SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS AFFECTING
COLLEY HILL ESTATES
Located in
Gray, Cumberland County, Maine

This Second Amendment to the Declaration of Covenants, Conditions, Restrictions and Easements of Colley Hill Estates, is executed as of this 17th day of April, 2019 by the undersigned Lot Owners representing at least sixty-six percent (66%) of the owners of all lots of Colley Hill Estates, with approval of the Gray Planning Board:

WITNESSETH:

WHEREAS, Lot Owners own certain parcels of land in the Town of Gray, Maine, all of which are portions of certain land shown as Lots 1-16 on a plan entitled "Colley Hill Estates on Lewiston Road, Gray, Maine for Edward C. Webb" dated July 1999, as amended, prepared by Wayne Wood & Co. and recorded in the Cumberland County Registry of Deeds in Plan Book 200, Page 186 (hereinafter referred to as the "Subdivision Plan"); and

WHEREAS, Colley Hill Associates, by Declaration dated June 6, 2000, recorded in the Cumberland County Registry of Deeds in Book 15518, Page 8, subjected the lots shown on the Subdivision Plan to certain covenants, conditions, reservations and easements, which Declaration was amended by First Amendment to the Declaration of Covenants, Conditions, Restrictions and Easements affecting Colley Hill Estates dated October 8, 2008, executed by Declarant and sixty-six percent (66%) or more of the owners of all lots of Colley Hill Estates, and approved by the Town of Gray Planning Board, recorded in said Registry of Deeds in Book 26425, Page 1 (said Declaration dated June 6, 2000 as amended hereinafter referred to as the "Declaration"); and

WHEREAS, Article B Section 1.d. of the Declaration created certain view easements shown as "view corridors" on the plan entitled "View Corridor Plan, Colley Hill Estates" dated April 2000 and recorded in said Registry of Deeds in Plan Book 200, Page 245 (the "View Plan"), a copy of which plan is attached hereto as Exhibit A; and

WHEREAS, the Owners of Lot 9 and Lot 10 no longer desire the continued existence of the most westerly view easement affecting Lots 9 and 10 and the parcel adjacent to Lot 8 owned by the owner of Lot 8, which is identified as "Westerly View Corridor" on the enlarged section of the View Plan attached hereto as Exhibit B; and

WHEREAS, the undersigned Lot Owners desire to amend the Declaration by releasing and terminating the view easement within the Westerly View Corridor as hereinafter provided, with the approval of the Town of Gray Planning Board; and

WHEREAS, the Declarant under the Declaration no longer owns any lots in Colley Hill Estates and no longer exercises any rights as Declarant under the Declaration.

NOW THEREFORE, in consideration of these premises, the undersigned Lot Owners hereby amend the Declaration as follows:

1. The view easements created by Article B Section 1.d. of the Declaration shall no longer include the Westerly View Corridor on Lots 9 and 10 and the parcel adjacent to Lot 8, as shown in bold cross-hatch on Exhibit B attached hereto. All view easement rights within this Westerly View Corridor are hereby released and terminated.

2. Except as herein amended the Declaration shall remain unchanged and in full force and effect.

3. This Second Amendment may be executed in any number of counterpart originals, each such counterpart original shall be deemed to be an original document, and all such counterpart originals taken together shall constitute one instrument.

IN WITNESS WHEREOF, this instrument has been executed by the undersigned Lot Owners as of this 17th day of April, 2019, and approved by the Town of Gray Planning Board.

Printed Name: Zhen Bin Huang
Co-Owner of Lot 10

Xiao Mei Huang
Printed Name: Xiao Mei Huang
Co-Owner of Lot 10

STATE OF MAINE
COUNTY OF CUMBERLAND

13 April, 2019

Then personally appeared the above named Zhen Bin Huang and acknowledged the foregoing instrument to be his free act and deed.

Before me,

JENNIFER L MORRELL
Notary Public - Maine
My Commission Expires
November 6, 2023

Notary Public/Maine Attorney-at-Law
Printed Name: Jennifer L Morrell
My commission expires: 11/6/2023

STATE OF MAINE
COUNTY OF CUMBERLAND

13 April, 2019

Then personally appeared the above named Xiao Mei Huang and acknowledged the foregoing instrument to be her free act and deed.

Before me,

JENNIFER L MORRELL
Notary Public - Maine
My Commission Expires
November 6, 2023

Notary Public/Maine Attorney-at-Law
Printed Name: Jennifer L Morrell
My commission expires: 11/6/2023.

APPROVED BY
TOWN OF GRAY PLANNING BOARD
Date: 5/9/2019, 2019

By:

Witness

Witness

Witness

Witness

Printed Name: Gregory A. Rand
Co-Owner of Lot 1

Printed Name: Judith A. Rand
Co-Owner of Lot 1

Printed Name: Merlon F. Emery
Co-Owner of Lot 2

Printed Name: Valerie G. Emery
Co-Owner of Lot 2

Witness

Witness

Witness

Witness

Witness

Witness

Witness

Witness

Witness

Witness

Witness

Printed Name: Hendricus J. Lulofs
Co-Owner of Lot 3

Printed Name: Ann H. Lulofs
Co-Owner of Lot 3

Printed Name: Justin W. Tennant
Co-Owner of Lot 4

Printed Name: Shelby M. Poduch
Co-Owner of Lot 4

Printed Name: Randall S. Whitney
Owner of Lot 5

Printed Name: Stewart B. Murray
Owner of Lot 6

Printed Name: David C. Pollard
Co-Owner of Lot 7

Printed Name: Carol Pollard
Co-Owner of Lot 7

Printed Name: Donald J. Richard
Co-Owner of Lot 8

Printed Name: Karrie H. Richard
Co-Owner of Lot 8

Printed Name: Thomas J. Hebert
Co-Owner of Lot 11

Witness

Witness

Witness

Witness

Witness

Witness

Witness

Witness

Printed Name: Sherry L. Hebert
Co-Owner of Lot 11

Printed Name: Rita F. Hunt
Owner of Lot 12

Printed Name: Daniel F. Chick
Owner of Lot 13

Printed Name: ~~Daryn S.~~ Watt
Co-Owner of Lot 14 Julie E.

Printed Name: ~~Julie E.~~ Watt
Co-Owner of Lot 14 Daryn S.

Printed Name: Ronald M. Carpentier
Co-Owner of Lot 15

Printed Name: Jeanne L. Carpentier
Co-Owner of Lot 15

Printed Name: Nicholas A. Gieringer
Co-Owner of Lot 16

Printed Name: Nicole L. Gieringer
Co-Owner of Lot 16

Witness

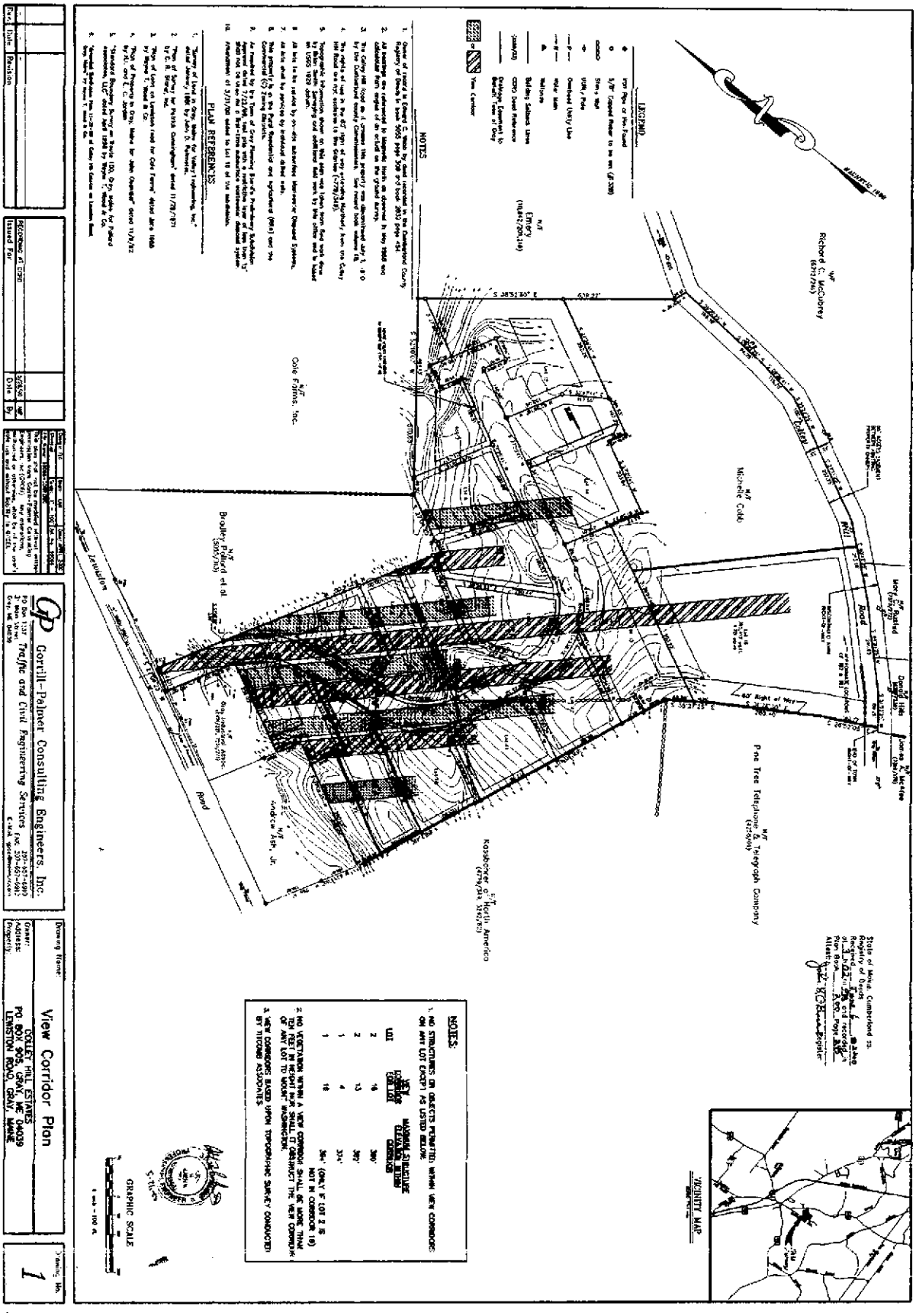
Witness

Printed Name: Tony Mei
Co-Owner of Lot 9

Printed Name: Yan Mei Chan Mei
Co-Owner of Lot 9

EXHIBIT A

See Next Page
[Copy of View Corridor Plan, Colley Hill Estates dated April 2000 and recorded in Cumberland County Registry of Deeds in Plan Book 200, Page 245]



Gorrill-Palmer Consulting Engineers, Inc.
Traffic and Civil Engineering Services

Drawing Name: View Corridor Plan

Owner: DOLLEY HILL ESTATES
Address: PO BOX 905, GRAY, ME 04039
Property: LEWISTON ROAD, GRAY, MAINE

Drawing No. 1

EXHIBIT B

See Next Page
[Enlarged Section of View Corridor Plan Showing Lots 8, 9 and 10]

DOC :19225 BK:35634 PG:87
RECEIVED - RECORDED, CUMBERLAND COUNTY REGISTER OF DEEDS
05/10/2019, 10:12:56A
Register of Deeds Nancy A. Lane E-RECORDED

