



City of Auburn, Maine

Economic Development Department

Jay Brenchick, Director

60 Court Street | Auburn, Maine 04210

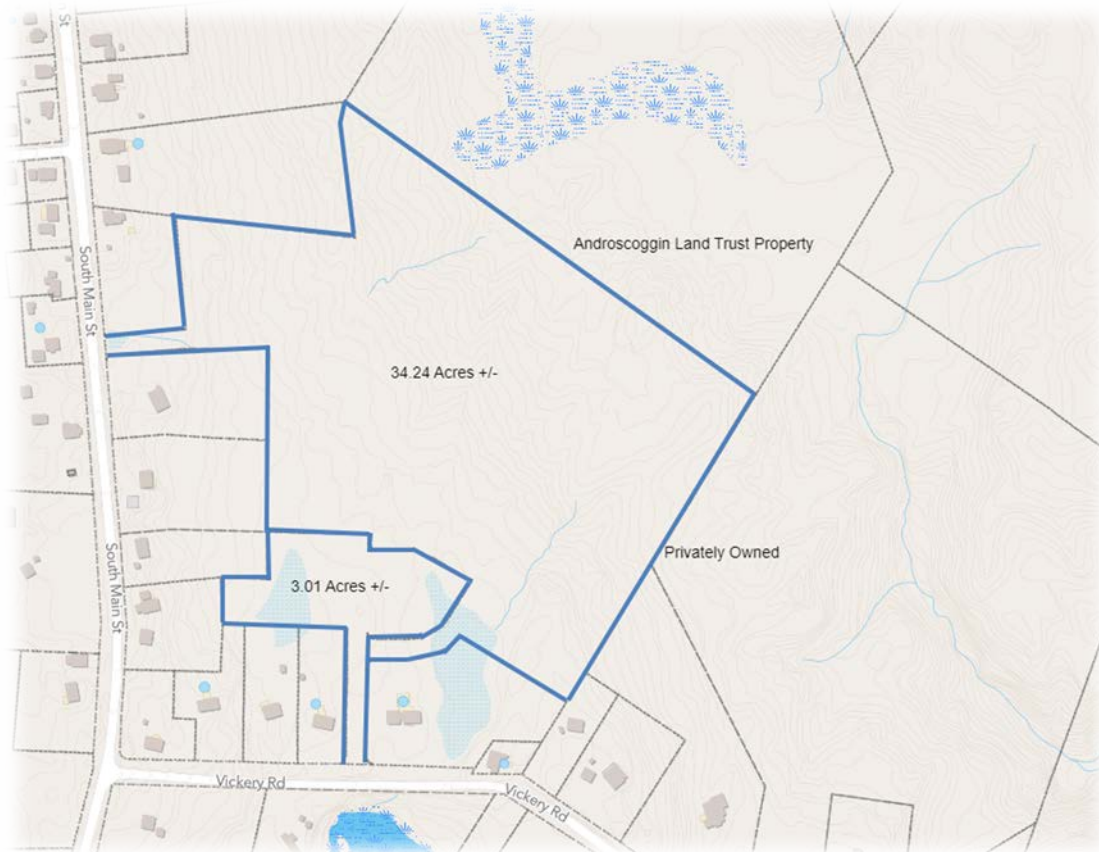
www.goauburn.me | 207.333.6601

REQUEST FOR PROPOSALS

The City Council of the City of Auburn is accepting sealed Development proposals for the acquisition and development of Winter Oaks (Vickery Rd and South Main St) Parcel IDs 183-029 and 191-101.

Each bid must be in writing and in a sealed envelope marked "2023-026 Winter Oaks" on the outside. Bid packages will be available beginning on Thursday, April 27, 2023. Documents can be obtained from the City of Auburn's website: www.auburnmaine.gov/business/bid-notice. There will be a **mandatory** pre-bid conference at **1:00pm on Friday, May 5, 2023** at Auburn Hall, 60 Court Street, Auburn, Maine 04210. Please review the information in this packet and be prepared to ask questions. City staff will provide a brief overview of the property and goals. City staff will provide a brief overview of the property and goals. Question and answer period will remain open until **May 12, 2023 at 2:00 pm**. Addenda will be ready on May 13, 2023. All bids must be received **by 2:00 p.m. on Thursday, June 1, 2023**. Late bids will not be opened or considered. The City Council reserves the right to reject any or all bids.

Each bid must include the bidder's name, mailing address and phone number and must be accompanied by a deposit in the form of a certified check or money order, in an amount



equal to or greater than 10% of the bid price. Each successful bidder's deposit will be credited to the total purchase price for that parcel. Deposits will be returned to the unsuccessful bidders. Any bid which does not contain the proper deposit will be rejected.

INTRODUCTION:

The City of Auburn, Maine is seeking proposals for the acquisition and development of two city-owned properties with the property ID numbers 183-029 and 191-101. These parcels contain 3.01 Acres+/- and 34.24 Acres+/- respectively and are zoned Multifamily Suburban District. There is a 25 Arce parcel owned by the Androscoggin Land Trust that abuts the property and a 30.45 Acre +/- privately owned parcel that abuts the property.

See Map and Corresponding Deeds in the Attachments.

DEVELOPMENT GOALS:

The City of Auburn is seeking a developer with the proven skills, resources and commitment needed to develop the properties in conformance with zoning. In pursuing this project, the City is seeking a developer who will assemble a team that is capable of planning, designing, financing, negotiating and managing the proposed project in a timely manner.

The parcel has a deeded Right of Way (ROW) from South Main Street to the Androscoggin Land Trust parcel. See the Androscoggin Land Trust Deed in the attachments.

Subdivision green space requirements may be met via connectivity to the Androscoggin Land Trust Parcel.

Development of the parcels should be in conformance with the City's Multifamily Suburban zone (MFS) and should be consistent with surrounding and/or existing uses. MFS and Planned Unit Development (PUD) standards allow for up to 17 units per acre for multifamily development. PUD standards also allow for a 20% reduction in dimensional standards. The parcels are also scheduled for rezoning in the summer/fall to T4.2 B which will offer some additional flexibility.

Property ID 191-101 has a Subdivision Site Plan from 1997 that can be found in the attachments, but recent MFS and PUD criteria offer greater density and flexibility than was allowable in 1997.

The MFS is available on the City website at <http://www.auburnmaine.gov/Pages/Government/City-Charter-Ordinances>.

The City has identified the following criteria for the development of the property and the surrounding area:

1. The proposal/property should offer opportunities for home ownership.
2. The development should provide for thoughtful pedestrian connectivity.
3. Proposals must complement the character of the surrounding neighborhoods and the existing infrastructure resources of the area.
4. Proposals should identify anticipated assessed value created by the development and any financial assistance required to complete the development.
5. The proposal should emphasize the immediate usefulness of the subject parcel as part of a development plan that will be a tangible asset to the City and its residents and demonstrate the proposed use will provide the highest and best value to the area and meet the development goals of the developer and City.

PROPOSAL REQUIREMENTS:

The following information must be included in all proposal submissions unless otherwise provided:

- **Detailed description** of the proposed development, a concept site plan showing orientation of all buildings, parking areas, vehicle and pedestrian access and circulation patterns, other site improvements, size of buildings and square footage of specific components, exterior building elevations and anticipated materials and design style. Provide a list of all approvals necessary, including any variances, zone change requests, subdivision approvals or special use permits required. Staff can help with this based on a specific project proposal.

The developer must also clearly identify any additional land acquisition that may be necessary to support the development and provide a clear explanation for how this land will be acquired.

If the development is proposed to be phased, the narrative should clearly define the components, timing, and contingencies for each phase of development. However, the developer shall demonstrate that the project will have immediate

utility for its intended purposes, rather than simply as a real property holding with no usefulness to the area or added value.

- An **identification of the entities** that will be involved in the project, a description of the roles each will play (e.g. developer, architect, details of ownership and operation, property manager, tenant, professional consultant) and a summary of the team's past experience in working together. A description of each of the entities' experience in developing similar projects should be included.

Provide information on past development activities and/or projects completed for other public and/or private sector clients that shows the competency of the respondent in acting as the lead development entity, being sure to specify size, capacity and experience relevant to similar type developments. Provide references related to projects that are similar in size and scope to this project that may be contacted by the City with phone numbers and email addresses, if available.

- A preliminary **capital pro forma** showing the detailed sources (amounts and names of banks or financial institutions) and uses of funds (debt, equity and other) to acquire the parcel(s) and construct the development (including any tenant improvements). Information as to the status of securing those funds should be included and inclusion of a conditional financing commitment is strongly encouraged.
- A **description of the public benefits** that will result from the development, e.g. the number and types of housing units, the creation or retention of jobs (including the estimated number, type and wage levels), tax base enhancement, the provision of services, etc. This should include an estimate of the taxable value upon completion and annual real estate taxes.
- A **proposed schedule** for the development, including identification of any conditions that must be met. The schedule should include the time needed to obtain financing, complete design and secure permits and approvals, prepare the site, start and complete construction, and state and complete lease-up and operations.
- Provide a detailed explanation of any **public assistance** that will be required to support this development, including any property tax credits, credit enhancement agreements, loans or capital grants.

The contents of the proposal and any clarification to the contents submitted by

the successful respondent may be incorporated by reference into an agreement between the developer and the City.

The City reserves the right to waive any of the above submission requirements.

EVALUATION CRITERIA:

All proposals submitted will be evaluated based upon the qualifications and financial strength of the developer, the technical, financial and market feasibility of the proposal, and the degree to which the development goals outlined above are addressed.

REVIEW/SELECTION PROCESS:

Review of proposals will proceed in the following steps:

1. The City will review all proposals.
2. Selected respondents may be requested to make a formal presentation of their proposal to the City Council.
3. Following the presentations, the City Council will meet to select a developer and will initiate negotiations regarding a preferred developer agreement and/or land disposition agreement.

The City shall not be responsible for any costs incurred by any submitting individual or firm in the preparation of any response to this Request for Proposals. The City reserves the right to reject any and all proposals for any reason, and to waive any irregularities or noncompliance with the Request for Proposals in the selection of any firm or individual to participate in the redevelopment of the subject property. Submissions will not be returned.

PRICE:

The City shall consider which proposal will result in an overall higher benefit than comparable proposals; Net tax revenues, overall compatibility with the neighborhood and purchase price will be considered. The City reserves the right to reject all proposals. The proposed purchase price must be included in the submitted proposal.

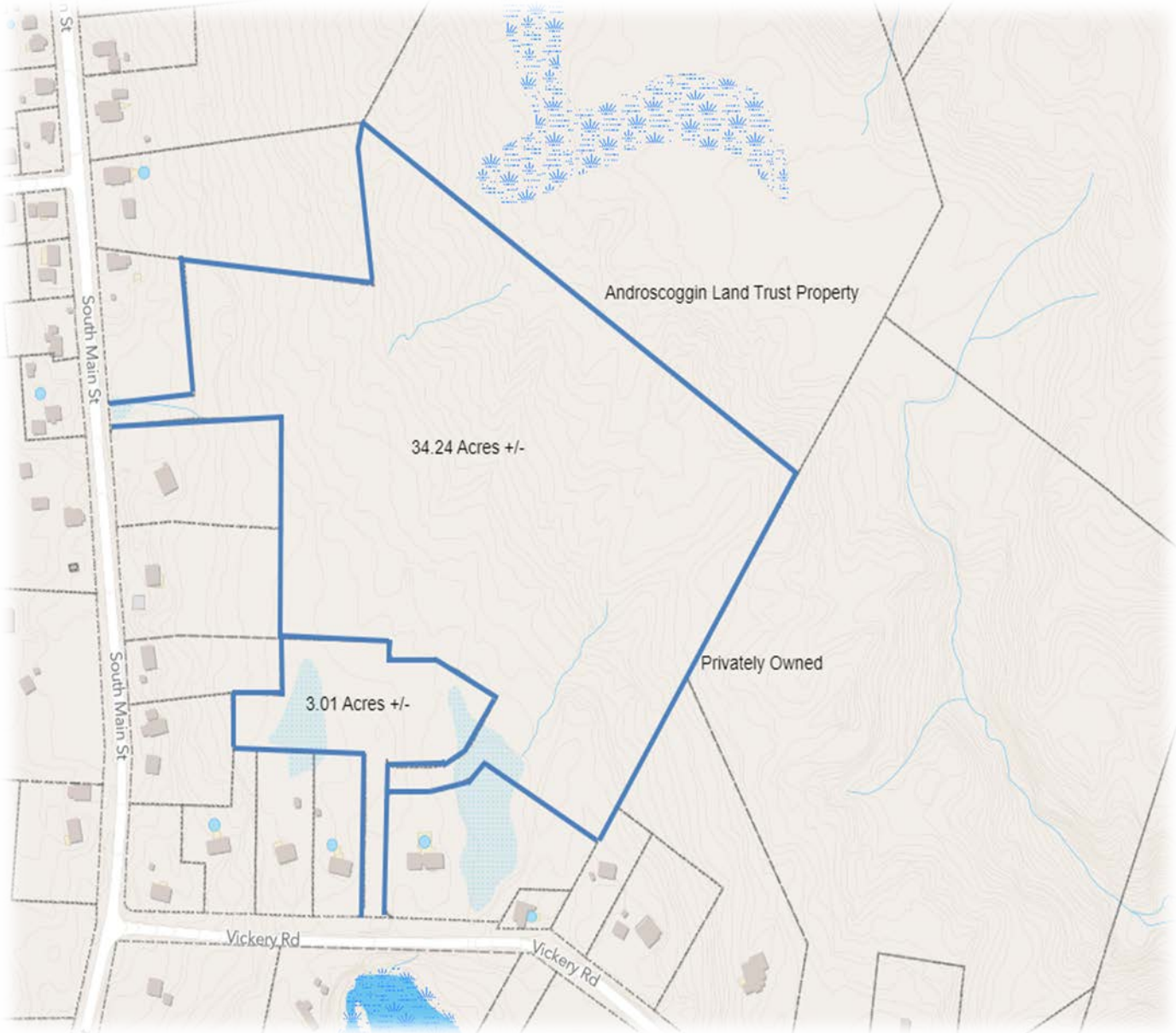
PROPOSAL TIMING, SUBMISSION, AND DEADLINE:

There will be a **mandatory** pre-bid conference at **1:00pm on Friday, May 5, 2023** at Auburn Hall, 60 Court Street, Auburn, Maine 04210. Please review the information in this packet and be prepared to ask questions. City staff will provide a brief overview of the property and goals. Question and answer period will remain open until **May 12, 2023 at 2:00 pm**. Addenda will be

ready on May 13, 2023. Please submit your proposal to the City of Auburn by **2:00 p.m. on Thursday, June 1, 2023.** Proposals must be delivered to **Derek Boulanger, Facilities Manager/Purchasing Agent, 60 Court Street, Auburn, Maine 04210** on or before the date and time appointed. No proposals will be accepted after the time and date listed above. Proposals will be opened at 2:00 p.m. on that date in the Community Room (206), Auburn City Hall.

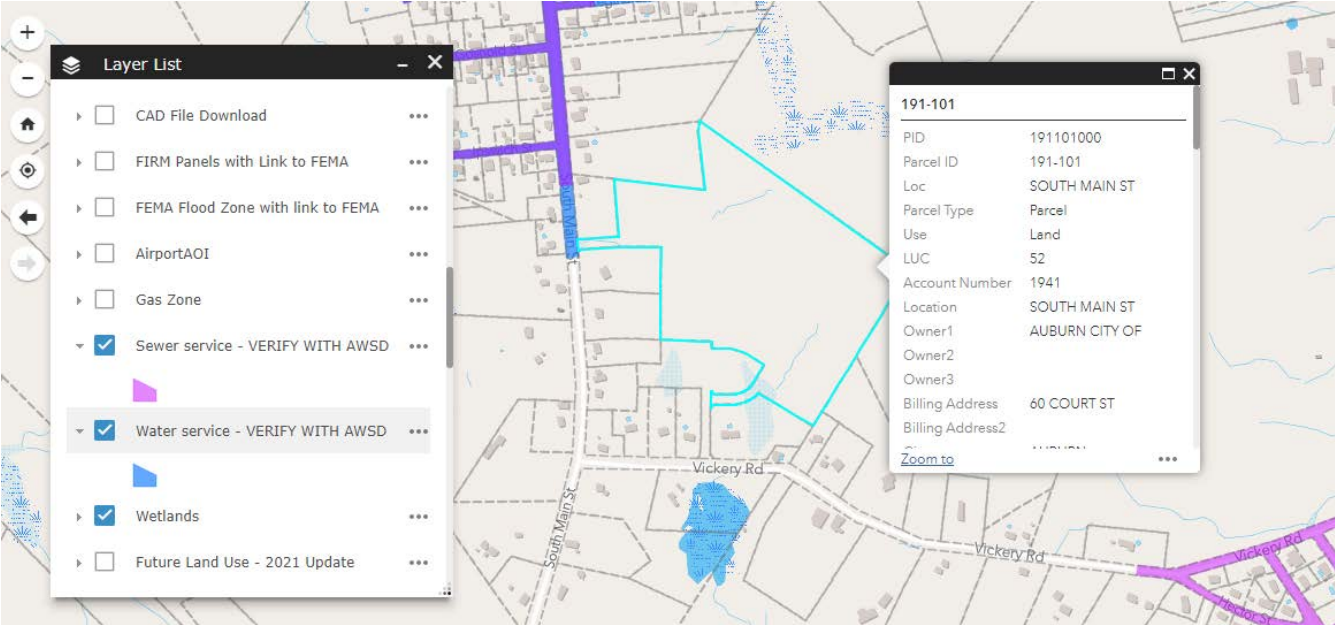
Submission of a proposal shall constitute the consent of the submitting firm, its principals and employees to the making of inquiries and investigations by the City into the qualifications of the submitting firm, its principals and employees, including the contacting of references.

Map



Water/Sewer/Gas

Water and sewer will need to be extended to the site. If the development site connects sewer with South Main Street, a pump will be needed. If the connection is to Vickery Road, then the service can be gravity feed. Note: Gas is available to the site.



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TEA ROOM LLC
By: Jean C. Fournier
Its: Member
Marc W. Fournier

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STATE OF MAINE
Androscoggin, ss:

November 30, 2012

Marc W. Fournier personally appeared before me and acknowledged the foregoing instrument to be his free act and deed.

Before me,
John W. Conway
John W. Conway, Attorney at Law

LCW/JWC/mc

ANDROSCOGGIN COUNTY
TINA M. CHAMBERLAIN

A

RELEASE DEED

DAVID H. SKILLINGS^{N O T} and SANDRA K. SKILLINGS^{N O T}, both of Auburn, County of Androscoggin, State of Maine, for consideration paid, release to the CITY OF AUBURN, a body politic situated in Androscoggin County, State of Maine, the real estate situated in Auburn, County of Androscoggin, State of Maine, bounded and described as follows:

NO MAINE R.E.
TRANSFER TAX PAID

PARCEL A. A certain lot of parcel of land, situated in said Auburn and described as follows: A parcel of land situated on the easterly side of South Main Street and a second parcel situated at the intersection of said line of South Main Street with the northerly line of Vickery Road which premises are described in a certain deed given to Roland J. B. Gagne by Nora Gagne dated November 4, 1946, recorded in the Androscoggin Registry of Deeds in Book 591, Page 382, and described by reference in a deed given by John Labonte to Nora Gagne dated February 26, 1942, and recorded in said Registry of Deeds in Book 424, Page 294, which premises the said Ronald J. B. Gagne inherited from Nora Gagne on Nora Gagne's death, testate, on May 22, 1958, Androscoggin Probate Docket No. 30780.

There is EXCEPTED from Parcel A above a parcel of land with the buildings thereon retained by Roland J. B. Gagne in his deed to Sherwood Oaks, Inc. dated October 29, 1971, and recorded in said Registry of Deeds in Book 1043, Page 570.

PARCEL B. Beginning at an iron pipe driven into the ground at a point in the southeasterly line of South Main Street (Auburn, Maine), said pipe being about two and five tenths feet (2.5') southwesterly from a large elm tree and about twelve feet (12') northeasterly from the northeasterly line of the dwelling house on the premises herein described in a northwesterly direction; thence South sixty-three degrees fifteen minutes East (S 63° 15' E), one thousand one hundred thirty-seven and four tenths feet (1,137.4') to an iron pipe driven into the ground; thence South thirty-nine degrees eight minutes East (S 39° 08' E), six hundred twenty-eight feet (628') to an iron driven into the ground in the northwesterly line of the Deleкто Farm, so-called; thence in a southwesterly direction by said northwesterly line of the Deleкто Farm, two hundred sixty feet (260') to land now or formerly owned by Edgar Begin; thence same course, by land of said Begin, two hundred six and fifteen hundredths feet (206.15'); thence North twenty-nine degrees eighteen minutes West (N 29° 18' W), three hundred eighty-five and forty-five hundredths feet (385.45') to an iron pipe driven into the ground; thence North sixty-three degrees fifty-one minutes West (N 63° 51' W), one thousand one hundred thirty-seven and four tenths feet (1,137.4') to a maple tree in the said southeasterly line of South Main Street; thence North eighteen degrees thirty minutes East (N 18° 30' E) by the said southeasterly line of South Main Street, four hundred sixty-six and fifteen hundredths feet (466.15') to the point of beginning.

There is EXCEPTED from Parcel B above the following described parcel of land with the buildings thereon: Beginning at a point on the easterly line of South Main Street at the northwesterly corner of said premises conveyed by said George and Germaine Meyers to said William Gagne, Jr. and Theresa Gagne and thence the line runs in a southerly direction along said line of South Main Street a distance of three hundred twenty feet (320') to a point; thence the line turns at a right angle and runs in an easterly direction a distance of two hundred feet (200') to a point; thence the line turns at a right angle and runs in a northerly direction parallel with said line of South Main Street a distance of approximately three hundred feet (300') to the northerly line of said premises conveyed by Meyer; thence the line runs in a westerly direction along said northerly line a distance of approximately two hundred feet (200') to the point of beginning. It is expressly understood and agreed that the above includes the buildings now occupied as residence and appurtenant structures by said Gagnes.

ALSO INCLUDED is a perpetual easement over a strip of land twenty-five feet (25') in width running in an easterly direction from South Main Street across the above excepted premises for the purpose of the installation, maintenance, repair and replacement of underground utilities including water, sewer, electricity, gas

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and telephone lines for the benefit of the above conveyed premises.

BEING the same premises conveyed to The Winter Oaks Corporation by warranty deed of The Mulligan Group, dated December 6, 1995, and recorded in said Registry of Deeds in Book 3665, Page 44.

SPECIFICALLY INCLUDED IN THIS CONVEYANCE is the fee interest in the following streets or portions of a street: i) Black Cherry Drive; ii) White Pine Avenue; and iii) the remaining portion of Red Maple Drive not previously conveyed or reserved in this deed as indicated below. Said streets are depicted on the plan entitled "Winter Oaks Realignment 1", recorded in said Registry of Deeds Plan Book 39, Page 142 and prior recorded plans referred to therein.

ALSO CONVEYING HERewith an easement over, upon, and under the portion of Red Maple Drive reserved below and extending from the northeasterly side of Vickery Road to an extension easterly of the northerly boundary of Lot 46 as shown on "Winter Oaks Realignment 1", Plan Book 39, Page 142, which easement is for purposes of ingress and egress by vehicles, pedestrians, and utilities.

EXCEPTED FROM THE ABOVE-DESCRIBED PREMISES are the following previously conveyed parcels:

1. Deed from The Mulligan Group to Merton A. Gould and Deborah A. Gould, dated August 24, 1988, and recorded in Book 2303, Page 333;
2. Lots 52, 53, 60, 61, 62 and 63 as shown on site plan of Winter Oaks Development in Plan Book 36, Page 53, deeded from The Winter Oaks Corporation to Michael H. Berube, dated October 30, 1996, and recorded in Book 3694, Page 145;
3. Lots 3, 11 and 12 as shown on said site plan of Winter Oaks Development, deeded from The Winter Oaks Corporation to Merton A. Gould (a/k/a Merton A. Gould, Sr.) and Deborah A. Gould, dated December 11, 1996, and recorded in Book 3712, Page 292;
4. Parcel F as shown on plan entitled Winter Oaks Realignment 1, Plan Book 39, Page 142, deeded from The Winter Oaks Corporation to City of Auburn, dated June 12, 1997, and recorded in Book 3790, Page 292;
5. Lot 10 and portions of Lots 9, 18, 19 and 20 (shown as Parcel B on Winter Oaks Realignment 1, Plan Book 39, Page 142) deeded from The Winter Oaks Corporation to Paul J. Morin, dated June 12, 1997, and recorded in Book 3790, Page 294;
6. Lots 7, 8, 16, 17, 25 and 26 as shown on said site plan of Winter Oaks Development, deeded from The Winter Oaks Corporation to Robert M. Deblois and Laurie A. Deblois, dated November 21, 1997, and recorded in Book 3885, Page 208;

7. Parcel C as shown on said plan entitled Winter Oaks Realignment 1, deeded from The Winter Oaks Corporation to Donald H. Caron, dated August 14, 1998, and recorded in Book 4044, Page 55;
8. Parcels A and D as shown on said plan entitled Winter Oaks Realignment 1, deeded from The Winter Oaks Corporation to Marc W. Fournier, dated January 29, 1999, and recorded in Book 4171, Page 219;
9. Lots 4, 13 and 22 as shown on said site plan of Winter Oaks Development, deeded from The Winter Oaks Corporation to Lauren H. Gilbert, III and Janine Gilbert, dated September 23, 1999, and

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Bk 4875 Pg36 #31180

recorded in Book 4321, Page 160;

10. Lots 161, 162, 163, 164, 169, 170, 171, 172, 177, 178, 179, 180, 181 and 182 and a portion of Red Maple Drive all as shown on said site plan of Winter Oaks Development, deeded from The Winter Oaks Corporation to Marc W. Fournier, dated September 21, 2000, and recorded in Book 4512, Page 88;
11. Lots 5, 6, 14, 15, 23 and 24 deeded from The Winter Oaks Corporation to Marc W. Fournier, acknowledged November 28, 2000, and recorded in Book 4549, Page 318; and
12. Lot 21 as shown on said site plan of Winter Oaks Development, to be deeded by the Grantors to Marc W. Fournier by deed of even or near date to be recorded herewith.


FURTHER EXCEPTING FROM THE ABOVE-DESCRIBED PREMISES THE FEE INTEREST IN THAT PORTION OF RED MAPLE DRIVE extending from the northeasterly sideline of Vickery Road and terminating at the extension easterly of the northerly boundary line of Lot 46 as shown on said plan of Winter Oaks Development, said boundary being the common boundary line with Lot 47, all of which was reserved by The Winter Oakes Corporation in its deed to David H. Skillings and Sandra K. Skillings.

FURTHER EXCEPTING FROM THE ABOVE DESCRIBED PREMISES THE FOLLOWING LOTS as shown on said plan entitled Winter Oaks Realignment 1: Lots 34, 35, 45, 46, 54, 55, 67, 168 and 176, all of which were reserved by The Winter Oakes Corporation in its deed to David H. Skillings and Sandra K. Skillings.

See also a deed from The Mulligan Group to Nahum A. Huston, Jr. and Ralph R. Huston, dated March 30, 1989, and recorded in Book 2437, Page 255; and deed from Nahum A. Huston and Ralph R. Huston to The Mulligan Group, dated March 29, 1989, and recorded in Book 2437, Page 257. These deeds were given to establish a common boundary line.

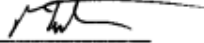
Being part of the same premises convey to David H. Skillings and Sandra K. Skillings by release deed of The Winter Oaks Corporation, dated December 28, 2000, and recorded in the Androscoggin County Registry of Deeds in Book 4566, Page 101.

IN WITNESS WHEREOF, **David H. Skillings** and **Sandra K. Skillings** have signed and sealed this instrument this 31st day of December, 2001.




Witness


Kelly



Witness

STATE OF MAINE
ANDROSCOGGIN, SS.



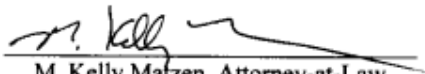
DAVID H. SKILLINGS


SANDRA K. SKILLINGS

December 31, 2001

Then personally appeared before me the above-named **David H. Skillings** and acknowledged the foregoing instrument to be his free act and deed.

12-20-01
ANDROSCOGGIN COUNTY
Jeanine R. Bergeron
REGISTER OF DEEDS



M. Kelly Matzen, Attorney-at-Law

Unofficial Property Records

4/13/23, 11:36 AM

Unofficial Property Record Card

Unofficial Property Record Card - Auburn, ME

General Property Data

Parcel ID 183-029	Account Number 183029000
Prior Parcel ID	Property Location VICKERY RD
Property Owner AUBURN CITY OF	Property Use RURAL HSLT
Mailing Address 60 COURT STREET	Most Recent Sale Date 11/30/2012
City AUBURN	Legal Reference 8550-309
Mailing State ME Zip 04210	Grantor TEA ROOM,LLC & FOURNIER, MARC W
ParcelZoning N/A	Sale Price 0
	Land Area 3.010 acres

Current Property Assessment

Card 1 Value	Building Value 0	Xtra Features Value 0	Land Value 40,900	Total Value 40,900
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Building Description

Building Style N/A	Foundation Type N/A	Flooring Type N/A
# of Living Units 0	Frame Type N/A	Basement Floor N/A
Year Built N/A	Roof Structure N/A	Heating Type N/A
Building Grade N/A	Roof Cover N/A	Heating Fuel N/A
Building Condition N/A	Siding N/A	Air Conditioning 0%
Finished Area (SF) 0	Interior Walls N/A	# of Bsmt Garages 0
Number Rooms 0	# of Bedrooms 0	# of Full Baths 0
# of 3/4 Baths 0	# of 1/2 Baths 0	# of Other Fixtures 0

Legal Description

Narrative Description of Property

This property contains 3.010 acres of land mainly classified as RURAL HSLT with a(n) N/A style building, built about N/A , having N/A exterior and N/A roof cover, with 0 commercial unit(s) and 0 residential unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

Property Images



Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

Unofficial Property Record Card - Auburn, ME

General Property Data

Parcel ID 191-101	Account Number 191101000
Prior Parcel ID	Property Location SOUTH MAIN ST
Property Owner AUBURN CITY OF	Property Use RURAL HSLT
Mailing Address 60 COURT ST	Most Recent Sale Date 12/31/2001
City AUBURN	Legal Reference 4875-34
Mailing State ME Zip 04210	Grantor SKILLINGS, DAVID H & SANDRA K
ParcelZoning N/A	Sale Price 90,000
	Land Area 34.240 acres

Current Property Assessment

Card 1 Value	Building Value 0	Xtra Features Value 0	Land Value 113,300	Total Value 113,300
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Building Description

Building Style N/A	Foundation Type N/A	Flooring Type N/A
# of Living Units 0	Frame Type N/A	Basement Floor N/A
Year Built N/A	Roof Structure N/A	Heating Type N/A
Building Grade N/A	Roof Cover N/A	Heating Fuel N/A
Building Condition N/A	Siding N/A	Air Conditioning 0%
Finished Area (SF) 0	Interior Walls N/A	# of Bsmt Garages 0
Number Rooms 0	# of Bedrooms 0	# of Full Baths 0
# of 3/4 Baths 0	# of 1/2 Baths 0	# of Other Fixtures 0

Legal Description

Narrative Description of Property

This property contains 34.240 acres of land mainly classified as RURAL HSLT with a(n) N/A style building, built about N/A , having N/A exterior and N/A roof cover, with 0 commercial unit(s) and 0 residential unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 0 half bath(s).

Property Images



Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

Androscoggin Land Trust Property Deed

**CITY OF AUBURN TO ANDROSCOGGIN LAND TRUST, INC.,
WITH A RIGHT OF ENFORCEMENT TO DEPARTMENT OF ENVIRONMENTAL
PROTECTION**

THIS CONSERVATION DEED AND INDENTURE is made this 11th day of February 2008 by the CITY OF AUBURN, a Maine municipality of Auburn, Androscoggin County, Maine (hereinafter "AUBURN"), in favor of the ANDROSCOGGIN LAND TRUST, INC., a nonprofit corporation of Auburn, Androscoggin County, Maine (hereinafter the "TRUST") and the STATE OF MAINE BY AND THROUGH ITS DEPARTMENT OF ENVIRONMENTAL PROTECTION (hereinafter "DEP").

WHEREAS, this Conservation Deed and Indenture is being given to the TRUST as part of a mitigation plan required by a construction project at the Auburn-Lewiston Municipal Airport; and

WHEREAS, AUBURN holds title to approximately 25 acres of real property situated off Main Street in Auburn, Androscoggin County, Maine (the "Premises"), described in the legal description attached hereto and made a part hereof as EXHIBIT A, and as also depicted and described on the attached survey entitled "Boundary Survey of a Portion of Land of The City of Auburn to be conveyed to The Androscoggin Land Trust, Auburn Maine," prepared for the TRUST by CES, dated March 28, 2007 and to be recorded in the Androscoggin County Registry of Deeds; and

WHEREAS, in connection with the plan to construct taxiway and apron improvements at the Auburn-Lewiston Municipal Airport, the Airport needs to protect, in perpetuity, the natural, scenic, open space, recreational, wildlife and aesthetic values of the Premises as required by state and federal authorities pursuant to their respective laws and regulations; and

WHEREAS, AUBURN is willing to assist the Auburn-Lewiston Municipal Airport by conveying the Premises to the TRUST, subject to covenants and restrictions to perpetually protect the Premises, and by conveying a 50-foot wide easement over remaining land of AUBURN, for access only to the Premises, but not subject to covenants and restrictions to perpetually protect the easement; and

WHEREAS, this Conservation Deed and Indenture is created pursuant to the Uniform Conservation Easement Act at Title 33, M.R.S.A., Sections 476 through 479-B, inclusive, as amended; and the TRUST is qualified and willing to accept the grant of this Conservation Deed and Indenture pursuant to Title 33 M.R.S.A. Section 476(2)(B); and by execution and delivery of this deed, AUBURN agrees to accept the rights and obligations as Holder pursuant to Title 33 M.R.S.A. Section 476(2).; and

WHEREAS, DEP will receive and accept Third Party Rights of Enforcement under this Deed, pursuant to Title 33 M.R.S.A. Section 477(2); and

WHEREAS, the Premises ^{N O T} remains in a substantially undisturbed ^{N O T} natural state and has significant aesthetic and ecological value, ^{A N} and

O F F I C I A L O F F I C I A L

WHEREAS, **AUBURN** and the **TRUST**, recognizing the value ^{O F} of the Premises as described above, have the common purpose of conserving the natural values of the Premises by the conveyance of this Conservation Deed and Indenture for the Premises, which shall benefit, protect and conserve the natural values of the Premises, conserve and protect the ^{I N} indigenous animal and plant populations, and prevent the use or development of the Premises for any purpose or in any manner that would conflict with its natural, scenic condition. ^{O P Y}

NOW, THEREFORE, in consideration of the foregoing statement of the conservation attributes of the Premises and the public benefit of this grant, and the covenants, terms, conditions, and restrictions herein contained, **AUBURN** hereby GRANTS to the **TRUST**, its successors and assigns, forever and in perpetuity, with Quitclaim Covenants, the Premises; and to **DEP**, its successors and assigns, forever and in perpetuity, rights of enforcement hereunder.

1. **PURPOSE.** It is the purpose of this Conservation Deed and Indenture to ensure that the Premises will be retained forever in its natural undeveloped condition and to prevent any use of the Premises that will significantly impair or interfere with the conservation values of the Premises. The Easement Area shall be maintained in perpetuity as open space without there being conducted thereon any industrial, commercial, agricultural or forestry activities. Agricultural and forestry activities shall include animal husbandry; floricultural and horticultural activities; the production of plant and animal products for domestic or commercial purposes; the growing, stocking, cutting and sale of forest trees of any size capable of producing timber or other forest products; and the processing and sale of products produced on the property (e.g., maple syrup). **AUBURN** intends that this Conservation Deed and Indenture will confine the use of the Premises to conservation and low-impact outdoor recreation.

2. COVENANTS AND RESTRICTIONS.

A. **USE OF THE PREMISES:** The Premises shall be used for low-impact outdoor recreational and conservation purposes only. No commercial, industrial, quarrying or mining activities shall be permitted on the Premises; provided, however, that the incidental sale of interpretive literature and use of the Premises for charitable fundraising, educational activities, community events, and tours shall not be deemed commercial uses. No removal, filling, or other disturbances of soil, nor any changes in the topography, surface or subsurface water systems, wetlands or natural habitats shall be permitted on the Premises. No structures or facilities of any kind whatsoever shall be constructed on the Premises, except that the **TRUST** reserves the right to install and maintain, anywhere on the Protected Property, minor, unroofed, and unenclosed structures designed to enhance the opportunity for low-impact outdoor recreation, nature observation and study, such as but not limited to boundary markers; small unlighted informational and interpretive signs; commemorative plaques and monuments; registration boxes; unlighted kiosks for displaying signs, notices, and educational information; tents for noncommercial camping and events; seats, benches, and picnic tables; hunting blinds; trail improvements such as handicapped access trails, boardwalks, markers, steps, foot

bridges, wetland crossings, water bars, and railings; wildlife habitat structures such as hacking boxes, bird houses, observation platforms and blinds; sight-pervious low fences and rock walls, gates, and other minor barriers to block or discourage unauthorized access by motorized vehicles; and other minor structures necessary for safety, erosion control or protection of fragile resources. Such structures shall be constructed of dark-colored or natural appearing materials that blend with the natural surroundings and complement the natural and scenic features of the landscape, and not degrade or damage the wetlands on the Premises. Notwithstanding the foregoing, high-impact outdoor recreational structures and facilities are prohibited, including but not limited to paved trails, docks, piers, tent platforms, lean-tos, outhouses, portable toilets, gazebos, golf courses, golf ranges, swimming pools, campgrounds, mud runs, tennis and other recreational courts, paintball and other adventure courses, stadiums, performance stages, dressage fields, equestrian rings, polo fields, ATV or race tracks or courses, towers, playgrounds, athletic courts or fields, airstrips, and permanent aircraft pads. No motor vehicles of any kind, including recreational vehicles, all-terrain vehicles motorcycles, and dirt bikes, but with the exception of snowmobiles only on frozen ground and at the TRUST's discretion, shall be permitted on the Premises. No filling, paving, dumping, excavation or other alteration shall be made to the surface of the Premises other than that caused by the forces of nature or incidental to other rights reserved by the TRUST in this Paragraph 2. Any activity on or use of the Premises inconsistent with the purposes of this Conservation Deed and Indenture is prohibited.

B. CUTTING OF TIMBER AND VEGETATION: The material destruction or removal of standing timber, plants, shrubs or other dead or living vegetation shall not be permitted, except reserving to the TRUST:

- i. the right to alter vegetation to establish and maintain pedestrian footpaths designed to complement the natural and scenic features of the landscape, and not to degrade or damage the wetlands on the Premises;
- ii. the right to remove and restore existing vegetation that has been damaged or destroyed by the forces of nature, such as fire or disease and, with the prior written approval of AUBURN, when necessary to prevent the spread of disease;
- iii. the right to clear and restore forest cover and other vegetation, in the event of an emergency, when necessary to prevent the spread of fire; and
- iv. for the purpose of promoting human safety along trails only, the right to restore forest cover and other vegetation and to remove debris, dead trees or brush.

3. RESERVED RIGHTS. To accomplish the purpose of this Conservation Deed and Indenture, the following rights are reserved by AUBURN:

- A. The right to preserve and protect the conservation values of the Premises;

B. The right to enter and inspect the Premises at any reasonable time and in any reasonable manner, provided that the time and manner of such entry does not unreasonably interfere with the uses of the Premises permitted hereunder, and to enforce by proceedings at law or in equity the covenants hereinafter set forth, including the right to require restoration of the Premises to its condition prior to any breach hereof; and

C. The right to prevent any activity on or use of the Premises that is inconsistent with the purpose of this Conservation Deed and Indenture and to require the restoration of such areas or features of the Premises that may be damaged by any inconsistent activity or use; and

4. **RELEASED RIGHTS.** **AUBURN** hereby forever releases its right to construct within the Premises Black Cherry Drive, Red Maple Drive and the Recreation Areas, all as shown on the Plan.

5. **RIGHTS OF DEP.** **AUBURN** hereby grants to **DEP** inspection and enforcement rights as are reserved by **AUBURN** in paragraph 3 above. However, the Parties hereto intend that **AUBURN** shall be primarily responsible for the enforcement of this Conservation Deed and Indenture, and that **DEP** will assume such responsibility only if **AUBURN** shall fail to enforce it. If **DEP** shall determine that **AUBURN** is failing in such enforcement, **DEP** may give notice of such failure to **AUBURN**, and if such failure is not corrected within a reasonable time thereafter, **DEP** may exercise, in its own name and for its own account, all the rights of enforcement retained by **AUBURN** under this Conservation Deed and Indenture. **DEP** shall also have reasonable access to any and all records of the **TRUST** relevant to the Premises.

6. **CONSTRUCTION.** If uncertainty should arise in the interpretation of this Conservation Deed and Indenture, judgment should be made in favor of conserving the Premises in its natural, open, and scenic condition. Any proposed termination or proposed amendment that materially detracts from the conservation values intended for protection in this Conservation Deed and Indenture must be processed in accordance with 33 M.R.S.A. §§ 476 *et seq.*, as amended.

The **TRUST** agrees to bear all costs and responsibility of operation, upkeep, and maintenance of the Premises and to pay any and all legally assessed real property taxes and assessments levied by competent authority on the Premises. Notwithstanding the foregoing, the **TRUST** and **AUBURN** agree that the Premises currently qualify for property tax exemption based on the **TRUST'S** current charitable purposes, on the covenants and restrictions contained herein, and on current Maine statutory and case law.

AUBURN has provided the **TRUST** with sufficient information to determine the condition of the Premises as of the effective date hereof and has certified that such information is an accurate representation of the same.

7. **SUCCESSORS:** The covenants, terms, conditions, and restrictions of this Conservation Deed and Indenture shall be binding upon, and inure to the benefit of, the parties hereto and their respective personal representatives, heirs, successors, and assigns and shall continue as a servitude running in perpetuity with the Premises.

N O T

N O T

8. TERMINATION OF RIGHTS AND OBLIGATIONS: A party's rights and obligations under this Conservation Deed and Indenture terminate upon transfer of the party's interest in the Premises, except that liability for acts or omissions occurring prior to transfer shall survive transfer.

N O T

N O T

9. TRUST EXPENSES: As part of the consideration for this conveyance, AUBURN will pay to the TRUST, solely from monies provided to AUBURN by the Auburn-Bewiston Municipal Airport, a sum not to exceed \$4,300,000 for the TRUST's legal, title and environmental costs in performing its due diligence to accept this conveyance.

TO HAVE AND TO HOLD the said Conservation Deed and Indenture unto the said TRUST and its successors and assigns forever and the said Third Party Rights unto the said DEP and its successors and assigns forever.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals as of the date first written above.

CITY OF AUBURN

By: Laurie Smith
Laurie Smith, Its Acting City Manager

STATE OF MAINE

County of Androscoggin, ss.

Feb. 11, 2008

Personally appeared before me the above-named Laurie Smith in her capacity as Acting City Manager of the City of Auburn, Maine and acknowledged the foregoing instrument to be her free act and deed and the free act and deed of the City of Auburn.

Mary Lou Magno

Notary Public

MARY LOU MAGNO

Print name

12-10-2010

Date commission expires

TRUST'S ACCEPTANCE

N O T
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The above and foregoing Conservation Deed and Indenture was authorized to be accepted by the Androscoggin Land Trust, and the said Trust does hereby accept the foregoing by and through its President, Jonathan P. LaBonte, thereunto duly authorized.

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C O P Y

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ANDROSCOGGIN LAND TRUST

By: Jonathan P. LaBonte
Jonathan P. LaBonte, Its President

STATE OF MAINE

County of Androscoggin, ss.

2-14, 2008

Personally appeared before me the above-named Jonathan P. LaBonte, in his capacity as President of the Androscoggin Land Trust and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of the Androscoggin Land Trust.

Lynn Berube
Notary Public
LYNN BERUBE
Print name
4-18-2014
Date commission expires

SEAL

DEP ACCEPTANCE

N O T
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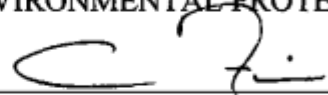
N O T
A N

The third party rights of enforcement granted under the above and foregoing Conservation Deed and Indenture were authorized to be accepted by the State of Maine Department of Environmental Protection by ANDREW FISK, its Director of the Bureau of Land & Water Quality, hereunto duly authorized, and the said ANDREW FISK does hereby accept the foregoing Conservation Deed and Indenture.

O F F I C I A L
C O P Y

O F F I C I A L
C O P Y

STATE OF MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION

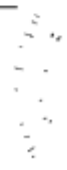
By: 
ANDREW FISK, Its Director
Bureau of Land & Water Quality

STATE OF MAINE
County of Kennebec, ss.

April 7, 2008

Personally appeared before me the above-named Andrew Fisk in his/her capacity as Director of the Bureau of Land & Water Quality of the Maine Department of Environmental Protection and acknowledged the foregoing instrument to be his/her free act and deed and the free act and deed of the Maine Department of Environmental Protection.


Notary Public
Lynn Boutillier
Print name
4/10/11
Date commission expires



SEAL



NOT AN OFFICE COPY NOT AN OFFICIAL PROPERTY
Property Description
of land to be conveyed to
The Androscoggin Land Trust
City of Auburn, Androscoggin County, Maine
April 9, 2007

A certain lot or parcel of land situated easterly of South Main Street, in the City of Auburn, County of Androscoggin, State of Maine, being a portion of the premises depicted on a plan entitled "Final Subdivision and Site Plan Winter Oaks", dated November 21, 1989, prepared by Carroll E. Taylor & Associates and recorded in Plan Book 36, Page 53 of the Androscoggin County Registry of Deeds, herein after referred to as the "plan", the bounds of the herein conveyed premises being more particularly described as follows:

BEGINNING at a 3/4" capped (PLS #1126) iron rod found in the southwesterly line of land of Steven M. Pollard as described in a deed from Joan H. Tainter dated September 17, 1999, recorded in Book 4319, Page 131 and at the easterly most corner of land of Norman L. Benoit and Nancy A. Benoit as described in a deed from Matthew M. Fournier dated March 19, 2004, recorded in Book 5837, Page 250;

THENCE, South 85° 08' 49" West, along the southerly line of said land of Benoit, a distance of 210.19 feet to a 3/4" capped (PLS #1126) iron rod found;

THENCE, northwesterly, along the southwesterly line of said land of Benoit, being a non-tangent curve to the left having a radius of 175.00 feet, an arc distance of 99.41 feet, the chord of aforesaid curve bearing North 23° 49' 42" West, a distance of 98.08 feet;

THENCE, North 40° 06' 14" West, along the southwesterly line of said land of Benoit, a distance of 105.00 feet to a 3/4" capped (PLS #1126) iron rod found;

THENCE, northerly, along the westerly line of said land of Benoit, being a tangent curve to the right having a radius of 20.00 feet, an arc distance of 31.42 feet to a 3/4" capped (PLS #1126) iron rod found;

THENCE, North 28° 23' 29" West, along the southwesterly line of said land of Benoit, a distance of 51.06 feet to a 3/4" capped (PLS #1126) iron rod found;

THENCE, North 40° 06' 14" West, along the southwesterly line of said land of Benoit, a distance of 313.79 feet to a 3/4" capped (PLS #1126) iron rod found in the southeasterly line of land of Leo J. Labonte and Yolande D. Labonte as described in a deed from GROCO, Inc. dated March 16, 1981, recorded in Book 1508, Page 232;

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THENCE, South 50° 42' 24" West, along the southeasterly line of said land of Labonte and the southeasterly line of lands of the City of Auburn, Diana Gagnon (Book 991, Page 635) Donald J. Poisson, Sr. (Book 6808, Page 1) and Dawn Marie Lehnus (Book 2203, Page 83), a total distance of 865.84 feet to a 3/4" capped (PLS #1152) iron rod found in the northerly line of land of Danny R. Loudermilk and Ann M. Loudermilk as described in a deed from Paul M. Pelfetier dated August 12, 1998, recorded in Book 4041, Page 343;

C O P Y

C O P Y

THENCE, South 78° 14' 52" East, along the northerly line of said land of Loudermilk, a distance of 4.30 feet to a 3/4" capped (PLS #1152) iron rod found at the northeasterly corner thereof;

THENCE, South 36° 19' 58" East, a distance of 1265.39 feet to a point in the northwesterly line of land of Donald H. Tyler and Sonia F. Tyler as described in a deed from Federal Deposit Insurance Corporation dated February 9, 1993, recorded In Book 2994, Page 35;

THENCE, North 49° 53' 46" East, along the northwesterly line of said land of Tyler, a distance of 384.28 feet to a 3/4" iron found at the southerly corner of land of Delekto Farm, Inc. as described in a deed from Anthony Delekto dated May 22, 1978, recorded in Book 1339, Page 181;

THENCE, continuing North 49° 53' 46" East, along the northwesterly line of said land of Delekto Farm, Inc., a distance of 268.13 feet to a 3/4" iron rod found;

THENCE, North 01° 40' 50" West, along the westerly line of said land of Delekto Farm, Inc., a distance of 285.16 feet to a granite monument found at the southwesterly corner of said land of Pollard;

THENCE, North 04° 51' 11" West, along the westerly line of said land of Pollard, a distance of 399.36 feet to the **POINT OF BEGINNING**.

The parcel herein described, containing 25.0 acres, more or less, is a portion of the premises conveyed to the City of Auburn by release deed from David H. Skillings and Sandra K. Skillings dated December 31, 2001, recorded in Book 4875, Page 34.

TOGETHER WITH a 50 foot wide access easement leading from South Main Street to the herein above described premises over White Pine Avenue and a portion of Red Maple Drive as shown on said "plan", the bounds of said access easement being more particularly described as follows:

BEGINNING at a 3/4" capped (PLS #1152) iron rod in the easterly sideline of South Main

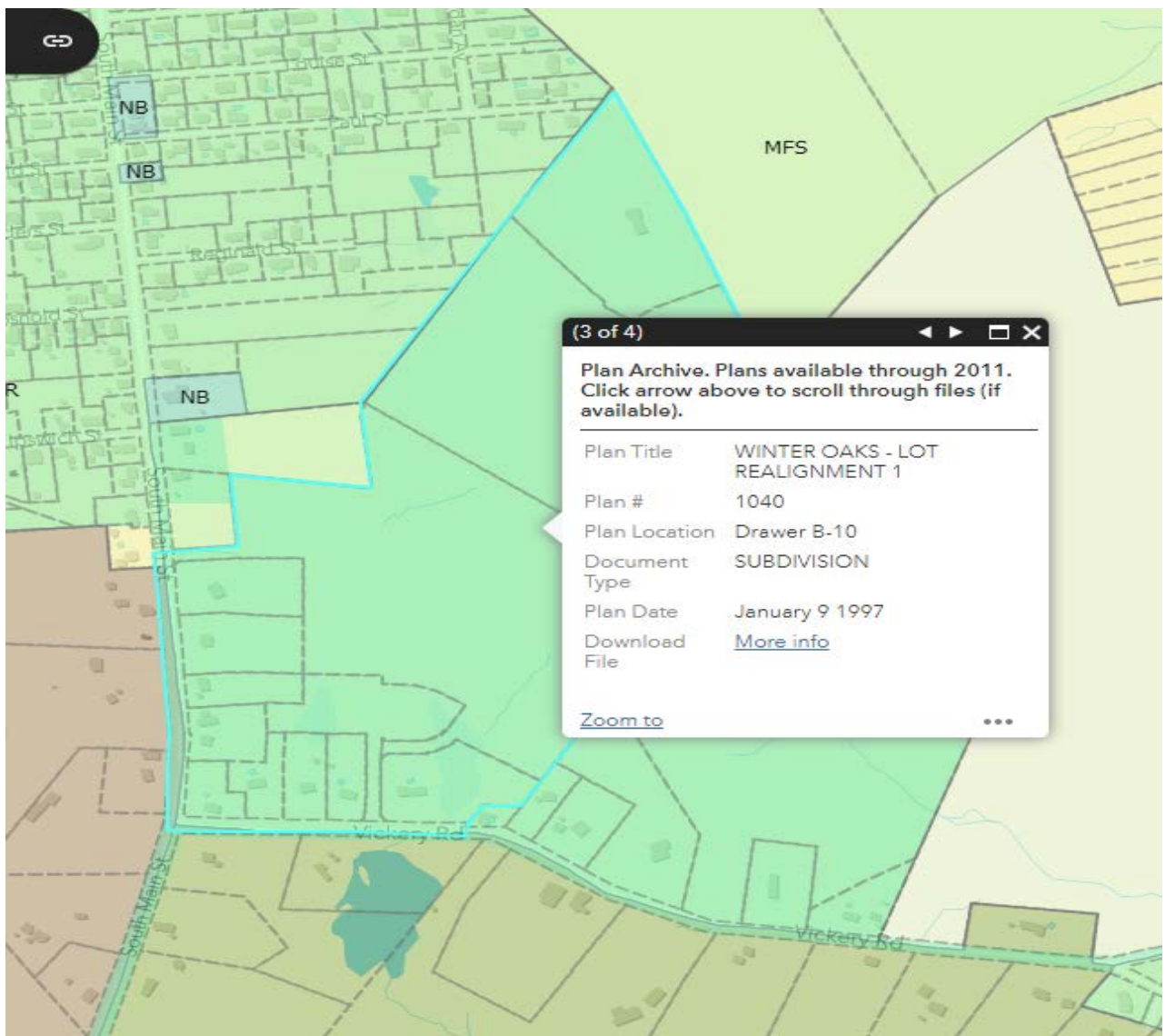
Zoning

Multifamily Suburban District [DIVISION 7. - MULTIFAMILY SUBURBAN DISTRICT | Code of Ordinances | Auburn, ME | Municode Library](#)

PUD

Planned Unit Developments/Subdivision/Subdivision Types [DIVISION 9. - PLANNED UNIT DEVELOPMENTS | Code of Ordinances | Auburn, ME | Municode Library](#)

Subdivision Map 1997





PLAN TITLE *WINTER OAKS - LOT REALIGNMENT I*

PLAN #: 1040

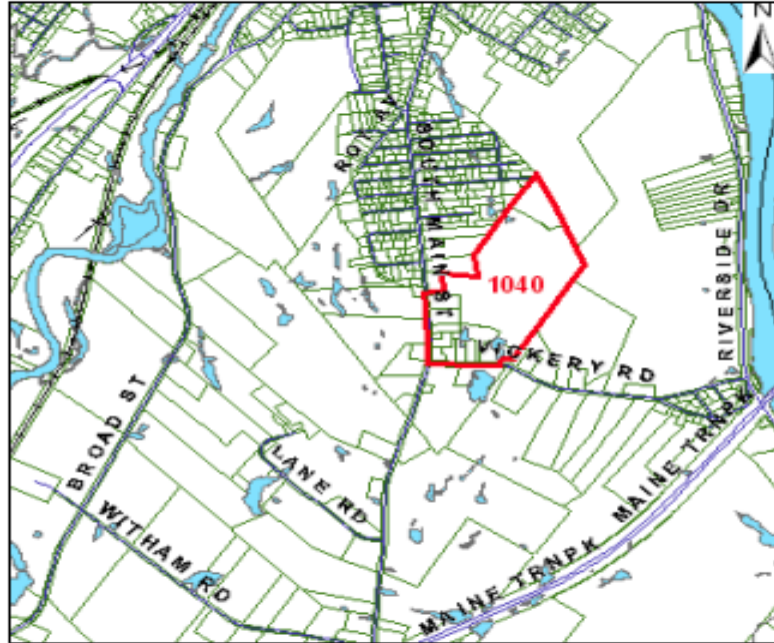
PLAN TYPE: SUBDIVISION

DATE: 1/10/1997

SHEETS: 1

OTHER INFORMATION:
MYLAR PLAN

LOCATION MAP:



<u>STREET NAME ON PLAN</u>	<u>EXISTING STREET NAME</u>
BLACK CHERRY DR	(PROPOSED)
VICKERY RD	VICKERY RD
RED MAPLE DR	(PROPOSED)
WHITE PINE AV	(PROPOSED)



THIS IS NOT A STANDARD BOUNDARY SURVEY
(SEE NOTES BELOW)

**"WINTER OAKS"
LOT REALIGNMENT I**
15544 MAIN STREET & DISTRICT ROAD
ANDROSCOGGIN COUNTY
PREPARED FOR
MICHAEL BERUBE
SUBMIT DATE

- NOTES:**
- 1) THE PURPOSE OF THIS PLAN IS TO FACILITATE DEVELOPMENT REVIEW OF THE LOT REALIGNMENT BY EXAMINING THE EXISTING AND PROPOSED LOTS TO BE CHANGED TO CREATE INDIVIDUAL LOTS.
 - 2) THIS PLAN IS BASED ON A PLAN ENTITLED "WINTER OAKS" DATED NOVEMBER 21, 1992 AND RECORDED AT THE ANDROSCOGGIN COUNTY REGISTRY OF DEEDS IN PLAN FILE BOOK NO. PAGE 23, AND A PLAN ENTITLED "THROUGH BOUNDARY SURVEY - WINTER OAKS DEVELOPMENT" DATED DECEMBER 1988 BY MICHAEL HALL DEVELOPMENT #12520, AND RECORDED AT THE REGISTRY OF DEEDS IN PLAN FILE BOOK NO. PAGE 182. NO INDEPENDENT VERIFICATION OF THE VERACITY OF INFORMATION CONTAINED ON THIS PLAN WAS CONDUCTED BY THE PREPARER OF THIS PLAN. THEREFORE, THE USE OF THIS PLAN SHALL BE FOR THE SOLE PURPOSE OF IDENTIFYING LOTS AND PORTIONS OF LOTS THAT ARE TO BE CHANGED TO CREATE INDIVIDUAL LOTS. THE RESPONSIBILITY FOR THE "WINTER OAKS" PLAN SHALL BE THE SOLE SOURCE OF INFORMATION FOR THE ESTABLISHMENT OF BOUNDARY LINES AND INDIVIDUAL LOT LINES. THIS PLAN SHALL NOT BE USED FOR THE BASIS OF ANY BOUNDARY SURVEYS.
 - 3) THIS PLAN HAS BEEN PREPARED AND APPROVED PURSUANT TO THE CITY OF AUBURN ZONING ORDINANCE, CHAPTER 22, ARTICLE V (STAFF APPROVALS AND WAIVERS).

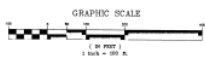
LOT LINE CURVE DATA

LOT	BEARING	DISTANCE	CHORD BEARING	CHORD DISTANCE	ARC DISTANCE	ANGLE
101	N 89° 59' 59" W	100.00	S 00° 00' 01" E	100.00	0.00	90.00
102	N 89° 59' 59" W	100.00	S 00° 00' 01" E	100.00	0.00	90.00
103	N 89° 59' 59" W	100.00	S 00° 00' 01" E	100.00	0.00	90.00
104	N 89° 59' 59" W	100.00	S 00° 00' 01" E	100.00	0.00	90.00
105	N 89° 59' 59" W	100.00	S 00° 00' 01" E	100.00	0.00	90.00
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107	N 89° 59' 59" W	100.00	S 00° 00' 01" E	100.00	0.00	90.00
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111	N 89° 59' 59" W	100.00	S 00° 00' 01" E	100.00	0.00	90.00
112	N 89° 59' 59" W	100.00	S 00° 00' 01" E	100.00	0.00	90.00
113	N 89° 59' 59" W	100.00	S 00° 00' 01" E	100.00	0.00	90.00
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157	N 89° 59' 59" W	100.00	S 00° 00' 01" E	100.00	0.00	90.00
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159	N 89° 59' 59" W	100.00	S 00° 00' 01" E	100.00	0.00	90.00
160	N 89° 59' 59" W	100.00	S 00° 00' 01" E	100.00	0.00	90.00
161	N 89° 59' 59" W	100.00	S 00° 00' 01" E	100.00	0.00	90.00
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164	N 89° 59' 59" W	100.00	S 00° 00' 01" E	100.00	0.00	90.00
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166	N 89° 59' 59" W	100.00	S 00° 00' 01" E	100.00	0.00	90.00
167	N 89° 59' 59" W	100.00	S 00° 00' 01" E	100.00	0.00	90.00
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180	N 89° 59' 59" W	100.00	S 00° 00' 01" E	100.00	0.00	90.00
181	N 89° 59' 59" W	100.00	S 00° 00' 01" E	100.00	0.00	90.00
182	N 89° 59' 59" W	100.00	S 00° 00' 01" E	100.00	0.00	90.00
183	N 89° 59' 59" W	100.00	S 00° 00' 01" E	100.00	0.00	90.00
184	N 89° 59' 59" W	100.00	S 00° 00' 01" E	100.00	0.00	90.00
185	N 89° 59' 59" W	100.00	S 00° 00' 01" E	100.00	0.00	90.00
186	N 89° 59' 59" W	100.00	S 00° 00' 01" E	100.00	0.00	90.00
187	N 89° 59' 59" W	100.00	S 00° 00' 01" E	100.00	0.00	90.00
188	N 89° 59' 59" W	100.00	S 00° 00' 01" E	100.00	0.00	90.00
189	N 89° 59' 59" W	100.00	S 00° 00' 01" E	100.00	0.00	90.00
190	N 89° 59' 59" W	100.00	S 00° 00' 01" E	100.00	0.00	90.00
191	N 89° 59' 59" W	100.00	S 00° 00' 01" E	100.00	0.00	90.00
192	N 89° 59' 59" W	100.00	S 00° 00' 01" E	100.00	0.00	90.00
193	N 89° 59' 59" W	100.00	S 00° 00' 01" E	100.00	0.00	90.00
194	N 89° 59' 59" W	100.00	S 00° 00' 01" E	100.00	0.00	90.00
195	N 89° 59' 59" W	100.00	S 00° 00' 01" E	100.00	0.00	90.00
196	N 89° 59' 59" W	100.00	S 00° 00' 01" E	100.00	0.00	90.00
197	N 89° 59' 59" W	100.00	S 00° 00' 01" E	100.00	0.00	90.00
198	N 89° 59' 59" W	100.00	S 00° 00' 01" E	100.00	0.00	90.00
199	N 89° 59' 59" W	100.00	S 00° 00' 01" E	100.00	0.00	90.00
200	N 89° 59' 59" W	100.00	S 00° 00' 01" E	100.00	0.00	90.00

RECORDING DATA
ANDROSCOGGIN COUNTY REGISTRY OF DEEDS
RECORDED: 47 - 1 - 1997
AND RECORDED IN PLAN BOOK: PAGE
STREET: REGISTER

APPROVAL (SEE NOTE 3)

Joseph K... 6/10/97
CHAIRMAN PLANNING BOARD, CHAIRMAN DATE
James L. White 6/10/97
DIRECTOR OF PLANNING AND ENFORCEMENT DATE
Henry Co. Mayor 6/10/97
AUBURN, CITY CLERK DATE



PREPARED BY
SurveyWorks, Inc.
Land Use Consultants
1544 Main Street
Lewiston, Maine 04240

REVISED: MAY 28, 1997
JANUARY 10, 1997

JOB NO. 96-455
FILE NAME: W19965.DWG



PLAN FILE DATA SHEET

Community Services Department - Engineering Division

PLAN TITLE *WINTER OAKS DEVELOPMENT*

PLAN #: 175

PLAN TYPE: SUBDIVISION

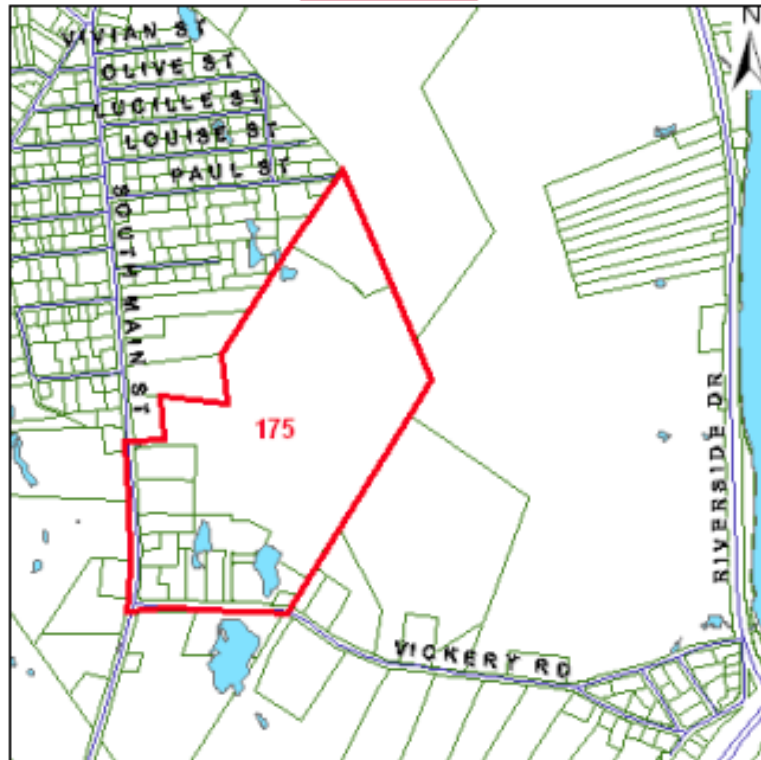
DATE: 1/8/1990

SHEETS: 2

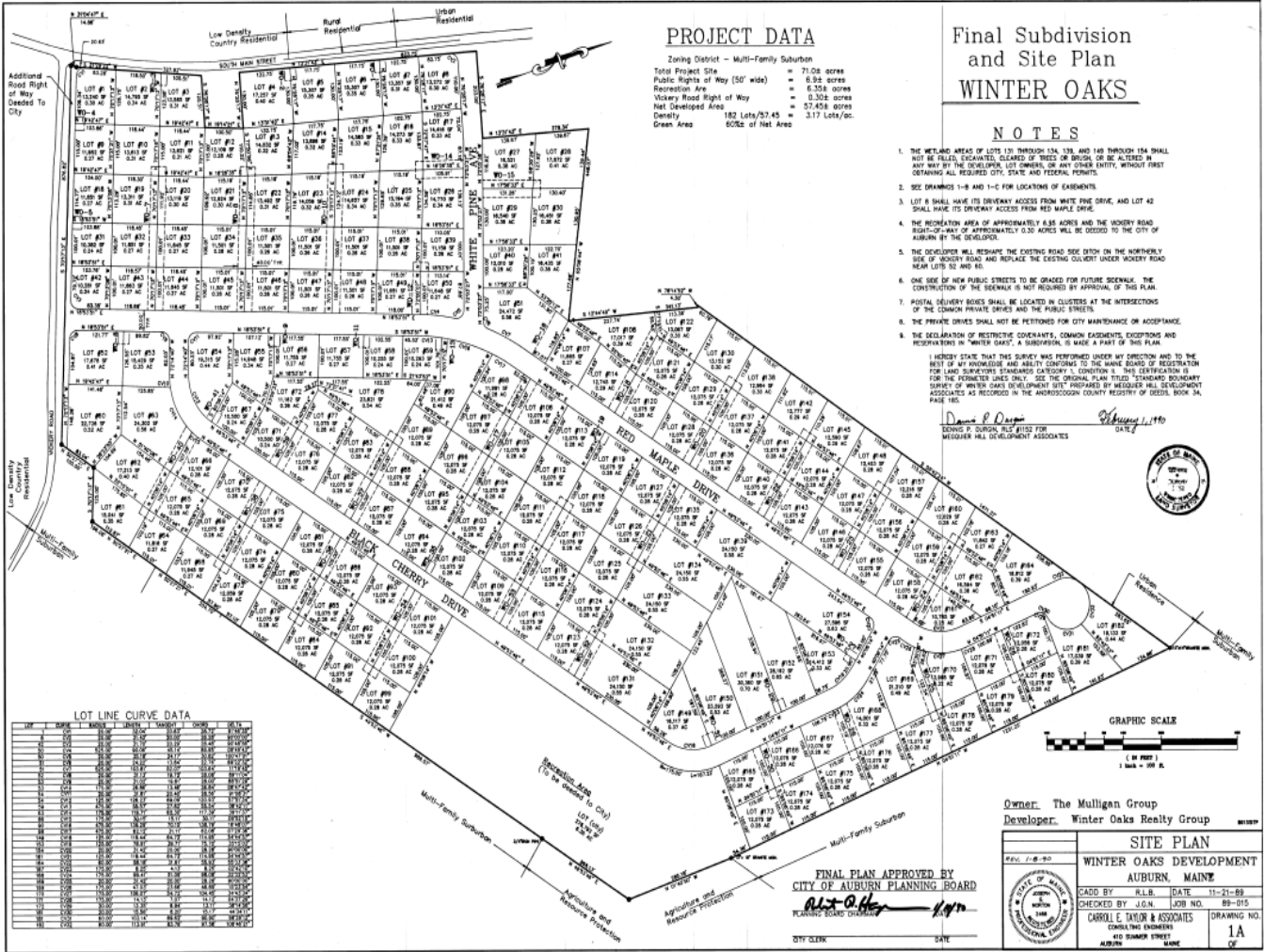
OTHER INFORMATION:

MYLAR PLAN

LOCATION MAP:



<u>STREET NAME ON PLAN</u>	<u>EXISTING STREET NAME</u>
BLACK CHERRY DR	(PROPOSED)
VICKERY RD	VICKERY RD
WHITE PINE AV	(PROPOSED)
RED MAPLE DR	(PROPOSED)
SOUTH MAIN ST	SOUTH MAIN ST



PROJECT DATA

Zoning District - Multi-Family Suburban
 Total Project Site = 71.08 acres
 Public Right of Way (50' wide) = 6.94 acres
 Recreation Area = 6.308 acres
 Victory Road Right of Way = 0.302 acres
 Net Developed Area = 57.458 acres
 Density = 182 Lots/57.45 = 3.17 Lots/ac.
 Green Area = 80% of Net Area

**Final Subdivision
 and Site Plan
 WINTER OAKS**

NOTES

1. THE METAL AREAS OF LOTS 131 THROUGH 134, AND 140 THROUGH 154 SHALL NOT BE FILLED, EXCAVATED, CLEARED OF TREES OR BRUSH OR BE ALTERED IN ANY WAY BY THE DEVELOPER, LOT OWNER, OR ANY OTHER PARTY, WITHOUT FIRST OBTAINING ALL REQUIRED CITY, STATE AND FEDERAL PERMITS.
2. SEE DRAWINGS 1-B AND 1-C FOR LOCATIONS OF EASEMENTS.
3. LOT 8 SHALL HAVE ITS DRIVEWAY ACCESS FROM WHITE PINE DRIVE, AND LOT 42 SHALL HAVE ITS DRIVEWAY ACCESS FROM RED MAPLE DRIVE.
4. THE RECREATION AREA OF APPROXIMATELY 6.308 ACRES AND THE VICTORY ROAD RIGHT-OF-WAY OF APPROXIMATELY 0.302 ACRES WILL BE CEDED TO THE CITY OF AUBURN BY THE DEVELOPER.
5. THE DEVELOPER WILL RESURFACE THE EXISTING ROAD SIDE DITCH ON THE NORTHERLY SIDE OF VICTORY ROAD AND REPLACE THE EXISTING CULVERT UNDER VICTORY ROAD NEAR LOTS 92 AND 81.
6. ONE SIDE OF NEW PUBLIC STREETS TO BE GRADED FOR FUTURE SIDEWALK. THE CONSTRUCTION OF THE SIDEWALK IS NOT REQUIRED BY APPROVAL OF THIS PLAN.
7. POSTAL DELIVERY BOXES SHALL BE LOCATED IN QUARTERS AT THE INTERSECTIONS OF THE COMMON PRIVATE DRIVES AND THE PUBLIC STREETS.
8. THE PRIVATE DRIVES SHALL NOT BE PAVED FOR CITY MAINTENANCE OR ACCEPTANCE.

I HEREBY STATE THAT THIS SURVEY WAS PERFORMED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF CONFORMS TO THE MAINE BOARD OF REGISTRATION FOR LAND SURVEYORS STANDARDS AND CONDITIONS. THIS CERTIFICATION IS FOR THE PERMITTED AND ONLY. SEE THE ORIGINAL PLAN FILED THROUGH BOUNDARY SURVEY OF WINTER OAKS DEVELOPMENT SITE PREPARED BY WHEELER HILL DEVELOPMENT ASSOCIATES AS RECORDED IN THE ANDROSCOGG COUNTY REGISTER OF DEEDS, BOOK 34, PAGE 182.

David E. Dyer
 David P. Dyer, R.L.S. #1122 for
 WHEELER HILL DEVELOPMENT ASSOCIATES



LOT LINE CURVE DATA

LOT	BEARING	DIST.	CHORD BEARING	CHORD DIST.	ARC DIST.	ARC AREA
1	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
2	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
3	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
4	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
5	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
6	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
7	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
8	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
9	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
10	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
11	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
12	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
13	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
14	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
15	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
16	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
17	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
18	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
19	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
20	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
21	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
22	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
23	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
24	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
25	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
26	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
27	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
28	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
29	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
30	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
31	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
32	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
33	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
34	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
35	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
36	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
37	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
38	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
39	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
40	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
41	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
42	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
43	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
44	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
45	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
46	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
47	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
48	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
49	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
50	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
51	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
52	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
53	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
54	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
55	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
56	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
57	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
58	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
59	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
60	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
61	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
62	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
63	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
64	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
65	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
66	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
67	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
68	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
69	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
70	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
71	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
72	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
73	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
74	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
75	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
76	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
77	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
78	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
79	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
80	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
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83	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
84	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
85	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
86	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
87	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
88	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
89	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
90	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
91	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
92	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
93	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
94	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
95	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
96	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
97	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
98	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
99	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00
100	N 89° 59' 54" W	12.00	S 0° 00' 06" E	12.00	12.00	0.00

Owner: The Mulligan Group
 Developer: Winter Oaks Realty Group

SITE PLAN

WINTER OAKS DEVELOPMENT
 AUBURN, MAINE

MADE BY: R.L.B. DATE: 11-21-89
 CHECKED BY: J.C.M. LOT NO.: 89-015
 CARROLL E. TAYLOR & ASSOCIATES
 CONSULTING ENGINEERS
 412 SUMNER STREET
 AUBURN, MAINE

DRAWING NO. 1A
 OF 1

