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PLANNING DEPARTMENT TOWN OF CUMBERLAND, MAINE

Date:February 15, 2024To:Cumberland Planning BoardFrom:Carla Nixon, Town PlannerSubject:Lot Line Changes to Two Existing Subdivisions

This is a request for lot line changes that affect two subdivisions: Fairwinds Estates and Brentwood.

The applicant is Steve Broadhead who lives on Lot 6 in Fairwinds Estates. He is requesting new lot lines between his lot and Lot 7 in the Brentwood Subdivision and Lot 1 in the Fairwind Estates Subdivision. Both of those lots are in the same ownership (Cimino).

The Town of Yarmouth has waived the requirement to hold a joint public meeting of the Cumberland and Yarmouth Planning Boards.

The change in the lot line does not affect any of the findings of fact made for the initial and revised approvals; consequently the motion to approve can simply reference that fact.

A revised plan showing the changed lot lines will be available for signing after the meeting.

Erin Zwirko
Christina Silberman; Carla Nixon
Steve Broadhead
Amended Lots 1 & 6, Fairwind Estates
Wednesday, January 31, 2024 3:17:58 PM
image001.png

WARNING: This is an external email that originated outside of our email system. DO NOT CLICK links or open attachments unless you recognize the sender and know that the content is safe!

Good afternoon, Christina and Carla,

I met with Mr. Broadhead yesterday regarding his request to amend Lots 1 and 6 of the Fairwind Estates Subdivision. I reviewed our records on the original subdivision approval and discussed the matter with the Yarmouth Town Engineer, DPW Director, Fire Chief, and CEO. I understand that both the Cumberland and Yarmouth Planning Boards approved the subdivision in the 1980s.

The Town of Yarmouth will waive the requirement to hold a joint public meeting of the Cumberland and Yarmouth Planning Boards for this matter.

The Town of Yarmouth typically reviews lot line adjustments like those proposed by Mr. Broadhead through an administrative review that results in the Director of Planning, Town Engineer, Fire Chief, and DPW Director approving the proposed amendment. Since the lots are entirely located in Cumberland and the Town staff members named do not have any concerns with the proposed amendment, we are satisfied with the Cumberland Planning Board completing the review.

Please let me know if there is anything else that the Cumberland Planning Board may need from Yarmouth. I am happy to answer any questions that may come up between now and the hearing on this matter.

Thank you, Erin

Erin Zwirko, AICP, LEED AP Director of Planning & Development

200 Main Street, Yarmouth ME 04096 207-846-2401 www.yarmouth.me.us



Learn More About Yarmouth's Comprehensive Plan Update at planyarmouth.com!



Memorandum

To:	Planning Board - Town of Cumberland
From:	Paul H. Babbidge, P.L.S.
Date:	January 17, 2024
Subject:	Amended Lots 1&6 Fairwind Estates
Project No.:	23012996A

Board Members,

Enclosed please find a submission package of the required information for the Amendment Review of the proposed and previously approved Fairwind Estates Lots 1&6, located at 10 Fairwind Lane Extension, approved by the Town of Cumberland Planning Board July 10, 1989, Plan recorded at the Cumberland County Registry of Deeds in Plan Book 143, Page 42. The land is shown as Lots 16B & 16G on Tax Map R2C.

The purpose of this plan is solely to amend the common line between Fairwind Estates (Lots 1&6), and Brentwood Lot 6. A separate application for an amendment to Brentwood Lot 6 is being submitted herewith. The resulting changes in lot areas pose no substantial impact on setbacks or net residential area. Included with this application are the following materials:

- Appendix B Application
- Application fee
- Appendix D Checklist
- Plan copy of Approved Fairwind Estates
- Current deed copies of subject properties
- Survey Plan of this proposed subdivision amendment
- Copy of proposed legal description

Stephen Broadhead is the owner of Brentwood Lot 6. There is a driveway across the southeasterly corner of Lot 6 which has been historically used as access to Brentwood Lot 7, now owned by Anthony Cimino who is also the owner of Fairwind Estates, Lots 1 & 6.

Fairwind Estates, Lots 1 & 6 abuts the northerly boundary Brentwood, Lot 6.

Stephen Broadhead has contracted with Anthony Cimino to convey the portion of land encumbered by the existing driveway, in exchange for a portion of Fairwind Estates, Lots 1 & 6 which abuts the northerly boundary of his property.

Project No. 23012996A January 17, 2024 Page 2 | 2



This proposed amendment will not significantly change the acreage owned by the two parties, Stephen Broadhead's holdings will increase by 0.15 acres and Anthony Cimino's holdings will decrease by the same amount, also the proposed amendment will not alter the current use of the properties, and no construction is planned apart from the normal maintenance of the grounds and driveway. We therefore respectively request the waivers as delineated on the attached appendix D checklist.

APPENDIX B

APPLICATION FOR MAJOR OR MINOR SUBDIVISIONS

Applicant's Contact Information

 Name: Steve Broadhead

 Mailing Address: 11 Brentwood Drive, Cumberland Forside, ME 04110

 Email Address: steveb3939@gmail.com

 Phone#: Office: (207) 671-9082 Cell: ______ Fax: ______

 Interest in property: Prospective Owner - portion of lots 1 & 6 Fairwind Estates - R2C/16B & 16G

 Interest in abutting properties, if any: Owner - lot 6 Brentwood - R2C/8

Property Owner's Contact Information

Name: Steve Broadhead Mailing Address: 11 Brentwood Drive, Cumberland Forside, ME 04110 Email Address: steveb3939@gmail.com Phone#: Office: (207) 671-9082 Cell: _____ Fax: _____

Applicant's Architect, Landscape Architect, Engineer, Planner or Surveyor Contact

Information (If more than one, please attach contact info for each one.) Name: Paul H. Babbidge, P.L.S. #1237 Mailing Address: 41 Church Rd., Brunswick, ME 04011 Email Address: paul.babbidge@collierseng.com Phone#: Office: (207) 481-7069 Cell: (207) 230-4856 Fax:

Project Information

Name of Project: Amended Lots 1&6 Fairwind Estates

Address of site: 11 Brentwood Drive, Cumberland Forside, ME 04110 CCRD Book/Page #:14212/332 Tax Map/Lot #: R2C/8 Zoning District: LDR Overlay District (If any): ______ Site size (acres): 0.201 # of Lots: 2 # Buildings: 0 # Dwellings: 0 _____ Minor Subdivision ___X__ Major Subdivision _____ Conservation Subdivision

OTHER INFORMATION

- 1. Is Board of Adjustment and Appeals approval required? No
- 2. Are any ordinance waivers requested? X Yes No (If yes, attach a list of waivers requested and reason for the request.)
- 3. Application fee per Town ordinance: \$ 100.00
- **4.** This application form and all accompanying materials must be submitted to the Town Planner at least 21 days prior to the meeting at which it is to be considered by the Planning Board.

The undersigned, being the applicant, owner or legally authorized representative, states that all information contained in this application is true and correct to the best of his/her knowledge and hereby does submit the information for review by the Town and in accordance with applicable ordinances, statutes and regulations of the Town, state and federal governments.

APPENDIX D

MAJOR TRADITIONAL OR CLUSTERED SUBDIVISION SUBMISSION REQUIREMENTS AND CHECKLIST

The subdivision plan for a major traditional or clustered subdivision shall consist of an electronic submission and two (2) paper copies of all required application materials. Major subdivision review is a two-step process: 1) preliminary plan review and approval; 2) final plan review and approval. Occasionally, both preliminary and final approval may be granted by the Planning Board at the same meeting if all required information for both preliminary and final approval have been submitted, reviewed and approved by staff.

PRELIMINARY PLAN

- **A.** Preliminary plan location map. The preliminary plan shall be accompanied by a location map drawn at a scale of not over 1,000 feet to the inch to show the relation of the proposed subdivision to the adjacent properties and to the general surrounding area. The preliminary plan shall show all the area within 1,000 feet of any property line of the proposed subdivision. Within such area the location map shall show:
 - 1. All existing subdivisions and approximate tract lines of adjacent parcels together with the names of the record owners of all adjacent parcels of land, those directly abutting or directly across any street adjoining the proposed subdivision.
 - 2. Locations, widths and names of existing, filed or proposed streets, easements, and building lines pertaining to the proposed subdivision and to the adjacent properties.
 - 3. The boundaries and designations of zoning districts, parks and other public spaces.
 - 4. An outline of the proposed subdivision together with its street system and an indication of the future probable street system of the remaining portion of the tract, if the preliminary plan submitted covers only part of the subdivider's entire holding.
- **B.** Preliminary plan maps and information. The preliminary plan shall be submitted in 2 copies of one or more maps or drawings which may be printed or reproduced on paper with all dimensions shown in feet or decimals of a foot, drawn to a scale of one inch equals not more than 100 feet or, for plans describing construction of required improvements, a scale of one inch equals 40 feet; drawings are not to exceed 24 inches by 36 inches. All materials must also be provided in an electronic format. All plans shall be accompanied by the following information:
 - 1. Proposed subdivision name or identifying title and the name of the municipality.
 - 2. Name and address of record owner, subdivider and designer of preliminary plan.
 - 3. Date of plan submission, true North point and graphic scale.
 - 4. Number of acres within the proposed subdivision, location of property lines, existing easements, buildings, watercourses and other essential existing physical features.
 - 5. The names of all subdivisions immediately adjacent and the names of owners of record of adjacent acreage.

- **6.** The space standard and setback provisions of the Chapter 315, Zoning, applicable to the area to be subdivided and any zoning district boundaries affecting the subdivision.
- 7. The location and size of any existing or proposed sewers and water mains, culverts, hydrants, and drains on the property to be subdivided. This shall show the connections with existing sewer or water systems. Where public water and/or sewerage is not to be provided, alternative means of water supply and sewage treatment and disposal shall be shown, both horizontally and vertically. If on-site groundwater wells are proposed, the effect of withdrawal of groundwater may be required by the Board as set forth in this chapter.
- 8 If individual or collective private sewage disposal system(s) is (are) proposed, the location and results of tests to ascertain subsurface soils and groundwater conditions shall be signed and numbered by a licensed site evaluator. If a cluster system or collective private sewage disposal system(s) is (are) proposed, a hydrogeologic investigation shall be submitted meeting the sewage disposal standards as set forth in this chapter. A hydrogeologic investigation may be required by the Board for individual systems as set forth in this chapter.
- **9.** Location, names and present and proposed widths of existing and proposed streets, highways, easements, building lines, alleys, parks and other public open spaces both within and abutting the subdivision. Grades and street profiles of all streets, sidewalks or other public ways proposed by the subdivider shall be shown.
- **10.** Contour lines at intervals of two feet or at such intervals as the Planning Board may require, based on United States Geological Survey datum and referred to mean sea level.
- **11.** A high-intensity soil survey shall be conducted by a certified soil scientist to identify soils within the proposed development in accordance with United States Department of Agriculture Natural Resources Conservation Service National Cooperative Soil Classification. The soil boundaries and names shall be superimposed on a plot plan of the proposed development.
- 12. Deed reference and map of survey of tract boundary made and certified by a registered land surveyor, tied into established reference points. Deed restrictions, if any, shall be described.
- **13.** A surface drainage plan or stormwater management plan, with profiles and cross sections drawn by a professional engineer registered in the State of Maine, showing preliminary design of all facilities and conveyances necessary to meet the stormwater management standards as set forth in this chapter.
- 14. The proposed lot lines with dimensions and suggested locations of buildings.
- **15.** The location of temporary markers adequate to enable the Board to locate readily and appraise the basic layout in the field.
- **16.** All parcels of land proposed to be dedicated to public use and the conditions of such dedication.
- 17. The location of all natural features or site elements to be preserved.
- **18.** A grading and landscaping plan, including natural features to be preserved.

19. Plans shall bear the seals or numbers of the registered professionals responsible for preparing appropriate sections of the plan. Surveys shall be stamped by registered professional engineers, soil surveys shall bear the numbers of a soil scientist, subsurface sewage disposal plans shall bear the number of the professional site evaluator responsible for those evaluations, geological evaluations shall bear a registered geologist's number and architectural work shall bear the architect's seal.

FINAL PLAN

C. The final subdivision plan for a major traditional or clustered subdivision shall consist of an electronic submission and two (2) paper copies of all required application materials. All materials must also be provided in an electronic format.

The final plan shall show:

- 1. All of the information presented on the preliminary plan and location map and any amendments thereto required by the Board or otherwise added to the plan. Engineering plans submitted shall be final plans on which construction may be based.
- **2.** The name, registration number and seal of the engineer, land surveyor, geologist, soil scientist, architect or planning consultant who prepared the plan.
- **3.** Street names and lines, pedestrian ways, lanes, easements, rights-of-way and areas to be reserved for or dedicated to public use.
- **4.** The length of all straight lines, the deflection angles, radii, length of curves and central angles of all curves, tangent distance and tangent bearings for each street.
- **5.** An actual field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified by a licensed land surveyor. The corners of the tract shall be located on the ground and marked by monuments as herein required and shall be referenced as shown on the plan.
- 6. Sufficient data acceptable to the municipal officials to determine readily the location, bearing and length of every lot line and boundary line and to reproduce such lines upon the ground. Where practical these should be tied to reference points previously established.
- 7. The survey of the outside boundaries of the tract and the computation of the lot lines shall be performed to an accuracy of one foot in 5,000 feet. If requested by the Planning Board, the surveyor shall furnish copies of computation sheets for outside boundaries showing.
 - **a.** Sketch of traverse lines.
 - **b.** Closures;
 - c. Adjustments;
 - d. Coordinates; and
 - e. Computation of outside boundaries.

- **8.** By proper designation, all public open space for which offers of cession are made by the subdivider and those spaces to which the title is reserved by him.
- 9. Lots and blocks within the subdivision numbered in accordance with local practice.
- 10. Proposed homeowners' covenants and restrictions.
- **11.** Required MDEP stormwater maintenance documents.
- **D.** There shall be submitted to the Board with final plan:
 - **1.** Copies of declarations, agreements or other documents showing the manner in which open space or easements are to be held and maintained.
 - 2. Where conveyance of public open space or easements to the Town is contemplated, a written offer to make such conveyance to the Town and written evidence that the municipal officers are willing to accept such conveyances and are satisfied with the terms and conditions of the proposed conveyance and with the legal sufficiency of the proposed transfer documents. Such written evidence shall not constitute an acceptance by the municipality of any such public open space.

COMPLETION CHECKLIST FOR MAJOR TRADITIONAL OR CLUSTERED SUBDIVISION SUBMISSION REQUIREMENTS

Waivers: Please make a check in the *Waiver Request* column for any requested waivers. Attach a separate sheet citing the Subdivision Ordinance section number, description, and reason for the waiver request.

		Location of information in packet, e.g. plan #, page #	Waiver Request?
General Submissions:			
15 copies of plans and materials. All sheet sized to be 24" x 36"	Х		
1"=100' scale for general plan			YES
1"=40' scale for construction of required improvements	Х		
Traffic Info?		Not Applicable	YES
Capacity to Serve letters?		Not Applicable	YES
Financial and Technical Capacity (Sec.14)		Not Applicable	YES
Sewer user permits required? Status?		Not Applicable	YES
Deed restrictions, if any, describe on separate sheet		Not Applicable	YES
Cover Sheet:		Not Applicable	YES
Proposed subdivision name			

	Check if provided	Location of information in packet, e.g. plan #, page #	Waiver Request
Name & address of record owner, subdivider, and designer of preliminary plan			
Location Map:		included on amended subdivision	YES
Scale 1''=1000'		plan	
Shows area 1000' from property lines			
All existing subdivisions			YES
Approximate tract lines of adjacent parcels	Х		TES
Approximate tract lines of parcels directly across street	X		
<i>Location</i> of existing & proposed streets, easements, lot lines & bldg. lines of proposed subdivision & adjacent properties.		Not Applicable	
Existing Conditions Plan:		included on amended subdivision plan	YES
Existing buildings	Х		
Watercourses		Not Applicable	YES
Legend	Х		
Wetlands		Not Applicable	YES
Existing physical features (trees 10" diameter or more. Stone walls		Not Applicable Y	
Trail System?		Not Applicable	YES
Subdivision Plan:		amended subdivision plan	
Date of plan submission, true north & graphic scale	Х		
Net residential acreage calculations			YES
Legend	Х		
Trail (connecting?) Widths of existing/proposed streets, easements & bldg. lines	X	Not Applicable YES	
Names of existing/ proposed streets, easements & bldg. lines	X		
Boundaries & designations of zoning districts, parks, public spaces		Not Applicable	
Outline of proposed subdivision w/ street system	Х		
Future probable street system of remaining portion of tract.		Not Applicable	YES

	Check if provided	Location of information in packet, e.g. plan #, page #	Waiver Request
Opportunities for Connecting Road(s) (13.2D)		Not Applicable	YES
Space and Setback of district	Х		
Classification of road	Х		
Width of road(s)	Х		
Drainage type (open, closed, mix)		Not Applicable	YES
Type of byway provided (8.4D)		Not Applicable	YES
Names of adjacent subdivisions	Х		
Names of owners of record of adjacent acreage	X		
Any zoning district boundaries affecting subdivision	Х		
Location & size of existing or proposed sewers, water mains, culverts, hydrants and drains on property		Not Applicable	YES
Connections w/existing sewer or water systems		Not Applicable	YES
Private water supply shown		Not Applicable	YES
Private septic shown		Not Applicable	YES
Hydro-geologic study		Not Applicable	YES
(option for Board)			
Test pit locations		Not Applicable	YES
Well locations		Not Applicable	YES
Signature & lic. # of site evaluator		Not Applicable	YES
Existing streets: location, name(s), widths w/in and abutting	Х		
Proposed streets: location, name(s), widths w/in and abutting		Not Applicable	YES
The above for any highways, easements, bldg. lines, alleys, parks, other open spaces w/in and abutting		Not Applicable	YES
Grades & street profiles of all streets, sidewalks or other public ways proposed		Not Applicable	YES
2'contour lines			YES
High intensity soil survey by cert. soil scientist		Not Applicable	YES
Soil boundaries & names superimposed on plot plan		Not Applicable	YES
Deed reference & map of survey of tract boundary by reg. land surveyor tied to established reference points	X		

	Check if provided		Waiver Request
Surface drainage or stormwater mgmt plan w/profiles & cross sections by a P.E. showing prelim. design and conveyances		Not Applicable	YES
Proposed lot lines w/ dimensions and suggested bldg. locations.	X		
Location of temp. markers in field		Not Applicable YE	
All parcels proposed to be dedicated to public use and conditions of such.		Not Applicable	YES
Location of all natural features or site elements to be preserved		Not Applicable	YES
Street lighting details		Not Applicable	YES
Landscaping and grading plan including natural features to be preserved		Not Applicable	YES
Survey stamped by P.E.		Not Applicable	YES
Soil surveys w/# of soil scientist		Not Applicable	YES
Septic plan w/ # of prof. site evaluator		Not Applicable	YES
Geological evals w/ reg. geologists number		Not Applicable	YES
Architect's seal		Not Applicable	YES
For Rt. One: 75' undisturbed buffer applicable to all buildings, structures, parking areas, drainage facilities and uses.		Not Applicable	YES
Open Space?		Not Applicable	YES
Any part of parcel in a shoreland zone?		Not Applicable	YES
Flood Map Number and rating?		Not Applicable	YES
Stormwater Report?		Not Applicable	YES
Rivers, ponds, wetlands?		Not Applicable	YES
Historic, archeological features?		Not Applicable YES	
Solid waste disposal?		Not Applicable YES	
Required Notes on Plan:			
Fire Department notes		Not Applicable YES	
Clearing limits note		Not Applicable	YES
Re: approval limit of 90 days before recording or null p. 10		Not Applicable	YES
Actual field survey of boundary lines w/ monumentation shown	Х		
Assessor's approval of street names and assignment of lot numbers.		Not Applicable	YES

		Location of information in packet, e.g. plan #, page #	Waiver Request
Designation of all open spaces w/ notes on ownership	Not Applicable		YES
Copies of declarations, agreements or other documents showing the manner in which open space or easements are to	Not Applicable		YES
Written offer for any conveyance to the Town of open space or easements along with written evidence that the Council is willing to accept such offer	Not Applicable		YES
Evidence of Outside Agency Approvals		Not Applicable	YES

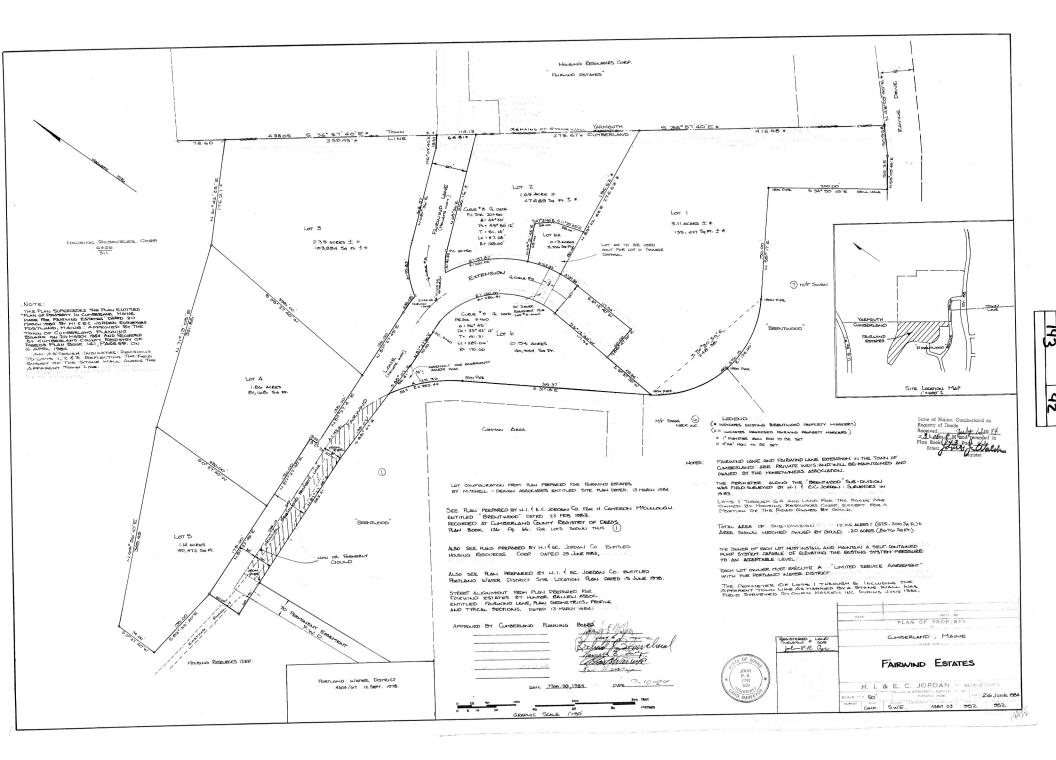
As per Section 7.2 - REVIEW AND APPROVAL BY OTHER AGENCIES:

E. Where review and approval of any subdivisions or site plan by any other governmental agency is required, such approval shall be submitted to the Planning Board in writing prior to the submission of the Final Plan.

Please list below all outside agency approvals that are required for this subdivision.

- Maine Department of Environmental Protection: List type of permit(s) required (e.g., SLODA, NRPA (tier type?), Maine Construction General Permit, etc.)
- US Army Corps of Engineers
- **Maine Department of Transportation**: *List type of permit(s) required.*
- Maine Department of Inland Fisheries and Wildlife
- Cumberland County Soils and Water Conservation Service: Required by Town.

Other: (Please List):



1.00 and the second states of the second states of the second states and the second states and the second states and BK | 42 | 2 PG 332 Warranty Deed (Maine Statutory Short Form) 72385Warren G. Malkerson and Joan B. Malkerson of Northfield, Minnesota, for consideration paid, grant to Stephen R. Broadhead, with a mailing address of 587 Spring Street, 44 Westbrook, Maine, 04092 with WARRANTY COVENANTS, the following described real property situated at 11 Brentwood Drive, Cumberland, Cumberland County, Maine MAINE REAL ESTATE TAX PAID A certain lot or parcel of land with the buildings thereon, situated in said Cumberland, and being more particularly described on Exhibit A attached hereto and made a part hereof. Meaning and intending to convey the same premises described in a deed from Huntington Blatchford, a/k/a Hunt Blatchford and Sharton B. Blatchford, dated September 25, 1992, and recorded in the Cumberland County Registry of Deeds in Book 10306, Page 44. day of October, 1998. Witness our hands-this arren G. Malkerson Witness to all State of New Mexico October_ /___, 1998 County of Lincoln,ss Personally appeared the above named Warren G. Malkerson and Joan B. Malkerson and acknowledged the foregoing instrument, to be their free achand deed. Notary Public: Karen R SEAL atton My commission expires: 8-11-01 Mai to: Stephen R. Broadhead 11 Brentwood Drive Cumberland Fode, ME 04110 (PRINT OR TYPE NAME AND ADDRESS OF GRANTEE) CL-8076

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EXHIBIT A

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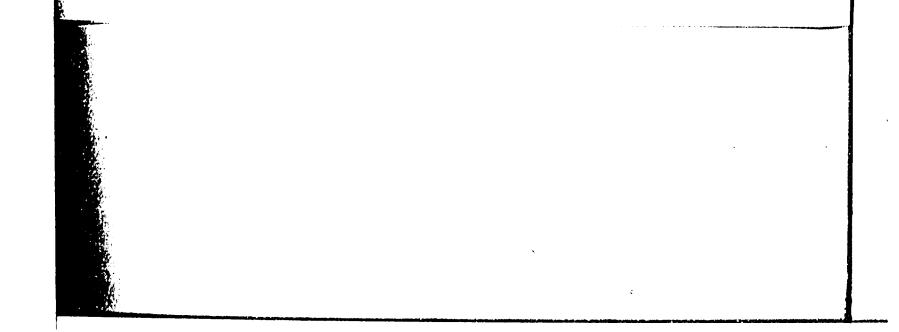
A certain lot or parcel of land, with any and all improvements thereon, situated at BRENTWOOD, located in the Town of Cumberland in the County of Cumberland and State of Maine, and being Lot No. 6 as shown and delineated on "Plan of Land of Brentwood made by H.I. & E.C. Jordan for Stage Neck Inc.", dated July 26, 1979, as modified on August 20, 1979, August 23, 1979 and November 12, 1979, and recorded in the Cumberland County Registry of Deeds in Plan Book 125, Page 32. Reference is hereby made to said Plan for a more particular description of said premises.

The Grantees shall, by virtue of their holding title to the above number Lot No. 6, become a member of BRENTWOOD LOT OWNERS' ASSOCIATION, a non-profit, non-stock corporation organized and existing under the laws of the State of Maine and shall hold one (1) share of the membership for said lot, and shall be bound by all of the provisions contained in the Certificate of Organization and the By-Laws, and Rules and Regulations of said BRENTWOOD LOT OWNERS' ASSOCIATION, as they presently exist or may be amended from time to time. Reference is made to the By-Laws of said Association, duly recorded in the Cumberland County Registry of Deeds, Book 4557, Page 187.

These premises are conveyed together with all benefits and privileges in and to the use of the swimming pool and amenities thereto, as set forth in a certain Lease, dated January 14, 1980, and recorded in said Cumberland County Registry of Deeds, Book 4557, Page 193.

The above premises are also hereby conveyed together with the full and free right to the within Grantees, their heirs and assigns, servants, licensees, guests and invitees to pass and repass over, along and across Ravine Road and Ravine Drive as shown on and delineated on the Plan above referred to, for the purposes of ingress and egress to the lot herein conveyed.

The above described Lot No. 6 is hereby conveyed subject to a perpetual right and easement and right-of-way granted to Gerald M. Swan and Theresa A. Swan by deed duly recorded in the Cumberland County Registry of Deeds which said easement is described as follows: "A perpetual right and easement and right-of-way for the purpose of ingress and egress from Ravine Drive in the Town of Cumberland, County of Cumberland and State of Maine to Lot No. 7, as shown and delineated on "Plan of Land of Brentwood made by H.I. & E.C. Jordan for Stage Neck, Inc.", dated July 26, 1979, as modified on August 20, 1979, August 23, 1979, and November 12, 1979, and recorded in the Cumberland County Registry of Deeds in Plan Book 125, Page 32, over, along and across Lot No. 6 as the driveway is presently laid out and exists on the face of the earth, to the point where it connects with the existing driveway on Lot No. 7.



BK | 42 | 2 PG 334

Also another certain lot or parcel of land situated adjacent to and Northwesterly of the Northwesterly boundary line of Lot No. 6, owned by the within Grantees, as shown and delineated on "Plan of Land of Brentwood made by H.I. & E.C. Jordan for Stage Neck, Inc.", dated July 26, 1979, as modified on August 20, 1979, August 23, 1979 and November 12, 1979 and recorded in the Cumberland County Registry of Deeds in Plan Book 125, Page 32, which said certain lot or parcel of land is more particularly bounded and described as follows:

in also

15.7

Beginning at an iron pipe set in the ground at the Northerly corner of aforesaid Lot No. 6 as shown on aforesaid Plan at land formerly of Widgery Thomas et als; thence running N 35° 26' 10" W 60.54 feet to a stake; thence running S 46° 56' 30" W 160 feet, more or less, to a point which is the prolongation Northwesterly of the Southwesterly sideline of aforesaid Lot No. 6; thence running S 25° 07' 40" E 75 feet, more or less, to a stake in the Southwesterly sideline of said Lot No. 6 at a point of curvature; thence running Northerly and Northeasterly by a regular curve deflecting to the right having a radius of 20 feet, a central angle of 74° 04' 10" and an arc distance of 25.16 feet to a stake; thence running N 46° 56' 30" E 152.42 feet to the point of beginning.

RECEIVED PECORDETE DESISTRY OF DEED 1998 OCT -9 PH 3: 57 CUMBERLAND COUNTY John 13 OBjuin

SHORT FORM DEED OF DISTRIBUTION BY PERSONAL REPRESENTATIVE (TESTATE)

Anthony J. Cimino, of Cumberland Foreside, Maine, in his capacity as the duly appointed and acting Personal Representative of the Estate of Carlo M. Cimino, deceased, whose Will was duly admitted to probate in the Probate Court for Cumberland County, Maine (Docket #2023-0514), by the power conferred by law, and every other power, (in distribution of the estate), grants to Christopher M. Cimino, whose mailing address is 6 Muirfield Road, Falmouth, Maine 04105, and Anthony J. Cimino, whose mailing address is 81 Ravine Drive, Cumberland Foreside, Maine 04110, as tenants-in-common, being the persons entitled to distribution, all of the decedent's right, title and interest (being a one-half interest) in and to certain real property, together with all improvements thereon, located in Cumberland, Cumberland County, Maine, described as follows:

All of the land shown as Lot 6 and Lot 6A on a plan entitled "Plan of Property in Cumberland, Maine, made for Fairwind Estates" by H. I. & E. C. Jordan, Surveyors, dated June 26, 1984, and approved by the Cumberland Planning Board, and recorded in the Cumberland County Registry of Deeds in Plan Book 143, Page 42.

Together with the benefit of the easement for underground sewer lines across Fairwind Lane Extension within the area designated as "20' sewer easement for Lot 6 only" on the above referenced Plan which easement was reserved in the Quitclaim Deed to Fairwind Estates Association dated October 11, 1984 and recorded in the Cumberland County Registry of Deeds in Book 6590, Page 227.

Also, all of the land shown as Lot 1 and Lot 2 on a plan entitled "Plan of Property in Cumberland, Maine, made for Fairwind Estates" by H. I. & E. C. Jordan, Surveyors, dated June 26, 1984, and approved by the Cumberland Planning Board, and recorded in the Cumberland County Registry of Deeds in Plan Book 143, Page 42.

Reference is hereby made to the Maine Department of Environmental Protection Site Location Order dated March 22, 1984, and recorded in Cumberland County Registry of Deeds in Book 6470, Page 217 and to the Condition Compliance dated May 22, 1984, and recorded in said Registry of Deeds in Book 6470, Page 216. Grantees, by their acceptance of this deed, hereby assume and agree to perform Grantor's obligations under all contracts to collect and dispose of solid waste generated by the premises conveyed hereby and assume Grantor's obligation under condition #3 of said Site Location Order to provide the Department of Environmental Protection with copies of renewal contracts for hauling and disposing of solid wastes until such time as the Town of Cumberland has an approved waste facility.

The above-described property is hereby conveyed subject to and with the benefit of the Declaration of Protective Covenants and Maintenance Agreement dated May 31, 1984, by Housing Resources Corporation and recorded in the Cumberland County Registry of Deeds in Book 6470, Page 220 as amended by First Amendment to Declaration of Protective Covenants and Maintenance Agreement dated June 30,1984 and recorded in said Registry of Deeds in Book 6509, Page 229.

DOC: 46412 BK: 40543 PG: 55 RECEIVED - RECORDED, CUMBERLAND COUNTY REGISTER OF DEEDS 12/27/2023, 10:12:39A Register of Deeds Jessica M. Spaulding E-RECORDED

For source of title reference may be made to a deed from Housing Resources Corporation to Carlo M. Cimino and Dorothy A. Cimino, as joint tenants, dated July 17, 1984 and recorded in the Cumberland County Registry of Deeds in Book 6517, Page 129, and a deed from Housing Resources Corporation to Carlo M. Cimino and Dorothy A. Cimino, as joint tenants, dated April 30, 1985, and recorded in the Cumberland County Registry of Deeds in Book 6748, Page 108, as joint tenants. The Personal Representative of the Estate of Carlo M. Cimino disclaimed the estate's interest in the above premises leaving the Estate of Dorothy A. Cimino with a one-half interest in the premises and the Estate of Carlo M. Cimino with a one-half interest in the premises.

Also conveying all right, title and interest of the estate in and to any other real property or interests therein wherever situated.

WITNESS my hand and seal in my said capacity on this 22 day of December, 2023.

WITNESS:

folgoing

Anthony J Cimino

Personal Representative of the Estate of CarloW. Cimino

State of Maine County of Cumberland, ss.

December 23nd, 2023.

PERSONALLY APPEARED the above-named Anthony J. Cimino, Personal Representative as aforesaid, and acknowledged the foregoing instrument to be his free act and deed in his said capacity.

Before me, Notary Public JULIEN L. SOKE Notary Public-Maine My Commission Expires February 05, 2028

LEGAL DESCRIPTION

8,755 SQ. FT. PROPOSED PARCEL

A certain lot or parcel of land, situated southerly of, but not adjoining, Fairwind Lane Extension, so called, in the Town of Cumberland, County of Cumberland, and State of Maine, and being a portion of lots 1 and lot 6 on the plan of Fairwind Estates, dated 26 June 1984 and recorded at the Cumberland County Registry of Deeds in Plan Book 143, Page 42, and being more particularly described as follows:

Beginning at a capped #5 rebar (P.L.S. #1237) driven into the earth on the southwesterly line of said Lot 6 at the northerly-most corner of land now or formerly of Stephen R. Broadhead, as recorded in Book 14212, Page 332;

Thence the following courses and distances by said land now or formerly of Stephen R. Broadhead:

- South 48° 02′ 45″ East, 72.39 feet, to a #5 rebar found 6 inches below grade at the southeasterly corner of said Lot 6 and the southwesterly corner of said Lot 1, at the point of curvature of a tangential curve to the left, with a radius of 175.00 feet and a chord of South 72° 21′ 38″ East, 144.11 feet;
- Easterly by the said tangential curve, an arc distance of 148.52 feet, to a capped #5 rebar (P.L.S. 1237) driven into the earth at the northeasterly corner of said land now or formerly of Stephen R. Broadhead;

Thence through land of said lot 1 the following courses and distances:

• North 12° 24' 41" West, 61.14 feet to a capped #5 rebar (P.L.S. 1237) driven into the earth;

Thence through land of said lots 1 and 6 the following course and distance:

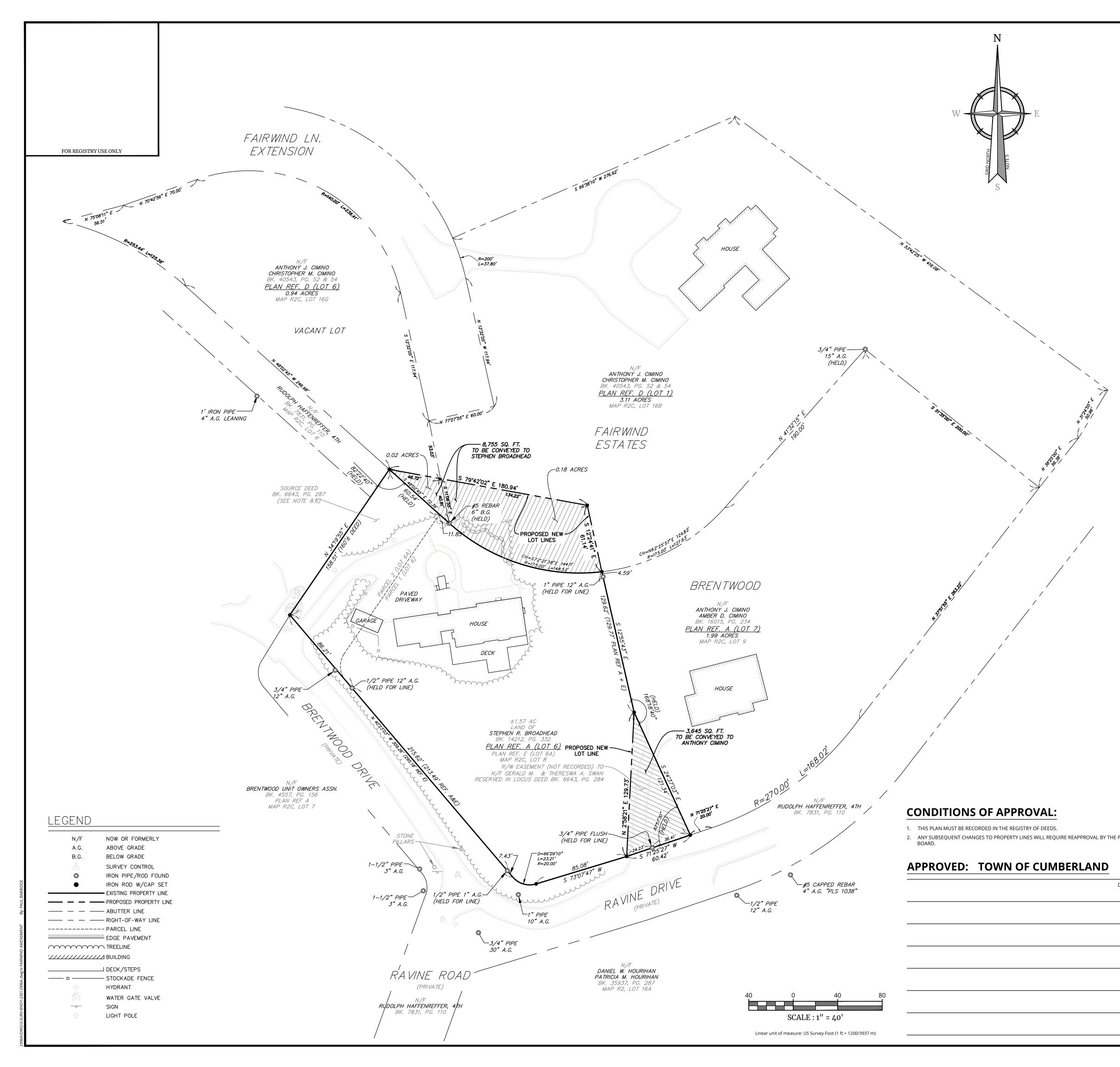
 North 79° 42' 02" West, 180.94 feet, to the capped #5 rebar (P.L.S. #1237) at the Point of Beginning.

Containing 8,755 Square Feet.

Being a portion of said lots 6 and 1, conveyed by deeds from Housing Resources Corporation to Carlo M. and Dorothy A. Cimino, recorded in Book 6748, Page 108; and Book 6517, Page 129. See also Cumberland County Probate Court Docket No. 2023-0514 recorded in Deed Book 40165, Page 77.

This description is based on a survey for Stephen Broadhead dated October 2023 by Colliers Engineering & Design, Project Number 23012996A.

Bearings are in reference to Grid North, Maine State Plane West Zone NAD83.



	VICINITY MAP TOWN OF CUMBERLAND TAX MAP	Colliers
	NO SCALE	Engineering
	FAIRWIND LAV. FAIRWIND LAV. FA	& Design
	HIGH LOCATION TO A	ght © 2024. Colliers Engineering & Design All Rights Reserved. This drawing I the information contained herein is authorized for use only by the party for the services were contracted or to whom it is certified. This drawing may not yied, reused, disclosed, distributed or relied upon for any other purpose without the express written consent of Colliers Engineering & Design.
	PART LOCUS PANNE DR. (RE)	Doing Business as MASER
		PROTECT YOURSELF
		ALL STATES REQUIRE NOTIFICATION OF EXCAVATORS, DESIGNERS, OR ANY PERSON PREPARING TO DISTURB THE EARTH'S SURFACE ANYWHERE IN ANY STATE Know what's DELOW. Call before you dig.
		FOR STATE SPECIFIC DIRECT PHONE NUMBERS VISIT: WWW.CALL811.COM
	GENERAL NOTES:	
	 THE RECORD OWNER OF THE PARCEL IS STEPHEN R. BROADHEAD BY DEED DATED 7 OCTOBER 1998 AND RECORDED AT THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 14212, PAGE 332, AND IS SHOWN AS LOT 8 ON THE TOWN OF CUMBERLAND TAX MAP R2C. THE PROPERTY IS LOCATED IN THE LDR DISTRICT. 	
	LAND USE REGULATIONS ARE AS FOLLOWS: MINIMUM LOT SIZE: 2 ACRES	
	MINIMUM STREET FRONTAGE: 150 FT. MINIMUM FRONT YARD: 50 FT.	
	MINIMUM SIDE YARD: 30 FT.	
	MINIMUM REAR YARD: 65 FT. * SEE ORDINANCE FOR MORE PARTICULAR INFORMATION.	
	 TOTAL AREA OF PARCEL IS APPROXIMATELY 1.57 ACRES. BOUNDARY INFORMATION SHOWN HEREON IS BASED UPON AN ON-THE-GROUND SURVEY COMPLETED 	DESCCRIPTION
	 BOUNDARY INFORMATION SHOWN HEREON IS BASED UPON AN ON-THE-GROUND SURVEY COMPLETED BY NORTHERN SURVEY ENGINEERING, LLC IN AUGUST, 2021. BEARINGS SHOWN HEREON ARE IN REFERENCE TO GRID NORTH, MAINE STATE PLANE COORDINATE 	
	 BLANNUS SHOWN HEREON ARE IN RELEASED O GRUD NORTH, MAINE STATE I DAVE COORDINATE SYSTEM, WEST ZONE 1802-NAD83. UTILITY INFORMATION DEPICTED HEREON IS COMPILED USING PHYSICAL SURFACE EVIDENCE LOCATED IN 	
	THE FIELD IN CONJUNCTION WITH ANY RECORD INFORMATION AVAILABLE AT THE TIME OF THIS SURVEY (SUE LEVEL C), AND MAY NOT NECESSARILY REPRESENT ALL EXISTING UTILITIES. CONTRACTORS AND/OR DESIGNERS NEED TO CONTACT DIG-SAFE SYSTEMS, INC. (1-888-DIG-SAFE) AND FIELD VERIFY EXISTING UTILITIES PRIOR TO CONSTRUCTION AND/OR EXCAVATION.	DATE DRAWN
	7. THE LOCUS PROPERTY AS DEPICTED HEREON DOES NOT FALL WITHIN A SPECIAL FLOOD HAZARD AREA AS DELINEATED ON THE FLOOD INSURANCE RATE MAP FOR CUMBERLAND, MAINE, CUMBERLAND COUNTY, COMMUNITY-PANEL NUMBER 230162 0016 C, HAVING AN EFFECTIVE DATE OF OCTOBER 15, 1985 THE LOCUS FALLS WITHIN AN AREA IDENTIFIED AS ZONE C, AREAS OF MINIMAL FLOODING.	D
	 BOOK AND PAGE REFERENCES SHOWN HEREON ARE IN REFERENCE TO THE CUMBERLAND COUNTY REGISTRY OF DEEDS (C.C.R.D.). PLAN REFERENCES: 	
	 PLAN REPERENCES. A. "PLAN OF PROPERTY IN CUMBERLAND, MAINE MADE FOR BRENTWOOD STAGE NECK INC." BY H.I. & E.C. JORDAN - SURVEYORS, DATED JULY 24, 1979 AND REVISED THROUGH NOVEMBER 12, 1979. APPROVED BY THE CUMBERLAND PLANNING BOARD NOVEMBER 20, 1979. RECORDED IN PLAN BOOK 125, PAGE 32. 	PAUL H. BABBIDGE
	 B. "PLAN OF PROPERTY IN CUMBERLAND, MAINE MADE FOR BRENTWOOD H. CAMERON MCCULLOCH" BY H.I. & E.C. JORDAN - SURVEYORS, DATED FEBRUARY 23, 1983. RECORDED IN PLAN BOOK 136, PAGE 66. 	
	 C. "PLAN OF PROPERTY IN YARMOUTH, MAINE MADE FOR FAIRWIND ESTATES" BY H.I. & E.C. JORDAN - SURVEYORS, DATED JUNE 13, 1984. RECORDED IN PLAN BOOK 143, PAGE 41. D. "PLAN OF PROPERTY IN CUMBERLAND, MAINE MADE FOR FAIRWIND ESTATES" BY H.I. & E.C. JORDAN - 	ELV SURVE UIII
	SURVEYORS, DATED JUNE 26, 1984. RECORDED IN PLAN BOOK 143, PAGE 42. E. "PLAN OF PROPERTY IN CUMBERLAND, MAINE MADE FOR HUNT BLATCHFORD" BY H.I. & E.C. JORDAN - SURVEYORS, DATED MARCH 5, 1985. APPROVED BY THE CUMBERLAND PLANNING BOARD MARCH, 1985. RECORDED IN PLAN BOOK 146, PAGE 63.	Paul H. Babbidge MAINE PROFESSIONAL LAND SURVEYOR LICENSE NUMBER: PLS1237
	F. "AMENDED SITE PLAN BRENTWOOD" BY OWEN HASKELL, INC, DATED MARCH 28, 1996. RECORDED IN PLAN BOOK 196, PAGE 186.	COLLIERS ENGINEERING & DESIGN, INC.
	 BOUNDARY NOTES: 10.1. THIS SURVEYED PROPERTY IS DEPICTED ON PLAN REFERENCE A AS LOT 6 AND A PORTION OF LOT 1. THIS PROPERTY IS ALSO DEPICTED ON PLAN REFERENCE E AS LOTS 6 AND 6A, LOT 6A BEING A 	AMENDED LOTS 1 & 6
	 PORTION OF LOT 1, PLAN REFERENCE A. LOT 6 IS PARCEL 1 OF THE CURRENT DEED AND LOT 6A IS PARCEL 2. 10.2. THE SOURCE DEED FOR THIS PROPERTY IS A DEED FROM THE ESTATE OF WIDGERY THOMAS TO STAGE NECK, INC. DATED AUGUST 29, 1979 AND RECORDED IN BOOK 4484, PAGE 296 (C.C.R.D.). THE DESCRIPTION IN THE SOURCE DEED IS THE SAME AS THE PERIMETER BOUNDARY DEPICTED ON PLAN 	FAIRWIND ESTATES FOR
	REFERENCE A, AND DOES NOT CLOSE MATHEMATICALLY. 10.3. PLAN REFERENCE D ABUTS THIS PROPERTY ON THE NORTH AND HAS A GOOD MATHEMATICAL CLOSURE, ADDITIONALLY THE IRON MARKERS DEPICTED HEREON (AT THE NORTHERLY CORNER OF ANTHONY J. CIMINO, AND THE SOUTHWESTERLY CORNER OF CARLO M. CIMINO), FIT WITH THE PLAN	STEPHEN BROADHEAD
	 AND THE PLAN WAS THEREFORE HELD FOR THE NORTHERLY BOUNDARY. 10.4. LOT 6 AS DEPICTED ON PLAN REFERENCE A (PARCEL 1 OF THE CURRENT DEED), WAS ROTATED TO FIT THE MARKERS, DEPICTED HEREON AS "HELD FOR LINE". LOT 6A (PARCEL 2 OF THE CURRENT DEED), WAS HEREON ESTABLISHED AS DESCRIBED BY THE CURRENT DEED. 	11 BRENTWOOD DRIVE CUMBERLAND FORESIDE, MAINE 04110
	10.5. RAVINE ROAD, RAVINE DRIVE, AND BRENTWOOD DRIVE ARE PRIVATE ROADS. RAVINE ROAD AND RAVINE DRIVE ARE NAMED ROADS ON THE ABOVE REFERENCED PLANS. BRENTWOOD DRIVE IS NOT A NAMED ROAD ON THESE PLANS, AND THE NAME WAS DERIVED FROM THE TAX MAP. THESE ROADS ARE DEPICTED AS PART OF LOT 1, PLAN REFERENCE A. THESE ROADS ARE DESCRIBED IN A QUIT CLAIM DEED TO RUDOLPH HAFFENREFFER IN BOOK 7831, PAGE 110 (C.C.R.D.).	TAX MAP R2C, LOT 8 DEED BK. 14212, PG. 332
PLANNING	10.6. RIGHTS OF OTHERS MAY EXIST IN THE FEE INTEREST OF THE RIGHT-OF-WAYS DEPICTED ON PLAN REFERENCE A.	CUMBERLAND
	AMENDED SUBDIVISION NOTES:	CUMBERLAND COUNTY
DATE	 THIS PLAT IS AN AMENDMENT TO FAIRWIND ESTATES, LOTS 1 & 6 OF PLAN REFERENCE 9D. THE PURPOSE OF THIS AMENDMENT IS TO CONVEY TO THE OWNERS OF LOT 6 A PARCEL OF LAND FROM THE SOUTHERLY END OF LOTS 1 & 6. 	MAINE
	 THIS PLAT AND SURVEY IS BASED ON AN ON-THE-GROUND BOUNDARY SURVEY OF "BROADHEAD PROPERTY" FOR STEPHEN BROADHEAD, BY NORTHERN SURVEY ENGINEERING - PROJECT NO. 21084, DATED AUGUST 30, 2021. 	Colliers BRUNSWICK 41 Church Road Brunswick, ME 04011 Engineering & Design Colliers Engineering & Design
	SURVEYORS CERTIFICATION:	
	THIS SURVEY WAS PERFORMED UNDER MY DIRECT SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF, WAS DONE IN ACCORDANCE WITH CHAPTER 90, PART 1 (PROFESSIONAL STANDARDS OF PRACTICE) OF THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS.	SCALE: DATE: DRAWN BY: CHECKED BY: AS SHOWN 10/31/2023 PHB DJH PROJECT NUMBER: DRAWING NAME: 23012996A V-SURV-BNDY-23012996A
	- Pol + Ballie 10/31/2023	
	PAUL H. BABBIDGE, MAINE PLS 1237 DATE	AMENDED SUBDIVISION
	COLLIERS ENGINEERING & DESIGN 41 CHURCH ROAD, BRUNSWICK, ME 04011 — 207-481-7069	SHEET NUMBER: 2 of 2