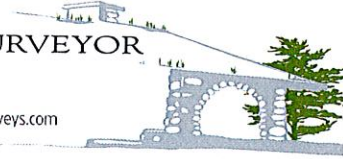


MARK W. INGRAHAM, III LAND SURVEYOR

INGRAHAM LAND CONSULTING, INC.

1 Fiske Lane Rockport, Maine 04856 (207) 236.9521 ingrahamlandsurveys.com



March 16, 2021

Town of Rockport Planning Board  
P.O. Box 10  
Rockport, Maine 04856

Re: M. Richardson, LLC  
4 Lot Subdivision off Terrier Circle

**MEMO**

Dear Planning Board Member,

I am sending you documents related to the above referenced subdivision. There were 6 items which are addressed below:

1. Lots 1, 2, & 3 subject to Bay Ridge deed covenants  
**M. Richardson, LLC has agreed that Lots 1, 2, & 3 will be subject to the Bay Ridge covenants.**
2. Review by Fire Chief  
**The Fire Chief has been contacted and his review is pending.**
3. Deed from M Richardson, LLC to Cloutier (Lot A)  
**See deed attached**
4. Include Lot 50 in overall plan **(see revised PreApp sketch plan)**
5. Show remainder land as Lot 4 **(see revised PreApp sketch plan)**
6. Easement deed from Terrier Circle to subject 3 Lots  
**See easement deeds from Bovasso and Munroe attached**

Thank you for your consideration.

Regards,

Ingraham Land Consulting, Inc.

Mark Ingraham, Land Surveyor

---

BOUNDARY & TOPOGRAPHIC SURVEYS ° FLOOD ELEVATION CERTIFICATES

MORTGAGE LOAN INSPECTIONS ° WETLAND DELINEATION & MAPPING

## Warranty Deed with Covenants

KNOW ALL BY THESE PRESENTS THAT I, **Richard Nightingale** of Rockport, Knox County, State of Maine, in consideration of one dollar and other valuable considerations paid by **Ronald Bovasso and Linda Bovasso** whose mailing address is 948 Patricia Lane, Kennett Square, Pennsylvania, the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell, and convey unto the said **Ronald Bovasso and Linda Bovasso** as joint tenants, with **Warranty Covenants**, a certain lot or parcel of land in Rockport, being Lot #26 as shown on Plan of Phase Two, Bay Ridge of Rockport dated September 1989 by Miles Leach Surveyor recorded in Cabinet 8 Page 162, Knox County Registry of Deeds and more fully bounded and described as follows:

Beginning at a 5/8 inch iron pin set on the northerly side of the cul-de-sac at the end of Brandywine Drive, now known as Terrier Circle, and at the division line between Lot #27 and #26 as shown on said plan; thence North 38°27'30" East along the property line between Lot #27 & Lot #26 a distance of 181.9 feet to an iron pin in a stone wall for a corner; thence South 27°54'30" East by said stone wall a distance of 284.8 feet to an iron pin in said stone wall for a corner; thence South 13°42' West a distance of 357.1 feet to an iron pin for a corner; thence North 26°52'40" West a distance of 404.3 feet to a point in the cul-de-sac marked by an iron pin; thence generally northerly and westerly by the arc of the cul-de-sac which has a radius of 70 feet, a distance of 108.3 feet to the point of beginning.

The above described premises is hereby conveyed together with the rights to travel over and across Brandywine Drive, now known as Terrier Circle, and other roads located in Bay Ridge Subdivision as more fully shown on the Subdivision plot plans set forth in the Knox County Registry of Deeds Cabinet 6 Sheet 146 and Cabinet 8 Sheet 162.

ALSO GRANTING AND CONVEYING the right to connect to utility lines including electrical, telephone and cable located beneath the surface of the ground.

The premises is subject to an easement for ingress and egress, and for the purposes of constructing, installing, maintaining, and repairing utilities on and across that portion of the premises that is described as follows:

Beginning at the Southwesterly corner of the land of Grantor identified as Lot #26 in Phase Two of Bay Ridge as shown on the Subdivision Plot Plans set forth in the Knox County Registry of Deeds, Cabinet 6, Sheet 146 and Cabinet 8, Sheet 162; thence N38°27'30"E by the common boundary between Lot #27 & Lot #26 a distance of 181.9 feet to an iron pin in a stone wall; thence S27°54'30" E and by the stonewall a distance of 54.58 feet to a point in the stone wall; thence S38°27'30"W a distance of 25.27 feet to a point; thence S52°20'12"W a distance of 146.41 feet to Terrier Circle; thence northwesterly by the arc of Terrier Circle having a radius of 70 feet

MAINE REAL ESTATE TRANSFER  
TAX PAID

and with a delta angle of 13°37'58" a distance of 16.65 feet to the place of beginning.

Use of the above-described access and utility easement is appurtenant to and is limited to a maximum of four lots that may in the future be located northeasterly of the premises being conveyed. Development of the access easement shall conform with all required planning and zoning ordinances of the Town of Rockport.

The premises is conveyed subject to all restrictions, covenants, agreements, easements and provisions of certain protective covenants entitled "Covenants Bay Ridge Subdivision Lots 25 through 35 inclusive," dated December 10, 1991 and recorded at the Knox County Registry of Deeds in Book 1545 Page 27.

The premises is subject to a certain easement given to Central Maine Power Company which passes over a portion of the northerly and easterly part of said premises which easement is recorded in the Knox Registry of Deeds in Book 293, Page 230.

The premises is conveyed subject to the terms and conditions of a certain DEP Site Location Order recorded in Knox Registry of Deeds in Book 1350, Page 289, pertaining to a certain buffer area and other conditions of approval as set forth therein.

The premises is a portion of the property conveyed to Richard A. Nightingale by deed of Frank S. Gregory, Jr. dated December 12, 19866 and recorded in the Knox County Registry of Deeds at Book 1141, Page 299.

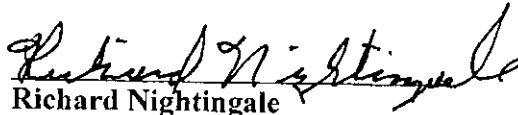
**To Have and To Hold** the aforegranted and bargained premises with all privileges and appurtenances thereof to the said **Ronald Bovasso and Linda Bovasso**,

AND I do Covenant with the said **Ronald Bovasso and Linda Bovasso**, their heirs and assigns, that I am lawfully seized in fee of the premises, that they are free of all encumbrances; that I have good right to sell and convey the same to the said **Ronald Bovasso and Linda Bovasso** to hold as aforesaid; and that I and my heirs shall and will WARRANT and DEFEND the same to the said **Ronald Bovasso and Linda Bovasso**, their heirs and assigns forever, against the lawful claims and demands of all persons.

**In Witness Whereof, I**, the said Richard Nightingale, have hereunto set my hand and seal this 25<sup>th</sup> day of October 2005.

**Signed, Sealed and Delivered**  
**in the presence of**

  
\_\_\_\_\_  
Witness

  
Richard Nightingale

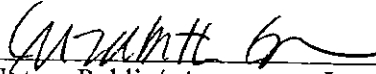
ACKNOWLEDGEMENT

State of Maine  
Knox County, ss.

October 25, 2005

Personally appeared the above named **Richard Nightingale** and acknowledged the foregoing instrument to be his free act and deed.

Before me,

  
\_\_\_\_\_  
Notary Public/ Attorney at Law

Type or Print Name as Written

**ELIZABETH E. BIDDLE**  
My Commission Expires **A NOTARY PUBLIC OF MAINE**  
**MY COMMISSION EXPIRES 10/17/2009**

SEAL

KNOX SS: RECEIVED  
Oct 27, 2005  
at 08:14:48A  
ATTEST: LISA J SIMMONS  
REGISTER OF DEEDS



Instr # 2020-11301

ATTEST Madelene F. Cole, Knox Co Registry of Deeds

Warranty Deed

DLN: \_\_\_\_\_

M. RICHARDSON, LLC, a Maine limited liability company with a place of business in Rockport, Knox County, Maine, for consideration paid, grants to KATHLEEN MARIE SPARDA-CLOUTIER, of Rockport, Knox County, Maine, with Warranty Covenants, a certain lot or parcel of land situated off the end of Lexington Lane, in the Town of Rockport, County of Knox, State of Maine, being more particularly bounded and described as follows;

REAL ESTATE TRANSFER TAX PAID

BEGINNING at a 5/8" rebar with I.D. cap "Leach" found in a stone wall and located at the northwest corner of land now or formerly of Elizabeth H. Bates as described in Book 1404, Page 94 of the Knox County Registry of Deeds, said rebar also being the northwest corner of Lot 33 of Bay Ridge Subdivision recorded in Plan Cabinet 8, Sheet 162 and in line of land now or formerly of the Ralph Family Trust as described in Book 4937, Page 245;

THENCE North 42° 37 East along said land of Ralph Family Trust a distance of five hundred twenty two and seven tenths (522.7) feet to an iron pin set in the corner of stone walls and in line of land now or formerly Riviera Clam Cove View, LLC as described in Book 3890, Page 319;

THENCE South 45° 19' East along a stone wall and said land of Riviera a distance of eight hundred nineteen and three tenths (819.3) feet to an iron pin set;

THENCE South 43° 59 West along land being retained by Grantor (M. Richardson, LLC) a distance of five hundred twenty six and seven tenths (526.7) feet to a 5/8" rebar with "Leach" cap found in a stone wall at the common corner of Lots 32 & 27 of said Bay Ridge Subdivision, said rebar being the northeast corner of land now or formerly of Elizabeth C. Saltonstall as described in Book 3426, Page 45 and Book 2225, Page 217;

THENCE North 44° 42' West along said land of Saltonstall and stone wall a distance of three hundred thirty four and nine tenths (334.9) feet to the end of a stone wall;

THENCE North 43° 50' West along said land of Saltonstall a distance of eighty two and nine tenths (82.9) feet to a 5/8" rebar with "Leach" cap, said rebar being located at the northeast corner of land of said Bates;

THENCE North 45° 29' West along said land of Bates a distance of three hundred eighty nine and two tenths (389.2) feet to the said rebar at the POINT OF BEGINNING.

The above described parcel of land contains 9.8 acres. Bearings are referenced to grid north, Maine east zone, NAD 83. The above described parcel of land is shown on Boundary Survey for M. Richardson, LLC by Mark Ingraham, Land Surveyor, dated/revised August 12, 2020.


Meaning and intending to convey and hereby conveying a portion of land in the deed of Richard A. Nightingale and James A. Munroe to M. Richardson, LLC dated March 27, 2014 and recorded in the Knox County Registry of Deeds at Book 4783, Page 332.

ALSO GRANTING a right of way 40' wide for ingress and egress and also for utilities below ground from Lexington Lane to the above described parcel over the lands of Bates & Saltonstall as shown on "Plan of a Private Way" for M. Richardson, LLC by Mark Ingraham, Land Surveyor dated May 31, 2019 last revised on June 25, 2019, recorded in the Knox County Registry of Deeds at Plan Cabinet 25, Sheet 185.

SUBJECT TO an easement over the southwest corner of the above described parcel as described in the view easement for the benefit of the lands of Howard A. Bates, Elizabeth B. Bates and Elizabeth C Saltonstall as shown on the above referenced plan and as recorded in the Knox County Registry of Deeds at Book 5606, Page 67.

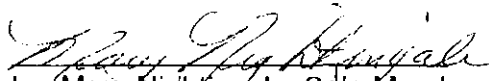
TOGETHER WITH an easement as described in the easement from Elizabeth C. Saltonstall, Howard A. Bates and Elizabeth H. Bates to M. Richardson, LLC recorded in the Knox County Registry of Deeds at Book 5606, Page 65.

Witness M. RICHARDSON, LLC by Mary Nightingale, Sole Member, hand and seal this 11 day of November, 2020.

  
\_\_\_\_\_

Witness

M. RICHARDSON, LLC

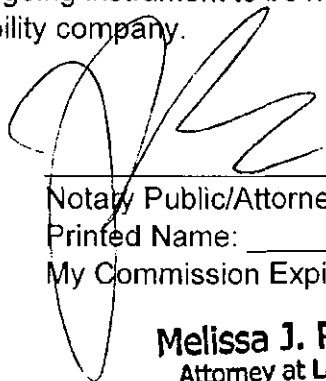
  
by: Mary Nightingale, Sole Member

State of Maine  
County of Knox, ss

November 11, 2020

Then personally appeared the above named Mary Nightingale, Sole Member in her said capacity and acknowledged the foregoing instrument to be her free act and deed and the free act and deed of said limited liability company.

Before me,

  
\_\_\_\_\_

Notary Public/Attorney at Law

Printed Name: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

**Melissa J. Reynolds**  
Attorney at Law #8118

Ingraham Land Consulting, Inc.  
 1 FISKE LANE ROCKPORT, MAINE 04856  
 PHONE: (207) 236-9521  
 MARKLANDSURVEY@GMAIL.COM

**LETTER OF TRANSMITTAL  
 LETTER OF TRANSMITTAL**

DATE 3/16/2021	JOB NO. 17-141
ATTENTION Mandy Everett	
RE: M Richardson, LLC 4 Lot Subdivision	

TO: Town of Rockport  
 Planning Board

c/o Mandy Everett

**WE ARE SENDING YOU**

NO.	COPIES	DESCRIPTION
		Revised Preapp Sketch Plan dated 316/2021
		Easement deeds

**THESE ARE TRANSMITTED** (as indicated below):

For approval

For your use

As requested

For review and comment

**REMARKS**

Additional information requested by Planning Board at 3/4/2021 meeting.

**COPY TO** \_\_\_\_\_

**SIGNED** \_\_\_\_\_

*If enclosures are not as noted, kindly notify us at once.*



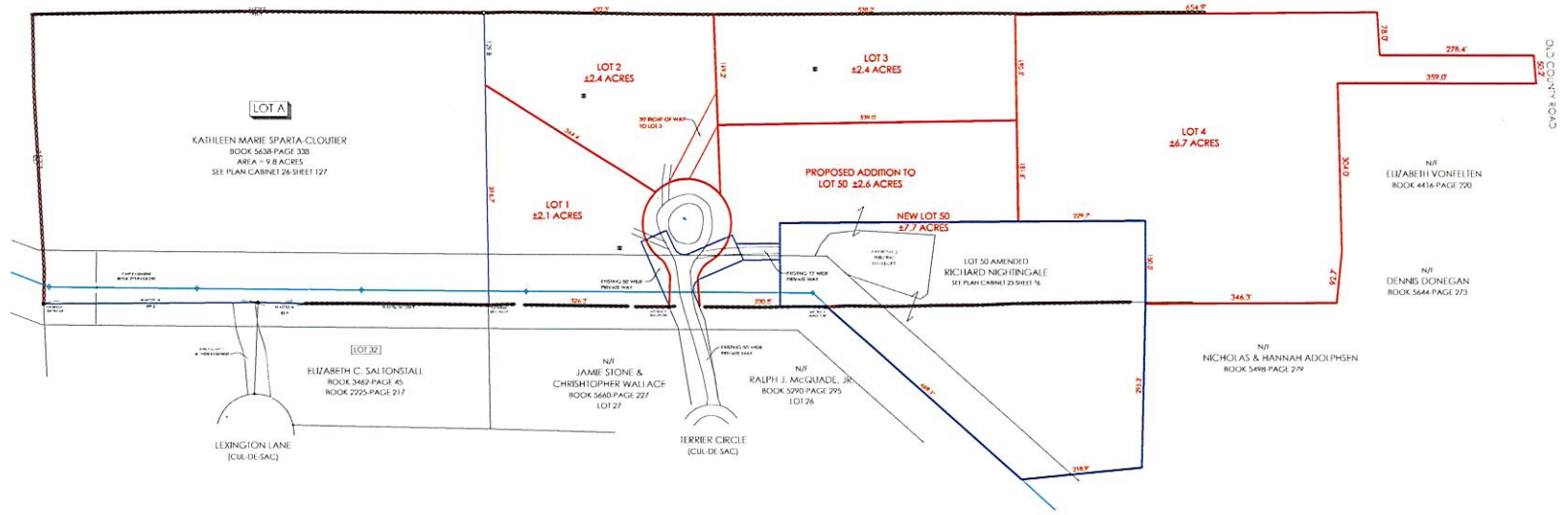
BEARINGS ON THIS PLAN ARE GRID NORTH,  
MAINE EAST ZONE, NAD 83.  
MAGNETIC NORTH BEINGS 1.4 DEGREES WEST  
OF GRID NORTH PER NOAA GOV.



**LEGEND:**

- 5/8" REBAR SET
- IRON PIN FOUND
- ⊕ UTILITY POLE
- ⊞ STONE WALL
- OVERHEAD UTILITY LINE

N/T  
RIVIERA CLAM COVE VIEW, LLC  
BOOK 3890 PAGE 319

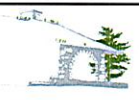


PROPOSED SUBDIVISION  
M. RICHARDSON, LLC  
BOOK 4783 PAGE 332

RECORDED OWNERS:  
M. RICHARDSON, LLC  
31 Wellington Drive  
Rockport, Maine 04856

REVISED 3/15/2021

**MARK W. INGRAHAM, III**  
PROFESSIONAL LAND SURVEYOR  
INGRAHAM LAND CONSULTING, INC.  
1 Fiske Lane Rockport, Maine 04856 (207) 236-9521  
ingrahamlandsurveys.com

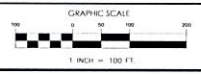


FIELD WORK DATE:	N/T
DRAWN BY:	MMW
MADE BY:	INGRAHAM III



**PREAPPLICATION SKETCH PLAN**

**PROPOSED SUBDIVISION**



**M. RICHARDSON, LLC**  
LEXINGTON LANE  
ROCKPORT, MAINE  
KNOX COUNTY

SCALE: 1" = 100' PROJECT NUMBER: 17-141 DATE: FEBRUARY 1, 2021



**RIGHT OF WAY & UTILITY EASEMENT**

**KNOW ALL MEN BY THESE PRESENTS**, that we, **JAMES MUNROE and BRENDA ANN MUNROE** of 30 Wellington Drive, Rockport, Knox County, Maine, hereinafter "Grantors," for consideration given, grant to **RICHARD NIGHTINGALE** of Rockport, Knox County, Maine, hereinafter "Grantee," his heirs and assigns forever, the right and easement to enter and travel across for ingress and egress and for the purpose of constructing, installing, maintaining, and repairing utilities on and across a certain lot or parcel of land located in the Town of Rockport, and more particularly described as follows:

Beginning at the Southerly corner of the land of Grantors identified as Lot #27 in Phase Two of Bay Ridge as described in the warranty deed recorded in the Knox County Registry of Deeds in Book 2379 at Page 092 being also the Northwest corner of Lot #26 belonging to Grantee; thence N38°20'30"E by the common boundary between Lot #27 & Lot #26 a distance of 140.84 feet to a point; thence S52°20'12"W a distance of 141.75 feet to Terrier Circle being the cul-de-sac at the end of Brandywine Drive so called; thence southeasterly by the arc of Terrier Circle having a radius of 70 feet and with a delta angle of 13°37'58" a distance of 34.50 feet to the PLACE OF BEGINNING.

Reserving, however, to these Grantors, the use of said land for such purposes as will not interfere with the easement granted to Grantee his heirs and assigns.

**IN WITNESS WHEREOF**, the said Grantors, **JAMES MUNROE and BRENDA ANN MUNROE**, do hereby relinquish and convey their rights in the above-described conveyance on this 11 day of October 2005.

**SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF**

Barbara K McDonald  
WITNESS  
Barbara K McDonald  
WITNESS

[Signature]  
**JAMES MUNROE**  
[Signature]  
**BRENDA ANN MUNROE**

STATE OF MAINE )  
KNOX COUNTY ) ss.

October 11, 2005

**SEAL**

Personally appeared the above named **JAMES MUNROE and BRENDA ANN MUNROE** and acknowledged the foregoing instrument to be their free act and deed.

KNOX SS: RECEIVED  
Oct 11, 2005  
at 12:23:07P  
ATTEST: LISA J SIMMONS  
REGISTER OF DEEDS

Before me,

Barbara K McDonald  
Notary Public/Attorney  
My Commission Expires: 3/22/06

**BARBARA K. McDONALD**  
Notary Public, Maine  
My Commission Expires March 22, 2006

**AGREEMENT**

This Agreement entered into by and between **RICHARD A. NIGHTINGALE**, of Rockport, Knox County, State of Maine, **JAMES MUNROE** and **BRENDA ANN MUNROE**, of 30 Wellington Drive, Rockport, Knox County, Maine, and **RONALD BOVASSO** and **LINDA BOVASSO**, whose mailing address is 3 April Lane, Wilmington, DE 19810.

**WHEREAS**, Richard A. Nightingale and James A. Munroe are the owner's of real estate situated in the Town of Rockport, described in a deed from Randal E. Watkinson, Trustee under Trust and Facilitating Agreement dated May 2, 2001, to Richard A. Nightingale and James A. Munroe dated February 7, 2002 and recorded in the Knox County Registry of Deeds in Book 2730, Page 160.

**WHEREAS**, Ronald Bovasso and Linda Bovasso are the owners of Lot 26 as shown on Plan of Phase Two, Bay Ridge of Rockport, dated September, 1989 by Miles S. Leach, RLS and recorded in the Knox County Registry of Deeds in Cabinet 8, Sheet 162 and described in deed from Richard Nightingale to Ronald Bovasso and Linda Bovasso dated October 25, 2005 and recorded in the Knox County Registry of Deeds in Book 3518, page 222.

**WHEREAS**, Richard A. Nightingale is the owner of a right-of-way and easement to enter and travel across a certain lot or parcel of land for ingress and egress and for the purpose of constructing, installing, maintaining and repairing utilities as described in Right of Way and Utility Easement from James Munroe and Brenda Ann Munroe to Richard Nightingale dated October 11, 2005 and recorded in the Knox County Registry of Deeds in Book 3509, Page 235.

**WHEREAS**, James Munroe and Brenda Ann Munroe reserved the right to use for such purposes as will not interfere with the right-of-way to Richard Nightingale as described in the above referenced deed recorded in the Knox County Registry of Deeds in Book 3509, Page 235.

**WHEREAS**, Richard A. Nightingale, is the owner of Lot 50 of Bay Ridge Phase Two Subdivision, Plan by Mile s. Leach, RLS recorded in the Knox County Registry of Deeds in Cabinet 8, Sheet 162.

**WHEREAS**, Richard A. Nightingale desires to increase the area of said Lot 50 by acquiring a portion of the land described in the above referenced deed recorded in the Knox

County Registry of Deeds in Book 2730, Page 160 to increase the size of Lot 50 from 2.8 acres to 5.06 acres.

**WHEREAS** James A. Munroe has agreed to convey a portion of the real estate in the property description in deed from Randal E. Watkinson, Trustee under Trust and Facilitating Agreement dated May 2, 2001 recorded in the Knox County Registry of Deeds in Book 2730, Page 160 to increase the lot size in Lot 50 from 2.8 acres to 5.06 acres.

**WHEREAS**, all of the above is shown on Subdivision Amendment of Lot 50 – Bay Ridge Phase II as prepared by Landmark Corporation. Said Plan, dated November 25, 2008 to be recorded in the Knox County Registry of Deeds.

**WHEREAS**, Richard A. Nightingale desires to have access to Lot 50 as amended over the right of way from Terrier Circle to land of Richard A. Nightingale and James A. Munroe as described in the above referenced deed recorded in the Knox County Registry of Deeds in Book 2730, Page 160 and as described on Subdivision Amendment of Lot 50 – Bay Ridge Phase II dated November 25, 2008 by Landmark Corporation.

**WHEREAS**, Ronald Bovasso and Linda Bovasso claim that Richard A. Nightingale does not have the right to access Lot 50 over said right of way in which Richard A. Nightingale reserved a right of way since the deed from Richard Nightingale to Ronald Bovasso and Linda Bovasso recorded in the Knox County Registry of Deeds in Book 3518, Page 222 reserved a right of way described as follows:

Use of the above-described access and utility easement is appurtenant to and is limited to a maximum of four lots that may in the future be located northeasterly of the premises being conveyed. Development of the access easement shall conform with all required planning and zoning ordinances of the Town of Rockport.

**WHEREAS**, Ronald Bovasso and Linda Bovasso believe that the original Lot 50 and Lot 50 as amended is not situated northeasterly of their premises and violates the restriction above.

**WHEREAS**, Richard Nightingale claims that it is situated northeasterly of the Bovasso premises and that he has a right to access the original Lot 50 and Lot 50 as amended.

**WHEREAS**, the parties hereto desire to resolve their disagreement and it is therefore agreed by and between the parties to the following:

1. Any home constructed on Lot 50 as amended shall be limited to the building envelope as shown on Subdivision Amendment of Lot 50 – Bay Ridge Phase II dated November 25, 2008 by Landmark Corporation, to be recorded in the Knox County Registry of Deeds.
2. Lot 50 as amended shall not be further divided.
3. Only 4 lots shall be accessed over the Munroe & Bovasso right of way, and that Lot 50 as amended shall be one of those 4 lots.
4. Lot 50 as amended shall be restricted to the Bay Ridge Deed Covenants and Restrictions as recorded in the Knox County Registry of Deeds Book 1545, Page 27.

Richard A. Nightingale agrees to record the Subdivision Amendment of Lot 50 – Bay Ridge Phase II dated November 25, 2008 by Landmark Corporation after approval by the Town of Rockport Planning Board as well as this Agreement.

The conditions and restrictions set forth in this instrument shall operate as covenants running with the land and for the benefit of any and all persons or entities who now may own, or who may hereafter own, property referenced in the above referenced deeds, and such persons or entities are specifically given the right to enforce these restrictions through any proceedings, at law or in equity, against any person or persons violating or threatening to violate such restrictions, and to recover any damages suffered by them from any violation of such restrictions.

This agreement shall constitute the entire agreement between the parties hereto.

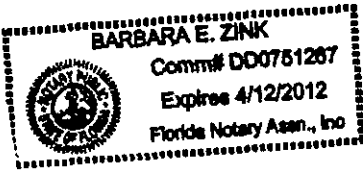
Barbara E. Zink  
Witness

Richard A. Nightingale  
Richard A. Nightingale

STATE OF Florida  
County of Sarasota

Dated: 2-3-2010

Personally appeared before me the above named Richard A. Nightingale and acknowledged the foregoing instrument to be his free act and deed.



Barbara E. Zink  
Notary Public/Attorney at Law

Barbara E. Zink  
Printed name of Notary

Barbara E. Zink  
Witness

James A. Munroe  
James A. Munroe

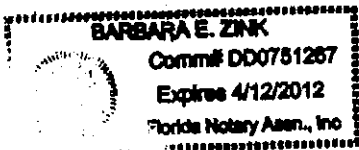
Barbara E. Zink  
Witness

Brenda Ann Munroe  
Brenda Ann Munroe

STATE OF Florida  
County of Sarasota

Dated: 2-3-2010

Personally appeared before me the above named James A. Munroe and acknowledged the foregoing instrument to be his free act and deed.



Barbara E. Zink  
Notary Public/Attorney at Law

Barbara E. Zink  
Printed name of Notary

Karla Grier  
Witness

Ronald Bovasso  
Ronald Bovasso

Karla Grier  
Witness

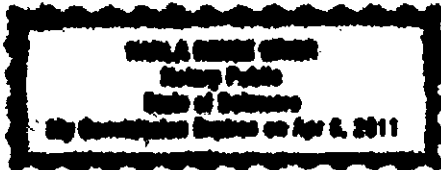
Linda Bovasso  
Linda Bovasso

STATE OF Delaware  
County of NEW CASTLE

Dated: MARCH 10, 2010

Personally appeared before me the above named Ronald Bovasso and acknowledged the foregoing instrument to be his free act and deed.

Karla Gries  
Notary Public/Attorney at Law



Karla Gries  
Printed name of Notary

KNOX SS: RECEIVED

Mar 29, 2010  
at 10:18A  
ATTEST: LISA J SIMMONS  
REGISTER OF DEEDS