

Town of Windham

Planning Department
8 School Road
Windham, ME 04062

voice 207.894.5960

fax 207.892.1916

MEMORANDUM

DATE: October 28, 2020

TO: Barry Tibbetts, Town Manager
FROM: Mark Arienti, Town Engineer
Cc: Jennifer Curtis, Planner
Amanda Lessard, Planning Director
Doug Fortier, Public Works Director
Jarod Robie, Robie Holdings LLC

RE: Public Acceptance of Streets – Dartmouth Place

Robie Holdings LLC is offering for public acceptance Dartmouth Place at 649 River Road. Dartmouth Place is a roughly 500-ft long road that serves 8 house lots and includes a 20-ft wide access between Lots 5 and 6 to the open space east of the cul-de-sac. Dartmouth Place is shown relative to the subdivision on the attached approved subdivision plans. All work within the right-of-way on the approved plans has been completed to the satisfaction of Town Staff.

The process and submission requirements for offering streets for public acceptance are in Section 911.M.6 of Windham's Subdivision Ordinance and include but are not limited to as-built plans and a deed transferring the road right-of-way. Based on staff review, the application for public acceptance of streets is complete.

It should be noted that all stormwater facilities, including filter basins, culverts and swales not within the right-of-way will remain the responsibility of the owner (Homeowner's Association).

Please note that the owner warrants all public improvements for a period of one year from the date of acceptance and posts a maintenance guarantee per the subdivision regulations. The maintenance guarantee shall ensure the workmanship and the durability of all materials used in the construction of the roadways, curbing, esplanades, sidewalks, sanitary sewerage systems, storm drainage systems, street lighting, tree planting, and other public improvements located within the right-of-way which may become defective within the one(1) year period, all as determined by the Public Works Director or Town Engineer in accordance with Section 911.M.6. The amount of the maintenance guarantee shall be 10% of the total construction costs of all required improvements.

Robie Holdings, LLC
PO Box 1508
Windham, ME 04062

October 20, 2020

Barry Tibbetts, Town Manager
Town of Windham
8 School Street
Windham, Maine 04062

RE: Offer of Cession for Dartmouth Place, 649 River Road Subdivision/Tax Map 8, Lot 23B

Dear Mr. Tibbetts:

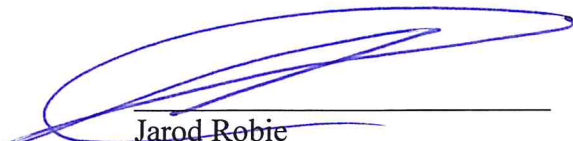
On behalf of Robie Holdings, LLC, we are pleased to offer this written offer of cession and deeds for Dartmouth Place and all associated easements as shown on the Subdivision Plan titled "Subdivision Plan of 649 River Road, Windham, Maine, prepared by DM Roma Consulting Engineers for Robie Holdings, LLC", dated November 30, 2018 and recorded in the Cumberland County Registry of Deeds in Plan Book 219, Page 50 (the "Plan").

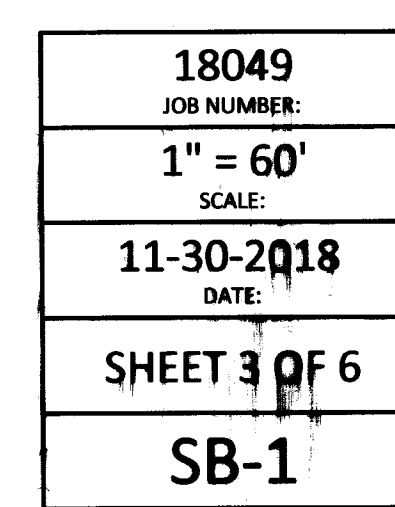
This offer is made without demand for compensation. Robie Holdings, LLC has constructed the roadways to Town standards in accordance with the approved plans and under the supervisions of the Town's inspectors.

If you require any additional information regarding our request, please contact me.
Thank you for your cooperation in this matter.

Respectfully submitted,

Robie Holdings, LLC


Jarod Robie
Its: Member



**QUITCLAIM DEED
WITH COVENANT**

KNOW ALL PERSONS BY THESE PRESENTS, that **Robie Holdings, LLC**, a Maine limited liability company with a place of business in Windham, Maine, for consideration paid, does hereby GRANT to the **Town of Windham**, a Maine Municipal corporation with an address of 8 School Road, Windham, ME 04062, with QUITCLAIM COVENANT, a certain lot or parcel of land situated in the Town of Windham, Cumberland County, State of Maine and more particularly described as follows:

A certain lot or parcel of land being the road and cul-de-sac turnaround shown as "Dartmouth Place" on a plan entitled "Subdivision Plan, 649 River Road Windham, Maine For Robie Holdings, LLC," dated November 30, 2018 by DM Roma Consulting Engineers and recorded in Plan Book 219, Page 50 with the Cumberland County Registry of Deeds (the "Subdivision Plan") to which reference may be had for a more particular description thereof.

The above-described parcel is conveyed together with and subject to: (i) matters shown on the Subdivision Plan; (ii) the easements, conditions, covenants, restrictions, obligations and other provisions and terms of the Declaration of Easements, Restrictions and Covenants for Dartmouth Place Subdivision, dated April 22, 2019 and recorded in Book 35594, Page 226 with the Cumberland County Registry of Deeds; (iii) an Easement from Robie Holdings, LLC to the Town of Windham, dated April 22, 2019 and recorded in Book 35594, Page 30 with said Registry; (iv) an Easement Deed from Robie Holdings, LLC to Portland Water District, dated May 22, 2019 and recorded in Book 35676, Page 130 with the Cumberland County Registry of Deeds. The premises are further subject to any and all other easements or appurtenances of record, insofar as the same are in force and applicable.

Meaning and intending to convey a portion of the premises conveyed to Grantor herein by virtue of a Warranty Deed from William S. Wilson, dated October 29, 2018 and recorded with the Cumberland County Registry of Deeds in Book 35260, Page 300.

IN WITNESS WHEREOF, Robie Holdings, LLC, has caused this instrument to be duly executed by Jarod Robie, its manager under seal this _____ day of _____, 2020.

Robie Holdings, LLC

Witness

By: _____
Jarod Robie, Manager

STATE OF MAINE
COUNTY OF CUMBERLAND, ss.

_____, 2020

Then PERSONALLY APPEARED the above-named Jarod Robie, Manager of Robie Holdings, LLC, and acknowledged the foregoing instrument to be his free act and deed.

Before me,

Notary Public/Attorney-at-Law
Name:
My Commission Expires

PP-1