

**WARRANTY DEED**  
**[Statutory Short Form]**

**GAMAGE REALTY LLC**, a limited liability company organized under the laws of the State of Maine, and having its principal place of business at North Yarmouth, in the County of Cumberland, and State of Maine, does hereby **GRANT** to **ROBERT H. GIERIE, JR.**, of Scarborough, County of Cumberland and State of Maine, whose mailing address is: 11 Silver Brook Circle, Scarborough, Maine 04074, with **Warranty Covenants**, the following described real estate in Scarborough, Maine:

A certain lot or parcel of unimproved land in the Town of Scarborough, Cumberland County, Maine, and being **Lot 44** as shown on a plan entitled "First Amended Subdivision Plan of Mitchell Hill Heights, Phases 2-5, Mitchell Hill Road, Scarborough, Maine" prepared for Gamage Realty, LLC by Sebago Technics dated May 29, 2003, as revised through March 7, 2007, and recorded in the Cumberland County Registry of Deeds in Plan Book 207, Pages 144 and 145, amending "Subdivision Plan of Mitchell Hill Heights, Phases 2-5, Mitchell Hill Road, Scarborough, Maine" prepared for Gamage Realty, LLC by Sebago Technics dated May 29, 2003, as revised through December 21, 2004, and recorded in said Registry of Deeds in Plan Book 204, Pages 952 and 953 (which such plan is referred to hereinafter as the "Plan").

The within Lot is hereby conveyed subject to, and, as applicable, together with the benefit of, the following matters:

1. Terms, conditions, restrictions and covenants as set forth in the Declaration of Covenants and Restrictions of Mitchell Hill Heights Subdivision, Scarborough, Maine, dated January, 2003, and recorded on January 27, 2003, in said Registry in Book 18770, Page 31, as amended by a First Amendment dated as of February 19, 2004, and recorded in said Registry in Book 20953, Page 317, and a Second Amendment dated February 4, 2005, recorded in said Registry in Book 22299, Page 66, and as amended by a Third Amendment (correcting Second Amendment) dated December 7, 2006 and recorded in said Registry-of Deeds in Book 24639, Page 220 and as amended by a Fourth Amendment dated December 7, 2006 and recorded in said Registry of Deeds in Book 24639, Page 222.
2. Terms and provisions of the following orders, findings and approvals issued by the State of Maine Department of Environmental Protection (the "DEP Orders"): (i) Stormwater Management Law Findings of Fact and Order, project number L-21144-NB-A-N dated January 13, 2003, recorded in Book 18882, Page 1 of said Registry of Deeds (affecting Phase 1) and (ii) Site Location of

Development Natural Resources Protection Stream & Wetland Alteration Water Quality Findings of Fact and Order" issued to Gamage Realty, LLC, Mitchell Hill Heights Phases 2-5, #L-21144-L3-C-N and #L-21144-TE-D-N (approval) dated November 15, 2004, and recorded in said Registry in Book 22074 Page 91, as amended by a Modification dated January 20, 2005, recorded in said Registry in Book 22298, Page 136, and as amended by a Condition Compliance dated January 20, 2005, recorded in said Registry in Book 22298, Page 142. In furtherance of said Orders, the premises are conveyed subject to the DECLARATION OF COVENANTS AND RESTRICTIONS (Wooded Buffer No Disturbance) dated March 25, 2005, executed by the Grantor herein and recorded in said Registry of Deeds in Book 22462, Page 185.

It is expressly agreed and understood with respect to the foregoing DEP Orders that the owner of the within Lot shall be responsible for compliance with said DEP Orders insofar as the within Lot is concerned and that the Grantor herein expressly excepts and reserves any and all rights to seek amendments, modifications or alterations to said DEP Orders with respect to any Lot or Lots retained by the Grantor, and Grantor makes no representation or promise that any areas preserved or provided as "buffer areas" thereunder, or as shown on the Plan, shall be maintained as such.

3. All of the terms, conditions or matters as shown or referred to on the Plan, including specifically and without limitation, a Grading and Maintenance Easement, which may be granted to the Town of Scarborough or the Association, and which right and easement is hereby excepted and reserved to Grantor along the lot frontages on Fengler Road and Freedom Road.

4. All of the General Notes set forth on the Plan, including specifically and without limitation, notes 12, 13, 16, 17, 18, 20, 21, 22, 23, 25 and 27. With respect to said General Note 25, it is understood that the responsibility for the road and stormwater infrastructure may be transferred to and undertaken by the Association. Special reference is made to General Note 21 whereby all Lots are limited to the use of natural and/or organic compounds for lawn fertilizers. This provision is a requirement of the Town of Scarborough subdivision approval.

For the grantor's title, see deeds from Wallace A. Fengler recorded in said Registry in Book 18818, Page 175 and in Book 22299, Page 62 and deed from Frank D. Grondin, et al. dated September 6, 2005 and recorded in said Registry of Deeds in Book 23313, Page 218.

IN WITNESS WHEREOF, the said **GAMAGE REALTY LLC** has caused this instrument to be signed and sealed in its limited liability company name by John F. Gamage, its managing member, thereunto duly authorized, on July 27, 2007.

WITNESS:

Richard H. [Signature]

GAMAGE REALTY LLC

By: [Signature]  
John F. Gamage  
Its Managing Member

STATE OF MAINE  
COUNTY OF CUMBERLAND, ss.

July 27, 2007

Then personally appeared the above-named John F. Gamage, Managing Member of said Gamage Realty LLC, as aforesaid, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said Gamage Realty LLC.

Before me,

[Signature]

Notary Public/Attorney-at-Law

Print name: RICHARD A. HOLTIS

My commission expires: \_\_\_\_\_