

**DECLARATION OF RESTRICTIVE COVENANT**  
**Upon Lot 37-A shown on Town of Windham Tax Assessor Map 38**

WHEREAS, MCL Realty LLC (hereinafter referred to as the "Declarant"), owns certain real property on Depot Street in the Town of Windham, County of Cumberland, State of Maine which was conveyed to Declarant by deed of Anania & Associates recorded in the Cumberland County Registry of Deeds in Bk. 26608, Pg. 0050, (hereinafter the "Property") which the Declarant intends to develop in accordance with the Town of Windham Code of Ordinances; and

WHEREAS, Declarant entered into an Agreement, dated May 8, 2020 (the "Agreement"), with the Portland Water District (the "District"), whereby prior to connecting to water or sewer service provided by the District benefitting the Property, Declarant agreed to reimburse the District for certain out-of-pocket expenditures incurred, specifically: (i) to relocate the existing underground gas pipe around the pump station structures the District proposes to construct on the Property; and (ii) to relocate the existing overhead power, communication and cable lines around the pump station structures the District proposes to construct on the Property (collectively, the "Reimbursable Expenditures"); and

WHEREAS, the District would be obliged to provide documentation to support its calculation of the Reimbursable Expenditures upon request of the Declarant; and

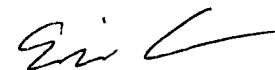
WHEREAS, under the Agreement, Declarant agreed to impose certain covenants and restrictions upon said Property to be binding upon the Declarant and its grantees, successors and assigns;

NOW THEREFORE, in consideration of the District's development of the pump station structures on the Property, which will benefit the Declarant, Declarant hereby declares the Property shall be subject to the restrictions and covenants hereinafter set forth, which shall inure to the benefit of and be binding upon the Declarant and its grantees, successors and assigns.

1. Declarant agrees that it and its grantees, successors and assigns will have no right to connect to water or sewer service until such time as it has paid the Reimbursable Expenditures to the District.
2. Upon payment of the Reimbursable Expenditures to the District, the District shall execute and record a release of this restrictive covenant in the Cumberland County Registry of Deeds.

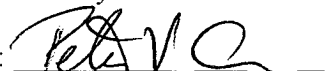
IN WITNESS WHEREOF, the Declarant has executed this Declaration as of this 8<sup>th</sup> day of June, 2020.

WITNESS:

  
 Printed name: Eric Cash

DECLARANT:

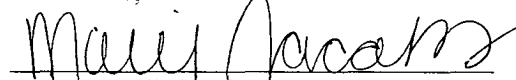
MCL Realty LLC

By:   
 Peter V. Anania, President

STATE OF MAINE  
 COUNTY OF CUMBERLAND, ss.

The foregoing instrument was acknowledged before me this June 8, 2020, by Peter V. Anania, President of MCL Realty LLC, a Maine limited liability company, on behalf of the company.

Before me,

  
 Notary Public/Attorney at Law

**MARIE JACOBS**

**NOTARY PUBLIC**

**State of Maine**

**My Commission Expires  
 February 5, 2022**

15704851.2

Received  
 Recorded Register of Deeds  
 Jun 15, 2020 02:24:09P  
 Cumberland County  
 Nancy A. Lane

SEAL