.08 feet to a point of curvature; Thence westerly, by and along the northerly sideline of said fifty foot right of way, along a curve concave to the right having a radius of 155.00 feet an arc distance of 77.65 feet to a point of tangency; Thence S 86° 51' 11" W, by and along said northerly sideline of said fifty foot right of way, a distance of 152.63 feet to the easterly sideline of River Road; Thence N 4° 44' 59" W, by and along the easterly sideline of River Road, a distance of 136.90 feet to the Point of Beginning.

The parcel contains approximately 1.15 acres. Bearings are Grid North. Reference is made to survey plan made by DM Roma recorded in said Registry in Plan Book ___, Page ___, upon which the above-described lot is depicted as Parcel A.

This conveyance is made **together with** and **subject to** a right of way easement, in common with others, over and along the private way known as Abenaki Drive, for purposes of ingress and/or egress by foot or vehicle to the herein described parcel, and for the installation and maintenance of utilities associated with residential use. Said easement may be used for all purposes for which a town road may be used. The herein-conveyed lot shall have no obligation to share in any costs of plowing, sanding or maintenance of said right of way.

This conveyance is made further **subject to** notes and restrictions as shown on said survey plan, including without limitation:

1. All dwellings shall include sprinkler systems;
2. The clearing limits shown on said Plan shall be maintained for a period of five (5) years from the date of Planning Board approval and in accordance with Land Use Ordinance;
3. The stormwater buffers as depicted on said Plan shall remain in their natural state, without removal of any vegetation or natural duff layer, except for the removal of dead trees.

This conveyance is further made **subject to** a stormwater easement in favor of abutting land of River Road Housing, LLC, its successors and/or assigns, including the right to enter upon the herein-conveyed parcel for purposes of maintenance and/or repair of any structures or buffer areas.

SAMPLE DEED – River Road Housing, LLC

QUITCLAIM DEED WITH COVENANT

River Road Housing, LLC, a limited liability company duly organized and existing under the laws of the State of Maine, of the Town of Standish, County of Cumberland and State of Maine, for consideration paid, grants to _____, of the Town of _____, County of _____ and State of _____, with a mailing address of _____, as (joint tenants) with quitclaim covenants, the land in the Town of **Windham**, County of Cumberland and State of Maine, bounded and described as follows:

A certain lot or parcel of land, together with the buildings and improvements thereon, situated off the easterly side of River Road on a private way known as **Abenaki Drive**, in the Town of **Windham**, County of Cumberland and State of Maine, being **Lot #_____** as depicted on survey entitled “Subdivision Plan, River Road Subdivision, Windham, Maine,” made for River Road Housing, LLC by DM Roma, dated _____ and recorded in Cumberland County Registry of Deeds in Plan Book XXX, Page XXX, and being more particularly described as follows: (individual metes and bounds descriptions for Lots 1 thru 7).

This conveyance is made **together with** and **subject to** a right of way easement, in common with others, over and along the private way known as Abenaki Drive, for purposes of ingress and/or egress by foot or vehicle, and for the installation and maintenance of utilities associated with residential use. Said easement may be used for all purposes for which a town road may be used. Until such time as the Town of Windham may accept said Drive as a public way, the costs of plowing, sanding and maintenance shall be shared by the seven (7) lot owners in equal shares. All costs of plowing, sanding and maintenance shall be agreed upon by majority vote of lot owners. Further **subject to** the right of Ricky G. Jones and Brian D. Aaskov, their heirs, successors and/or assigns, in and to the use of said Drive, without cost or contribution therefor, to benefit real estate described in deed recorded in said Registry in Book _____, Page _____.

This conveyance is made further **subject to** notes and restrictions as shown on said survey plan, including without limitation:

1. All dwellings shall include sprinkler systems;
2. The clearing limits shown on said Plan shall be maintained for a period of five (5) years from the date of Planning Board approval and in accordance with Land Use Ordinance;
3. The stormwater buffers as depicted on said Plan shall remain in their natural state, without removal of any vegetation or natural duff layer, except for the removal of dead trees.

This conveyance is made **together with** use of the common open space as depicted on said Plan, in common with other lot owners.

This conveyance is further made **together with** a stormwater easement on land of Ricky G. Jones and Brian D. Aaskov, their heirs, successors and/or assigns, including the right of entry for purposes of maintenance and/or repair of any structures or buffer areas.

Witness the hand and seal _____ in his capacity as _____ of River Road Housing, LLC, duly authorized this date: _____.

River Road Housing, LLC

By: _____

Its: _____

State of Maine

Cumberland, ss.

Date: _____

Personally appeared the above-named _____ in his capacity as _____ of River Road Housing, LLC and acknowledged the foregoing instrument to be his free act and deed in said capacity and individually and the free act and deed of said LLC. Before me,
