

## WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS, that **FRYE ISLAND, INC.**, a Maine corporation, for consideration paid, GRANTS TO the **TOWN OF FRYE ISLAND, MAINE**, a Maine municipal corporation, whose mailing address is 1 Sunset Road, Frye Island, ME 04071, with WARRANTY COVENANTS, the land in the Town of Frye Island (formerly a part of the Town of Standish), Maine, described as follows:

See Exhibit A attached hereto and made a part hereof.

The foregoing properties are conveyed SUBJECT TO the perpetual restrictive covenant that they shall be used for the exclusive benefit of the owners of real property located on Frye Island in said Town, and the guests and invitees of said owners, and that sole final control and budgeting responsibility for the properties shall be held by the Town of Frye Island Board of Island Trustees and the sole control and responsibility for the operation of said properties shall be held by the Town of Frye Island Executive Committee. Upon a breach of the foregoing covenants as determined by the Board of Island Trustees which is not cured upon 180 days notice to the Grantee and opportunity to cure, then title to said properties shall revert to the Grantor herein upon execution of a notice signed by the Grantor and recorded in the Cumberland County Registry of Deeds. The foregoing restrictive covenants and rights of reverter shall be exclusively enforced and administered on behalf of all lot owners by the Board of Island Trustees established and elected pursuant to Article VI, Section 1 of the Charter of the Town of Frye Island as it may be amended, and any successor thereto.

Generally being a portion of the premises described in a deed from Frye Island Estates, Inc. to the Grantor herein dated January 31, 1977 and recorded in the Cumberland County Registry of Deeds in Book 3820, Page 243, subject to the exceptions, reservations and restrictions set forth therein.

IN WITNESS WHEREOF, the undersigned have/has caused this instrument to be signed and sealed on \_\_\_\_\_, 2004.

**FRYE ISLAND, INC.**

\_\_\_\_\_  
Witness

By: \_\_\_\_\_  
Wayne Fournier, its Manager

State of Maine

County of Cumberland, ss

\_\_\_\_\_, 2004

Then personally appeared before me the above named Wayne Fournier in his said capacity and acknowledged the foregoing to be his free act and deed and the free act and deed of said corporation.

Before me,

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

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

EXHIBIT A

1. **Lot 1 and Dock Area.** Subdivision lot # 1, the office building thereon and the "Dock Area" between lots #1 and #2, together with the dock, and the "Commercial Area" and all related buildings, facilities and appurtenances, as shown on the Subdivision Plan of Sebago Lake Shores, Frye Island, Sebago Lake" complied by Wright, Pierce, Barnes and Wyman as recorded in the Cumberland County Registry of Deeds in Plan Book 100, Page 40 (the "Subdivision Plan"), subject to all restrictions, easements and rights of record.

Also hereby conveying a portion of the adjoining Earnhardt Lot as shown on the Subdivision Plan conveyed by Eric N. Bedell et al to Frye Island, Inc. by deed dated March 27, 1998 and recorded in said Registry of Deeds in Book 13868, Page 200 consisting of the land underneath a building encroachment, reference being made to a plan prepared by Main Land Development Consultants dated June 2003

Meaning and intending to convey and hereby conveying property generally described as Lot #1 and the building currently being used as the Town of Frye Island Administrative Offices including the adjacent land identified as "Water Oriented Commercial" on the Town of Frye Island Land Use Map dated September 1, 2003 (edited 09-05-03) on file at the offices of the grantee herein (the "Land Use Map") and all related improvements and assets of the Grantor, including without limitation, all associated equipment, facilities and property.

2. **Lot 2.** Subdivision lot #2, the building thereon now utilized as a post office and all related buildings, facilities and appurtenances, as shown on the Subdivision Plan, subject to all restrictions, easements and rights of record.

Meaning and intending to convey and hereby conveying property generally described as Lot #2 and the building currently being used as the Town of Frye Island Post Office and all related improvements and assets of the Grantor including without limitation, all associated equipment, facilities, and property

3. **Golf Course.** "Running Hills Golf Course" as shown on the Subdivision Plan, including without limitation the "Parking Lot" located at the intersection of Ridge Road (shown as Independence Way on later maps) and Fairway Lane, the club house, maintenance building, irrigation system, lot #1700 and all developed and undeveloped land, subject to all restrictions, easements and rights of record.

Meaning and intending to convey and hereby conveying property generally described as Frye Island Golf Course, and all Golf Course related improvements and assets of the Grantor, including without limitation, all associated equipment, facilities and land described as "Running Hills Golf Course" the Fire Station and Maintenance Building as shown on the

Land Use Map subject to all restrictions, easements and rights of record, (including the undeveloped nine holes).

Excepting and reserving the Recreational Area as shown on the Subdivision Plan and the 20 foot wide strips abutting or leading to the Golf Course Area.

4. **Marina.** The Marina facility located at the southerly end of Frye Island, consisting of Lots #1995, #1996 and #1999 and land not specifically labeled on the Subdivision Plan bounded by the upland edge of the beach area on Sebago Lake, the Priest Lot and the extension northerly of the westerly boundary of the Priest Lot (a/k/a #508), Lots #1365 through #1382, and Marina Road as shown on the Subdivision Plan, and further including all rights to the docks, floats and ramps and to the dredged bottom and inlet leading to Sebago Lake. *Subject to* the rights of the sixty-five (65) Equity Rights Certificate holders, their heirs and assigns, to be exclusively held and used by the owners of property located on Frye Island in accordance with the Frye Island Yacht Club Operations Policy Handbook as it may be amended from time.

Also hereby conveying Lots #1500, #1557, #1556, #236, #235, #232, #231 and #230 as shown on the Subdivision Plan, sometimes known as the Quail Circle Canal.

Meaning and intending to convey and hereby conveying property generally described as Marina and Quail Circle Canal, and all the Marina related improvements and assets of the Grantor, including without limitation, all docks, facilities, and property, subject to all restrictions, easements and rights of record.

Also hereby conveying all rights with respect to the foregoing properties which were reserved to LEISURE LIVING COMMUNITIES, INC., its successors and assigns in the conveyances of numbered residential lots

Reference is made to a prior conveyance of property located in the Town of Raymond, Maine from the Grantor to the Grantee dated July 7, 2003 and recorded in said Registry of Deeds in Book 20471, Page 265 and the conveyance of Lot 1659 and the water system assets dated December 31, 2001 and recorded in said Registry of Deeds in Book 17449, Page 145.

The acceptance of the foregoing properties was approved at the Town meeting held on July 3, 2004.