

NOTICE OF PUBLIC HEARING
MUNICIPAL OFFICERS OF THE TOWN OF
OLD ORCHARD BEACH

The Municipal Officers of the Town of Old Orchard Beach, Maine hereby give Public Notice that there will be a Public Hearing held at the Town Hall, Council Chambers, on November 21st, 2023, at 6:30 p.m. to consider the following:

Consider a request from Atlantic Developers to accept title in fee simple and to accept and establish town ways those portions of Mary's Way and Kylie Lane, together with any storm water drainage systems located within the right of way of said Mary's Way and Kylie Lane; two 50' x 50' turnaround and snow storage easements located on subdivision plan lots 4 and 5; 12' wide easement off Ross Road, as shown on the _____ plan dated _____, for the purposes of accessing storm water drainage systems within the open space area; 50' wide water, gas, and public access easement across the remaining land of Beaulieu from the terminus of Mary's Way to the Eastern Trail; 5' wide public access easement from Ross Road to Kylie Lane, as shown on the _____ plan dated _____, through the open space area; fire hydrants; street signs; together with the responsibility for trash removal, plowing of roads within the travelled way and all responsibilities of maintaining public road or way, except and specifically excluding a 15' wide utility easement located on subdivision lot 18; 10' wide utility easements located along subdivision lots 5 – 18 and open space area; open space areas; lawn care and maintenance of 12' wide Ross Road access easement, 5' wide public access easement, and 50' wide water, gas and public access easement; mailboxes and snow removal of the mailbox area; sidewalks and sidewalk maintenance including plowing and repairs; landscaping and maintenance of the cul-de-sac on Kylie Lane; street lights; lighting facilities; lampposts; lighting electricity costs; street trees; lawn and yard maintenance within the right of way; lawn irrigation systems within the right of way; storm water drainage systems outside of the right of way; non-traffic control signage such as the development sign. As described in the Warranty Deed from Atlantic Developers to the Town of Old Orchard Beach, Maine, dated,

_____.
, by accepting the Warranty Deed as follows:

WARRANTY DEED

ATLANTIC DEVELOPERS, a Maine corporation with a principal place of business located in Old Orchard Beach, County of York and State of Maine, for consideration paid, hereby grants to the TOWN OF OLD ORCHARD BEACH, a Maine municipal corporation, with a principal place of business and mailing address of 1 Portland Avenue, Old Orchard Beach,

ME 04064, with WARRANTY COVENANTS, for highway purposes and without claim for damages, all of its right, title and interest in the following described real estate, namely:

A certain strip or parcel of land located on the westerly sideline of Ross Road, so-called, in the Town of Old Orchard Beach, County of York and State of Maine and shown as Mary's Way & Kylie Lane on the plan titled "Amended Final Plan, Eastern Trail Estates, Cluster Subdivision, Ross Road, Old Orchard Beach, Maine", prepared by BH2M, Inc. for Ross Road LLC, dated February 2019, approved by the Town of Old Orchard Beach Planning Board on June 13, 2019 and recorded in the York County Registry of Deeds in Plan Book 402, Page 30 to which Plan reference is hereby made for a more particular description of the premises hereby conveyed; together with any storm water runoff systems located within the right of way of said Mary's Way & Kylie Lane, street signs and drainage easement areas located therein or appurtenant thereto, together with the responsibility for trash removal, plowing of roads within the travelled way and all responsibilities of a public road or way, except as excluded below.

Specifically excluding mailboxes and snow removal of the mailbox turnout area; maintenance of the grates covering the sidewalk underdrain and esplanade, trees, landscaping maintenance of the esplanade and trees, streetlights, lighting facilities, lampposts, lighting, electricity costs, for all of which the Grantor reserves and retains an easement for the installation, use and maintenance thereof.

Also specifically excluding sidewalks for which Grantee is granted a public easement over and will maintain except for snow removal which remains the responsibility of Grantor.

Said Mary's Way and Kylie Lane being more particularly described by metes and bounds as follows:

BEGINNING at a granite monument set on the westerly sideline of said Ross Road at the corner of Open Space as shown on aforesaid plan;

THENCE S 21°-28'-53" W along said Open Space a distance of 89.30 feet to a granite monument set and Lot 18 as shown on aforesaid plan;

THENCE in a general northwesterly direction along Lot 18 and along a circular curve to the left (non-tangent to the last described line), circumscribed by a radius of 20.00 feet an arc length of 32.00 feet to a granite monument set; said granite monument set being N 26°-48'-42" W a tie distance of 28.69 feet from said previous granite monument set;

THENCE in a general westerly direction along said Lot 18 and along a circular curve to the left, circumscribed by a radius of 205.00 feet, an arc length of 40.21 feet to a pk nail set in pavement; said pk nail set being N 78°-15'-40" W a tie distance of 40.15 feet from said previous granite monument set;

THENCE N 83°-52'-49" W along said Lot 18, along Lot 17 and along Lot 16 a distance of 207.09 feet to a granite monument set;

THENCE in a general westerly direction along said Lot 16 and along a circular curve to the right, circumscribed by a radius of 255.00 feet, an arc length of 107.32 feet to a pk nail set in pavement; said pk nail set being N 71°-49'-23" W a tie distance of 106.53 feet from said previous granite monument set;

THENCE in a general westerly direction along said Lot 16 and along a circular curve to the left, circumscribed by a radius of 20.00 feet, an arc length of 29.53 feet to a granite monument set; said granite monument set being S 77°-55'-54" W a tie distance of 26.92 feet from said previous pk nail set;

THENCE S 35°-37'-45" W along said Lot 16 and along Lot 15 a distance of 281.59 feet to a granite monument set and Open Space as shown on aforesaid plan;

THENCE in a general southerly direction along said Open Space and along a circular curve to the left, circumscribed by a radius of 125.00 feet, an arc length of 109.70 feet to a granite monument set and Lot 14; said granite monument set being S 10°-29'-13" W a tie distance of 106.22 feet from said previous granite monument set;

THENCE S 14°-39'-19" E along said Lot 14 a distance of 101.14 feet to a granite monument set;

THENCE in a general southerly direction along said Lot 14 and along a circular curve to the right, circumscribed by a radius of 175.00 feet, an arc length of 135.57 feet to a granite monument set and Lot 13; said granite monument set being S 07°-32'-14" W a tie distance of 132.20 feet from said previous granite monument set;

THENCE S 29°-43'-46" W along said Lot 13 a distance of 80.18 feet to a capped iron rod set (PLS #2190);

THENCE in a general southerly direction along said Lot 13 and along a circular curve to the left, circumscribed by a radius of 25.00 feet, an arc length of 24.54 feet to a capped iron rod set (PLS #2190); said capped iron rod to be set being S 01°-36'-15" W a tie distance of 23.57 feet from said previous capped iron rod set;

THENCE in a general circular direction along said Lot 13, along Lot 12, along Lot 11, along Lot 10 and along a circular curve to the right, circumscribed by a radius of 65.00 feet, an arc length of 331.83 feet to a granite monument set; said granite monument set being N 60°-16'-14" W a tie distance of 72.22 feet from said previous capped iron rod set;

THENCE in a general northeasterly direction along said Lot 10 and along a circular curve to the left, circumscribed by a radius of 25.00 feet, an arc length of 24.54 feet to a granite monument set; said granite monument set being N 57°-51'-18" E a tie distance of 23.57 feet from said previous granite monument set;

THENCE N 29°-43'-46" E along said Lot 10 a distance of 80.18 feet to a pk nail set in pavement;

THENCE in a general northerly direction along said Lot 10, along Lot 9 and along a circular curve to the left, circumscribed by a radius of 125.00 feet, an arc length of 96.83 feet to a granite monument set; said granite monument set being N 07°-32'-14" E a tie distance of 94.43 feet from said previous pk nail set;

THENCE N 14°-39'-19" W along said Lot 9 a distance of 101.14 feet to a granite monument set and Lot 8 as shown on aforesaid plan;

THENCE in a general northerly direction along said Lot 8, along Lot 7 and along a circular curve to the right, circumscribed by a radius of 175.00 feet, an arc length of 153.59 feet to a granite monument set; said granite monument set being N 10°-29'-13" E a tie distance of 148.70 feet from said previous granite monument set;

THENCE N 35°-37'-45" E along said Lot 7, along Lot 6 and along Lot 5 a distance of 273.47 feet to a granite monument set;

THENCE in a general northerly direction along said Lot 5 and along a circular curve to the left, circumscribed by a radius of 20.00 feet, an arc length of 33.22 feet to a granite monument set; said granite monument set being N 11°-57'-01" W a tie distance of 29.53 feet from said previous granite monument set;

THENCE N 59°-31'-47" W along said Lot 5 and along Open Space a distance of 166.47 feet to a capped iron rod set (PLS #2190) and remaining land of Kevin L. & Steven N. Beaulieu;

THENCE N 36°-07'-12" E along the remaining land of said Beaulieu a distance of 50.24 feet to a capped iron rod set (PLS #2190) and Open Space;

THENCE S 59°-31'-47" E along said Open Space, along Lot 4 and along Lot 3 a distance of 250.76 feet to a granite monument set;

THENCE in a general easterly direction along said Lot 3, along Lot 2 and along a circular curve to the left, circumscribed by a radius of 205.00 feet, an arc length of 87.12 feet to a granite monument set; said granite monument set being S 71°-42'-18" E a tie distance of 86.47 feet from said previous granite monument set;

THENCE S 83°-52'-49" E along said Lot 2 and along Lot 1 a distance of 207.09 feet to a granite monument set;

THENCE in a general easterly direction along said Lot 1 and along a circular curve to the right, circumscribed by a radius of 255.00 feet, an arc length of 55.99 feet to a granite monument set and said Open Space; said granite monument set being S 77°-35'-23" E a tie distance of 55.88 feet from said previous granite monument set;

THENCE in a general northeasterly direction along said Open Space and along a circular curve to the left, circumscribed by a radius of 20.00 feet, an arc length of 30.45 feet to the point of beginning, said point of beginning being N 65°-05'-28" E a tie distance of 27.59 feet from said previous granite monument set;

The above described Mary's Way and Kylie Lane contain 81,921 s.f. (1.88 acres). All bearings refer to grid north.

The above described parcel is conveyed together with a certain 15 foot wide utility easement located on Lot 18 along the southeasterly sideline of said Ross Road and shown on the aforesaid plan for a more particular description.

Also, conveyed together with a certain 10-foot wide utility easement located along Lots 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, Open Space, Lot 15, 16, 17 & 18 and shown on the aforesaid plan for a more particular description.

Also, together with two 50'x 50' easements for permanent turnaround & snow storage located on Lot 4 and Lot 5 and shown on the aforesaid plan for a more particular description.

Also, together with a certain 50-foot wide easement for water & gas and public access across the remaining land of Beaulieu from the terminus of the above described Mary's Way to the Eastern Trail as shown on the aforesaid plan for a more particular description.

WITNESS my hand this _____ day of November, 2023.

ATLANTIC DEVELOPERS

Witness

By: _____
Kevin Beaulieu, President

STATE OF MAINE
YORK, SS.

November ____, 2023

Personally appeared the above-named Kevin Beaulieu, President of Atlantic Developers, and acknowledged the foregoing instrument to be his free act and deed in said capacity.

Before me,

Notary Public / Attorney at Law

Printed Name: _____

Per Order of the Municipal Officers this 17th day of October, 2023.

A True Copy
Attest:

s/Kim McLaughlin
Kim M. McLaughlin, Town Clerk