PROPERTY LOCATED AT: **36 Chimney Rock Road, Temple, ME 04984**

# PROPERTY DISCLOSURE – LAND ONLY

Under Maine Law, certain information must be made available to buyers prior to or during preparation of an offer. This statement has been prepared to assist prospective buyers in evaluating this property. This disclosure is not a warranty of the condition of the property and is not part of any contract between Seller and any Buyer. Seller authorizes the disclosure of the information in this statement to real estate licensees and to prospective buyers of this property. The Seller agrees to provide prompt notice of any changes in the information and this form will be appropriately changed with an amendment date. Inspections are highly recommended.

**DO NOT LEAVE ANY QUESTIONS BLANK. STRIKE, WRITE N/A OR UNKNOWN IF NEEDED.**

## SECTION I – HAZARDOUS MATERIAL

The licensee is disclosing that the Seller is making representations contained herein.

A. UNDERGROUND STORAGE TANKS - Are there now, or have there ever been, any underground storage tanks on your property? ..... ☐ Yes ☒ No ☐ Unknown

~~If Yes: Are tanks in current use?~~ ☐ Yes ☐ No ☐ Unknown

~~If no longer in use, how long have they been out of service?~~

~~If tanks are no longer in use, have tanks been abandoned according to DEP?~~ ☐ Yes ☐ No ☐ Unknown

~~Are tanks registered with DEP?~~ ☐ Yes ☐ No ☐ Unknown

~~Age of tank(s):~~ ~~Size of tank(s):~~

~~Location:~~

~~What materials are, or were, stored in the tank(s):~~

~~Have you experienced any problems such as leakage:~~ ☐ Yes ☐ No ☐ Unknown

Comments: **Seller is not aware of any**

Source of information: **Seller**

B. OTHER HAZARDOUS MATERIALS - Current or previously existing:

TOXIC MATERIAL: ..... ☐ Yes ☒ No ☐ Unknown

LAND FILL:..... ☐ Yes ☒ No ☐ Unknown

RADIOACTIVE MATERIAL:..... ☐ Yes ☒ No ☐ Unknown

METHAMPHETAMINE:..... ☐ Yes ☒ No ☐ Unknown

Comments: **Seller is not aware of any**

Source of information: **Seller**

**Buyers are encouraged to seek information from professionals regarding any specific issue or concern.**

Buyer Initials ____ ____ ____ ____ Page 1 of 4 Seller Initials SG ____ ____ ____

PROPERTY LOCATED AT: **36 Chimney Rock Road, Temple, ME 04984**

## SECTION II – ACCESS TO THE PROPERTY

Is the property subject to or have the benefit of any encroachments, easements, rights-of-way, leases, rights of first refusal, life estates, private ways, trails, homeowner associations (including condominiums and PUD's) or restrictive covenants? ..... [X] Yes [ ] No [ ] Unknown

If Yes, explain: **Deed Restrictions, Homeowner Association, trails and easements**

Source of information: **Deed, Survey, and Seller**

Is access by means of a way owned and maintained by the State, a county, or a municipality over which the public has a right to pass?..... [ ] Yes [X] No [ ] Unknown

If No, who is responsible for maintenance? **Lot Owners of "Mountain View" Subdivision**

Road Association Name (if known): **Mountain View Association**

Source of information: **Seller, Deed, and Survey**

## SECTION III – FLOOD HAZARD

For the purposes of this section, Maine law defines "flood" as follows:

(1) A general and temporary condition of partial or complete inundation of normally dry areas from:(a) The overflow of inland or tidal waters; or (b) The unusual and rapid accumulation or runoff of surface waters from any source; or

(2) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm or by an unanticipated force of nature, such as a flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event that results in flooding as described in subparagraph (1), division (a).

For purposes of this section, Maine law defines "area of special flood hazard" as land in a floodplain having 1% or greater chance of flooding in any given year, as identified in the effective federal flood insurance study and corresponding flood insurance rate maps.

During the time the seller has owned the property:

Have any flood events affected the property? ..... [ ] Yes [X] No [ ] Unknown

If Yes, explain: ----------

Have any flood events affected a structure on the property? ..... [ ] Yes [X] No [ ] Unknown

If Yes, explain: ----------

Has any flood-related damage to a structure occurred on the property? ..... [ ] Yes [X] No [ ] Unknown

If Yes, explain: ----------

Has there been any flood insurance claims filed for a structure on the property? ..... [ ] Yes [X] No [ ] Unknown

If Yes, indicate the dates of each claim: ----------



Produced with Lone Wolf Transact 717 N Harwood St, Suite 2200, Dallas, TX 75201 www.lwolf.com Sudeepthi Gunna

PROPERTY LOCATED AT: **36 Chimney Rock Road, Temple, ME 04984**

Has there been any past disaster-related aid provided related to the property or a structure on the property from federal, state or local sources for purposes of flood recovery? ..... ☐ Yes ☒ No ☐ Unknown

If Yes, indicate the date of each payment: ----------

Is the property currently located wholly or partially within an area of special flood hazard mapped on the effective flood insurance rate map issued by the Federal Emergency Management Agency on or after March 4, 2002? ..... ☐ Yes ☐ No ☒ Unknown

If yes, what is the federally designated flood zone for the property indicated on that flood insurance rate map?

**Fema Flood Zone A - shown on survey plan near stream location**

Relevant Panel Number: ---------- Year: ---------- (Attach a copy)

Comments: **None known**

Source of Section III information: **Seller and Survey**

## SECTION IV – GENERAL INFORMATION

Are there any shoreland zoning, resource protection or other overlay zone requirements on the property?..... ☒ Yes ☐ No ☐ Unknown

If Yes, explain: **Forested and Wildlife Buffers**

Source of information: **Survey Map**

Is the property the result of a division within the last 5 years (i.e. subdivision)? ☒ Yes ☐ No ☐ Unknown

If Yes, explain: **Town Approval July 2024**

Source of information: **Survey Plan**

Are there any tax exemptions or reductions for this property for any reason including but not limited to:

Tree Growth, Open Space and Farmland, Blind, Working Waterfront?..... ☒ Yes ☐ No ☐ Unknown

If Yes, explain: **Tree Growth**

Is a Forest Management and Harvest Plan available?..... ☒ Yes ☐ No ☐ Unknown

Has all or a portion of the property been surveyed?..... ☒ Yes ☐ No ☐ Unknown

If Yes, is the survey available?..... ☒ Yes ☐ No ☐ Unknown

Has the property ever been soil tested?..... ☒ Yes ☐ No ☐ Unknown

If Yes, are the results available?..... ☒ Yes ☐ No ☐ Unknown

Are mobile/manufactured homes allowed?..... ☐ Yes ☒ No ☐ Unknown

Are modular homes allowed?..... ☒ Yes ☐ No ☐ Unknown

Source of Section IV information: **Deed and Seller**

Additional Information: **Property owners will be members of the Mountain View Subdivision Association**

PROPERTY LOCATED AT: **36 Chimney Rock Road, Temple, ME 04984**

ATTACHMENTS CONTAINING ADDITIONAL INFORMATION:..... ☐ Yes ☒ No

Seller shall be responsible and liable for any failure to provide known information about property defects to Buyer. As Seller, I/we have provided the above information and represent that all information is correct.

DocuSigned by:
3/26/2026

SELLER DATE SELLER DATE

**Sudeepthi Gunna**

SELLER DATE SELLER DATE

I/We have read and received a copy of this disclosure and understand that I/we should seek information from qualified professionals if I/we have questions or concerns.

BUYER DATE BUYER DATE

BUYER DATE BUYER DATE

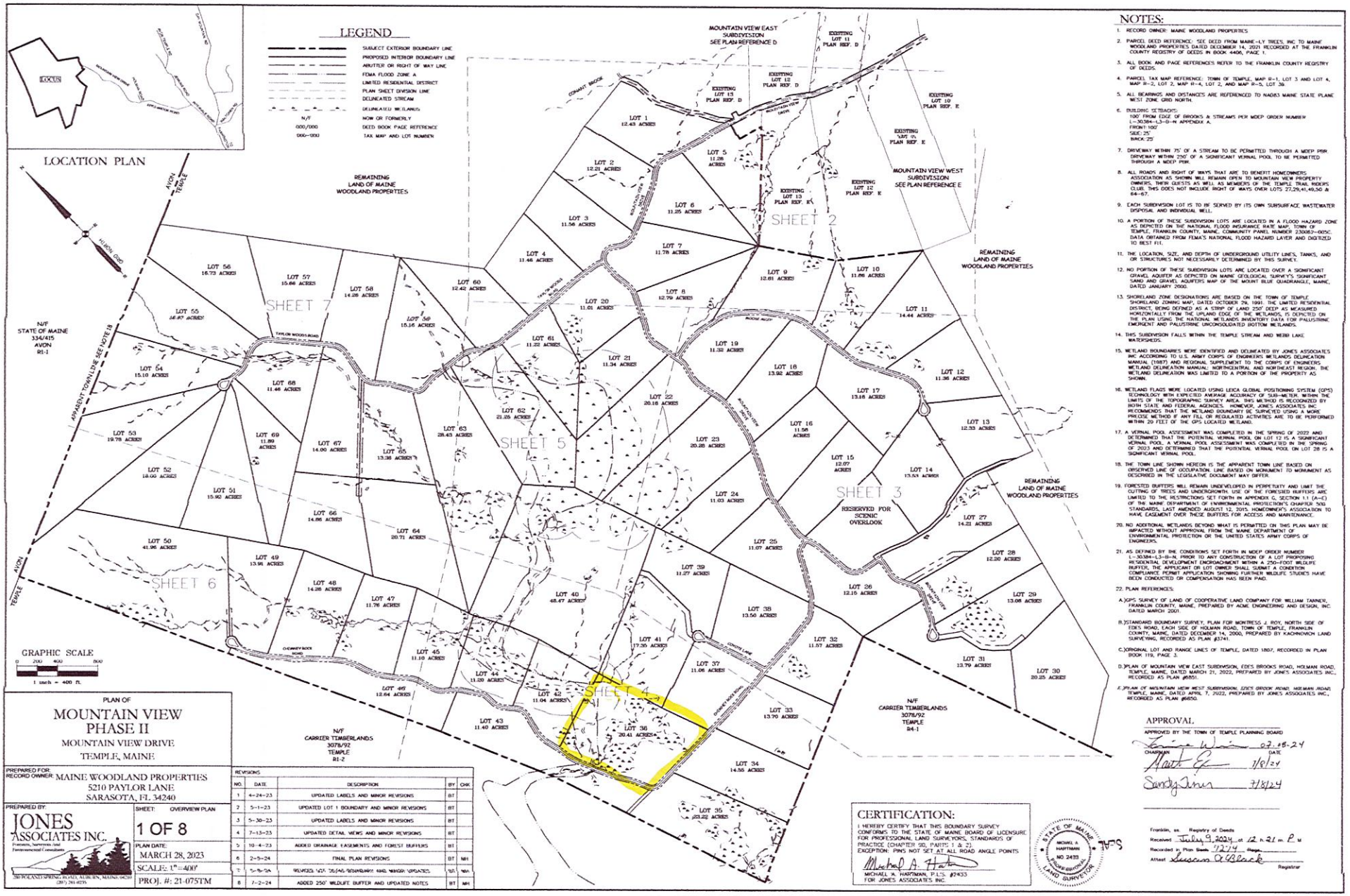


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## NOTES:

1. RECORD OWNER: MAINE WOODLAND PROPERTIES
2. PARCEL DEED REFERENCE: SEE DEED FROM MAINE-I-LY TREES, INC TO MAINE WOODLAND PROPERTIES DATED DECEMBER 14, 2021 RECORDED AT THE FRANKLIN COUNTY REGISTRY OF DEEDS IN BOOK 4406, PAGE 1.
3. ALL BOOK AND PAGE REFERENCES REFER TO THE FRANKLIN COUNTY REGISTRY OF DEEDS.
4. PARCEL TAX MAP REFERENCE: TOWN OF TEMPLE, MAP R-1, LOT 3 AND LOT 4, MAP R-2, LOT 2, MAP R-4, LOT 2, AND MAP R-5, LOT 36
5. ALL BEARINGS AND DISTANCES ARE REFERENCED TO NAD83 MAINE STATE PLANE WEST ZONE GRID NORTH.
6. BUILDING SETBACKS:
   100' FROM EDGE OF BROOKS & STREAMS PER MDEP ORDER NUMBER L-30384-L3-G-N APPENDIX A.
   FRONT: 100'
   SIDE: 25'
   BACK: 25'
7. DRIVEWAY WITHIN 75' OF A STREAM TO BE PERMITTED THROUGH A MDEP PBR. DRIVEWAY WITHIN 250' OF A SIGNIFICANT VERNAL POOL TO BE PERMITTED THROUGH A MDEP PBR.
8. ALL ROADS AND RIGHT OF WAYS THAT ARE TO BENEFIT HOMEOWNERS ASSOCIATION AS SHOWN WILL REMAIN OPEN TO MOUNTAIN VIEW PROPERTY OWNERS, THEIR GUESTS AS WELL AS MEMBERS OF THE TEMPLE TRAIL RIDERS CLUB. THIS DOES NOT INCLUDE RIGHT OF WAYS OVER LOTS 27,29,41,49,50 & 64-67.
9. EACH SUBDIVISION LOT IS TO BE SERVED BY ITS OWN SUBSURFACE WASTEWATER DISPOSAL AND INDIVIDUAL WELL.
10. A PORTION OF THESE SUBDIVISION LOTS ARE LOCATED IN A FLOOD HAZARD ZONE AS DEPICTED ON THE NATIONAL FLOOD INSURANCE RATE MAP; TOWN OF TEMPLE, FRANKLIN COUNTY, MAINE, COMMUNITY PANEL NUMBER 230082-0005C. DATA OBTAINED FROM FEMA'S NATIONAL FLOOD HAZARD LAYER AND DIGITIZED TO BEST FIT.
11. THE LOCATION, SIZE, AND DEPTH OF UNDERGROUND UTILITY LINES, TANKS, AND OR STRUCTURES NOT NECESSARILY DETERMINED BY THIS SURVEY.
12. NO PORTION OF THESE SUBDIVISION LOTS ARE LOCATED OVER A SIGNIFICANT GRAVEL AQUIFER AS DEPICTED ON MAINE GEOLOGICAL SURVEY'S "SIGNIFICANT SAND AND GRAVEL AQUIFERS MAP OF THE MOUNT BLUE QUADRANGLE, MAINE, DATED JANUARY 2000.
13. SHORELAND ZONE DESIGNATIONS ARE BASED ON THE TOWN OF TEMPLE SHORELAND ZONING MAP, DATED OCTOBER 29, 1991. THE LIMITED RESIDENTIAL DISTRICT, BEING DEFINED AS A STRIP OF LAND 250' DEEP AS MEASURED HORIZONTALLY FROM THE UPLAND EDGE OF THE WETLANDS, IS DEPICTED ON THE PLAN USING THE NATIONAL WETLANDS INVENTORY DATA FOR PALUSTRINE EMERGENT AND PALUSTRINE UNCONSOLIDATED BOTTOM WETLANDS.
14. THIS SUBDIVISION FALLS WITHIN THE TEMPLE STREAM AND WEBB LAKE WATERSHEDS.
15. WETLAND BOUNDARIES WERE IDENTIFIED AND DELINEATED BY JONES ASSOCIATES INC ACCORDING TO U.S. ARMY CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL (1987) AND REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL: NORTHCENTRAL AND NORTHEAST REGION. THE WETLAND DELINEATION WAS LIMITED TO A PORTION OF THE PROPERTY AS SHOWN.
16. WETLAND FLAGS WERE LOCATED USING LEICA GLOBAL POSITIONING SYSTEM (GPS) TECHNOLOGY WITH EXPECTED AVERAGE ACCURACY OF SUB-METER, WITHIN THE LIMITS OF THE TOPOGRAPHIC SURVEY AREA. THIS METHOD IS RECOGNIZED BY BOTH STATE AND FEDERAL AGENCIES. HOWEVER, JONES ASSOCIATES INC RECOMMENDS THAT THE WETLAND BOUNDARY BE SURVEYED USING A MORE PRECISE METHOD IF ANY FILL OR REGULATED ACTIVITIES ARE TO BE PERFORMED WITHIN 20 FEET OF THE GPS LOCATED WETLAND.
17. A VERNAL POOL ASSESSMENT WAS COMPLETED IN THE SPRING OF 2022 AND DETERMINED THAT THE POTENTIAL VERNAL POOL ON LOT 12 IS A SIGNIFICANT VERNAL POOL. A VERNAL POOL ASSESSMENT WAS COMPLETED IN THE SPRING OF 2023 AND DETERMINED THAT THE POTENTIAL VERNAL POOL ON LOT 28 IS A SIGNIFICANT VERNAL POOL.
18. THE TOWN LINE SHOWN HEREON IS THE APPARENT TOWN LINE BASED ON OBSERVED LINE OF OCCUPATION. LINE BASED ON MONUMENT TO MONUMENT AS DESCRIBED IN THE LEGISLATIVE DOCUMENT MAY DIFFER.
19. FORESTED BUFFERS WILL REMAIN UNDEVELOPED IN PERPETUITY AND LIMIT THE CUTTING OF TREES AND UNDERBRUSH. USE OF THE FORESTED BUFFERS ARE LIMITED TO THE RESTRICTIONS SET FORTH IN APPENDIX G, SECTION 1.1 (A-C) OF THE MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION'S CHAPTER 500 STANDARDS, LAST AMENDED AUGUST 12, 2015. HOMEOWNER'S ASSOCIATION TO HAVE EASEMENT OVER THESE BUFFERS FOR ACCESS AND MAINTENANCE.
20. NO ADDITIONAL WETLANDS BEYOND WHAT IS PERMITTED ON THIS PLAN MAY BE IMPACTED WITHOUT APPROVAL FROM THE MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION OR THE UNITED STATES ARMY CORPS OF ENGINEERS.
21. AS DEFINED BY THE CONDITIONS SET FORTH IN MDEP ORDER NUMBER L-30384-L3-B-N, PRIOR TO ANY CONSTRUCTION OF A LOT PROPOSING RESIDENTIAL DEVELOPMENT ENCROACHMENT WITHIN A 250-FOOT WILDLIFE BUFFER, THE APPLICANT OR LOT OWNER SHALL SUBMIT A CONDITION COMPLIANCE PERMIT APPLICATION SHOWING FURTHER WILDLIFE STUDIES HAVE BEEN CONDUCTED OR COMPENSATION HAS BEEN PAID.
22. PLAN REFERENCES:
   A. GPS SURVEY OF LAND OF COOPERATIVE LAND COMPANY FOR WILLIAM TANNER, FRANKLIN COUNTY, MAINE, PREPARED BY ACME ENGINEERING AND DESIGN, INC. DATED MARCH 2001.
   B. STANDARD BOUNDARY SURVEY, PLAN FOR MONTRESS J. ROY, NORTH SIDE OF EDES ROAD, EACH SIDE OF HOLMAN ROAD, TOWN OF TEMPLE, FRANKLIN COUNTY, MAINE, DATED DECEMBER 14, 2000, PREPARED BY KACHINOWICH LAND SURVEYING, RECORDED AS PLAN #3741.
   C. ORIGINAL LOT AND RANGE LINES OF TEMPLE, DATED 1807, RECORDED IN PLAN BOOK 119, PAGE 3.
   D. PLAN OF MOUNTAIN VIEW EAST SUBDIVISION, EDES BROOKS ROAD, HOLMAN ROAD, TEMPLE, MAINE, DATED MARCH 21, 2022, PREPARED BY JONES ASSOCIATES INC., RECORDED AS PLAN #6851.
   E. PLAN OF MOUNTAIN VIEW WEST SUBDIVISION, EDES BROOK ROAD, HOLMAN ROAD TEMPLE, MAINE, DATED APRIL 7, 2022, PREPARED BY JONES ASSOCIATES INC., RECORDED AS PLAN #6850.

### APPROVAL

APPROVED BY THE TOWN OF TEMPLE PLANNING BOARD

CHAIRMAN — DATE 07-18-24

7/8/24

7/8/24

Franklin, ss. Registry of Deeds
Received July 9, 2024 at 12 h. 21 m. P M
Recorded in Plan Book 7214 Page
Attest Susan A Black
Registrar

PLAN OF

# MOUNTAIN VIEW PHASE II

MOUNTAIN VIEW DRIVE
TEMPLE, MAINE

PREPARED FOR:
RECORD OWNER: MAINE WOODLAND PROPERTIES
5210 PAYLOR LANE
SARASOTA, FL 34240

PREPARED BY:
JONES ASSOCIATES INC.
Foresters, Surveyors, and Environmental Consultants
280 POLAND SPRING ROAD, AUBURN, MAINE 04210
(207) 784-0375

SHEET: OVERVIEW PLAN
1 OF 8
PLAN DATE: MARCH 28, 2023
SCALE: 1"=400'
PROJ. #: 21-075TM

| REVISIONS | | | | |
|---|---|---|---|---|
| NO. | DATE | DESCRIPTION | BY | CHK |
| 1 | 4-24-23 | UPDATED LABELS AND MINOR REVISIONS | BT | |
| 2 | 5-1-23 | UPDATED LOT 1 BOUNDARY AND MINOR REVISIONS | BT | |
| 3 | 5-30-23 | UPDATED LABELS AND MINOR REVISIONS | BT | |
| 4 | 7-13-23 | UPDATED DETAIL VIEWS AND MINOR REVISIONS | BT | |
| 5 | 10-4-23 | ADDED DRAINAGE EASEMENTS AND FOREST BUFFERS | BT | |
| 6 | 2-5-24 | FINAL PLAN REVISIONS | BT | MH |
| 7 | 5-8-24 | REVISED LOT 36/41 CONFIGURATION AND MINOR UPDATES | BT | MH |
| 8 | 7-2-24 | ADDED 250' WILDLIFE BUFFER AND UPDATED NOTES | BT | MH |

## CERTIFICATION:

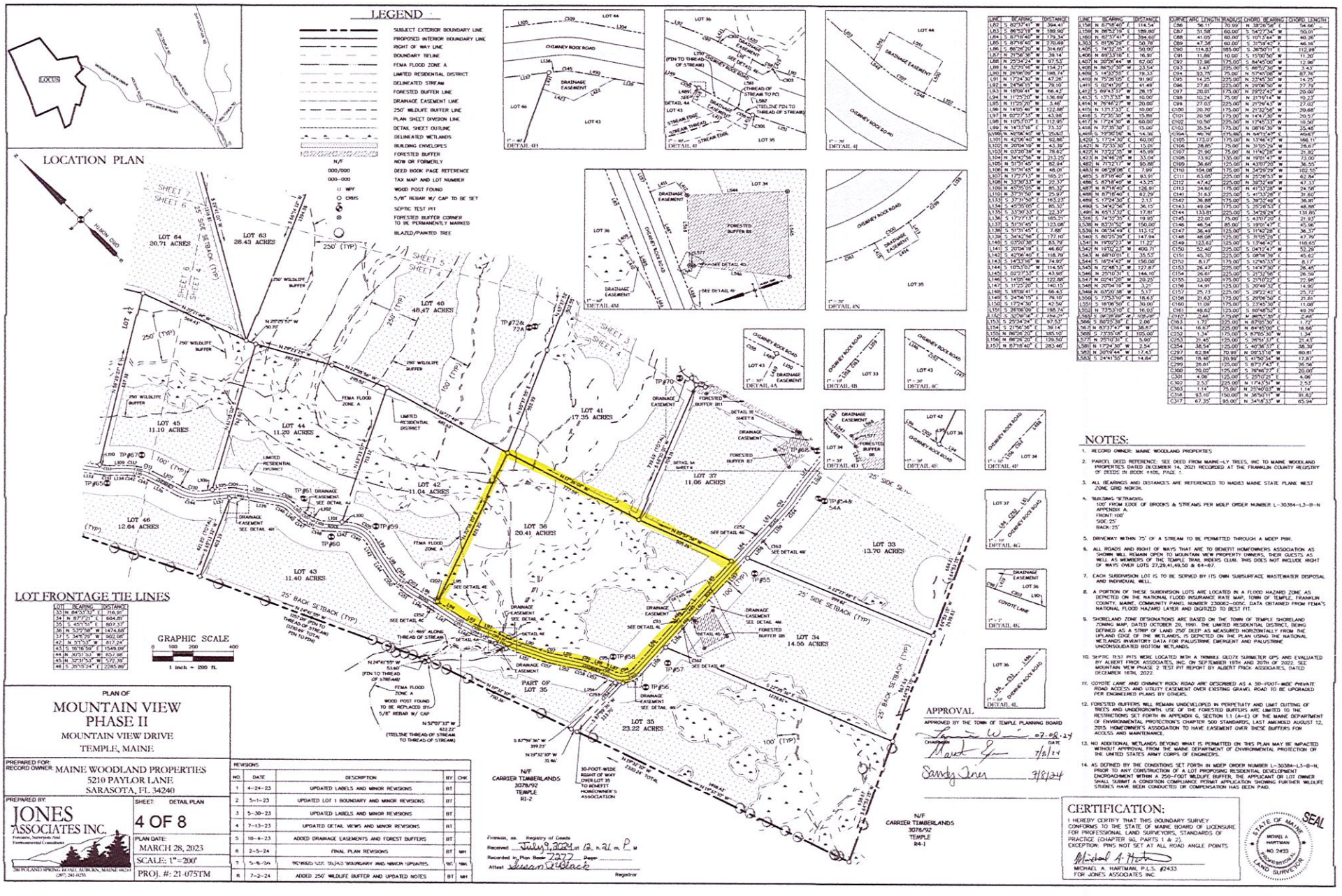
I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY CONFORMS TO THE STATE OF MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS, STANDARDS OF PRACTICE (CHAPTER 120, PARTS 1 & 2).
EXCEPTION: PINS NOT SET AT ALL ROAD ANGLE POINTS

Michael A. Hartman

MICHAEL A. HARTMAN, P.L.S. #2433
FOR JONES ASSOCIATES INC.

STATE OF MAINE — MICHAEL A HARTMAN — NO. 2433 — REGISTERED LAND SURVEYOR

SCALE




## NOTES:

1. RECORD OWNER: MAINE WOODLAND PROPERTIES
2. PARCEL DEED REFERENCE: SEE DEED FROM MAINE-LY TREES, INC TO MAINE WOODLAND PROPERTIES DATED DECEMBER 14, 2021 RECORDED AT THE FRANKLIN COUNTY REGISTRY OF DEEDS IN BOOK 4106, PAGE 1
3. ALL BEARINGS AND DISTANCES ARE REFERENCED TO NAD83 MAINE STATE PLANE WEST ZONE GRID NORTH.
4. "BUILDING SETBACKS: 100' FROM EDGE OF BROOKS & STREAMS PER MDEP ORDER NUMBER L-30354-L3-B-N APPENDIX A. FRONT: 100' SIDE: 25' BACK: 25'
5. DRIVEWAY WITHIN 75' OF A STREAM TO BE PERMITTED THROUGH A MDEP PBR.
6. ALL ROADS AND RIGHT OF WAYS THAT ARE TO BENEFIT HOMEOWNERS ASSOCIATION AS SHOWN WILL REMAIN OPEN TO MOUNTAIN VIEW PROPERTY OWNERS, THEIR GUESTS AS WELL AS MEMBERS OF THE TEMPLE TRAIL RIDERS CLUB. THIS DOES NOT INCLUDE RIGHT OF WAYS OVER LOTS 27,29,41,49,50 & 64-67
7. EACH SUBDIVISION LOT IS TO BE SERVED BY ITS OWN SUBSURFACE WASTEWATER DISPOSAL AND INDIVIDUAL WELL.
8. A PORTION OF THESE SUBDIVISION LOTS ARE LOCATED IN A FLOOD HAZARD ZONE AS DEPICTED ON THE NATIONAL FLOOD INSURANCE RATE MAP, TOWN OF TEMPLE, FRANKLIN COUNTY, MAINE, COMMUNITY PANEL NUMBER 230062-0050C. DATA OBTAINED FROM FEMA'S NATIONAL FLOOD HAZARD LAYER AND DIGITIZED TO BEST FIT.
9. SHORELAND ZONE DESIGNATIONS ARE BASED ON THE TOWN OF TEMPLE SHORELAND ZONING MAP, DATED OCTOBER 29, 1991. THE LIMITED RESIDENTIAL DISTRICT, BEING DEFINED AS A STRIP OF LAND 250' DEEP AS MEASURED HORIZONTALLY FROM THE UPLAND EDGE OF THE WETLANDS, IS DEPICTED ON THE PLAN USING THE NATIONAL WETLANDS INVENTORY DATA FOR PALUSTRINE EMERGENT AND PALUSTRINE UNCONSOLIDATED BOTTOM WETLANDS.
10. SEPTIC TEST PITS WERE LOCATED WITH A TRIMBLE GEO7X SUBMETER GPS AND EVALUATED BY ALBERT FRICK ASSOCIATES, INC. ON SEPTEMBER 19TH AND 20TH OF 2022. SEE MOUNTAIN VIEW PHASE 2 TEST PIT REPORT BY ALBERT FRICK ASSOCIATES, DATED DECEMBER 16TH, 2022.
11. COYOTE LANE AND CHIMNEY ROCK ROAD ARE DESCRIBED AS A 50-FOOT-WIDE PRIVATE ROAD ACCESS AND UTILITY EASEMENT OVER EXISTING GRAVEL ROAD TO BE UPGRADED PER ENGINEERED PLANS BY OTHERS.
12. FORESTED BUFFERS WILL REMAIN UNDEVELOPED IN PERPETUITY AND LIMIT CUTTING OF TREES AND UNDERGROWTH. USE OF THE FORESTED BUFFERS ARE LIMITED TO THE RESTRICTIONS SET FORTH IN APPENDIX G, SECTION 1.1 (A-E) OF THE MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION'S CHAPTER 500 STANDARDS, LAST AMENDED AUGUST 12, 2015. HOMEOWNER'S ASSOCIATION TO HAVE EASEMENT OVER THESE BUFFERS FOR ACCESS AND MAINTENANCE.
13. NO ADDITIONAL WETLANDS BEYOND WHAT IS PERMITTED ON THIS PLAN MAY BE IMPACTED WITHOUT APPROVAL FROM THE MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION OR THE UNITED STATES ARMY CORPS OF ENGINEERS.
14. AS DEFINED BY THE CONDITIONS SET FORTH IN MDEP ORDER NUMBER L-30384-L3-B-N, PRIOR TO ANY CONSTRUCTION OF A LOT PROPOSING RESIDENTIAL DEVELOPMENT ENCROACHMENT WITHIN A 250-FOOT WILDLIFE BUFFER, THE APPLICANT OR LOT OWNER SHALL SUBMIT A CONDITION COMPLIANCE PERMIT APPLICATION SHOWING FURTHER WILDLIFE STUDIES HAVE BEEN CONDUCTED OR COMPENSATION HAS BEEN PAID.

## APPROVAL

APPROVED BY THE TOWN OF TEMPLE PLANNING BOARD

CHAIRMAN — DATE 7/8/24

## CERTIFICATION:

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY CONFORMS TO THE STATE OF MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS, STANDARDS OF PRACTICE (CHAPTER 90, PARTS 1 & 2).
EXCEPTION: PINS NOT SET AT ALL ROAD ANGLE POINTS

MICHAEL A. HARTMAN, P.L.S. #2433
FOR JONES ASSOCIATES INC.

STATE OF MAINE — MICHAEL A. HARTMAN — NO. 2433 — REGISTERED PROFESSIONAL LAND SURVEYOR — SEAL

Franklin, ss. Registry of Deeds
Received July 9, 2024 at 12 h 21 m P.M.
Recorded in Plan Book 2077 Page
Attest Susan R. Black
Registrar

PLAN OF
# MOUNTAIN VIEW PHASE II
MOUNTAIN VIEW DRIVE
TEMPLE, MAINE

PREPARED FOR: RECORD OWNER: MAINE WOODLAND PROPERTIES
5210 PAYLOR LANE
SARASOTA, FL 34240

PREPARED BY:
JONES ASSOCIATES INC.
Foresters, Surveyors And Environmental Consultants
390 POLAND SPRING ROAD, AUBURN, MAINE 04210
(207) 241-0231

SHEET: DETAIL PLAN
4 OF 8
PLAN DATE: MARCH 28, 2023
SCALE: 1"=200'
PROJ. #: 21-075TM

REVISIONS:

| NO. | DATE | DESCRIPTION | BY | CHK |
|---|---|---|---|---|
| 1 | 4-24-23 | UPDATED LABELS AND MINOR REVISIONS | BT | |
| 2 | 5-1-23 | UPDATED LOT 1 BOUNDARY AND MINOR REVISIONS | BT | |
| 3 | 5-30-23 | UPDATED LABELS AND MINOR REVISIONS | BT | |
| 4 | 7-13-23 | UPDATED DETAIL VIEWS AND MINOR REVISIONS | BT | |
| 5 | 10-4-23 | ADDED DRAINAGE EASEMENTS AND FOREST BUFFERS | BT | |
| 6 | 2-5-24 | FINAL PLAN REVISIONS | BT | MH |
| 7 | 5-8-24 | REVISED LOT 35/A43 BOUNDARY AND MINOR UPDATES | BT | MH |
| 8 | 7-2-24 | ADDED 250' WILDLIFE BUFFER AND UPDATED NOTES | BT | MH |

# WARRANTY DEED

DLN: 1002440283593

**MAINE WOODLAND PROPERTIES,** a Maine Corporation, with a mailing address of P.O. Box 1039, Portland, Maine, 04104, for consideration paid, Grants to **SUDEEPTHI GUNNA,** with a mailing address of 6 Hayloft Ln., Scarborough, Maine 04074, with Warranty Covenants, the following described land in Temple, Franklin County, Maine:

Lot 36 as shown on a Plan titled Mountain View Phase II Mountainview Drive, Temple, Maine, prepared by Michael A. Hartman, P.L.S. #2433 of Jones Associates Inc. dated March 28, 2023, and recorded in Franklin County Registry of Deeds in Plan File # 7274 (the "Plan").

TOGETHER WITH AND SUBJECT TO all easements, rights of way, covenants, reservations, restrictions, terms and conditions as set forth in the Plan and as set forth in the Declaration of Protective Covenants, Reservations, Restrictions, and Easements of Mountain View Phase II, and recorded in Franklin County Registry of Deeds in Book 4657, Page 118, and any amendments thereto.

ALSO, TOGETHER WITH AND SUBJECT TO the terms, conditions and obligations contained in the Agreement Regarding the Formation of a Homeowners' Association, Road Maintenance and Trail System Maintenance recently entered into by and between Grantor and Grantee(s), and to be recorded herewith in the Franklin County Registry of Deeds.

Being a portion of the premises as described in the deed from Maine-ly Trees, Inc. to Maine Woodland Properties, dated December 14, 2021 and recorded in Franklin County Registry of Deeds in Book 4406, Page 1.

Grantee acknowledges that the land conveyed herein is taxed under the provisions of the Tree Growth Tax Law pursuant to Title 36, M.R.S.A. §571 et seq. Grantee, as part consideration of this conveyance, by acceptance of this deed, covenants and agrees to take all necessary actions to qualify the property for tree growth tax status or to pay any and all penalties imposed by the taxing authority upon withdrawal of any portion of the property from tree growth tax status said payment to be made to the taxing authority before or at the time of withdrawal.

This property is subject to the Forested Buffer, Riparian Buffer, and/or Wildlife Buffer requirements as more particularly shown on the Plan of Subdivision "Mountain View Phase II" made by Jones Associates, Inc., approved by the Town of Temple Planning Board on July 8, 2024 and recorded in the Franklin County Registry of Deeds on July 9, 2024 as Plans 7274 and 7275 and 7276 and 7277 and 7278 and 7279 and 7280 and 7281. The requirements applicable to those delineated buffer areas are as set forth in the Amended and Restated Declaration of Protective Covenants, Reservations, Restriction, and Easements of Mountain View Subdivisions Temple, Maine recorded in the County Registry of Deeds at Book 4657 and Pages 118-125 on August 5, 2024.

IN WITNESS WHEREOF, Maine Woodland Properties has caused this instrument to be executed this _____ day of August, 2024.

MAINE WOODLAND PROPERTIES

BY: _____

Bryon Foshay, Authorized Agent OR

Donna Halligan, Authorized Agent

STATE OF Florida

COUNTY OF Duval

August 9, 2024

Personally appeared the above named Bryan Foshay OR Donna Halligan, Authorized Agent of Maine Woodland Properties and acknowledged the foregoing instrument to be her free act and deed in said capacity and the free act and deed of Maine Woodland Properties.

Before me,

_____

Notary Public

Jordan Shumack

(Print Name and Affix Seal)

JORDAN SHUMACK
Notary Public
State of Florida
Comm# HH227657
Expires 2/10/2026

Maine Real Estate Transfer Tax Paid
SUSAN BLACK, REGISTER
FRANKLIN COUNTY MAINE E-RECORDED

# AMENDED AND RESTATED DECLARATION OF PROTECTIVE COVENANTS, RESERVATIONS, RESTRICTIONS, AND EASEMENTS OF MOUNTAIN VIEW SUBDIVISIONS TEMPLE, MAINE

WITNESS THIS DECLARATION OF PROTECTIVE COVENANTS, RESERVATIONS, RESTRICTIONS AND COMMON EASEMENTS, made this 5 day of AUG, 2024, by Maine Woodland Properties, a Maine corporation with an address of 5210 Paylor Lane, Sarasota, FL 34240 hereinafter referred to as the "Declarant".

WHEREAS, Declarant has acquired by deed of Maine-Ly Trees, Inc. dated December 14, 2021, and recorded in the Franklin County Registry of Deeds in Book 4406, Page 1, a certain parcel of land situated off of Edes Brook Road, in the Town of Temple, County of Franklin, and State of Maine; and

WHEREAS, Declarant is in the business of developing and selling real estate situated in said Town of Temple, which is the above-referenced land acquired from Maine-ly Trees, Inc, et al, which development is known as Mountain View Subdivisions and is more particularly described in a Plan of Subdivision "Mountain View Phase II" made by Jones Associates, Inc., approved by the Town of Temple Planning Board on July 8, 2024 and recorded in the Franklin County Registry of Deeds on July 9, 2024 as Plans 7274 and 7275 and 7276 and 7277 and 7278 and 7279 and 7280 and 7281.

WHEREAS, Declarant desires to provide for the improvement of Mountain View Subdivisions and future development, a harmonious plan for the relative location of residential structures, garages, rights-of-way, easements, roads, and general land use, all to assure the purchasers of Parcels in Mountain View Subdivision, their heirs and assigns owning such Parcels, that the use, benefit, and enjoyment of the individual Parcel shall not conflict with the harmonious plan; and

WHEREAS, the Declarant desires to establish the Mountain View Subdivisions and future development as a residential subdivision providing for the greatest possible degree of health, safety, environmental beauty, and amenity for the property owners and inhabitants thereof, and to effect the foregoing purposes, desires to subject the property to protective covenants and common easements and enforcement of same, the maintenance of improvements and facilities, and the establishment, collection and disbursement of assessments, all as set forth hereinafter, each and all of which are for the benefit of the property and of each Parcel of the protective covenants and easements hereinafter set forth, maintaining and improving certain rights-of-way and/or facilities, and otherwise carrying out objectives of this Declaration;

WHEREAS, the Declaration of Protective Covenants, Reservations, Restrictions, and Easements of Mountain View Subdivisions Temple, Maine recorded in the Franklin County Registry of Deeds at Book 4648 and Page 317 on July 11, 2024 ("Initial Declaration") inadvertently excluded reference to the Department of Environmental Protection Site Location of Development Act Permit No. L-30384-L3-B-N dated June 24, 2024 which applies to each and all of the properties shown on the Plan;

WHEREAS, the Declarant is recording this Amended and Restated Declaration in order to specifically include within the said Declaration the buffer area use restrictions required by the Permit which were not included in the Initial Declaration; and

WHEREAS, this Amended and Restated Declaration shall amend and replace, in its entirety, the Initial Declaration, which Initial Declaration, from and after the recording hereof, shall be of no further force and effect.

NOW, THEREFORE, Declarant hereby declares that Parcels within the Mountain View Subdivisions and future development shall be held, occupied, improved, transferred, sold, leased, and conveyed subject to the protective covenants and restrictions, the reservations and exceptions, the common rights and easements, all of which are declared to be in furtherance of a uniform scheme for the development of the property and that said protective covenants, reservations, and common easements are intended to enhance and protect the value and desirability of the property as a whole, to mutually benefit each of the Parcels located thereon, to create mutual, equitable servitudes upon each of the Parcels in favor of each and all other Parcels therein and to create reciprocal rights and privities of contract and estate between all persons acquiring or owning any interest in any portion of the property including Declarant, and Declarant's grantees, successors, administrators, and assigns and shall be deemed to run with the land and be a burden and benefit to and enforceable by all such persons, including Declarant, and Declarant's grantees, successors, administrators, and assigns.

## ARTICLE I
## Definitions

The following words, shall, as used here have the following meanings, unless the context plainly requires otherwise:

a. Road. All roads and ways as shown on the Plan of Mountain View Subdivisions.

b. Declarant. Maine Woodland Properties, as aforesaid, and any successor to all of Declarant's right, title, and interest in and to the property.

c. Owner. The record owner, whether one or more persons or entities of the fee simple title to any Parcel or Parcels, but not including Declarant.

d. Parcel. Any one of the numbered Parcels, within the Mountain View Subdivisions as shown upon the Plan, which may hereafter be conveyed by Declarant.

e. Plan. That Plans labeled "Mountain View", Phase II approved by the Planning Board of the Town of Temple, Maine, on July 8, 2024, and recorded in the Franklin County Registry of Deeds on July 9, 2024, as Plans 7274 and 7275 and 7276 and 7277 and 7278 and 7279 and 7280 and 7281.

## ARTICLE II
## Reservations, Exceptions and Easements

Each conveyance of a Parcel shall be deemed to be subject to the following as applicable:

a. Drainage and Utility Easement. Each Parcel shall be subject to an easement of 15 feet measured from the edge of the Road right-of-way, over the land of each Parcel owner for the benefit of Declarant, its successors and assigns for the perpetual right to enter upon the land for all purposes necessary to maintain utilities and ditches.

b. Access. A right-of-way for all purposes over and along the roads, in the subdivision, as shown on the Plan of the Subdivision, in common with Declarant and the owners of the other parcels and future development.

## ARTICLE III
## Protective Covenants and Restrictions

The following use restrictions and protective covenants shall apply to each Parcel conveyed from the Mountain View Subdivisions, to be construed as real covenants, running with the land, enforceable by Declarant and the owner of each Parcel within the Mountain View Subdivisions:

a. Residential Use. No more than one principal residential building designed and occupied for single-family use shall be maintained on any single Parcel at any one time. For the purposes hereof, "family" shall mean persons related by blood, marriage, or adoption, or not more than four unrelated persons, living together as a single housekeeping unit. This restriction shall not prevent the erection of such auxiliary structures such as garages, storage buildings, or the like to be maintained in connection with the private residential use of the property, nor shall it prevent a separate guest house (with municipal approval) to be built.

b. No Commercial Use. No Parcel shall be used for any commercial purpose whatsoever, but solely for private residential purposes. This restriction shall not be construed to prevent rental of any home on said Parcel for private residential purposes, nor to prevent the conduct of professions, craft work, artistic endeavors and similar home occupations, but only when conducted from within a private residence, solely by individuals regularly living therein.

c. Surface Water, Stormwater and Groundwater. No owner of a Parcel, his agents, or successors in interest shall alter the natural course of surface water on any Parcel in a way that would alter the natural flow of such water across any other Parcel, unless such alteration is approved in writing by the owners of all Parcels affected.

d. Underground Storage/Hazardous Materials. There shall be no underground storage of fuel oil or activities involving the use or storage of hazardous materials as defined by the Resource Conservation and Recovery Act of 1976, 40 CFR, Part 261, as amended.

e. Compliance with Ordinances. All construction activities, including the siting of buildings, septic systems, and water supply shall be in accordance with all local, state, and federal laws, codes, ordinances, and regulations.

f. Completion of Construction. All structures erected on any Parcel shall be completed as to their exteriors, including paint, stain or varnish, on all exterior surfaces above the foundation, within twelve months from the date construction is commenced.

g. No Mobile Homes; Trailers and Tents. There shall be no mobile homes placed or stored on any Parcel. Travel trailers, camping trailers, tents or other form of mobile or temporary residence are allowed to be used and kept on the premises no longer than 120 days per calendar year. Once a home has been constructed, a motor home/camper can be stored on the property. Modular homes, prefabricated homes and log cabin kits are allowed to be built on the property.

h. Siding and Roofs. No dwelling or other building erected on any Parcel shall be covered with tar paper, asphalt siding, or corrugated metal siding but shall be covered with clapboards, shingles or other suitable material. Roofs of all buildings erected on any Parcel shall be pitched.

i. Trash. Trash, garbage, and other waste shall be kept in sanitary containers where they are not visible from the road or any other Parcel.

j. Business/Commercial and Unregistered Motor Vehicles. No unregistered motor vehicles may be kept on any property located in the subdivision unless said vehicle is parked in an enclosed garage. No business or commercial vehicle, or vehicle of similar nature (including tractor trailers) shall be brought upon, or be maintained, or be permitted to remain on the property except a business vehicle normally used by a Parcel owner in his or her occupation may remain on the property provided said vehicle is parked in an enclosed garage.

k. Water Supply. The water supply for each Parcel shall be provided by means of drilled wells.

l. Road Maintenance Association. Each parcel owner in the Subdivision will be a member of the Association and shall have right, duty and obligation to maintain the following: the roads throughout Mountain View Subdivision, forested buffer/drainage easements on lots throughout Mountain View subdivision, the Fire Pond, the ATV trails and the Scenic Overlook area and all additional trail and road systems developed throughout the property. The roads in Mountain View subdivision are to remain open to ATV traffic for landowners, guests and members of the Temple Trail Riders Club.

m. Animals. No animals or fowl shall be kept on the premises except ordinary household pets, regularly housed within the home. Horses are allowed.

n. Power. Each parcel owner in the Subdivision will be responsible for extending power to their building site from the power lines roadside.

o. For Sale Signs. There shall be no "For Sale" signs placed on any of the lots. The Developer, Maine Woodland Properties, is allowed to place promotional signs on any lots they are selling.

p. Subdividing Existing Lots. Any lot may be divided one time after waiting 5 years from the original closing with approval from the Town of Temple. The newly created lot must have a minimum of 5+ acres. Any new lot created by the division of a lot must become a separate member of the Association and will be responsible for paying the current Association fees.

ARTICLE IV

Protective Covenants and Restrictions

The following buffer requirements shall apply to each Parcel conveyed from Phase II of the Mountain View Subdivision, to be construed as real covenants, running with the land, enforceable by Declarant and the owner of each Parcel within Phase II of the Mountain View Subdivisions, and located on each Parcel as shown on the Plan.

**Forested Buffer Requirements:**

1. Restrictions on Restricted Buffer Area. Unless the owner of the Restricted Buffer Area, or any successors or assigns, obtains the prior written approval of the MDEP, the Restricted Buffer Area must remain undeveloped in perpetuity. To maintain the ability of the Restricted Buffer Area to filter and absorb stormwater, and to maintain compliance with the Stormwater Management Law and the permit issued thereunder to the Declarant, the use of the Restricted Buffer Area is hereinafter limited as follows.

   a. No soil, loam, peat, sand, gravel, concrete, rock or other mineral substance, refuse, trash, vehicle bodies or parts, rubbish, debris, junk waste, pollutants or other fill material may be placed, stored or dumped on the Restricted Buffer Area, nor may the topography of the area be altered or manipulated in any way.
   b. Any removal of trees or other vegetation within the Restricted Buffer Area must be limited to the following:
      (i) No purposefully cleared openings may be created and an evenly distributed stand of trees and other vegetation must be maintained. An "evenly distributed stand of trees" is defined as maintaining a minimum rating score of 24 points in any 25 foot by 50 foot rectangle (1,250 square feet) area, as determined by the rating scheme in Table 11:

**Table 11.**
**Point System for Determining an Evenly Distributed Stand of Trees**

| Diameter of tree at 4½ feet above ground level | Points |
|---|---|
| 2 - 4 inches | 1 |
| 4 - 8 inches | 2 |
| 8 - 12 inches | 4 |
| >12 inches | 8 |

Where existing trees and other vegetation result in a rating score less than 24 points, no trees may be cut or sprayed with biocides except for the normal maintenance of dead, windblown or damaged trees and for pruning of tree branches below a height of 12 feet provided two thirds of the tree's canopy is maintained.

(ii) No undergrowth, ground cover vegetation, leaf litter, organic duff layer or mineral soil may be disturbed except that one winding path, that is no wider than six feet and that does not provide a downhill channel for runoff, is allowed through the area.

c. No building or other temporary or permanent structure may be constructed, placed or permitted to remain on the Restricted Buffer Area, except for a sign, utility pole (whether constructed of wood, steel or other materials) and appurtenant equipment such as guys and guy anchors, or fence.

d. No trucks, cars, dirt bikes, ATVs, bulldozers, backhoes, or other motorized vehicles or mechanical equipment may be permitted on the Restricted Buffer Area.

e. Any level lip spreader directing flow to the Restricted Buffer Area must be regularly inspected and adequately maintained to preserve the function of the level spreader.

2. Enforcement. The MDEP may enforce any of the Restrictions set forth in Section 1 above.

Any activity on or use of the Restricted Buffer Area inconsistent with the purpose of these Restrictions is prohibited. Any future alterations or changes in use of the Restricted Buffer Area must receive prior approval in writing from the MDEP. The MDEP may approve such alterations and changes in use if such alterations and uses do not impede the stormwater control and treatment capability of the Restricted Buffer Area or if adequate and appropriate alternative means of stormwater control and treatment are provided.

**Riparian Buffer Requirements:**

The use of the 100-foot wide, undisturbed riparian buffer area around "Delineated streams" as shown on the Plan is hereinafter limited as follows…

1. No soil, loam, peat, sand, gravel, concrete, rock or other mineral substance, refuse, trash, vehicle bodies or parts, rubbish, debris, junk waste, pollutants or other fill material will be placed, stored or dumped on the restricted buffer area, nor shall the topography of the area be altered or manipulated in any way.
2. No trees may be cut or sprayed with biocides except for pruning of tree branches below a height of 12 feet provided two thirds of the tree's canopy is maintained.
3. No undergrowth, ground cover vegetation, leaf litter, organic duff layer or mineral soil may be disturbed except that one winding path, that is no wider than six feet and that does not provide a downhill channel for runoff, is allowed through the area.
4. No building or other temporary or permanent structure may be constructed, placed or permitted to remain on the restricted buffer area, except for a sign, utility pole or fence (whether constructed of wood, steel or other materials) and appurtenant equipment such as guys and guy anchors.
5. No trucks, cars, dirt bikes, ATVs, bulldozers, backhoes, or other motorized vehicles or mechanical equipment may be permitted on the restricted buffer area, except along the previously established ATV/snowmobile trails on the project site.
6. No new ATV/snowmobile trails may be constructed within the restricted buffer area without prior Department approval.

Any activity on or use of the restricted buffer area inconsistent with the purpose of these restrictions is prohibited. Any future alterations or changes in use of the restricted buffer area must receive prior approval in writing from the Department.

## Wildlife Buffer Requirements:

The initial 100 feet on either side of the stream is protected by the stream riparian buffer requirements of this DEP department order L-30384-L3-B-N and stated above. Limitations and allowed activities to the wildlife buffer area applies to the area between 100 feet and 250 feet around each stream. The use of the 250-foot wide, limited disturbance wildlife buffer area depicted as "250' Wildlife Buffer" as shown on the Plan is hereinafter limited as follows.

1. No soil, loam, peat, sand, gravel, concrete, rock or other mineral substance, refuse, trash, vehicle bodies or parts, rubbish, debris, junk waste, pollutants or other fill material may be placed, stored or dumped on the wildlife buffer area, nor may the topography of the area be altered or manipulated in any way.
2. Any removal of trees or other vegetation within the wildlife buffer area must be limited to the following:

    i) One cleared opening, no greater than 10,000 sq. ft. between 100 feet and 250 feet on any lot.
    ii) Except for the single cleared opening within the wildlife buffer area, selective cutting of trees is allowed, provided that a forest canopy coverage of at least 60% is maintained in these areas. Any tree-cutting should be done under the supervision of a licensed professional forester.
    iii) Unless no reasonable alternative location exists outside the wildlife buffer area, one driveway is allowed using the shortest feasible route through the wildlife buffer area with a clearing width not exceeding 30 feet in width and no closer than 100 feet, horizontal distance, from a stream unless approved by the Department.
    iv) No trees may be cut or sprayed with biocides except for the normal maintenance of dead, windblown or damaged trees. When the removal of storm-damaged, dead or hazard trees results in the creation of cleared openings, these openings shall be replanted with native tree species, unless existing new tree growth is present.
    v) Stream crossings are limited to the locations designated on the subdivision plans or as approved by the Department.
    vi) Existing vegetation under three (3) feet in height and other ground cover, including leaf litter and the forest duff layer, shall not be cut, covered, or removed, except to provide for a footpath or other permitted uses.
    vii) Pruning of tree branches is limited to the bottom 1/3 of the tree or to a height of 12 feet, whichever is smaller.
    viii) Minimize forest floor disturbance and maintain native understory vegetation and downed woody debris.

3. No trucks, cars, dirt bikes, ATVs, bulldozers, backhoes, or other motorized vehicles or mechanical equipment may be permitted on the wildlife buffer area, except along the previously established ATV/snowmobile trails on the project site or use for timber harvesting operations.

4. No new ATV/snowmobile trails may be constructed within the wildlife buffer area without prior Department approval.

Any activity on or use of the wildlife buffer area inconsistent with the purpose of these restrictions is prohibited. Any future alterations or changes in use of the restricted buffer area must receive prior approval in writing from the Department.

These restrictions are meaning to represent the Restrictions set forth in Department of Environmental Protection Department order L-30384-L3-B-N Appendix A.

IN WITNESS WHEREOF, Maine Woodland Properties has caused this Declaration to be duly executed as of this 5 day of Aug, 2024.

MAINE WOODLAND PROPERTIES
By:

Name: Michael T. Emmons
Title: President

State of Florida
County of Sarasota, ss.

The above-named Michael T. Emmons, in his capacity as President of Maine Woodland Properties personally appeared before me this 5 day of Aug, 2024 and acknowledged the foregoing instrument to be his free act and deed in said capacity and the free act and deed of said corporation.

Before me,

Notary Public/Attorney at Law

DONNA HALLIGAN
Notary Public - State of Florida
Commission # HH 246754
My Comm. Expires Jul 24, 2026
Bonded through National Notary Assn.



SUSAN BLACK, REGISTER
FRANKLIN COUNTY MAINE E-RECORDED