

**TOWN OF ARUNDEL, MAINE
BOARD OF SELECTMEN MEETING**

www.arundelmaine.org

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**Monday July 27, 2020
ML Day Library
7PM**

- I. Call to Order
- II. Approval of Agenda
- III. Public Forum – Public comment on non-agenda items
- IV. Approve Minutes of July 13, 2020
- V. Committee and Board Reports
- VI. Manager’s Report
 - Municipal Building progress report
 - MMA Dividend Check
- VII. Business
 - Selection of BOS Officers for FY20/21
 - ACT Bike Trail Project/Memorandum of Understanding
 - Quit Claim Deed Map 30 Lot 3
- XI. Other Business and Adjournment
 - Approval Payable Warrant
 - Adjournment

TOWN OF ARUNDEL

468 LIMERICK RD ARUNDEL MAINE 04046 (207) 985-4201 FAX (207) 985-7589

BUSINESS MEETING July 27, 2020

EXECUTIVE SUMMARY

BOS Members: The purpose of this summary presented is to give you some information over and above just the mentioning of the subject matter on the agenda. It is my hope that this information assists you in your decision making.

MANAGERS REPORT

-Municipal Building Progress: I will provide an update on the construction efforts at the Municipal Building.

-MMA Dividend Check: Our continue enrollment in the self-funded insurance pools has provided an approved distribution back to the town in the sum of \$2,691. I have provided a press release from the MMA for distribution.

BUSINESS

-Selection of BOS Officers: The cycle will now have the following slate of officers: Chairman Velma Hayes, Vice Chairman Tom Danylik, and Secretary Dan Dubois.

-MOU on Flow Trail: A MOU with an exhibit has been developed after many drafts. Attached is the final draft that was developed and reviewed by Selectmen Danylik, ACT President Joan Hull and Town Manager Trefethen.

-Quit Claim Deed: Check for MAP 30 Lot 3 was received at the end of FY 19/20 from Weirs Motors. I have attached a Quitclaim Deed that has been reviewed by all parties and requires signatures. NOTE* this concludes action that was approved with the passage of Article #33 from the Annual Town Meeting Warrant of 2019.

OTHER BUSINESS AND ADJOURNMENT

(a) Account Payable and Payroll Warrants: Provided at Meeting for review.

TOWN OF ARUNDEL
BOARD OF SELECTMEN
Monday July 13, 2020
ML Day Library
7 PM

Members present: Selectmen Jason Nedeau, Tom Danylik, Phil Labbe Velma Hayes, Dan Dubois

Others: Town Manager Keith Trefethen, Jack Reetz, Roger Taschereau, Joan Hull, Noah Pitchforth, Henry Ingwersen, Mark & Meghan Cooper

Call to Order: Chairman Nedeau called the meeting to order @ 7:00PM.

Approval of Agenda: *MOTION Dubois second Hayes “approve agenda as amended passed 5-0 (added discussion on Bobcat Bid by Roger Taschereau)*

Approval of Minutes: *MOTION Dubois second Labbe “approve minutes of June 22, 2020 as presented” passed 5-0.*

Managers Report:

-New Superintendent: Manager provided press release from RSU #21 on the newly appointment Superintendent Dr. Terri Cooper.

-Upcoming Voting & ATM: A discussion on logistics and set up by the Manager on the room and safe protocols for the meeting were discussed.

-Boards and Committees appointments: *MOTION Dubois second Danylik “approve appointments by Town Manager as Presented” passed 5-0. MOTION Danylik second Dubois “approve Payroll policy as presented” passed 5-0. MOTION Hayes second Labbe “approve Code of Conduct Policy as presented” passed 5-0. MOTION Dubois second Danylik “approve the settlement of taxes from Tax Collector Bissonneault to newly appointed Tax Collector McPherson as presented” passed 5-0.*

Brimstone & Limerick Road Intersection: BH2M provided a proposed map showing the taking of some property for the intersection improvement from Map 9 Lot 5. The land to be taken is approximately 382 Square Feet. The town feels this amount will provide enough for the improvement proposed for the intersection.

Business:

-ACT Bike Trail Project: ACT membership was present to make a presentation of an addition to their Trail System behind the new Municipal Building. It is

called a Flow Bike Trail that would allow folks to utilize skills on a system in a fun and enjoyable way. The Trail would be built by the Maine Trail Builders with roughly 500 feet of this trail which is between 30 to 48” inches wide to be built on Town Property. ***MOTION Dubois second Hayes “allow ACT to build this trail provided a Memorandum of Understanding is reached by all parties as to the conditions whereby permission is granted” passed 5-0.***

Bobcat Purchase: Roger Taschereau provided information on the recently opened bids for a new Bobcat to replace the present 1990 unit still in service. MOTION Hayes second Dubois approve the bid from Jordan Equipment of \$65,509.03 for a new unit and lease/purchase this unit over a five year period” passed 5-0.

Quitclaim Deed: ***MOTION Dubois second Labbe approve and sign Quitclaim Deed for Map 27 Lot A as presented” passed 5-0.***

Other Business and Adjournment:

MOTION Hayes second Labbe “approve payable warrants and payroll warrant as reviewed” passed 5-0.

MOTION Dubois second Danylik “to adjourn” passed 5-0 @ 8:02PM

Respectfully submitted,

Keith M. Trefethen
Town Manager

PRESS RELEASE
For Immediate Release

Municipal officials are pleased to announce that the **Town of Arundel** has received a **\$2,691** dividend check from the Maine Municipal Association as a result of its good loss experience and loss prevention programs.

The Maine Municipal Association offers three self-funded pools for municipal and quasi-public entities in Maine: the Workers Compensation Fund formed in 1978, the Property & Casualty Pool formed in 1987 and the Unemployment Compensation Fund formed in 1978.

The programs are overseen by governing boards of elected and appointed municipal officials. At its May meeting, the board approved another dividend distribution. Actual allocation and eligibility is based on the individual member's own loss experience. Michelle Pelletier, Director of Risk Management Services for MMA, said more than 79 percent of program participants received a dividend this year for their good risk management practices and favorable loss experience.

This year the Workers Compensation Fund has distributed almost **\$650,000** in dividends to participants and the Property and Casualty Pool has paid dividends of nearly **\$600,000**, for total payments of just over \$1.2 million returned directly to MMA members.

Maine Municipal Association has been paying dividends since 1997, the two programs have returned over **\$24 million** to participating members. For more information about any of the MMA Risk Management Services programs, including online training programs and other services, check the offerings on their website at www.memun.org and click on the Risk Management Services link, or call 1-800-590-5583.

ASW

	<u>Chairman</u>	<u>Vice-Chairman</u>	<u>Secretary</u>
2020-2021			
2019-2020	Jason Nedeau	Velma Jones Hayes	Thomas Danylik
2018-2019	Dan Dubois	Jason Nedeau	Velma Jones Hayes
2017-2018	Thomas Danylik	Dan Dubois	Jason Nedeau
2016-2017	Velma Jones Hayes	Thomas Danylik	Daniel Dubois
2015-2016	Jason Nedeau	Velma Jones Hayes	Tom Danylik
2014-2015	Dan Dubois	Jason Nedeau	Velma Jones Hayes
2013-2014	Thomas Danylik	Dan Dubois	Velma Jones Hayes
2012-2013	Velma Jones Hayes	Thomas Danylik	Daniel Dubois
2011-2012	Velma Jones Hayes	Mark Paulin	Phil Labbe
2010-2011	Tom Danylik	Velma Jones Hayes	Mark Paulin
2009-2010	Dana Peck	Thomas Danylik	Byron Kindley
2008-2009	Mark Paulin	Dana Peck	Tom Danylik
2007-2008	David Lane	Mark Paulin	Dana Peck
2006-2007	Mark Laprel	David Lane	Mark Paulin
2005-2006	Velma Jones Hayes	Mark Laprel	Roland Drew
2004-2005	David Lane	Velma Jones Hayes	Roland Drew
2003-2004	Paul Brouillard	David Lane	Velma Jones Hayes
2002-2003	Roland Drew	Velma Jones Hayes	Paul Brouillard
2001-2002	Tom Danylik	David Lane	Velma Jones Hayes
2001-2000	Roland Drew	Tom Danylik	Velma Jones Hayes
2000-1999	Velma Jones Hayes	Roland Drew	Tom Danylik
1999-1998	David Lane	Velma Jones	Roland Drew
1998-1997	John Cliché	David Lane	Velma Jones
1997-1996	Roland Drew	John Cliché	David Lane
1996-1995	Velma Jones	Tom Danylik	John Cliché
1995-1994	Tom Danylik	Therese Cliché	Velma Jones
1994-1993	David Lane	Therese Cliché	Tom Danylik

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding entered into this ___ day of _____, 2020, by and between the ARUNDEL CONSERVATION TRUST, (hereinafter "ACT") and the TOWN OF ARUNDEL, (hereinafter "Town").

W I T N E S S E T H:

WHEREAS, ACT is desirous of constructing a "Flow Trail" (a mountain bike trail) primarily on property owned by its adjunct trust, the Kennebunkport Conservation Trust, being located on, but not adjacent to, the Westerly side of the Limerick Road, which property abuts property of the Town upon which the Arundel Municipal Building is located; and

WHEREAS, the aforesaid Flow Trail is anticipated to be approximately 1,500' in length, varying widths between 30-48" constructed by disturbing the land beneath the trail area, removal of top soil, removal of roots and various vegetation, and thereafter refilled with material, whether sourced or mined on site or hauled to the site, the consistency of which shall likely be of a clay/gravel mix.

WHEREAS, a small portion of the proposed Flow Trail as presently designed, located and proposed by Maine Trail Builders on behalf of ACT, would encroach upon a portion of the Town's property all as more specifically depicted on Exhibit A attached hereto being that trail portion drawn thereon in yellow (Encroachment Area); and

WHEREAS, ACT has requested of the Town's Board of Selectmen that it be permitted to construct that portion of the Flow Trail as designed, upon the Encroachment Area; and

WHEREAS, the Town Board of Selectmen, by unanimous vote taken on July 13, 2020, taking into account the opportunity to enhance recreational activities within the community, authorized ACT to construct that portion of the proposed Flow Trail on the Encroachment Area under the terms and conditions hereinbelow stated.

NOW THEREFORE, the parties hereto agree to the following terms and conditions relative to utilization of the Encroachment Area by ACT for purposes of the installation of a Flow Trail:

1. That the Town will permit ACT to utilize the Encroachment Area, for purposes of constructing a portion of a Flow Trail thereon.
2. That the construction and use of the proposed Flow Trail will not adversely impact the leach field associated with the Municipal Building's waste disposal system, which leach field is in close proximity to the proposed Flow Trail.
3. That ACT understands the permission granted by the Board of Selectmen can be revoked or terminated at any time upon a majority vote of the then members of the Board at any time, with or without cause, provided that reasonable notice of the Board's intention to take such action to revoke or terminate the permitted use of the Encroachment Area shall be provided to ACT.
4. That ACT shall provide the Town with evidence of it having procured public liability insurance in an amount deemed adequate by the Board of Selectmen, on which policy the Town shall be named as an additional insured.
5. That ACT shall indemnify and hold the Town harmless from any claims for damages for any loss, costs or injury brought against the Town as a result of utilization of the portion of the Flow Trail located on the Encroachment Area, including reasonable attorney's fees associated with the defense of any such claims or the prosecution of the Town's indemnification rights contained herein.

Dated: _____

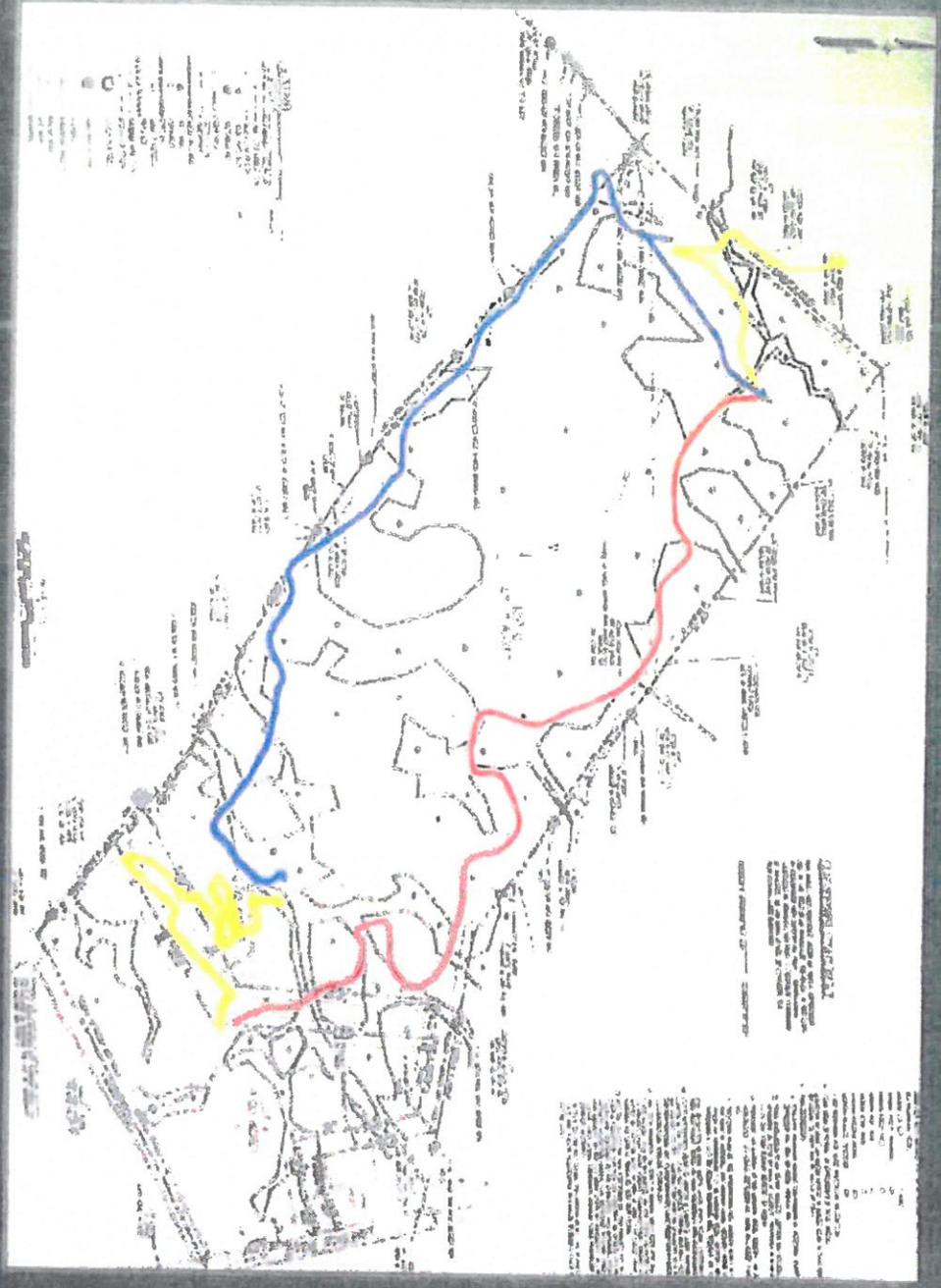
Velma Jones-Hayes, Chair
Arundel Board of Selectmen, Duly Authorized

Dated: _____

Joan Hull, President
Arundel Conservation Trust, Duly Authorized

Town of Arundel and Mountain Bike Trails

The Phased Approach - Map



Yellow = proposed phase 1 flow trail
(Based on proposed partnership with
Town of Arundel - Board of
Selectmen)

Red = proposed phase 2 flow
multi-use trail.
Long and winding all the way to the
Eastern Trail

Blue = existing multi-use trail
leading to Eastern Trail (shown
for reference)





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
07/22/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Kennebunk Savings Insurance 50 Portland Road PO Box 770 Kennebunk ME 04043	CONTACT NAME: Megan Murphy CISR PHONE (A/C, No, Ext): (207) 985-2941 E-MAIL ADDRESS: megan.murphy@kennebunksavings.com	FAX (A/C, No): (207) 985-3122	
	INSURER(S) AFFORDING COVERAGE		NAIC #
INSURED Kennebunkport Conservation Trust & Arundel Conservation Trust c/o Thomas Bradbury P.O. Box 7004 Cape Porpoise ME 04014	INSURER A: Frankenmuth Insurance		11149
	INSURER B: MEMIC		
	INSURER C:		
	INSURER D:		
	INSURER E:		
	INSURER F:		

COVERAGES **CERTIFICATE NUMBER:** 2020 master **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			6625919	06/01/2020	06/01/2021	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY <input type="checkbox"/> AUTOS ONLY			6625918	06/01/2020	06/01/2021	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ Uninsured motorist \$ 1,000,000
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10,000 <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE			6625919	06/01/2020	06/01/2021	COMBINED SINGLE LIMIT EACH OCCURRENCE \$ 2,000,000 AGGREGATE \$ 2,000,000 \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	1810081881	06/15/2020	06/15/2021	PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The General Liability Policy includes an Additional Insured endorsement that provides Additional Insured status to the Certificate Holder with regard to work performed on behalf of the named insured.

CERTIFICATE HOLDER Town of Arundel 468 Limerick Road Arundel ME 04046	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
07/22/2020

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IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Cross Insurance-Portland 2331 Congress Street Portland ME 04102		CONTACT NAME: Agency Accounts PHONE (A/C, No, Ext): (207) 780-1677 E-MAIL ADDRESS:	FAX (A/C, No): (207) 780-6377
INSURED Maine Trail Builders LLC 36 Clark St Portland ME 04102		INSURER(S) AFFORDING COVERAGE	
		INSURER A: Tri-State Ins Co of Minnesota	NAIC # 31003
		INSURER B: Maine Employers Mutual Ins Co	11149
		INSURER C:	
		INSURER D:	
		INSURER E:	
		INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** 19/20 GL, 20/21 WC **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS			
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR			ADL5366787-11	10/11/2019	10/11/2020	EACH OCCURRENCE \$ 1,000,000			
	GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:							DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000	MED EXP (Any one person) \$ 10,000	PERSONAL & ADV INJURY \$ 1,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$	BODILY INJURY (Per person) \$	BODILY INJURY (Per accident) \$	PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$	AGGREGATE \$		
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	1810118599	05/26/2020	05/26/2021	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER	E.L. EACH ACCIDENT \$ 500,000	E.L. DISEASE - EA EMPLOYEE \$ 500,000	E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER Town of Arundel 468 Limerick Road Arundel ME 04046	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <i>Jennifer Ferrante</i>
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_____ Space Above This Line For Recording Data _____

QUIT CLAIM DEED WITHOUT COVENANT

KNOW ALL PERSONS BY THESE PRESENTS, that **TOWN OF ARUNDEL**, a municipal corporation existing under the laws of the State of Maine and located in the County of York, State of Maine, with a mailing address of 468 Limerick Road, Arundel, Maine 04046, hereby grants to **WEIRS MOTOR SALES INC.**, a Maine corporation, with a place of business in Arundel, York County, State of Maine, having a mailing address of 1513 Portland Road, Arundel, Maine 04046 with QUIT CLAIM WITHOUT COVENANT, a certain lot or parcel of land situated in Arundel, York, Maine being the same premises conveyed to the Town of Arundel as recorded on January 13, 2006 in the York County Registry of Deeds Book 14730, Pages 438-440.

The Inhabitants of the Municipality of Arundel have caused this instrument to be signed in its corporate name by Jason Nedeau, Thomas Danylik, Daniel Dubois, Velma Jones Hayes, Philip Labbe, its Municipal Officers duly authorized.

Witness our hands and seals this ____ day of July, 2020.

Municipal Officers of Arundel, Maine

ACKNOWLEDGEMENT

State of Maine
County of York, ss

Date: _____

Then personally appeared before me the above-named Jason Nedeau, Thomas Danylik, Daniel Dubois, Velma Jones Hayes, Philip Labbe, Municipal Officers of the Municipality of Arundel, and acknowledged the forgoing to be their free act and deed in their said capacity and the free act and deed of the Inhabitants of said Municipality.

Before me,

Emily Nedeau
Notary Public

My commission expires: May 31, 2026

Space Above This Line For Recording Data

WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS, that **WEIRS MOTOR SALES INC.**, a Maine corporation, with a place of business in Arundel, York County, Maine, FOR CONSIDERATION PAID, hereby grants to the **TOWN OF ARUNDEL**, a municipal corporation existing under the laws of the State of Maine and located in the County of York, State of Maine, with a mailing address of 468 Limerick Road, Arundel, Maine 04006, with **WARRANTY COVENANTS**, a certain lot or parcel of land, **together with any improvements thereon and all rights appurtenant thereto**, the land in Arundel, York County, Maine; being more particularly described as follows:

SEE EXHIBIT A ATTACHED HERETO AND
INCORPORATED HEREIN BY REFERENCE

IN WITNESS WHEREOF, **WEIRS MOTOR SALES, INC.** has hereunder set its hand and seal as of this 29th day of December, 2005.

WEIRS MOTOR SALES INC.

Simone L. Boissonneault
WITNESS Simone L. Boissonneault

By: Bernon J. Madore
Bernon J. Madore, its President

STATE OF MAINE
York County, ss.

December 29 2005

Personally appeared the above-named **Bernon J. Madore**, President of **WEIRS MOTOR SALES INC.** and acknowledged the foregoing instrument to be his free act and deed in said capacity

Before me,

Simone L. Boissonneault
~~Attorney at Law~~/Notary Public
Simone L. Boissonneault
My Commission Expires Feb. 13, 2006

MAINE R.E. TRANSFER TAX PAID

EXHIBIT A – WARRANTY DEED
Weirs Motor Sales, Inc. to Town of Arundel
Rt. 1, Arundel, Maine

A certain lot or parcel of land situated on the southeasterly side of U.S. Route #1 in the Town of Arundel, County of York, State of Maine bounded and described as follows:

Beginning at an existing iron rod on the southeasterly sideline U.S. Route #1 at the northerly corner of land of Spottiswoode & Plamondon as described in deed recorded at the York County Registry of Deeds in Book 5042, Page 225;

Thence, North $37^{\circ}-35'-45''$ East, 58.96 feet by said U.S. Route #1 to an existing iron rod and the westerly corner of land of Shawn & Gail Douston as described in deed recorded at the York County Registry of Deeds in Book 9349, Page 58;

Thence, South $52^{\circ}-09'-15''$ East, 300.00 feet by said land of Shawn & Gail Douston at a set iron rod;

Thence, North $37^{\circ}-37'-45''$ East, 150.00 feet by said land of Shawn & Gail Douston to an existing iron pipe and other land of Shawn & Gail Douston as described in deed recorded at the York County Registry of Deeds in Book 10829, Page 189;

Thence, North $37^{\circ}-49'-45''$ East, 162.66 feet by said other land of Shawn & Gail Douston to an existing iron pipe and of land of Peck Environmental Laboratory Inc. as described in deed recorded at the York County Registry of Deeds in Book 2910, Page 262;

Thence, North $37^{\circ}-54'-45''$ East, 99.95 feet by said land of Peck Environmental Laboratory Inc. to an existing iron pipe and land of Keith Petrin as described in deed recorded at the York County Registry of Deeds in Book 12737, Page 35;

Thence, North $37^{\circ}-54'-15''$ East, 291.19 feet by said land of Keith Petrin to an existing iron pipe and remaining land of the Grantor herein;

Thence, generally Southeasterly by said remaining land of the Grantor herein the following six (6) lines:

1. South $52^{\circ}-12'-15''$ East, 43.34 feet to a set granite monument;
2. Generally Southeasterly by a circular curve deflecting to the right an arc distance of 80.78 feet to a set iron rod, the tangent of said curve being 40.92 feet, the radius of said curve being 205.00 feet;
3. South $29^{\circ}-37'-30''$ East, 96.65 feet to a set iron rod;
4. Generally Southeasterly by a circular curve deflecting to the right an arc distance of 47.40 feet to a set iron rod, the tangent of said curve being 23.80 feet, the radius of said curve being 205.00 feet;
5. South $16^{\circ}-22'-45''$ East, 147.16 feet to a set iron rod; and
6. South $22^{\circ}-03'-40''$ East, 413.43 feet to an iron pipe found at the end of a stonewall and to land of Michael Drew as described in deed recorded at the York County Registry of Deeds in Book 11561, Page 177;

Thence, South 62°-49'-30" West, 651.41 feet by said land of Michael Drew to an existing iron rod, to land of Maurice & Pauline Drew as described in deed recorded at the York County Registry of Deeds in Book 1152, Page 280, and to land of Robert Taylor as described in deed recorded at the York County Registry of Deeds in Book 3647, Page 196;

Thence, North 52°-23'-30" West, 211.13 feet by said land of Robert Taylor to an existing iron rod and said land of Spottiswoode & Plamondon;

Thence, North 37°-34'-30" East, 199.94 feet by said land of Spottiswoode & Plamondon to an existing iron rod;

Thence, North 52°-24'-1 5" West, 542.09 feet by said land of Spottiswoode & Plamondon to the point of beginning.

Containing 10.86 Acres.

Subject to a 50-foot right-of-way and utility easement for the benefit of said Spottiswoode & Plamondon as described in deed recorded at the York County Registry of Deeds in Book 5042, Page 225.

The above bearings refer to Magnetic 1974 and are based on the below-referenced plan.

Being a portion of the premises conveyed to the Grantor by deed of Madeleine A. Bergeron to Weirs Motor Sales, Inc. dated August 6, 1998 and recorded in the York County Registry of Deeds in Book 8984, Page 35.

Said premises also being a portion of the premises approved as Arundel Business Park, as shown and depicted on the below-referenced plan. Said approved subdivision was abandoned and extinguished by the Grantor, by Certificate of Withdrawal and/or Vacation of Subdivision Approval to be recorded in the York County Registry of Deeds.

The above deed description was prepared from "Final Plan Arundel Business Park Route 1 Arundel, Maine" dated September 22, 1988, surveyed by Oak Point Associates and recorded at the York County Registry of Deeds in Plan Book 187, Page 19.

BERGEN & PARKINSON, LLC
MPL
Attorneys at Law
62 Portland Road
Kennebunk, Maine 04043
578 (E)

END OF DOCUMENT