

From: Chip Stephens CEO, LPI Readfield

To: Planning Board Members, Town Manager

October 19, 2022

To The Planning Board:

I will be asking to consider the following and issue an opinion and the attached application to fix the situation that exists with the Quiet Harbor Subdivision properties that follow:

Background:

- 1) The Quiet Harbor Subdivision was submitted to the Planning Board, approved and established in 1973. The plan is on file and a copy provided in this package.
- 2) In July 2019 the two property owners in the Quiet Harbor Subdivision, 102-028 David Dolley and 102-030 Diane Davis, jointly purchased the lot between their lots, 102-029.
- 3) On September 19 2019, the owners of 28 and 30, split the purchased lot and separately deeded each lot, 29-1 and 29-2, without Planning Board Approval.
- 4) The unapproved split created 2 new lots which were illegal as they were each more nonconforming than the original lot, as the resulting 2 new lots were smaller than the original, a previously existing non-conforming but approved as a subdivision lot in 1973.
- 5) The existence of this illegal subdivision situation was revealed in conversation with the Assessor who sought clarity on the tax situation for the lots. As CEO, I determined the illegality of the division and contacted legal authority, MMA, and it was agreed that this division was illegal and needed to be addressed. The Assessor was informed on legal advice to hold off on further discussion on tax decisions until the CEO/Planning Board could rectify with the land owners an acceptable and legal fix.
- 6) The owner of lot 30 Diane Davis was contacted by the CEO and was made aware of the Land Used Issue, the history and the mistakes made were explained.
- 7) The CEO then suggested a possible solution might be to legally divide lot 29, then immediately incorporates the half lots to each abutting lot on either adjoining side. This would eliminate 1 subdivision lot and create two new "less non- conforming larger lots.
- 8) Ms. Davis contacted the other party, Mr Dolly, who agreed to apply to the CEO/ Planning board to consider the "fix" described in item. 7

For the Board:

The Applicants have agreed to approach the Planning Board On October 25, 2022, with the attached application that includes:

- 1) Taking accountability for the non-approved subdivision in September 2019 and reversing the illegal resubdivision with Kennebec Co Land Records.
- 2) Submitting the application to divide the middle lot and incorporating the splits into each abutting lot creating 2 new less non-conforming approvable lots.
- 3) If approved the new lots would be registered with Kennebec Land Records and submitted to Readfield CEO.
- 4) The Assessor could work through the tax implications for the time of July 2019 to the date of registering the possible Planning Board approval.

Considerations:

- The Board will need to consider the plan for rectification as proposed by the CEO and application by the lot owners.
- The issues of reversing the dividing to the September 2019 borders
- The creation of two new subdivision lots that will be less non-conforming and legal.
- Approval, or some other board proposed revision, would right the property boundaries, allow the town to rectify tax issues and avoid prolonged legal processes and expenses.
- He board should also consider if any fine / fee of \$1000 should be included in the decision as a condition. This would not necessarily be punitive, rather a cost recovery for time and resources involved in formulating and designing a resolution.

As CEO, my recommendation is to consider, discuss and approve the application as proposed or amended by the board with a nominal fee/fine of \$1000 as a condition of approval.

Attached:

Application from Ms. Davis and Mr Dolley

Zone Maps and Original Subdivision Map

July 2019 Joint Purchase Deed

September 2019 Resubdivision Deed

To be received:

\$100 Planning Board Application fee

Document assigning Ms. Davis as representative of Mr Dolley if he cannot attend PB meeting.

Type of Structure(s)	Length	Width	Height
NA			

Non-Conforming Structures

Questions to answer if you are seeking a permit to expand, relocate, reconstruct or replace a non-conforming structure or are seeking a permit to build a new, enlarged or replacement foundation beneath an existing non-conforming structure. (See Article 11 of the Land Use Ordinance for definition of "non-conforming.")

- A. For an expansion of a structure, please list the total **floor area** for all portions of the structure(s) located between 25 to 75 feet from the normal highwater line of the water body, tributary stream, or upland edge of a wetland: NA. (Please attach a worksheet showing how you calculated the total **floor area**. The term "**floor area**" is defined in Article 11 of the Land Use Ordinance.)
- B. For an expansion of a structure, please list the total **floor area** for all portions of the structure(s) located between 75 to 100 feet from the normal high-water line of the water body: NA. (Please attach a worksheet showing how you calculated the total **floor area**. The term "**floor area**" is defined in Article 11 of the Land Use Ordinance.)
- C. If you plan to put in a new, enlarged or replacement foundation below a non-conforming structure OR if you are seeking to relocate, reconstruct or replace a non-conforming structure, please describe whether the foundation or structure can be located further from the water to meet, or come closer to meeting set-backs, and if not, explain why it cannot be moved further back.

NA

- D. For structures in the Shoreland Residential, Resource Protection or Stream Protection zones, please show how the proposed development does not result in exceeding the 20% lot coverage maximum. See Article 11 of the Land Use Ordinance for definition of "**lot coverage**."

Plan will decrease lot coverage

I certify that the foregoing, and the attached materials including responses to review criteria, are true, correct and accurate to the best of my knowledge.

Signature of Applicant / Owner *Diane P. Davis* Date 9/19/2022

Signature of Agent (if any): _____ Date _____

Instructions for Completing the Review Criteria Questionnaire

A review by the Readfield Planning Board will be restricted to the criteria set forth in Article 6, Section 3.C, below. Following this Article is a questionnaire intended to help you provide information to demonstrate that your proposed use meets these criteria. Please respond to these questions as completely as possible as they relate to your proposed project. Any questions that you believe are not applicable, please state your reason. This will help provide the Board with the information necessary to conduct a fair and timely review.

Article 6, Section 3.C Review Criteria

The applicant shall demonstrate that the proposed use to the maximum extent possible meets the review criteria listed below. The Planning Board shall approve the application unless it makes written findings that one or more of these criteria have not been met.

1. **Aesthetic, Cultural and Natural Values.** The proposed activity shall not have an undue adverse affect on the scenic or natural beauty of the area, aesthetics, historic sites, archeological sites or significant wildlife habitat identified by the Department of Inland Fisheries and Wildlife or the Town of Readfield, or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline.
2. **Conformity with Local Ordinances and Plans.** The proposed activity shall conform with all applicable Ordinances and the Comprehensive Plan.
3. **Erosion.** The proposed activity shall not cause soil erosion or a reduction in the land's capacity to hold water so that a dangerous or unhealthy condition results. The best management practices set forth in the "Maine Erosion and Sediment Control Handbook for Construction Practices" (Cumberland County Soil and Water Conservation District, Department of Environmental Protection, March 1991 or as revised), or the most applicable best management practices as referred to in Article 8 Section 11, shall further mandate compliance with this requirement.
4. **Financial Burden on Town.** The proposed activity shall not cause an unreasonable financial burden on the Town for provisions of public services and facilities.
5. **Financial and Technical Capacity.** The applicant shall have adequate financial resources and technical capacity to construct and maintain the proposed improvements and meet the criteria of all applicable Ordinances. In making the above determinations, the Planning Board shall consider the proposed time frame for construction, the effects of inflation, the applicant's previous experience, the experience and training of the applicant's consultants and contractors, and the existence of any violations of previous approvals granted to the applicant under the provisions of this Ordinance.

6. **Flood Areas.** The proposed activity shall not adversely affect flood plain areas as depicted on the Federal Emergency Management Agency's Flood Insurance Rate Maps, and the proposal shall conform with all applicable requirements of the Town of Readfield Floodplain Management Ordinance.
7. **Wetlands.** The proposed activity shall not have an adverse impact on freshwater wetlands.
8. **Groundwater.** The proposed activity shall not, alone or in conjunction with existing activities, adversely affect the quality or quantity of groundwater.
9. **Municipal Solid Waste Disposal.** The proposed activity shall not cause a burden on the Town's ability to dispose of solid waste, if municipal services are to be utilized.
10. **Water Supply.** The proposed activity shall not cause a burden on an existing public water supply, if one is to be used.
11. **Adjacent Land Uses.** The proposed activity shall not have a detrimental effect on adjacent land uses or other properties, that might be affected by waste, noise, glare fumes, smoke, dust, odors or other effects.
12. **Pollution.** The proposed activity shall not result in water or air pollution. In making this determination, the Planning Board shall at a minimum consider:
 - a. The elevation of the land above sea level and its relation to the flood plains;
 - b. The nature of soils and subsoils and their ability to adequately support waste disposal;
 - c. The slope of the land and its effect on effluents, including phosphorous transport; and
 - d. The applicable State and Town health, air and water resource and sludge rules and regulations.
13. **Waterbodies.** The proposed activity shall not have an undue impact on any waterbody such as a lake, pond, or stream.
14. **Wastewater Disposal.** The proposed activity shall provide for adequate wastewater disposal meeting all applicable requirements and shall not cause a burden on public services if they are utilized. Form HHE 200, or its equivalent, shall be required for a primary site.
15. **Stormwater.** The proposed activity shall: a) provide for stormwater management, and b) comply with the best management practices set forth in the Stormwater Management for Maine, Best Management Practices (Department of Environmental Protection, State of Maine, November 1995 or as revised).
16. **Sufficient Water.** The proposed activity shall have sufficient water available for the reasonably foreseeable need of the proposed development.

17. **Traffic.** The proposed activity shall not cause highway or public road congestion or unsafe conditions with respect to the use of the highways or public roads, existing or proposed.
18. **Legal Access.** The site shall have legal and reasonable means of access sufficient to meet all proposed uses.
19. **Impact on Adjoining Municipality.** When a proposed development subject to site review crosses the Town's boundaries, the proposed development shall not cause unreasonable traffic congestion or unsafe conditions with respect to the use of existing public ways in an adjoining municipality in which part of the development is located.
20. **Spaghetti Lots Prohibited.** Any lots in a proposed development shall not have a lot depth to frontage ratio greater than 5 to 1. When a proposed development borders both a water body and a road, the lot depth to frontage ratio shall be based on the frontage on the water body.
21. **Life and Fire Safety.** The Planning Board may require a review of any development subject to site review by the Readfield Fire Department for life and fire safety recommendations and may require incorporation of the life and fire safety recommendations in the application or as a condition of approval of the application.
22. **Violations.** The proposed activity or development is not on property currently in violation of any requirements of this Ordinance. If the Code Enforcement Officer determines that an enforceable violation exists, the Code Enforcement Officer shall issue a written Notice of Violation to the applicant within the review period of time provided for and the application, if otherwise approved, shall be conditioned upon the resolution of the violation prior to the use of occupancy of the permitted activity applied for. This provision shall not prevent, restrict or otherwise preclude the applicant from appealing to the Board of Appeals under Article 2 of this Ordinance any determination by the Code Enforcement Officer of an alleged violation.

**Planning Board Review Criteria
Questionnaire**

1. State how the proposed activity will not have an undue adverse affect on:
 - a) the scenic or natural beauty of the area,
 - b) any historical sites that may be located on the property,
 - c) any significant wildlife habitat,
 - d) any public rights for physical or visual access to any shoreline,
 - e) any rare and irreplaceable natural areas,

Answer: The lot is only being equally divided, and each half subsequently to be incorporated into abutting lots. All attributes above to remain as they are now.

2. a) What other Town, State or Federal permits will be required for this project?
 - b) Do you intend to apply for these permits?
 - c) Are you committed to conducting this activity and subsequent use of the property in conformance with all applicable Town, State and Federal laws, rules, regulations and ordinances?

Answer: No permits required; use of property will be in conformance with all applicable rules, regulations and ordinances.

3. State how the proposed activity will:
 - a) prevent stormwater from giving rise to soil erosion both during and after the development,

(In this regard you may reference the appropriate erosion control or stormwater management books available at the Town Office)
 - b) reasonably conserve the land's capacity to hold water,

Answer: Lot division will result in no development activity.

4. State what impact the proposed activity will have upon the Town's public services and facilities. This may include, but not be limited to the amount and type of anticipated traffic, requirements for emergency services, effects relating to public education, etc.

Answer: Lot division will have no impact on the Town's public services or facilities.

5. a) What financial resources (including mortgage commitments) do you have to assure the completion and implementation of this project in compliance with the Land Use Ordinance?
- b) What technical support will be used in connection with any design, development or use of the project?

Answer: Lot division will require no financial commitments or technical support.

6. a) Is any portion of the subject property located within, or affected by any flood areas as depicted on the Federal Emergency Management Agency Flood Insurance Rate Map? *Yes*
(These Flood Maps are available for your reference at the Town Office).
- i) If the answer to question (a) is yes, do you intend to include any portion of your development within the boundaries of the flood plain, including any structures or buildings, wells, wastewater disposal systems, or any storage or placement of property stockpiling of materials? NO
- ii) If the answer to question (i) is yes, how do you intend to develop this project (including it's subsequent use) to comply with the Floodplain Ordinance of the Town of Readfield? not develop resulting land division
7. a) Does your proposed development or use include any alteration of or impact to any wetland? If the answer to this question is yes, describe how you intend to minimize this impact? *No*
- b) Are you aware that any wetland alteration requires additional permitting on the State or Federal level and will you be applying for those? *NO*

Answer: No - Lot division will result in no impact to existing wetlands; therefore, no permitting will be required.

7. What part of your development or use will rely on or could impact groundwater?

Answer: Lot division will result in no impact to groundwater.

9. a) State the nature of solid waste your proposal will generate both during development and the subsequent use of the property.
- b) Will this solid waste be taken to the Town Recycling Station? If so, how will the Town be compensated for handling such waste?
- c) If the solid waste is not to be taken to the Town Recycling Station, how do you plan to dispose of it?

Answer: Dividing the purchased lot and incorporating the halves into abutting lots will not generate any solid waste.

10. Do you intend to connect to any public water supply?

Answer: No.

11. a) What impact, if any, could the proposed activity have on adjacent properties and their uses. State whether any noise, glare, fumes smoke, dust, odors, or other affects will be generated.

b) Describe the anticipated extent of these impacts and how you intend to buffer or reduce them to a level acceptable to adjacent properties.

Answer: Dividing the purchased lot and incorporating the halves into abutting lots will not generate any noise, etc.

12. a) What is the approximate percentage of slope of the land?

b) What are the nature of the soils?

c) What is the nature and extent of the existing vegetation on the site of development or use?

Answer: Any existing slope, soil and vegetation will remain as existing.

13. a) What is the nearest waterbody (lake, pond, stream, or brook)?

b) What is the least distance between the waterbody and the project site?

c) What part of your project could impact one of these waterbodies?

d) How do you intend to minimize this impact?

Answer: The purchased lot has ±132 total feet of shoreline on Torsey Pond which will remain as it exists now; therefore, dividing the lot will have no impact on the lake.

14. How do you intend to provide for the adequate disposal of sewage and wastewater in order to comply with the requirements of the State Plumbing Code?

Answer: There will be no sewage or wastewater to dispose of.

15. Describe or illustrate on a separate paper how you intend to control and manage any additional stormwater resulting from this project or use. You may reference the publication, "Stormwater Management for Maine, Best Management Practices" published by the Department of Environmental Protection (1995) and which is available for reference at the Town Office.

NOTE: If the project results in 20,000 sq. ft. or more of impervious area in the Maranacook Lake watershed or more than one (1) acre in the other lake watersheds, or more than five (5) acres of disturbed area in either watershed, a Stormwater Management permit from the Department of Environmental Protection will be required.

Answer: Dividing the purchased lot and incorporating the halves into abutting lots will not generate additional stormwater.

16. What will your water requirements be for this use and what will be your water source?

Answer: There will not be any water requirements to divide the lot.

17. What types and amount of additional traffic do you expect as a result of this use?

Answer: No additional traffic will be generated.

18. What are your plans for permanent access to the site of the proposed use?

Answer: Access to the purchased lot will be from existing driveways (from abutting lots).

19. Does your proposed development or use cross the Readfield town line?

If so, into which town?

How will you avoid causing unreasonable traffic congestion or unsafe conditions as related to the use of that town's public ways?

Answer: The lot exists fully within Readfield; no traffic will be generated.

20. What is the estimated depth-to-frontage ratio of the lots you propose to create or develop?

Answer:

21. Has a representative of the Readfield Fire Department reviewed your proposal?

Answer: No.

22. Are there currently any enforceable land use violations associated with this property?

Answer: No.

23. If your project involves the construction of a road has the road design been approved by the Road Committee?

Answer: No road construction is involved.

Required Submittals

(Per Article 6, Section 3.I.2)

- X 1. Copy of the portion of applicable tax map showing subject property, abutting properties and boundaries of all contiguous property under the control of the owner or applicant, regardless of whether all or part is being developed at this time.
- ___ 2. Names and mailing addresses of all property owners abutting the proposed development. (Abutters are the owners of any parcels with one or more common boundaries or points, as well as property owners of any parcel located directly across any road, railroad or stream along the road, railroad or stream from the parcel involved in the application. Also included is any Qualified Conservation Holder of an easement in any of these parcels).
- ___ 3. Exact direction to the property from the Town Office, using a map if necessary.
- ___ 4. The Assessor's tax map and lot numbers of the parcels.
- ___ 5. A copy of the deed to the property or other documentation to demonstrate right, title or interest in the property on the part of the applicant.
- ___ 6. The name, registration number and seal of the land surveyor, architect, engineer and/or similar professional who prepared any plan.
- ___ 7. Map showing the north bearing and lot dimensions of all property lines of the property to be developed and the source of this information.
- ___ 8. Site plan(s) illustrating the following: (Note: If the site plan is not drawn to scale, then specific distances identifying the relative locations of the following features must be shown on the plan).
 - a) The location and size of any existing and proposed sewer and water mains, culverts and drains that will serve the development whether on or off the property along with the direction of existing and proposed surface water drainage across the site.
 - b) The location, names, and present and proposed widths of existing and proposed roads, driveways, streets, parking and loading areas, walkways and rights-of-way within or adjacent to the proposed development.
 - c) The location and dimensions of all existing and proposed buildings and structures on the site, including underground storage tanks.
 - d) The location of intersecting roads or driveways within 200 hundred feet of the site.
 - e) The location of existing and proposed open drainage courses, wetlands, water bodies, floodplains, stands of trees, and other important natural features, with a description of such features to be retained.
 - f) The location and dimensions of any existing and proposed easements.
 - g) The location and dimensions of all existing and proposed provisions for water supply and wastewater disposal systems, including a design copy or letter of soils suitability for any proposed new or replacement wastewater disposal systems.
 - h) The location and dimensions of all existing and proposed signs.
 - i) For any project which shall result in a change to exterior lighting, the location, height, and type of existing and proposed exterior lighting and, for commercial, industrial and institutional projects, the foot-candle intensities of proposed lighting projecting on abutting properties.
 - j) The proposed landscaping and buffering.
 - k) The location and amount of any earth-moving.
 - l) A copy of all existing or proposed covenants or deed restrictions associated with the subject property.

- ___ 9. A copy of any applicable Federal, State or Town applications or permits which have been issued.
- ___ 10. A narrative describing how the proposal meets all of the Planning Board's Review Criteria.
- ___ 11. Evidence of receipt of application fee paid to the Town of Readfield.
- ___ 12. A schedule of construction, including anticipated beginning and completion dates.
- ___ 13. A stormwater drainage and erosion and control plan in compliance with Article 8, Sections 10 and 11.
- ___ 14. A description of the traffic movement to be generated by the development including types, peak hour and average daily vehicle trips, travel routes, and duration of traffic movement both during and following construction. A full traffic impact study shall be required under the conditions set forth in Article 8, Section 18.H, and shall include the components described therein.
- ___ 15. An assessment of the solid or hazardous wastes to be generated by the proposed activity and a plan for its handling and disposal, along with evidence of disposal arrangements.
- ___ 16. A copy of any required dimensional calculations applicable to the standards being reviewed, for example, square footage of structures, percent of lot coverage, etc.
- ___ 17. Elevation drawings for new commercial, industrial, and institutional buildings.
- ___ 18. Any additional information relevant to the project, for example, photographs, Cobbossee Watershed District recommendations, etc.

------(end of application)-----

Planning Board Fees

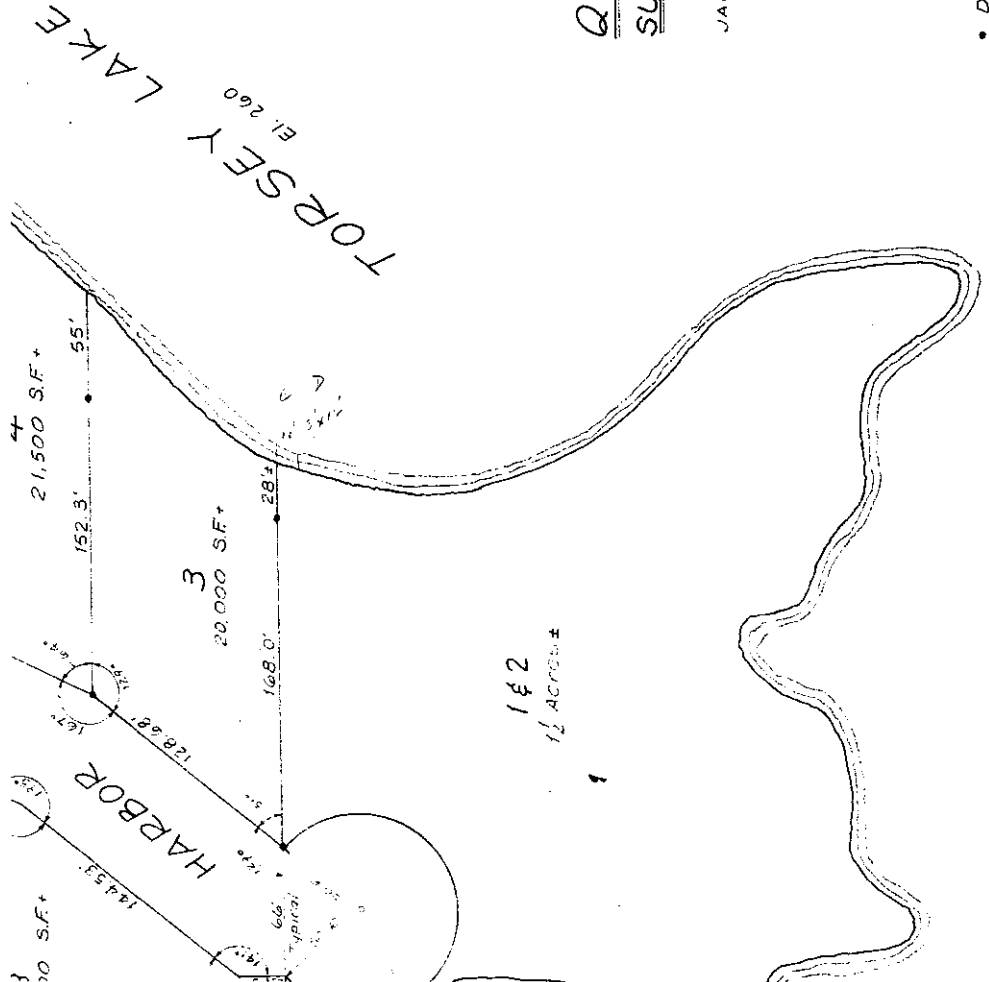
<u>Value of Project</u>	<u>Fee</u>
Up to \$100,000	\$100
\$100,001 to \$500,000	\$150
\$500,001 to \$1,000,000	\$250
\$1,000,001 and over	\$500

“Value of Project” is considered the fair market value of all labor and materials associated with the project requiring site review. The above fee schedule does not include other fees that may be required as part of this project, for example, building and plumbing permit fees.

Subdivision Review

Minor subdivisions	\$175
Major subdivisions	\$175 plus \$50 per lot

Legitimate non-profit organizations will be assessed one-half of the regular fees



TOWN OF READFIELD
 PLANNING BOARD-APPROVED
 C.R. WOODMAN 2/14/73
 DATE
 Lawrence E. Perkins 2/14/73
 DATE
 Thomas Kimberly 2/24/73
 DATE
 Bruce M. Jacob 2/24/73
 DATE
 Douglas L. Taylor 2/25/73
 DATE

QUIET HARBOR PLAN
SURVEY FOR RALPH E. NASON
READFIELD, MAINE

JANUARY 1973 SCALE: 1 IN. = 50 FT.



BY: J. U. WIESENDANGER
 CONSULTING ENGR.
 EAST WINTHROP
 MAINE 7230

J. U. Wiegendanger

• Denotes Iron Pin
 All angles are 90° unless
 otherwise shown.



Contact

Quick Maps: Property Map

- Readfield, ME

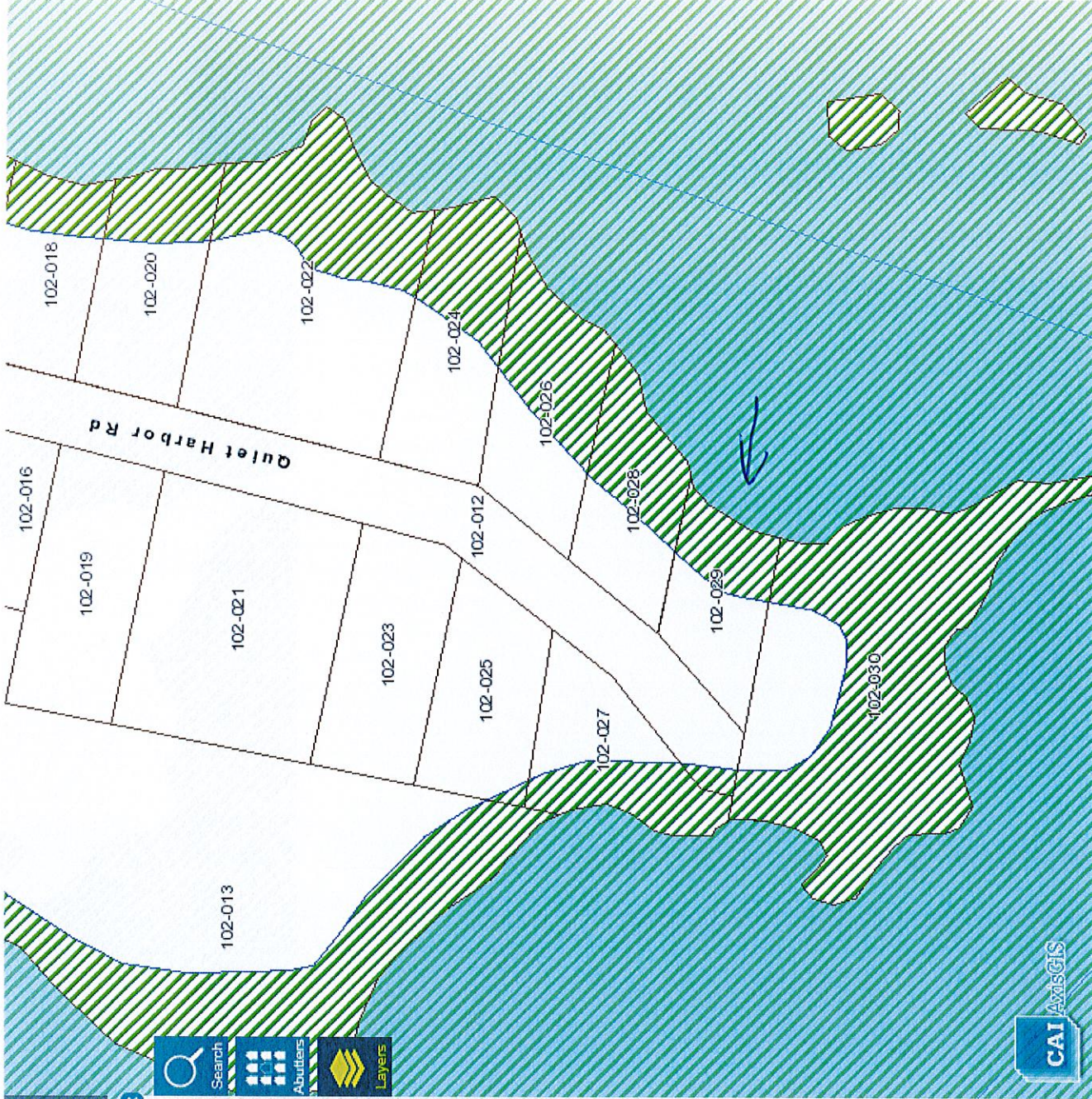
- + Property Map
- + Aquifer Map
- + E911 Address Point Map
- + FEMA Flood
- + Future Land Use Map
- + Land Cover Map
- + Road Management System
- + Public Facilities Map
- + Soil Map
- + Subdivision Map
- + Bedrock Map
- + Conserved Lands
- + Watershed Map
- + Topographic Map
- + Transportation
- + Wetland Map
- Zoning Map
- + Zoning

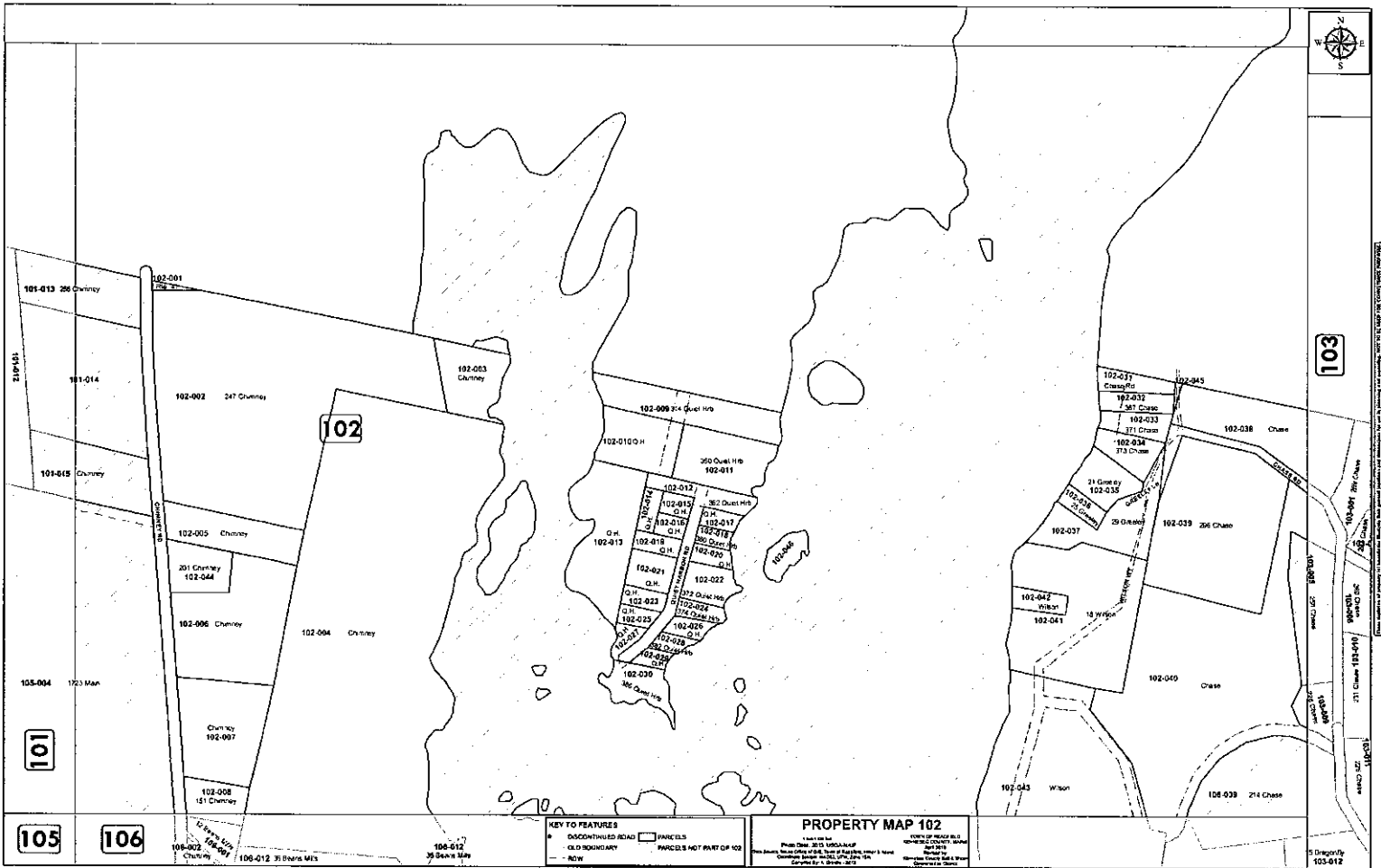


Quick Maps: Property Map

- Readfield, ME

- + Property Map
- + Aquifer Map
- + E911 Address Point Map
- + FEMA Flood
- + Future Land Use Map
- + Land Cover Map
- + Road Management System
- + Public Facilities Map
- + Soil Map
- + Subdivision Map
- + Bedrock Map
- + Conserved Lands
- + Watershed Map
- + Topographic Map
- + Transportation
- + Wetland Map
- Zoning Map
- + Zoning





KEY TO FEATURES
 * DISCONTINUED ROAD
 - OLD BOUNDARY
 - NEW
 ■ PARCELS
 □ PARCELS NOT PART OF 102

PROPERTY MAP 102
 1 inch to 1/2 mile
 Platted June 2012
 A. S. Smith, Surveyor
 NORTH OF DEARFIELD
 HENNEBEAU COUNTY, MINN.
 Part 102
 Original Filed for Record
 Commission No. 102, 107, 108, 109
 Certified by A. S. Smith, 2012



103

101

105

106

103-012

106-012 31 Davis Mill
 106-012 38 Davis Mill
 106-012 39 Davis Mill

Directions
from Town Office
to Property

41

Quiet Harbor Road

Torsey Lake

Lots 28, 29 & 30

41

ool

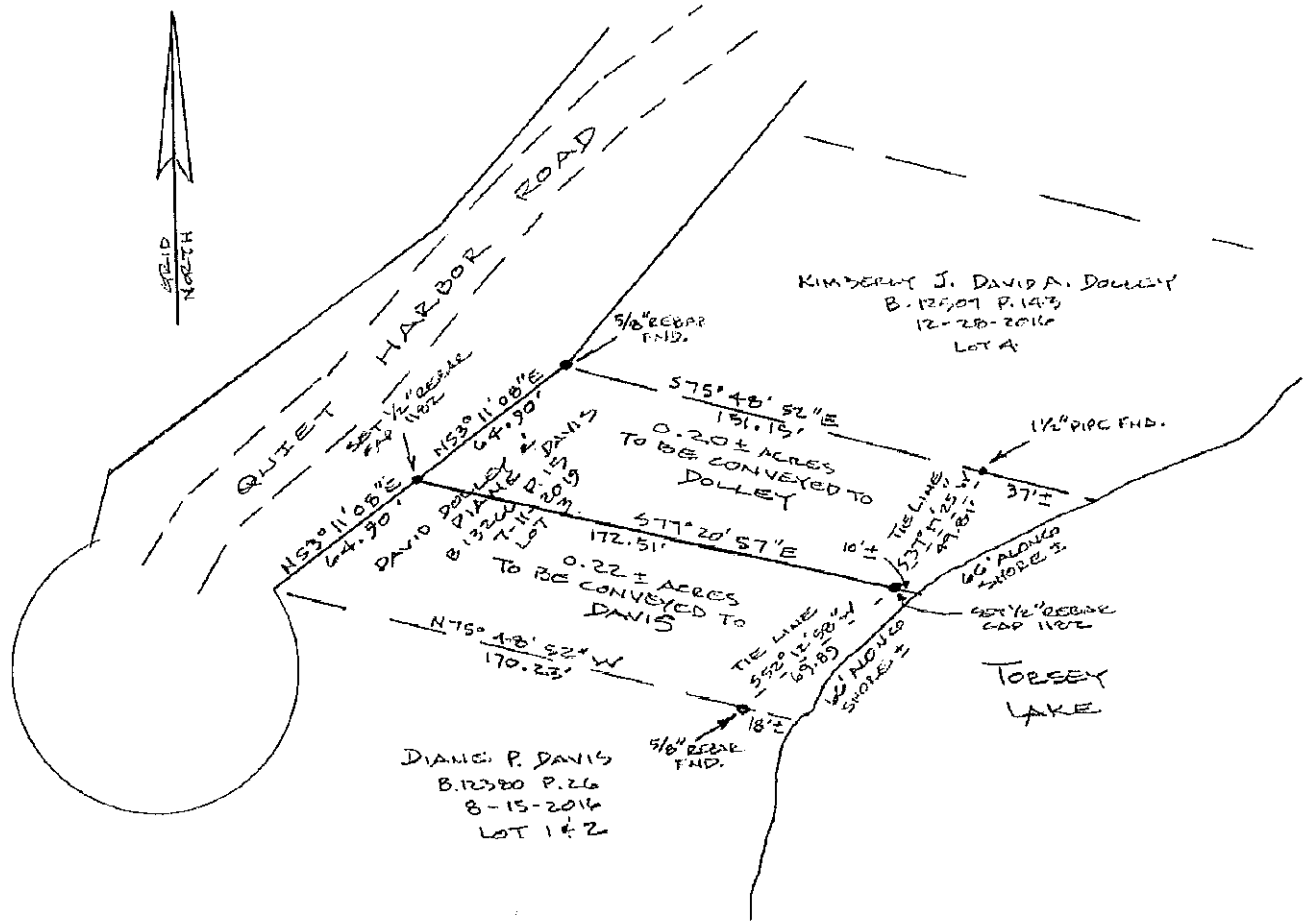


41

irkwold



Town Office



SKETCH PLAN SHOWING DIVISION OF LAND OF
DAVID DOLLEY & DIANE DAVIS
READFIELD - KENNEBEC CO. - MAINE
SEPTEMBER 18, 2019 W.O. NO: 2019-21
SCALE 1" = 50'

BY
CHARBACIK SURVEYORS INC.
14 1/2 STATE ST. AUGUSTA MAINE 04330
ROBERT CHARBACIK - PLS 1102

Names and mailing addresses of abutting property owners:

Diane P Davis
1672B Thornwood Drive
Mount Laurel, NJ

David and Kim Dolley
274 Maine Avenue, Apt. 1
Farmingdale, ME 04344



OPR BK 13266 PGS 15 - 17 07/12/2019 01:24:50 PM
INSTR # 2019014282 # OF PAGES 3
ATTEST: BEVERLY BUSTIN-HATHEWAY
REGISTER OF DEEDS KENNEBEC COUNTY, ME

**TRANSFER
TAX
PAID**

WARRANTY DEED

DOROTHY JOY MEYER, TRUSTEE OF THE DOROTHY JOY JOHNSON

TRUST DATED JANUARY 24, 1996 of Annandale, VA, for consideration paid, grants to **DAVID DOLLEY**, with a mailing address of 274 Maine Avenue, Apt. 1, Farmingdale, ME 04344 and **DIANE DAVIS**, with a mailing address of 1672B Thornwood Drive, Mt. Laurel, NJ 08054, with **WARRANTY COVENANTS, as tenants in common**, a certain lot or parcel of land situated in Readfield in the County of Kennebec and State of Maine on the westerly side of Torsey Lake and bounded and described as follows:

Beginning at an Iron Pin set in the ground in the easterly line of Harbor Road, so-called, said Harbor Road being the Right-of-Way as delineated on Quiet Harbor Plan; thence running easterly a distance of 168 feet to another Iron Pin set in the ground; thence continuing easterly on a line 28 feet, more or less, to the water line of said lake; thence running northerly along the water line of said lake a distance of 125 feet, more or less; thence westerly a distance of 55 feet, more or less, to another Iron Pin set in the ground; thence continuing westerly on a line parallel with the first mentioned bound a distance of 152.3 feet to another Iron Pin set in the ground in the easterly line of the above mentioned Harbor Road; thence running southwesterly along the easterly line of said road a distance of 128.68 feet to the Iron Pin at the point of beginning.

Meaning and intending to describe and convey Lot No. 3 as delineated on a certain Map or Plan by J. U. Wisendanger, Consulting Engineer and Land Surveyor, dated January 1973 and recorded in Kennebec County Registry of Deeds, Plan Book 44, at Pages 13 and 14.

This conveyance is made together with the following restrictions or covenants:

1. All dwellings and/or cottages shall be built and erected to meet F.H.A. specifications.
2. There shall be no subdivision of any lot nor more than one residence erected on each lot, except the usual appurtenant buildings.
3. No commercial or business use shall be permitted on any lot except by the unanimous consent, in writing, by each and every property owner.

③ Farris Raw

4. No residence or other structure shall be left in an uncompleted state, but exterior completion shall be within 18 months from the date of beginning construction.
5. No house trailers or mobile homes, campers or tents, whether on wheels or not, shall be allowed on any lot for permanent use.
6. All septic tanks shall be installed at least one hundred (100) feet from the high water mark of the lake.
7. All buildings shall be at least ten (10) feet from property lines.
8. Sanitary facilities shall be the responsibility of each lot owner, their heirs or assigns and shall comply with all laws, regulations and ordinances of the State of Maine and Town of Readfield.
9. No farm animals shall be allowed except with the unanimous approval, in writing, of all lot owners.

This conveyance is made together with a Right of Way, in common with others, from Highway No. 41 over said Right of Way (Road) as presently laid out and travelled, to the lot herein conveyed, also a Right of Way over lot No. 12, which lot is reserved from sale by Alton F. Scott and Phyllis M. Scott for boat launching and landing.

Also conveying herewith those easement rights described in deed of Mark Dershwitz and Renee M. Dershwitz to Louis E. Johnson and Dorothy Joy Johnson in deed dated November 29, 1991 and recorded in said Registry at Book 4020, Page 19.

SUBJECT TO an easement deed to Mark Dershwitz and Renee M. Dershwitz dated September 7, 1991 recorded in Book 4020, Page 22 of the Kennebec County Registry of Deeds and easements of record.

Meaning and intending to convey the premises described in deed of Dorothy Joy Meyer nee Johnson to Dorothy Joy Meyer, Trustee dated January 24, 1996 and recorded in the Kennebec County Registry of Deeds at Book 5080, Page 171. Louis E. Johnson died on August 7, 1992.

WITNESS my hand and seal this 11 day of July, 2019.


 Dorothy Joy Meyer, Trustee

STATE OF Virginia
COUNTY OF Fairfax

11, July, 2019

Personally appeared the above named **DOROTHY JOY MEYER, Trustee** and acknowledged the foregoing instrument to be her free act and deed.

**LUIS FLORES SANCHEZ
NOTARY PUBLIC 7882147
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES NOVEMBER 30, 2020**

Before me,



Notary Public
Print Name: Luis Flores Sanchez
Commission Expires: Nov 30 2020

LD/co

STATE OF Virginia
COUNTY OF Fairfax

11 July, 2019

Personally appeared the above named **DOROTHY JOY MEYER, Trustee** and acknowledged the foregoing instrument to be her free act and deed.

**LUIS FLORES SANCHEZ
NOTARY PUBLIC 7682147
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES NOVEMBER 30, 2020**

Before me,



Notary Public
Print Name: Luis Flores Sanchez
Commission Expires: Nov 30 2020

LD/co



GARBACIK SURVEYORS INC.

146 STATE STREET

AUGUSTA, MAINE 04330

TEL. 207 623-4646

Email: garbaciksurveyors@myfairpoint.net

Website: garbaciksurveyors.com

Diane P. Davis

September 19, 2019

1672B Thornwood Drive

Mt. Laurel, New Jersey 08054

Deed Descriptions: Division of Davis / Dolley Property - Quiet Harbor Road - Readfield, Maine.

Northerly Section - Davis to Dolley:

Beginning at a point on the easterly side of Quiet Harbor Road marked with a 5/8th inch iron rebar, said point being the southwesterly corner of land of the herein Grantees, as conveyed to them by deed dated December 28, 2016 and recorded in the Kennebec County Registry of Deeds in Book 12507 Page 143,

Thence S 75°48'52"E along the southerly line of land of the herein Grantees, a distance of 151.15 feet to a point marked with a 1 1/2 inch iron pipe, and thence continuing S 75°48'52"E along the southerly line of land of the herein Grantees, a further distance of 37 feet, more or less, to the shore of Torsey Lake,

Thence Southerly along the shore of Torsey Lake, a distance of 66 feet, more or less, to a point,

Thence N 77°20'57"W a distance of 10 feet, more or less, to a point marked with a 1/2 inch iron rebar and cap #1182, said point being on a bearing of S 37°17'25"W a distance of 49.81 feet from the above described point marked with the 1 1/2 inch iron pipe, and thence continuing N 77°20'57"W a further distance of 172.51 feet to a point on the easterly side of Quiet Harbor Road marked with a 1/2 inch iron rebar and cap #1182,

Thence N 53°11'08"E along the easterly side of Quiet Harbor Road, a distance of 64.90 feet to the point of beginning.

Said Parcel to contain 0.20 acres, more or less.

Bearings are based on Grid North.

Being a portion and a portion only of the property conveyed to the herein Grantor by deed dated July 11, 2019 and recorded in said Registry in Book 13266 Page 15.

Southerly Section - Dolley to Davis:

Beginning at a point on the easterly side of Quiet Harbor Road, said point being the northwesterly corner of land of the herein Grantee, as conveyed to her by deed dated August 15, 2016, and recorded in the Kennebec County Registry of Deeds in Book 12380 Page 26,

Thence N 53°11'08"E along the easterly side of Quiet Harbor Road, a distance of 64.90 feet to a point marked with a 1/2 inch iron rebar and cap #1182,

Thence S 77°20'57"E a distance of 172.51 feet to a point marked with a second 1/2 inch iron rebar and cap #1182, and thence continuing S 77°20'57"E a further distance of 10 feet, more or less, to the shore of Torsey Lake,