

# NOTICE OF LAYOUT AND TAKING

The State of Maine by its Department of Transportation does hereby give notice to all whom it may concern:

That the Department of Transportation in accordance with the authority of Title 23 M.R.S. Section 651, has determined that public exigency requires the altering, widening, changing the grade, changing the drainage, laying out and establishing of a portion of State Aid Highway No. 1 (Route 73/Spruce Head Road) in the Town of South Thomaston, County of Knox.

That the Department of Transportation, in accordance with Title 23 M.R.S. Sections 701 and 651, has laid out the location of a portion of State Aid Highway No. 1 (Route 73/Spruce Head Road) in the said Town of South Thomaston.

That the Department of Transportation, in accordance with Title 23 M.R.S. Sections 651 and 151 to 159, has determined that public exigency requires the taking of all land, buildings and rights in land within or adjacent to the boundary lines as herein set forth and described and as shown on a Right-of-Way Map, State Aid Highway No. 1 (Route 73/Spruce Head Road), Town of South Thomaston, Federal Aid Project No. STP-2048(500), (W.I.N. 020485.00), dated September 2016, on file in the Office of the Department of Transportation, (D.O.T. File No. 7-164) and to be recorded in the Registry of Deeds of Knox County, a print of which is on file in the office of the County Commissioners of Knox County.

## DESCRIPTION OF FEE TAKING

All land, buildings, improvements, and rights in land within the following described boundaries, which are located with respect to the following described Base Lines are taken in fee simple:

### Base Line Descriptions

#### State Aid Highway No. 1 (Route 73/Spruce Head Road) Base Line

Beginning at a point in the present traveled way of State Aid Highway No. 1 (Route 73/Spruce Head Road), said point being about ten hundred seventy-five (1075) feet southwesterly of the Weskeag River and designated as P.C. Station 200+23.54;

Thence northeasterly by a 03°08'53.2" curve to the right, two hundred seventy-two and nineteen hundredths (272.19) feet to P.C.C. Station 202+95.73;

Thence northeasterly by a 05°06'56.5" curve to the right, one hundred sixty-six and three hundredths (166.03) feet to P.C.C. Station 204+61.76;

Thence northeasterly by an 08°40'52.2" curve to the right, one hundred seventy-seven and seventy-eight hundredths (177.78) feet to P.C.C. Station 206+39.54;

Thence northeasterly by a 00°40'26.6" curve to the right, four hundred twenty-three and sixty-three hundredths (423.63) feet to P.T. Station 210+63.17;

Thence N. 75°50'04.0" E. and crossing the Weskeag River, one hundred eleven and five hundredths (111.05) feet to P.C. Station 211+74.22;

Thence northeasterly by a 02°01'28.5" curve to the right, one hundred seventy-three and seventy hundredths (173.70) feet to P.R.C. Station 213+47.92;

Thence northeasterly by a 114°35'29.6" curve to the left, sixty and sixty-nine hundredths (60.69) feet to P.R.C. Station 214+08.61;

Thence northeasterly by a 01°12'50.0" curve to the right, one hundred thirty-seven and twenty-seven hundredths (137.27) feet to P.C.C. Station 215+45.88;

Thence northeasterly by a 03°49'11.0" curve to the right, one hundred thirty-two and thirty-eight hundredths (132.38) feet to P.T. Station 216+78.26, at a point in the present traveled way of State Aid Highway No. 1 (Route 73/Spruce Head Road).

#### State Aid Highway No. 4 (Dublin Road) Base Line

Beginning on the State Aid Highway No. 1 (Route 73/Spruce Head Road) Base Line at Station 213+80.54, which point equals P.C. Station 10+00.00 on the State Aid Highway No. 4 (Dublin Road) Base Line;

Thence southeasterly and easterly by a 168°31'01.2" curve to the left, thirty and twenty-four hundredths (30.24) feet to P.C.C. Station 10+30.24;

Thence northeasterly by a 05°52'35.4" curve to the left, one hundred sixty-two and seventy-seven hundredths (162.77) feet to P.T. Station 11+93.01;

Thence N. 71°27'08.5" E. fifty-one and ninety-nine hundredths (51.99) feet to Station 12+45.00, at a point in the present traveled way of State Aid Highway No. 4 (Dublin Road).

### Boundary Line Descriptions

#### Northwesterly Boundary Line

Beginning on the State Aid Highway No. 1 (Route 73/Spruce Head Road) Base Line at about Station 207+83;

Thence northwesterly along a line normal to the Base Line, about thirty-two (32) feet to a point in the present northerly line of State Aid Highway No. 1 (Route 73/Spruce Head Road);

Thence northeasterly and northerly along the present northerly and westerly line of State Aid Highway No. 1 (Route 73/Spruce Head Road), as the same may run, about six hundred four (604) feet to a point about twenty-seven (27) feet westerly from and as measured along a line at right angles to the Base Line at P.R.C. Station 214+08.61;

Thence easterly along said right angle line to the Base Line, at the northwesterly end of the Southeasterly, Easterly and Northerly Boundary Line hereinafter described.

#### Southeasterly, Easterly and Northerly Boundary Line

Beginning on the State Aid Highway No. 1 (Route 73/Spruce Head Road) Base Line, at about Station 207+83;

Thence southeasterly along a line normal to the Base Line about thirty-four (34) feet to a point in the present southerly line of State Aid Highway No. 1 (Route 73/Spruce Head Road);

Thence southwesterly along the present easterly line of land now or formerly of Elsie N. Brown, Trustee, Wayne A. Brown, Trustee, of the Elsie N. Brown Living Trust, and the present westerly line of land now or formerly of Elsie N. Brown, about six (6) feet to a point forty (40) feet southerly from and as measured along a line normal to the Base Line at about Station 207+81;

Thence northeasterly along a curved line, forty (40) feet southerly from and concentric with the Base Line, about two hundred eighty-one (281) feet to a point forty (40) feet southeasterly from and as measured along a line at right angles to the Base Line at P.T. Station 210+63.17;

Thence N. 75°50'04.0" E. one hundred eleven and five hundredths (111.05) feet to a point forty (40) feet south-easterly from and as measured along a line at right angles to the Base Line at P.C. Station 211+74.22;

Thence northeasterly along a curved line, forty (40) feet southeasterly from and concentric with the Base Line, one hundred seventy-one and twenty-four hundredths (171.24) feet to a point forty (40) feet southeasterly from and as measured along a line at right angles to the Base Line at P.R.C. Station 213+47.92;

Thence northeasterly by a direct course, fifty-five and ninety-four hundredths (55.94) feet to a point thirty (30) feet southeasterly from and as measured along a line normal to the State Aid Highway No. 4 (Dublin Road) Base Line at P.C.C. Station 10+30.24;

Thence northeasterly by a direct course, twenty-two and sixty hundredths (22.60) feet to a point twenty and no hundredths (20.00) feet southerly from and as measured along a line normal to the State Aid Highway No. 4 (Dublin Road) Base Line at Station 10+50.00;

Thence northerly along said normal line to the State Aid Highway No. 4 (Dublin Road) Base Line;

Thence northeasterly along the State Aid Highway No. 4 (Dublin Road) Base Line one hundred forty-three and one hundredth (143.01) feet to P.T. Station 11+93.01;

Thence N. 71°27'08.5" E. along the Base Line, sixteen and ninety-nine hundredths (16.99) feet to Station 12+10.00;

Thence northwesterly along a line at right angles to State Aid Highway No. 4 (Dublin Road) Base Line twenty-one and no hundredths (21.00) feet to a point;

Thence S. 71°27'08.5" W. sixteen and ninety-nine hundredths (16.99) feet to a point twenty-one (21) feet northwesterly from and as measured along a line at right angles to the State Aid Highway No. 4 (Dublin Road) Base Line at P.T. Station 11+93.01;

Thence southwesterly along a curved line, twenty-one (21) feet northwesterly from and concentric with the State Aid Highway No. 4 (Dublin Road) Base Line about one hundred forty-two (142) feet to a point in the present easterly line of State Aid Highway No. 1 (Route 73/Spruce Head Road), said point being twenty-one (21) feet northerly from and as measured along a line normal to the State Aid Highway No. 4 (Dublin Road) Base Line at about Station 10+48;

Thence northeasterly along the present easterly line of State Aid Highway No. 1 (Route 73/Spruce Head Road) about four (4) feet to a point about thirty-one (31) feet easterly from and as measured along a line at right angles to the State Aid Highway No. 1 (Route 73/Spruce Head Road) Base Line at P.R.C. Station 214+08.61;

Thence westerly along said right angle line to the Base Line at the northeasterly end of the Northwesterly Boundary Line hereinafter described.

## EXCEPTIONS AND RESERVATIONS

There is excepted and reserved from the before described taking in fee simple:

All existing utility company rights-of-way and/or easements, however acquired, and located within the aforedescribed boundaries, EXCEPTING any that may be specifically set forth in the hereinafter Informative Summary.

## DESCRIPTIONS OF EASEMENT AND/OR RIGHTS TAKING

The following described easement and/or rights in land are taken at the locations, in the manner, to the extent specified and as shown on the right-of-way map hereinbefore mentioned:

### SLOPES

The right to enter, clear, grub and/or construct, and maintain slopes of the highway, as long as they are necessary for highway purposes, on land outside of and adjoining the before-referenced highway boundary lines and within the limits defined by the "Slope Easement Limits" as shown on the before-mentioned right-of-way map, at the following locations:

Parcel/Item	Apparent Owner	Location and Station
6	Elsie N. Brown, Trustee Wayne A. Brown, Trustee Elsie N. Brown Living Trust	Right of Base Line at Sta. 209+65 to Sta. 211+00
7	Marcia B. Whitten	Left of Base Line at Sta. 210+00 to Sta. 211+00
9	Clement C. Woodhull Joan P. Woodhull	Left of Base Line at Sta. 211+90 to Sta. 212+00

### OUTLET DRAINAGE STRUCTURE EASEMENT

The perpetual right to enter upon land outside of and adjoining the boundary lines of the above-referenced highway for all purposes necessary to install, construct, maintain, repair, remove and/or replace an outlet drainage structure and to flow water through and from the same over and across adjoining land in the direction specified, as shown on the above-referenced Right of Way map, at the following locations:

Parcel/Item	Apparent Owner	Location: Lt./Rt.	Direction of Flow
7	Marcia B. Whitten	Sta. 209+00 to Sta. 210+00 Lt.	Northeasterly
9	Clement C. Woodhull Joan P. Woodhull	Sta. 212+00 to Sta. 212+75 Lt.	Westerly

## CONSTRUCTION AND MAINTENANCE EASEMENT

The perpetual right to enter upon land outside of and adjoining the boundary lines of the above-referenced highway for all purposes necessary to construct, install, maintain, repair, remove and/or replace structures appurtenant to the Project as listed by type, below, within the limits defined by the "Construction and Maintenance Easement Limits" as shown on the above-referenced Right of Way map, at the following locations:

Parcel/Item	Apparent Owner	Type	Location Lt./Rt.
1	Regional School Unit #13	Sidewalk	Sta. 201+10 to
7	Marcia B. Whitten	Wingwall	P.T. Sta. 210+63.17 to
9	Clement C. Woodhull Joan P. Woodhull	Wingwall	Sta. 211+60 to Sta. 211+90 Lt.

## TEMPORARY CONSTRUCTION RIGHTS

The right, for the duration of the period of the Project construction as determined by the date of completion of construction according to the records of the Department of Transportation, to enter upon land outside of and adjoining the boundary lines of the above-referenced highway to perform the work as set forth below within the limits defined as "Temporary Construction Limits" as shown on the above-referenced Right-of-Way map.

Said right may include, but is not limited to, necessary excavating, placing of fill material, curbing, loaming, seeding, paving, installation of structures, removal of trees, shrubs, bushes and other growth, selective cutting, trimming, and other necessary incidental work in grading said adjoining land, in addition to the temporary placement of utility poles including all related fixtures, overhead wires, guys, etc. in order to allow for project construction in accordance with all governing regulations and other requirements of law.

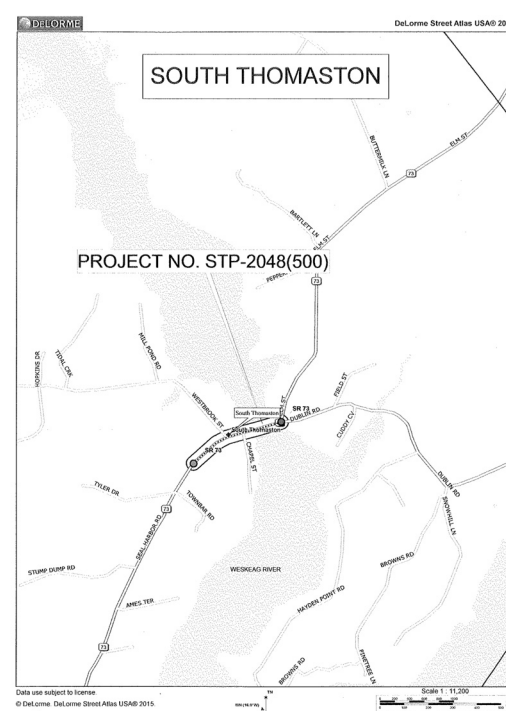
Parcel/Item	Apparent Owner	Location: Lt./Rt.
3	Elsie N. Brown Wayne A. Brown	Sta. 205+50 to Sta. 205+73 Rt.
4	Elsie N. Brown, Trustee Wayne A. Brown, Trustee Elsie N. Brown Living Trust	Sta. 205+71 to Sta. 205+95 Rt.
7	Marcia B. Whitten	Sta. 209+00 to Sta. 209+40 Lt.

Parcel/Item	Apparent Owner	Location: Lt./Rt.
11	Town of South Thomaston	Sta. 10+48 to Sta. 12+06 Left S.A.H. No. 4 (Dublin Road) Base Line
12	Fred L. Allen, II Sharon A. Allen	Sta. 213+40 to Sta. 213+81 Lt.
14	Owner Unknown	Sta. 201+23 to Sta. 201+40 Rt.

## INFORMATIVE SUMMARY

The following is a list summarizing the parcel or item numbers, names of apparent owners of record of land and rights involved, estimated areas, and rights affected, within and adjacent to the before-referenced highway boundaries, as shown on the before-mentioned right-of-way map:

Parcel/Item No.	Apparent Owner	Area	Slopes	Drainage Const. Rights	Temp. & Bldgs.	Other Rights
1	Regional School Unit #13	None	None	None	None	Const. & Maint. Ease.
3	Elsie N. Brown Wayne A. Brown	None	None	None	Yes	None
4	Elsie N. Brown, Trustee Wayne A. Brown, Trustee Elsie N. Brown Living Trust	None	None	None	Yes	None
5	Elsie N. Brown	535± Sq. Ft.	None	None	None	None
6	Elsie N. Brown, Trustee Wayne A. Brown, Trustee Elsie N. Brown Living Trust	0.08± Ac.	Yes	None	None	None
7	Marcia B. Whitten	None	Yes	Yes	Yes	Const. & Maint. Ease.
8	G.R. Gray Smith	0.05± Ac.	None	None	None	None
9	Clement C. Woodhull Joan P. Woodhull	None	Yes	Yes	None	Const. & Maint. Ease.
10	Town of South Thomaston	0.05± Ac.	None	None	None	None
11	Town of South Thomaston	0.08± Ac.	None	None	Yes	None
12	Fred L. Allen, II Sharon A. Allen	None	None	None	Yes	None
14	Owner Unknown	None	None	None	Yes	None



SOUTH THOMASTON  
STP-2048(500)  
WIN: 020485.00

The Department of Transportation directs that this Notice of Layout and Taking be recorded in the Registry of Deeds of Knox County and filed with the Town Clerk of the Town of South Thomaston and with the County Commissioners of Knox County and published in the "Courier-Gazette-Camden Herald" a newspaper of general circulation in the County where said highway is located, and also directs that a copy of the Right-of-Way Map be filed with the County Commissioners of said County and also that Notice be sent by Certified Mail to any Owners and Mortgagees of Recorded

Dated at Augusta, Maine

STATE OF MAINE  
DEPARTMENT OF TRANSPORTATION

11-21-16  
Date

David Bernhardt, Commissioner

STATE OF MAINE  
COUNTY OF KENNEBEC

Date: 11-21-16

Personally appeared the above named David Bernhardt, Commissioner, Department of Transportation, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of the State of Maine.

Before me,   
Notary Public  
Rebekah Pushard  
My Commission Expires: 6-11-2021