



2012 ANNUAL MEETING WARRANT

Date: July 22, 2012

TO: M. Susan Spalding
Clerk of the Corporation

FROM: BIVC Board of Overseers

RE: **NOTICE OF ANNUAL MEETING OF THE BUSTINS ISLAND VILLAGE CORPORATION, STATE OF MAINE, COUNTY OF CUMBERLAND**

Greetings:

Pursuant to Article V of the By-Laws of the Bustins Island Village Corporation you are hereby directed to post notice and warn the qualified voters of the Bustins Island Village Corporation (BIVC) to assemble for the Annual Meeting of the BIVC at the Community House on Bustins Island on Saturday, August 4, 2012, at 9:00 a.m. EDT to act on the business of the BIVC as set out in the articles of the following warrant:

ARTICLE 1. ELECT MODERATOR

To choose a moderator and, if need be, a vice-moderator to preside over said meeting.

ARTICLE 2. HEAR OFFICERS & SUPERINTENDENT REPORTS

To receive reports from the Officers, Overseers, and the Superintendent of the BIVC:

- a) Clerk
- b) Board of Overseers
- c) Planning Board
- d) Superintendent
- e) Treasurer

ARTICLE 3. BUDGET - Attachment A

To see if the BIVC will vote:

- a) To receive and appropriate the sum of \$241,350.00 to be expended under the direction of the Board of Overseers for the 2012/2013 fiscal year budget as set forth in ATTACHMENT A, “Bustins Island Village Corporation, Budget 2012-2013” in the column labeled “12-13 Budget;”
- b) To fund the sum so received and appropriated in a) above from the Freeport allocation, any gifts, assessments, and any other revenues; any excess or deficiency therefrom to be reconciled through the Reserve Excess and Deficiencies (RED) Fund and any amounts otherwise authorized from the CASCO fund;
- c) To authorize the Board of Overseers to:
 - i) Expend monies from the reserve accounts for the general purposes for which such accounts were established; and
 - ii) Make transfers among operating and reserve accounts including any amounts otherwise authorized from the CASCO fund.

Submitted by the Board of Overseers

BOARD OF OVERSEERS REPORT: This Article authorizes the Board of Overseers to receive and spend within the total appropriation and to transfer money among accounts. Attachment A presents a budget history and the expected disposition of funds for the 2012/2013 fiscal year.

The Board of Overseers voted unanimously to recommend approval of this article.

ARTICLE 4: Vote to Amend the Zoning Map and to Accept Portions of Public Ways in Section E by Metes and Bounds - Schedule A

1. Shall an ordinance entitled “2012 Amendment to the BIVC Zoning Map” be enacted?

To accept certain plans entitled “Plan of a Standard Boundary Survey, ‘Island Avenue,’ Section E, Bustins Island, Freeport, Maine” made for Bustins Island Village Corporation by Island Surveys of Arrowsic, Maine dated 12/05/11 and “Plan for Road Acceptance, Island Avenue, Section E, Bustins Island, Freeport, Maine,” made for Bustins Island Village Corporation by Island Surveys of Arrowsic, Maine, dated 12/05/11”. These plans shall be certified as amendments to the Zoning Map of Bustins Island dated August 2, 2003 as corrected through May 16, 2005. This map is a successor to the Bustins Island Village Corporation Zoning Map of Bustins Island dated September 1, 1975 and

2. To see if the BIVC will vote to:

Accept as a public island way “Island Avenue Section Two” shown thereon as a public street to be held and maintained now and in the future by the Bustins Island Village Corporation on Bustins Island, Maine, those portions of Island Avenue in Section E so set out and further described by metes and bounds all as set out on Schedule A attached.

Submitted by the Planning Board

Planning Board Report: This road acceptance as an amendment to the Zoning Map is part of the Planning Board’s continuing effort to define the roads on Bustins Island. Its acceptance will continue the acceptance by metes and bounds of a portion of the major interior cross-island road, designated as “Island Avenue,” from past the “Brewer Cottage” to a connection with West Shore Road.

The Board of Overseers recommends approval.

The Planning Board recommends approval.

Since the Planning Board recommends approval, a majority vote is required to pass. As an amendment to the zoning ordinance, this article may not itself be amended at the meeting.

ARTICLE 5 – Accept Gifts of Land for Use as Public Ways - Schedule B

To see if the BIVC will vote to:

Accept, and receive, gifts of a certain parcels of land for use as public ways designated as Parcels A, B, F, and G from the abutters and owners of those parcels, in fee simple absolute, all as set out on a plan entitled “Plan of Proposed Conveyances, Island Avenue, Section E, Bustins Island, Freeport, Maine” made for Bustins Island Village Corporation by Island Surveys of Arrowsic, Maine dated 12/05/11 and more particularly bounded and described by metes and bounds on Schedule B attached. This plan shall be certified as an amendment to the Zoning Map of Bustins Island dated August 2, 2003 as corrected through May 16, 2005.

Submitted by the Planning Board

PLANNING BOARD REPORT: In this area through the center of the island, the actual traveled way has strayed significantly over and onto abutting private land. An agreement has been worked out among the affected property owners to define the public way and to receive from them gifts of the actual traveled way. These owners have agreed among themselves to cede portions of lots to each other so that there will be consolidation on either side of the public way.

This article permits the BIVC to accept as gifts from these abutters certain pieces of land as part of the public way so that the actual traveled way will be completely on BIVC owned property. That transfer removes liability from the present owners since travel can be completely on the accepted public way. Historically these gifts have been accepted with the understanding that for the purposes of meeting area requirements of the zoning ordinance the remaining land area of the parcel from which the donation was

made will be considered not to have been diminished by the donation nor will any new lots be created by this action.

The Board of Overseers recommends approval.

The Planning Board recommends approval.

Since the Planning Board recommends approval, a majority vote is required to pass. As an amendment to the zoning ordinance, this article may not itself be amended at the meeting.

ARTICLE 6 – Accept Drainage Easement – Schedule C

To see if the BIVC will vote to:

Accept and receive a gift of a drainage easement over lots 54, 55, 56, 57, and 58 all in Section E. from the owners of those parcels, as set out on a plan entitled “Plan of a Proposed Drainage Easement, West Shore Road, Section E, Bustins Island, Freeport, Maine” made for Bustins Island Village Corporation by Island Surveys of Arrowsic, Maine dated 03/23/12 and as described by metes and bounds in Schedule C, attached, and to include said drainage easement as an amendment to the Zoning Map of Bustins Island dated August 2, 2003 as corrected through May 16, 2005. Said easement is for the purpose of drainage and removal of surface and subsurface water from abutting lands to the easement area and includes the right to enter and to clean and maintain said area for such purposes.

Submitted by the Planning Board

PLANNING BOARD REPORT: In order for the Bustins Island Village Corporation (BIVC) to provide better drainage along West Shore Road, the present owners of the lots noted have offered to give to the BIVC a drainage easement along that portion of their property that abuts West Shore Road. The easement will allow BIVC personnel to access that portion of the property to deal with drainage issues and to install necessary works.

The Board of Overseers recommends approval.

The Planning Board recommends approval.

Since the Planning Board recommends approval, a majority vote is required to pass. As an amendment to the zoning ordinance, this article may not itself be amended at the meeting.

ARTICLE 7 – Accept Gifts of Land – Schedule D and Schedule E

To see if the BIVC will vote to:

Accept and receive the gifts of a certain parcels of land for Resource Protection purposes designated as Parcel 2 and Parcel 3, in fee simple absolute, all as set out on a plan entitled “Plan of Proposed Conveyances of Land in Section E, Bustins Island, Freeport, Maine” made for Bustins Island Village Corporation by Island Surveys of Arrowsic, Maine 04530 dated 03/15/12 and more particularly bounded and described by metes and bounds on Schedule D attached, and

Accept and receive the gifts of a certain lots and parcels of land for Resource Protection purposes designated as Parcel 4, in fee simple absolute, all as set out in Schedule E attached.

Submitted by the Board of Overseers

BOARD OF OVERSEERS REPORT: The Kitchin Family Trust has generously offered to give to the Bustins Island Village Corporation significant parcels of land located just behind the Community House in the Resource Protection District. This centrally located land is valuable for fostering the purposes of the Resource Protection District.

The Board of Overseers recommends approval.

The Planning Board recommends approval.

ARTICLE 8 – Tenting

Shall an ordinance entitled “2012 Amendment to the Zoning Ordinance Regarding Tenting” be enacted?

Amending Section 3.2, DEFINITIONS, by modifying certain of the existing definitions and adding certain definitions as shown below where proposed deletions are shown as crossed out and additions in bold:

Island: Bustins Island and the surrounding waters of Casco Bay within the jurisdiction of the B.I.V.C.

Open Space Use: A Use not involving: a Building or Structure, (including without limitation any Tent); earth-moving activity; or the removal or destruction of vegetative cover, spawning grounds, or fish, aquatic life, bird and other wildlife habitat.

Party Tent: A Tent used to provide shelter for persons and/or property that does not have any sleeping accommodation.

Recreational Areas: Premises or portions thereof used for public or private recreation, including parks, playgrounds, ball fields, golf courses, driving ranges, and swimming areas, but excluding Campgrounds.

Recreational Camping: Use of any Tent with no foundation or platform for the purpose of providing temporary shelter for one or more persons for recreational purposes.

Sun Canopy: A Tent without walls or sides, other than optional mosquito netting, that (i) does not have any sleeping accommodation and (ii) does not exceed 400 square feet of floor area below the ceiling of the Tent.

Tent: A portable self-contained ~~temporary nature~~ **fabric or fabric-like Structure used ~~for human housing of a~~ **to provide temporary shelter to one or more persons and/or property (i)** with no foundation other than **an optional temporary** platform erected on a frame of metal or wood **and (ii)** having no utilities either permanently or temporarily attached to service the ~~entity~~ **Structure.****

Tenting Area: A plot of land on which Tents are pitched for more than 30 days in a year.

Tenting Permit: Any permit required pursuant to this Ordinance to pitch and use a Tent.

Amending Section 4.1.3, Permitted Uses (2) Other by adding a new subsection b, and renumbering existing subsection b as subsection c, as shown below where proposed deletions are shown as crossed out and proposed additions are shown in bold:

- a. Revetments and erosion prevention structures and activities; ~~and~~
- b. Recreational Camping for seven days or fewer in any 30 day period; and**
- c. Temporary Signs of no more than two square feet of area.

Amending Section 4.2.3, Permitted Uses (2) Other by adding new subsections b, c and d, and renumbering existing subsection b as subsection e, as shown below where proposed additions are shown in bold:

- b. Recreational Camping for ten days or fewer in any 30 day period;**
- c. Use of one or more Party Tents for the purpose of providing shelter to persons and/or property in connection with social gatherings or functions for no more than ten days in any 90 day period;**
- d. Use of Sun Canopies to provide temporary shelter to persons and/or property; and**
- e. Signs.

Amending Section 4.2.4, Conditional Uses (1) Rural by deleting the current wording in subsection b and replacing it with the new defined term "Recreational Areas" as shown below where proposed deletions are shown as crossed out and proposed additions are shown in bold:

- ~~b. Public or private recreation facilities including parks, playgrounds, golf courses, driving ranges, and swimming pools but excluding campgrounds;~~

b. Recreational Areas;

and adding a new subsection “e” as shown below where proposed additions are shown in bold and proposed deletions are shown crossed out:

- c. Accessory Uses, Buildings and Structures; ~~and~~
- d. Uses which are similar to the above Uses; **and**
- e. Recreational Camping for more than ten days in any 30 day period.**

and by amending Section 4.2.4 Conditional Uses (2) Residential by adding new subsections h and i as shown below where proposed additions are shown in bold and proposed deletions are shown crossed out:

- f. Uses which are similar to the above Uses; ~~and~~
- g. Home Occupations;
- h. Temporary use of one or more Tents for the purpose of providing shelter to persons and/or property in connection with the construction of a Building or Structure; and**
- i. Use of one or more Party Tents for the purpose of providing shelter to persons and/or property in connection with social gatherings and functions for more than ten days in any 90 day period.**

Amending Section 4.3.3., Permitted Uses 4.3.3.1(2) Other by numbering the existing entry in such section as subsection a and then adding subsections b, c and d as shown below where proposed additions are shown in bold:

- a. Filling, grading, lagooning, dredging, or other earth moving activity operated in accordance with State laws, and involving the removal or filling of less than ten (10) cubic yards of material from or onto any Lot in any one (1) year, or the removal or filling of material incidental to construction, alteration or repair of a Building or Structure or in the grading and landscaping incidental thereto, or the removal, filling or transfer of material incidental to construction, alteration or repair of a public or private way or Essential Services;
- b. Recreational Camping for ten days or fewer in any 30 day period;**
- c. Use of one or more Party Tents for the purpose of providing shelter to persons and/or property in connection with social gatherings or functions for ten days or fewer in any 90 day period; and**
- d. Use of Sun Canopies to provide temporary shelter to persons and/or property.**

Amending Section 4.3.4, Conditional Uses (5) Other by adding new subsections f, g and h as shown below where proposed additions are shown in bold and proposed deletions are shown as crossed out:

- d. Piers, docks and other shoreland construction requiring a Conditional Use Permit; ~~and~~
- e. Uses which are similar to the above Uses;
- f. Recreational Camping for more than ten days in any 30 day period;**
- g. Use of one or more Tents for the purpose of providing shelter to persons and/or property in connection with the construction of a Building or Structure; and**
- h. Use of one or more Party Tents for the purpose of providing shelter to persons and/or property in connection with social gatherings or functions for more than ten days in any 90 day period.**

Amending Section 5.4 below by adding the words shown in bold and deleting those crossed out:

5.4 Campgrounds, Mobile Homes, Recreational Areas, **Tents** and Tenting Areas

- (1) **No Campgrounds**, Mobile Homes, Recreational Vehicles, or ~~T~~tenting Areas are allowed on the Island.
- (2) Tents

In Districts where Tents are a Permitted Use or a Conditional Use the following standards shall apply:

- ~~a. On any Lot on which an improved residential Building or Structure is now in existence, no more than one (1) Tent may be erected and such Tent may be used only for overflow sleeping accommodations.~~
- a. No Tent may be used to provide shelter to persons unless the tenters have access to and use a functional sanitary system satisfying the provisions for residential Lots set forth in Section 5.13 of this Ordinance.**
- ~~b. No Tent may be erected for more than thirty (30) days in any one calendar year or on any unimproved Lot not having an approved residential existing Building or Structure and no Tent may be erected on any such Lot unless all sanitary provisions for residential Lots as set out in Section 5.13 are met.~~
- b. Party Tents may be pitched without a Tenting Permit for up to ten days in any 90 day period to provide temporary shelter for property in connection with a wedding, party, or other social function or gathering; provided, however, that if the Party Tent will also be used to provide shelter to persons, the owner of the Lot on which the Party Tent is to be pitched shall obtain a Tenting Permit and demonstrate to the satisfaction of the Code Enforcement Officer that the sanitary systems to be used in connection with the function or gathering are adequate. Subject to applicable legal requirements, such sanitary systems may include (but shall not necessarily include) temporary portable sanitary systems. No Party Tent shall be used to provide shelter to persons in connection with a social function or**

gathering lasting more than three consecutive days unless the owner of the Lot on which the Party Tent shall be pitched shall first obtain a Conditional Use Permit.

- ~~e. No Tents may be erected under a. or b. above without first obtaining a tenting permit from the Building Inspector.~~
- c. The use of gas generators or other electrical energy generating equipment in connection with Recreational Camping is strictly prohibited.**
- d. The use of any flame or other heat generating source (including without limitation, fires and campstoves) in connection with Recreational Camping is strictly prohibited.**
- e. No Tent may be pitched and used on a Lot for the purpose of providing shelter to persons in connection with the construction of a Building or Structure unless (i) the Lot has existing functional sanitary system satisfying the provisions for residential Lots set forth in Section 5.13 of this Ordinance or (ii) the Conditional Use Permit application for the Tent specifies the location of the conforming sanitary facilities to be used by the tenters and, if the applicant is not the owner of such facilities, includes written permission from the owner of such facilities for their use.**
- f. The use of any Tent, including, without limitation, Party Tents, shall comply with all applicable fire, life-safety and other applicable laws and codes.**

Submitted by the Planning Board

PLANNING BOARD REPORT: The Planning Board believes that the present provisions of the Zoning Ordinance related to tenting are overly restrictive in that they (i) prohibit all camping in the Resource Protection District, including children's use of pup Tents and other short-term recreational camping, (ii) require a Conditional Use Permit for short-term recreational camping, as well as for the use of Party Tents for weddings and other social events and gatherings, in the Shoreland District and possibly the General Purpose District as well, and (iii) require a permit from the Code Enforcement Officer for any Tent use, including children's pup Tents and other recreational camping in one's own yard. The Planning Board also believes that the use of Tents for long-term camping and/or for large or prolonged events raises potential life/safety, sanitary and quality-of-life concerns and it therefore is sensible to require issuance of a Tenting Permit by the Code Enforcement Officer and/or a Conditional Use Permit by the Planning Board in order to ensure that these concerns have been adequately addressed and to afford abutters and other affected Island residents the opportunity to object or propose sensible conditions and restrictions on the use. The Planning Board believes that the changes proposed in this article balance those competing concerns in a practical and common sense manner.

The Board of Overseers recommends approval.

The Planning Board recommends approval. Because the Planning Board recommends approval, a majority vote will be required to pass. As an amendment to the zoning ordinance, this article may not itself be amended at the meeting.

ARTICLE 9 – Fireworks

To see if the BIVC will vote:

To amend Article XIII of its By-Laws so that it reads as follows in its entirety where added words are shown in bold:

FIREARMS, FIREWORKS, AND LOUD NOISES

The discharge of firearms or the making of loud and unusual noises on the island, tending to disturb the public peace is forbidden, without the permission of the Island Superintendent or the Overseers.

No person shall use, or possess with intent to use, or sell, or possess with intent to sell, fireworks on Bustins Island without written approval of a majority of the Board of Overseers.

Submitted by the Board of Overseers

BOARD OF OVERSEERS REPORT: Recent changes in Maine state law to allow the sale of certain fireworks has meant that each local government must decide if it wishes to allow the sale and use of fireworks within its jurisdiction. Because of the danger of fire on Bustins and the extreme consequences for all should a fire not be quickly controlled, the Overseers believe that it is in the best interest of all islanders that the sale and use of fireworks not be allowed on Bustins without explicit permission which would only be given if appropriate safety precautions were in place and the use was specifically for the general enjoyment of all islanders.

The Board of Overseers recommends approval.

A majority vote is required to pass. As an amendment to the BIVC By-Laws, this article may not itself be amended at the Annual Meeting.

ARTICLE 10. ELECTION

To elect a Clerk and Treasurer of the BIVC for a term of one year each; and to elect one member of the Board of Overseers for a three-year term by ballot as provided in the BIVC By-Laws.

(SWEARING IN OF NEW OFFICERS BY THE CLERK OR MODERATOR.)

ARTICLE 11. HEAR COMMITTEE REPORTS

To receive reports from any and all committees not already heard.

ARTICLE 12. OTHER MATTERS

To consider any other business which may lawfully come before said meeting.

Given our hands at Bustins Island, Freeport, Maine this 22nd day of July, 2012.

The Board of Overseers of the BUSTINS ISLAND VILLAGE CORPORATION

Faith C. Baker, Chair

Patricia LaFleur

William W. Cooper, Vice-Chair

Roger Leland

Robert Boone

ATTACHMENTS AND SCHEDULES:

Attachment A –Budget (Article 3)

Schedule A – Description of Island Avenue to be accepted under Article 4

Schedule B – Descriptions of Parcels A, B, F, and G to be accepted by the BIVC as gifts under Article 5

Schedule C - Description of Drainage Easement under Article 6

Schedule D – Description of Parcels 2 and 3 to be convey to the BIVC under Article 7

Schedule E - Description of Parcel 4 to be convey to the BIVC under Article 7

SCHEDULE A – Article 4

Description of Property: Island Avenue (Section Two)
 Section E Bustins Island Freeport, Maine
 December 5, 2011

Page One of Two

A certain lot or parcel of land on the Westerly side of Bustins Island in the Town of Freeport, County of Cumberland, State of Maine, bounded and described as follows:

Beginning at a capped iron rod set at the Westerly terminus of Island Avenue as shown on a “Plan of a Standard Boundary Survey (of) Island Avenue Section E Bustins Island” by Island Surveys dated May 17, 2011; thence by the following courses and distances:

- 1) N 38°32'47" W a distance of Eleven and 49/100 (11.49) Feet to a point;
 - 2) N 87°33'39" W a distance of Nineteen and 57/100 (19.57) Feet to a point;
 - 3) S 81°15'16" W a distance of Seventy-Three and 05/100 (73.05) Feet to a point;
 - 4) S 84°37'20" W a distance of One Hundred Thirty-Four and 22/100 (134.22) Feet to a point;
 - 5) S 69°48'51" W a distance of Sixty-Six and 56/100 (66.56) Feet to a point;
 - 6) S 86°05'58" W a distance of Thirty-Eight and 45/100 (38.45) Feet to a point;
 - 7) N 71°52'36" W a distance of Forty-One and 84/100 (41.84) Feet to a point;
 - 8) N 88°01'12" W a distance of Twenty-Three and 86/100 (23.86) Feet to a point;
 - 9) S 70°30'18" W a distance of Thirty-Four and 39/100 (34.39) Feet to a point on the Easterly sideline of West Shore Road as shown on a “Standard Boundary Survey of West Shore Road...” by Titcomb Associates Inc. dated July 20, 19991, and recorded in the Cumberland County Registry of Deeds, Plan Book 192 Pages 147 and 148;
 - 10) N 22°51'04" E along the Easterly sideline of West Shore Road a distance of Twenty-Three and 01/100 (23.01) Feet to a point;
 - 11) N 22°21'41" E along the Easterly sideline of West Shore Road a distance of Fifty and 55/100 (50.55) Feet to a point;
 - 12) S 38°36'44" E a distance of Fifty-Three and 26/100 (53.26) Feet to a point;
 - 13) S 71°52'36" E a distance of Thirty-Eight and 63/100 (38.63) Feet to a point;
 - 14) N 86°05'58" E a distance of Thirty-Two and 88/100 (32.88) Feet to a point;
 - 15) N 69°48'51" E a distance of Sixty-Six and 35/100 (66.35) Feet to a point;
- Description of Property: Island Avenue (Section Two)
 Section E Bustins Island Freeport, Maine

December 5, 2011

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- 16) N 84°37'20" E a distance of One Hundred Thirty-Five and 88/100 (135.88) Feet to a point;
- 17) N 81°15'16" E a distance of Seventy-Four and 18/100 (74.18) Feet to a point;
- 18) S 87°33'39" E a distance of Twenty-Eight and 70/100 (28.70) Feet to a point;
- 19) S 38°32'47" E a distance of Fifteen and 74/100 (15.74) Feet to the Northerly terminus of Island Avenue as shown on said "Plan of a Standard Boundary Survey (of) Island Avenue Section E Bustins Island";
- 20) S 40°15'28" W along the Northwesterly line of Island Avenue a distance of Sixteen and 82/100 (16.82) Feet to the point of beginning.

The above described parcel of land contains 8389 square feet. Bearings are referenced to True North as determined by astronomic observation.

Reference is made to a "Plan of a Standard Boundary Survey (of) Island Avenue ... made for Bustins Island Village Corporation" by Island Surveys dated December 5, 2011.

SCHEDULE B – Article 5

Description of Property: PARCEL A

To be Conveyed by: Stephen C. Kirkland

Deborah A. Kirkland, a/k/a Deborah A. Kizis

Trustees of the New Kirkland Realty Trust

to: Bustins Island Village Corporation

West Shore Road Section E Bustins Island Freeport, Maine

December 5, 2011

A certain lot or parcel of land on the Southeasterly side of West Shore Road in Section E of Bustins Island in the Town of Freeport, County of Cumberland, State of Maine, bounded and described as follows:

Beginning at a 1” rod found at the Northerly corner of land now or formerly of Stephen C. Kirkland and Deborah A. Kirkland, a/k/a/ Deborah A. Kizis, trustees of the New Kirkland Realty Trust, as described in the Cumberland County Registry of Deeds, Book 13856 Page 137, and shown as Lot 60 on a “Plan of Bustins Island Cottage Lots ... Owned by Mrs. Amanda G. Swett” by H.N. Skolfield dated 1921 and recorded in said Registry, Plan Book 28 Page 1; thence by the following courses and distances:

1) S 67°30’30” E by land now or formerly of Donald N. Kitchin and Judeth N. Kitchin, Trustees of the Kitchin Family Revokable Trust of 2007, as described in said Registry, Book 25708 Page 307, a distance of Twenty-Five and 42/100 (25.42) Feet to a point;

2) S 70°30’18” W a distance of Thirty-Four and 39/100 (34.39) Feet to a point on the Southeasterly sideline of West Shore Road;

3) N 22°51’04” E along the Southeasterly sideline of West Shore Road a distance of Twenty-Three and 01/100 (23.01) Feet to the point of beginning.

The above described parcel of land contains 292 square feet and is a portion of the land now or formerly of Stephen C. Kirkland and Deborah A. Kirkland, a/k/a Deborah A. Kizis, Trustees of the New Kirkland Realty Trust, as described in the Cumberland County Registry of Deeds, Book 13856 Page 137. Bearing are referenced to True North as determined by astronomic observation.

Reference is made to a “Plan of Proposed Conveyances ... made for Bustins Island Village Corporation” by Island Surveys dated December 5, 2011.

Description of Property: PARCEL B

To be Conveyed by: Donald N. Kitchin and Judeth N. Kitchin,

Trustees of the Kitchin Family Revocable Trust of 2007

to: Bustins Island Village Corporation West Shore Road Section E

Bustins Island Freeport, Maine

December 5, 2011

A certain lot or parcel of land on the Southeasterly side of West Shore Road in Section E of Bustins Island in the Town of Freeport, County of Cumberland, State of Maine, bounded and described as follows:

Beginning at a 1" rod found at the Northerly corner of land now or formerly of Stephen C. Kirkland and Deborah A. Kirkland, a/k/a/ Deborah A. Kizis, trustees of the New Kirkland Realty Trust, as described in the Cumberland County Registry of Deeds, Book 13856 Page 137, and shown as Lot 60 on a "Plan of Bustins Island Cottage Lots ... Owned by Mrs. Amanda G. Swett" by H.N. Skolfield dated 1921 and recorded in said Registry, Plan Book 28 Page 1; thence by the following courses and distances:

- 1) N 22°21'41" E along the Southeasterly sideline of West Shore Road a distance of Fifty and 55/100 (50.55) Feet to a point;
- 2) S 38°36'44" E a distance of Fifty-Three and 26/100 (53.26) Feet to a point;
- 3) S 71°52'36" E a distance of Thirty-Eight and 63/100 (38.63) Feet to a point;
- 4) N 86°05'58" E a distance of Eighteen and 00/100 (18.00) Feet to a point on the Northwesterly line of Lot 129 as shown on said "Plan of Bustins Island Cottage Lots";
- 5) S 21°51'23" W along the Northwesterly line of Lot 129 distance of Eighteen and 32/100 (18.32) Feet to a point;
- 6) S 86°05'58" W a distance of Thirteen and 25/100 (13.25) Feet to a point;
- 7) N 71°52'36" W a distance of Forty-One and 84/100 (41.84) Feet to a point;
- 8) N 88°01'12" W a distance of Twenty-Three and 86/100 (23.86) Feet to a point on the Northeasterly line of said land now or formerly of New Kirkland Realty Trust;
- 9) N 67°30'30" W by said land now or formerly of New Kirkland Realty Trust a distance of Twenty-Five and 42/100 (25.42) Feet to the point of beginning.

The above described parcel of land contains 2603 square feet and is a portion of the land now or formerly of Donald N. Kitchin and Judeth N. Kitchin, Trustees of the Kitchin Family Revocable Trust of 2007, as described in the Cumberland County Registry of Deeds, Book 25708 Page 307. Bearing are referenced to True North as determined by astronomic observation.

Reference is made to a "Plan of Proposed Conveyances ... made for Bustins Island Village Corporation" by Island Surveys dated December 5, 2011.

Description of Property: PARCEL F

To be Released by: Robert N. Canu and Joan D. Boone

to: Bustins Island Village Corporation

West Shore Road Section E Bustins Island Freeport, Maine

December 5, 2011

A certain lot or parcel of land Southeasterly of, but not adjoining, West Shore Road in Section E of Bustins Island in the Town of Freeport, County of Cumberland, State of Maine, bounded and described as follows:

Beginning at a point on the Northwesterly line of Lot 129 as shown on a "Plan of Bustins Island Cottage Lots ... Owned by Mrs. Amanda G. Swett" by H.N. Skolfield dated 1921 and recorded in the Cumberland County Registry of Deeds, Plan Book 28 Page 1, said point of beginning lying S 21°49'29" W a distance of Twenty-Four and 39/100 (24.39) Feet from the Westerly corner of land now or formerly of Laurie K. Leyne as described in said Registry, Book 8008 Page 347; thence by the following courses and distances:

- 1) N 86°05'58" E a distance of Fourteen and 89/100 (14.89) Feet to a point;
- 2) N 69°48'51" E a distance of Twenty-Six and 31/100 (26.31) Feet to a point on the Southwesterly line of said land now or formerly of Leyne;
- 3) S 67°37'24" E along the Southwesterly line of said land now or formerly of Leyne a distance of Twenty-Four and 39/100 (24.39) Feet to a point;
- 4) S 69°48'51" W a distance of Forty-Six and 64/100 (46.64) Feet to a point;
- 5) S 86°05'58" W a distance of Twenty-Five and 21/100 (25.21) Feet to a point on the Southeasterly line of Lot 61 as shown on said plan;
- 6) N 21°51'23" E along the Southeasterly line of Lot 61 a distance of Eighteen and 32/100 (18.32) Feet to the point of beginning.

The above described parcel of land contains 933 square feet and is a portion of Lot 129 as shown on a "Plan of Bustins Island Cottage Lots ... Owned by Mrs. Amanda G. Swett" by H.N. Skolfield dated 1921 and recorded in said Registry, Plan Book 28 Page 1. Bearings are referenced to True North as determined by astronomic observation.

Reference is made to a "Plan of Proposed Conveyances ... made for Bustins Island Village Corporation" by Island Surveys dated December 5, 2011.

Description of Property: PARCEL G
To be Conveyed by: Laurie K. Leyne
to: Bustins Island Village Corporation
West Shore Road Section E Bustins Island Freeport, Maine
December 5, 2011

A certain lot or parcel of land Southeasterly of, but not adjoining, West Shore Road in Section E of Bustins Island in the Town of Freeport, County of Cumberland, State of Maine, bounded and described as follows:

Beginning at a point on the Southeasterly line of land now or formerly of Laurie K. Leyne as described in the Cumberland County Registry of Deeds, Book 8008 Page 347, and shown as Lot 128 on a "Plan of Bustins Island Cottage Lots ... Owned by Mrs. Amanda G. Swett" by H.N. Skolfield dated 1921 and recorded in said Registry, Plan Book 28 Page 1, said point of beginning lying S 67°37'24" E a distance of Thirty-Two and 95/100 (32.95) Feet from the Westerly corner of said land now or formerly of Leyne; thence by the following courses and distances:

- 1) N 69°48'51" E a distance of Forty and 04/100 (40.04) Feet to a point;
- 2) N 84°37'20" E a distance of Forty-One and 97/100 (41.97) Feet to a point on the Southeasterly line of said land now or formerly of Leyne;
- 3) S 21°51'23" W along the Southeasterly line of said land now or formerly of Leyne a distance of Eighteen and 56/100 (18.56) Feet to a point;
- 4) S 84°37'20" W a distance of Thirty-One and 34/100 (31.34) Feet to a point;
- 5) S 69°48'51" W a distance of Nineteen and 93/100 (19.93) Feet to a point on the Northeasterly line of Lot 129 line as shown on said plan;
- 6) N 67°37'24" E along the Northeasterly line of Lot 129 a distance of Twenty-Four and 39/100 (24.39) Feet to the point of beginning.

The above described parcel of land contains 1100 square feet and is a portion of the land now or formerly of Laurie K. Leyne as described in the Cumberland County Registry of Deeds, Book 8008 Page 347. Bearings are referenced to True North as determined by astronomic observation.

Reference is made to a "Plan of Proposed Conveyances ... made for Bustins Island Village Corporation" by Island Surveys dated December 5, 2011.

Schedule C – Article 6

Description of Easement

To be Conveyed by: Christine Gerry Martens
 Douglas Edward Gerry
 to: Bustins Island Village Corporation
 West Shore Road Section E Bustins Island Freeport, Maine
 March 23, 2012

An easement for the drainage and passage of water and utilities, including the construction and maintenance of any required conduits, but always timely restoring the surface in a neat and orderly fashion, over and through a lot or parcel of land, Ten (10) Feet wide, on the Easterly side of West Shore Road in Section E of Bustins Island in the Town of Freeport, County of Cumberland, State of Maine, bounded and described as follows:

Beginning at a point on the Easterly sideline of West Shore Road as shown on a “Standard Boundary Survey of West Shore Road ... made for Bustins Island Village Corporation” by Titcomb Associates Inc. dated July 20, 1991, and recorded in said Registry, Plan Book 192 Pages 147 and 148, at the Southwesterly corner of Lot Fifty-Nine (59) as shown on a “Plan of Bustins Island Cottage Lots ... Owned by Mrs. Amanda G. Swett” by H.N. Skolfield dated 1921 and recorded in said Registry, Plan Book 28 Page 1; thence by the following courses and distances:

- 1) S 67°41’33” E by land now or formerly of Stephen C. Kirkland and Deborah A. Kirkland, a/k/a/ Deborah A. Kizis, trustees of the New Kirkland Realty Trust, as described in the Cumberland County Registry of Deeds, Book 13856 Page 137, a distance of Ten and 83/100 (10.83) Feet to a point;
- 2) S 44°55’32” W a distance of Thirty-Eight and 48/100 (38.48) Feet to a point;
- 3) S 52°09’25” W a distance of Two Hundred Twenty-Five and 42/100 (225.42) Feet to a point;
- 4) S 45°13’41” W a distance of Fifty-Three and 21/100 (53.21) Feet to a point;
- 5) S 25°54’08” W a distance of Thirty-Five and 58/100 (35.58) Feet to land now or formerly of the Bustins Island Village Corporation as described in said Registry, Book 1516 Page 497, and shown as an undeveloped street on said “Plan of Bustins Island Cottage Lots ... Owned by Mrs. Amanda G. Swett”;
- 6) N 85°14’43” W by said land now or formerly of the Bustins Island Village Corporation a distance of Ten and 72/100 (10.72) Feet to a point on the Easterly sideline of West Shore Road as shown on said “Standard Boundary Survey of West Shore Road ... made for Bustins Island Village Corporation”;
- 7) N 25°54’08” E along the Easterly sideline of West Shore Road as shown on said plan a distance of Forty-One and 15/100 (41.15) Feet to a point;
- 8) N 45°13’41” E along the Easterly sideline of West Shore Road as shown on said plan a distance of Fifty-Five and 52/100 (55.52) Feet to a point;
- 9) N 52°09’25” E along the Easterly sideline of West Shore Road as shown on said plan a distance of Two Hundred Twenty-Five and 39/100 (225.39) Feet to a point;
- 10) N 44°55’32” E along the Easterly sideline of West Shore Road as shown on said plan a distance of Thirty-Three and 68/100 (33.68) Feet to the point of beginning.

The above described easement premises contain 3542 square feet and are a portion of the land now or formerly of Christine Gerry Martens and Douglas Edward Gerry as described in the Cumberland County Registry of Deeds, Book 13116 Page 88. Reference is made to a “Plan of a Proposed Drainage Easement (on) West Shore Road Section E Bustins Island ... made for Bustins Island Village Corporation” by Island Surveys dated March 23, 2012.

Schedule D – Article 7

Description of Property

To be Conveyed by: Donald N. Kitchin and Judeth N. Kitchin,
Trustees of the Kitchin Family Revocable Trust of 2007
to: Bustins Island Village Corporation
Section E Bustins Island Freeport, Maine

PARCEL TWO

A certain lot or parcel of land in Section E of Bustins Island in the Town of Freeport, County of Cumberland, State of Maine, bounded and described as follows:

Beginning at a 1” iron rod found at the Southerly corner of a parcel of land conveyed to the Bustins Island Village Corporation by Charlotte Lavers by deed dated September 16, 1930, and recorded in the Cumberland County Registry of Deeds, Book 1368 Page 168; thence by the following courses and distances:

- 1) S 64°02’59” E by land conveyed to the Bustins Island Village Corporation by Amanda G. Swett by deed dated November 16, 1933, and recorded in said Registry, Book 1429 Page 381, a distance of Three Hundred Five and 52/100 (305.52) Feet to land now or formerly of the Bustins Island Village Corporation as described in said Registry, Book 1516 Page 497, shown as an undeveloped street on a “Plan of Bustins Island Cottage Lots ... Owned by Mrs. Amanda G. Swett” by H.N. Skolfield dated 1921 and recorded in said Registry, Plan Book 28 Page 1;
- 2) S 12°55’47” W by land now or formerly of the Bustins Island Village Corporation as described in said Registry, Book 1516 Page 497, a distance of One Hundred Eighty and 90/100 (180.90) Feet a point;
- 3) N 85°14’43” W by land now or formerly of the Bustins Island Village Corporation as described in said Registry, Book 1516 Page 497, a distance of Four Hundred Ninety-Seven and 95/100 (497.95) Feet to a point;
- 4) N 42°41’39” E by land now or formerly of the Bustins Island Village Corporation as described in said Registry, Book 1516 Page 497, a distance of Two Hundred Forty and 81/100 (240.81) Feet to a point;
- 5) N 22°09’45” E by land now or formerly of the Bustins Island Village Corporation as described in said Registry, Book 1516 Page 497, a distance of One Hundred Twenty-Two and 28/100 (122.28) Feet to land now or formerly of the Bustins Island Village Corporation as described in said Registry, Book 1368 Page 168;
- 6) S 67°45’07” E by land now or formerly of the Bustins Island Village Corporation as described in said Registry, Book 1368 Page 168, a distance of Fifty-Six and 81/100 (56.81) Feet to the point of beginning.

The above described parcel of land contains 103,726 square feet and is a portion of the land now or formerly of Donald N. Kitchin and Judeth N. Kitchin, Trustees of the Kitchin Family Revocable Trust of 2007, as described in the Cumberland County Registry of Deeds, Book 25708 Page 307. Bearings are referenced to True North as determined by astronomic observation.

Reference is made to a “Plan of a Proposed Conveyance of Land in Section E Bustins Island ... made for Bustins Island Village Corporation” by Island Surveys dated March 15, 2012.

Description of Property

To be Conveyed by: Donald N. Kitchin and Judeth N. Kitchin,
Trustees of the Kitchin Family Revocable Trust of 2007
to: Bustins Island Village Corporation
Section E Bustins Island Freeport, Maine

PARCEL THREE

A certain lot or parcel of land on the Southwesterly side of Island Avenue in Section E of Bustins Island in the Town of Freeport, County of Cumberland, State of Maine, bounded and described as follows:

Beginning at a point on the Southwesterly sideline of Island Avenue as shown on a "Plan of a Standard Boundary Survey of Island Avenue, Section E ... made for Bustins Island Village Corporation" by Island Surveys dated May 17, 2011, at the Southeasterly corner of a parcel of land conveyed to the Bustins Island Village Corporation by Amanda G. Swett by deed dated November 16, 1933, and recorded in the Cumberland County Registry of Deeds, Book 1429 Page 381; thence by the following courses and distances:

- 1) S 35°51'46" E along the Southwesterly sideline of Island Avenue a distance of Sixteen and 23/100 (16.23) Feet to a point;
- 2) S 30°12'27" E along the Southwesterly sideline of Island Avenue a distance of Seventy-Two and 16/100 (72.16) Feet to land now or formerly of Mary A. Wellington as described in said Registry, Book 1376 Page 151;
- 3) S 60°54'16" W by said land now or formerly of Wellington and land now or formerly of William B. Loughton as described in said Registry, Book 1250 Page 4, a distance of One Hundred Thirty-Two and 28/100 (132.28) Feet to land now or formerly of the Bustins Island Village Corporation as described in said Registry, Book 1516 Page 497, shown as an undeveloped street on a "Plan of Bustins Island Cottage Lots ... Owned by Mrs. Amanda G. Swett" by H.N. Skolfield dated 1921 and recorded in said Registry, Plan Book 28 Page 1;
- 4) N 85°14'42" W by said land now or formerly of the Bustins Island Village Corporation as described in said Registry, Book 1516 Page 497, a distance of Thirty-Seven and 69/100 (37.69) Feet to a point;
- 5) N 13°02'06" E by said land now or formerly of the Bustins Island Village Corporation a distance of One Hundred Seventy-Four and 31/100 (174.31) Feet to land now or formerly of the Bustins Island Village Corporation as described in said Registry, Book 1429 Page 381;
- 6) S 64°02'59" E by land now or formerly of the Bustins Island Village Corporation as described in said Registry, Book 1429 Page 381, a distance of Seventy-Five and 65/100 (75.65) Feet to the point of beginning.

The above described parcel of land contains 15,057 square feet and is a portion of the land now or formerly of Donald N. Kitchin and Judeth N. Kitchin, Trustees of the Kitchin Family Revocable Trust of 2007, as described in the Cumberland County Registry of Deeds, Book 25708 Page 307. Bearings are referenced to True North as determined by astronomic observation.

Reference is made to a "Plan of a Proposed Conveyance of Land in Section E Bustins Island made for Bustins Island Village Corporation" by Island Surveys dated March 15, 2012.

Schedule E – Article 7

Description of Property

To be Conveyed by: Donald N. Kitchin and Judeth N. Kitchin,
Trustees of the Kitchin Family Revocable Trust of 2007
to: Bustins Island Village Corporation
Section E Bustins Island Freeport, Maine

PARCEL FOUR

All of Grantors' right, title, and interest in land in Section E of Bustins Island, as shown on a "Plan of Bustins Island Cottage Lots ... Owned by Mrs. Amanda G. Swett" by H.N. Skolfield dated 1921 and recorded in said Registry, Plan Book 28 Page 1.

EXCEPTING and RESERVING to the Grantors, their heirs and assigns forever, the following three (3) parcels of land and any and all easements and other rights, privileges, and appurtenances thereto, including without limitation any riparian and/or dock rights:

- 1) Lot #71 as shown on a "Plan of Bustins Island Cottage Lots ... Owned by Mrs. Amanda G. Swett" by H.N. Skolfield dated 1921 and recorded in said Registry, Plan Book 28 Page 1, and as conveyed to Donald N. Kitchin and Judeth N. Kitchin, Trustees of the Kitchin Family Revocable Trust of 2007, by Judeth N. Kitchin by deed dated February 15, 2008, and recorded in said Registry, Book 25818 Page 162;
- 2) Lot #91 as shown on a "Plan of Bustins Island Cottage Lots ... Owned by Mrs. Amanda G. Swett" by H.N. Skolfield dated 1921 and recorded in said Registry, Plan Book 28 Page 1, and as conveyed to Donald N. Kitchin and Judeth N. Kitchin, Trustees of the Kitchin Family Revocable Trust of 2007, by Donald N. Kitchin by deed dated December 26, 2007, and recorded in said Registry, Book 25708 Page 312;
- 3) A certain lot or parcel of land, with the buildings thereon, on the Southeasterly side of Bustins Island in the Town of Freeport, County of Cumberland, State of Maine, shown as "Parcel B" on a "Plan of a Standard Boundary Survey ... made for Donald N. Kitchin" by Island Surveys dated July 22, 2009, and described in a deed from Charles B. Kitchin and Judith E. Kitchin, Trustees of the Charles B. Kitchin and Judith E. Kitchin Trust, to Donald N. Kitchin and Judeth N. Kitchin, Trustees of The Kitchin Family Revocable Trust of 2007, by deed dated July 31, 2009, and recorded in said Registry, Book 27148 Page 161.