

Public Synopsis

140 Farmington Falls Road, Farmington, ME 04938  
List Number: 1403055 County: Franklin  
Status: Active

List Price: \$269,000



General Information

Primary Use: General Commercial  
Surveyed: Unknown

Water Information

SqFt Finished Total +/-: 1,247  
Leased Land: No  
Lot Size Acres +/-: 0.86  
Zoning: As per town

Tax/Deed/Community Information

Book/Page/Deed: 3288/ 175/ All  
Map/Block/Lot: U10 / 58  
Full Tax: \$2,877/ 2018  
Amount/Year:  
Tax ID: FARN-000000-U000010-000058

Property Features

Utilities On: Yes	Building Features:	Internet Access Available; Overhead Doors
Parking: 11 - 20 Spaces; Garage; On Site; Paved	Construction: Masonry; Wood Frame	
Location: Near Shopping	Basement Info: Slab	
Electric: Circuit Breakers	Exterior: Metal Clad; Vinyl Siding	
Gas: No Gas	Roof: Membrane; Pitched	
Sewer: Public Sewer	Heat System: Baseboard	
Water: Public	Heat Fuel: Electric	
Commercial Bldg Information: Office SqFt +/-: 100	Cooling: Heat Pump	
	Floors: Concrete	
	Accessibility Amenities: Level Entry	

Remarks

Remarks: Commercial building with garages currently used as a repair shop. Great location with paved parking and minutes to downtown Farmington.

Listing/Agent/Office Information

Listing Office: Harris Real Estate 2084

Prepared by Kim Reynolds on Friday, January 25, 2019 2:29 PM.

The information on MLS listings has been assembled from various sources of varying degrees of reliability. Any information that is critical to your buying decision should be independently verified. All dimensions are approximate and not guaranteed. Copyright Maine Listings © 2019 and FBS.



# PROPERTY DISCLOSURE

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 the Seller and any Buyer. The Seller authorizes the Listing Broker in this transaction to disclose the information in this statement to other real estate licensees and to prospective buyers of this property. The Seller agrees to notify the Listing Broker promptly of any changes in the information and this form will be appropriately changed with an amendment date. Inspections are highly recommended.

**NOTE: DO NOT LEAVE ANY QUESTIONS BLANK. WRITE N/A (NOT APPLICABLE) OR UNKNOWN IF NEEDED.**

PROPERTY LOCATED AT: 140 Farmington Falls Rd, Farmington

## SECTION I. WATER SUPPLY

TYPE OF SYSTEM:  Public  Private  Seasonal  Unknown  
 Drilled  Dug  Other \_\_\_\_\_

MALFUNCTIONS: Are you aware of or have you experienced any malfunctions with the (public/private/other) water system?  
Pump:  Yes  No  N/A Quantity: \_\_\_\_\_  Yes  No  Unknown  
Quality:  Yes  No  Unknown

If YES to any question, please explain in the comment section below or with attachment.

WATER TEST: Have you had the water tested? \_\_\_\_\_  Yes  No  
IF YES: Date of most recent test: \_\_\_\_\_ Are test results available? \_\_\_\_\_  Yes  No  
To your knowledge, have any test results ever been reported as unsatisfactory or satisfactory with notation?  Yes  No  
IF YES, are test results available? \_\_\_\_\_  Yes  No  
What steps were taken to remedy the problem? \_\_\_\_\_

• IF PRIVATE:

INSTALLATION: Location: \_\_\_\_\_  
Installed BY: \_\_\_\_\_ DATE of Installation: \_\_\_\_\_  
USE: Number of Persons currently using system? \_\_\_\_\_  
Does system supply water for more than one household? \_\_\_\_\_  Yes  No  Unknown

COMMENTS:

Source of SECTION I information: Town Public Records

## SECTION II. WASTE WATER DISPOSAL

TYPE OF SYSTEM:  Public  Private  Quasi-Public  Unknown

• IF PUBLIC OR QUASI-PUBLIC:

Have you had the sewer line inspected?  Yes  No If yes, what results: \_\_\_\_\_  
Have you experienced any problems such as line or other malfunctions? \_\_\_\_\_  Yes  No  
What steps were taken to remedy the problem? \_\_\_\_\_

• IF PRIVATE:

TANK:  Septic Tank  Holding Tank  Cesspool  Other: \_\_\_\_\_  
Tank Size:  500 Gal.  1000 Gal.  Unknown  Other: \_\_\_\_\_  
Tank Type:  Concrete  Metal  Unknown  Other: \_\_\_\_\_  
Location: \_\_\_\_\_ OR \_\_\_\_\_ Date of Installation: \_\_\_\_\_  
Date Last Pumped: \_\_\_\_\_ Name of Company Pumping Tank: \_\_\_\_\_  
Have you experienced any malfunctions? \_\_\_\_\_  Yes  No  
If yes, give the date and describe the problem: \_\_\_\_\_

Date of Last Servicing of tank: \_\_\_\_\_ Name of Company Servicing Tank: \_\_\_\_\_

LEACH FIELD: \_\_\_\_\_  Yes  No  Unknown

IF YES: Location: \_\_\_\_\_

Date of installation of leach field: \_\_\_\_\_ Installed by: \_\_\_\_\_

Date of Last Servicing of leach field: \_\_\_\_\_ Name of Company Servicing leach field: \_\_\_\_\_

Have you experienced any malfunctions? \_\_\_\_\_  Yes  No

If yes, give the date and describe the problem & what steps were taken to remedy: \_\_\_\_\_

Does Seller have records of the septic system design indicating the number of bedrooms the system was designed for?  Yes  No

IF YES, is it available? \_\_\_\_\_

Is System located in a Shoreland Zone? \_\_\_\_\_  Yes  No  Unknown

Is System located in a Coastal Shoreland Zone? \_\_\_\_\_  Yes  No  Unknown

COMMENTS:

Source of SECTION II information: Town Public Records

2018 Page 1 of 3 - SPD Seller(s) Initials \_\_\_\_\_ Buyer(s) Initials \_\_\_\_\_

PROPERTY LOCATED AT

**SECTION III. HEATING SYSTEM(S)/SOURCE(S)**

Heating System(s)/Source(s)	SYSTEM 1	SYSTEM 2	SYSTEM 3	SYSTEM 4
TYPE(S)	<u>Oil Water</u>	<u>Oil</u>	<u>Heat Pump Electric</u>	
Age of system(s)/source(s)	<u>15</u>	<u>unk</u>	<u>3 yrs</u>	
Name of company that services system(s)/source(s)	<u>Drigo Water Oil</u>	<u>0</u>	<u>ABT</u>	
Date of most recent service call	<u>2018</u>	<u>2018</u>	<u>2018</u>	
Annual consumption per system/source (i.e., gallons, kilowatt hours, cord(s))	<u>350 gal ±</u>	<u>0</u>		
Malfunction per system(s)/source(s) within past 2 years	<u>0</u>	<u>0</u>		
Other pertinent information	<u>0</u>			

Are there fuel supply lines?  Yes  No  Unknown Are any buried?  Yes  No  Unknown Are all sleeved?  Yes  No  Unknown  
 Chimney(s):  Yes  No If yes, lined:  Yes  No  Unknown Last Cleaned: 2018  
 Is more than one heat source vented through one flue?  Yes  No  Unknown Had a chimney fire:  Yes  No  Unknown  
 Has chimney been inspected?  Yes  No  Unknown; If Yes, when: \_\_\_\_\_ Direct/Power Vent:  Yes  No  Unknown

COMMENTS: \_\_\_\_\_  
 Source of SECTION III information: \_\_\_\_\_

**SECTION IV. HAZARDOUS MATERIAL**

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

A. UNDERGROUND STORAGE TANKS - Current or previously existing:  
 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 above: How long have tank(s) been out of service? 2008  
 What materials are, or were, stored in the tank(s)? Gas / Diesel  
 Age of tank(s): 0 Size of tank(s): \_\_\_\_\_  
 Location: \_\_\_\_\_  
 Have you experienced any problems such as leakage? 0  
 Are tanks registered with the Dept. of Environmental Protection? NO  Yes  No  Unknown  
 If tanks are no longer in use, have tanks been abandoned according to D.E.P.?  Yes  No  Unknown

COMMENTS: \_\_\_\_\_  
 Source of information: \_\_\_\_\_  
 B. ASBESTOS - Current or previously existing:  
 • as insulation on the heating system pipes or duct work?  Yes  No  Unknown Ceilings?  Yes  No  Unknown  
 • in the siding?  Yes  No  Unknown • in the roofing shingles?  Yes  No  Unknown  
 • in flooring tiles?  Yes  No  Unknown • other: \_\_\_\_\_  Yes  No  Unknown

COMMENTS: \_\_\_\_\_  
 Source of information: \_\_\_\_\_  
 C. RADON/AIR - Current or previously existing:  
 Has the property been tested?  Yes  No  Unknown  
 IF YES: Date: \_\_\_\_\_ By: \_\_\_\_\_  
 Results: \_\_\_\_\_ If applicable, What remedial steps were taken? \_\_\_\_\_  
 Has the property been tested since remedial steps?  Yes  No  Unknown  
 Are test results available?  Yes  No Results & Comments: \_\_\_\_\_  
 Source of information: Seller

D. RADON/WATER - Current or previously existing:  
 Has the property been tested?  Yes  No  Unknown  
 IF YES: Date: \_\_\_\_\_ By: \_\_\_\_\_  
 Results: \_\_\_\_\_ If applicable, What remedial steps were taken? \_\_\_\_\_  
 Has the property been tested since remedial steps?  Yes  No  Unknown  
 Are test results available?  Yes  No Results & Comments: \_\_\_\_\_  
 Source of information: Seller

E. LEAD-BASED PAINT/PAINT HAZARDS - Current or previously existing: (Note: Lead-based paint is most commonly found in homes constructed prior to 1978)  
 Is there now or has there ever been lead-based paint and/or lead-based paint hazards on the property?  Yes  No  Unknown  
 Unknown but possible due to age  
 IF YES, describe location and the basis for the determination: \_\_\_\_\_  
 Do you know of any records or reports pertaining to such lead-based paint or lead-based paint hazards?  Yes  No  
 IF YES, describe: \_\_\_\_\_  
 Are you aware of any cracking, peeling or flaking paint?  Yes  No  
 COMMENTS: \_\_\_\_\_  
 Source of information: Seller

2018 Page 2 of 3 - SPD Seller(s) Initials \_\_\_\_\_ Buyer(s) Initials \_\_\_\_\_

PROPERTY LOCATED AT \_\_\_\_\_

F. OTHER HAZARDOUS MATERIALS - Current or previously existing:

- TOXIC MATERIAL:  Yes  No  Unknown
- LAND FILL:  Yes  No  Unknown
- RADIOACTIVE MATERIAL:  Yes  No  Unknown

OTHER: \_\_\_\_\_

Source of information: \_\_\_\_\_

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

**SECTION V. GENERAL INFORMATION**

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

IF YES: Explain: \_\_\_\_\_

Is access by means of a non-public way?  Yes  No  Unknown If YES, who is responsible for maintenance? \_\_\_\_\_

What is your source of information: \_\_\_\_\_

Are there any tax exemption or reduction for this property for any reason including but not limited to: Tree Growth, Open Space and Farmland, Veteran's, Homestead Exemption, Blind, Working Waterfront?  Yes  No  Unknown

IF YES: Explain: \_\_\_\_\_ Forest Management and Harvest Plan available?  Yes  No  Unknown

• Is this house currently covered by a flood insurance policy? (not a determination of flood zone)  Yes  No  Unknown

• Equipment leased or not owned (e.g., propane tank, hot water heater, satellite dish): Type: \_\_\_\_\_

• Year Principal Structure Built: unknown What year did Seller acquire property? 2008

• Roof: Year Shingles/Other Installed: Rubber 2014 Rechecked. OK

Water, moisture or leakage: None

Comments: \_\_\_\_\_

Foundation/Basement: Sump Pump:  Yes  No  Unknown Comments: \_\_\_\_\_

• Water, moisture or leakage since you owned the property:  Yes  No  Unknown Comments: \_\_\_\_\_

Prior water, moisture or leakage?  Yes  No  Unknown Comments: \_\_\_\_\_

• Mold: Has the property ever been tested for mold?  Yes  No  Unknown If YES, are test results available?  Yes  No

• Electrical:  Fuses  Circuit Breaker  Other: \_\_\_\_\_  Unknown

• Has all or a portion of the property been surveyed?  Yes  No  Unknown If YES, is the survey available?  Yes  No

• Manufactured Housing: Mobile Home -  Yes  No  Unknown Modular -  Yes  No  Unknown

• KNOWN MATERIAL DEFECTS about Physical Condition and/or value of Property, including those that may have an adverse impact on health/safety: \_\_\_\_\_

Source of SECTION V information: \_\_\_\_\_

Seller shall be responsible and liable for any failure to provide known information regarding known material defects to the Buyer.

ATTACHMENTS EXPLAINING CURRENT PROBLEMS, PAST REPAIRS OR ADDITIONAL INFORMATION IN ANY SECTION IN DISCLOSURE:  Yes  No

**SECTION VI. ADDITIONAL INFORMATION**

As Sellers, we have provided the above information and represent that all information is correct. To the best of our knowledge, all systems and equipment, unless otherwise noted on this form, are in operational condition.

Neither Seller nor any Broker makes any representations as to the applicability of, or compliance with, any codes of any sort, whether state, municipal, federal or any other, including but not limited to fire, life safety, building, electrical or plumbing.

Alex Heald  
SELLER

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SELLER

\_\_\_\_\_  
DATE

I/We have read and received a copy of this disclosure, the arsenic in wood fact sheet, the arsenic in water brochure, and understand that I/we should seek information from qualified professionals if I/we have questions or concerns.

\_\_\_\_\_  
BUYER

\_\_\_\_\_  
DATE

\_\_\_\_\_  
BUYER

\_\_\_\_\_  
DATE



# LEAD PAINT DISCLOSURE/ADDENDUM

AGREEMENT BETWEEN Leon E. Hebert (hereinafter "Seller")  
AND \_\_\_\_\_ (hereinafter "Buyer")  
FOR PROPERTY LOCATED AT Farmington Falls Road, Farmington, ME.

Said contract is further subject to the following terms:

## Lead Warning Statement

Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to purchase.

## Seller's Disclosure (check one)

(a) Presence of lead-based paint and/or lead-based paint hazards (check one below):

Known lead-based paint and/or lead-based paint hazards are present in the housing (explain).  
\_\_\_\_\_  
\_\_\_\_\_

Seller has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.

(b) Records and reports available to the Seller (check one below):

Seller has provided the Buyer with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (list documents below).  
\_\_\_\_\_  
\_\_\_\_\_

Seller has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.

## Buyer's Acknowledgment

(c) Buyer has received copies of all information listed above.

(d) Buyer has received the pamphlet Protect Your Family from Lead in Your Home.

(e) Buyer has (check one below):

Received a 10-day opportunity (or mutually agreed upon period) to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards; or

Waived the opportunity to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards.

## Agent's Acknowledgment

(f) Agent has informed the Seller of the Seller's obligations under 42 U.S.C. 4852(d) and is aware of his/her responsibility to ensure compliance.

## Certification of Accuracy

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information they have provided is true and accurate.

Leon Hebert  
Seller

Date

Buyer

Date

Seller

Date

Buyer

Date

Adrian Harris  
Agent

Date

Agent

Date



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REALTOR®  
Harris Real Estate, P.O. Box 329 Farmington, ME 04938  
Kimberly Reynolds

Phone: (207)462-9005 Fax:  
Produced with zipForm® by zipLogix 18070 Fifteen Mile Road, Fraser, Michigan 48026 www.zipLogix.com



**PROPERTY DISCLOSURE**  
(Non-Residential Properties)

TO BE DELIVERED TO BUYERS PRIOR TO OR DURING PREPARATION OF OFFER

REAL ESTATE: Harris Real Estate

SELLER: Leon E. Heckbert

To the best of Seller's knowledge (check one):

LEH No underground storage facility for the storage of oil or petroleum products exists on the premises.

\_\_\_\_\_ An underground oil storage facility exists on the premises which is subject to regulation by the Maine Department of Environmental Protection under 38 M.R.S.A. §561, et seq., State of Maine Registration No. \_\_\_\_\_. The underground facility \_\_\_ has \_\_\_ has not been abandoned in place.

Pursuant to the Rules of the Maine Real Estate Commission, Licensee discloses that the above-referenced Seller is making no representations regarding current or previously existing known hazardous materials on or in the Real Estate described above, except as follows:

\_\_\_\_\_  
\_\_\_\_\_

(attach additional sheets as necessary)

Buyer is encouraged to seek information from professionals regarding any specific hazardous material issue or concern.

Material defects pertaining to the physical condition of the property:

\_\_\_\_\_  
\_\_\_\_\_

(attach additional sheets as necessary)

The Seller agrees to notify the Listing Broker promptly of any changes in the information and this form will be appropriately changed with an amendment date.

Date: 1-24-19

Seller: *Leon Heckbert*


Seller: \_\_\_\_\_

The undersigned hereby acknowledge receipt of this Property Disclosure prior to the preparation of an offer to purchase the Real Estate.

Date: \_\_\_\_\_

Buyer: \_\_\_\_\_

Buyer: \_\_\_\_\_

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**PROPERTY DISCLOSURE ADDENDUM  
(Roads/Road Maintenance)**

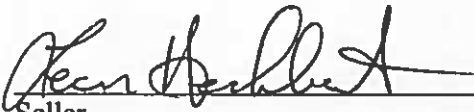
PROPERTY LOCATED AT: Farmington Falls Rd. Farmington, Me.

If the subject property is **NOT** a one-to-four unit residential property:

Are there any abandoned or discontinued town ways, any public easements or any private roads located on or abutting the property?  Yes  No  Unknown

If Yes, describe: \_\_\_\_\_

If Yes, who is responsible for maintenance (including road association, if any): \_\_\_\_\_

  
Seller \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_  
Seller \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_  
Seller \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_  
Seller \_\_\_\_\_ Date \_\_\_\_\_

The undersigned hereby acknowledge receipt of this Property Disclosure Addendum.


\_\_\_\_\_  
Buyer \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_  
Buyer \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_  
Buyer \_\_\_\_\_ Date \_\_\_\_\_

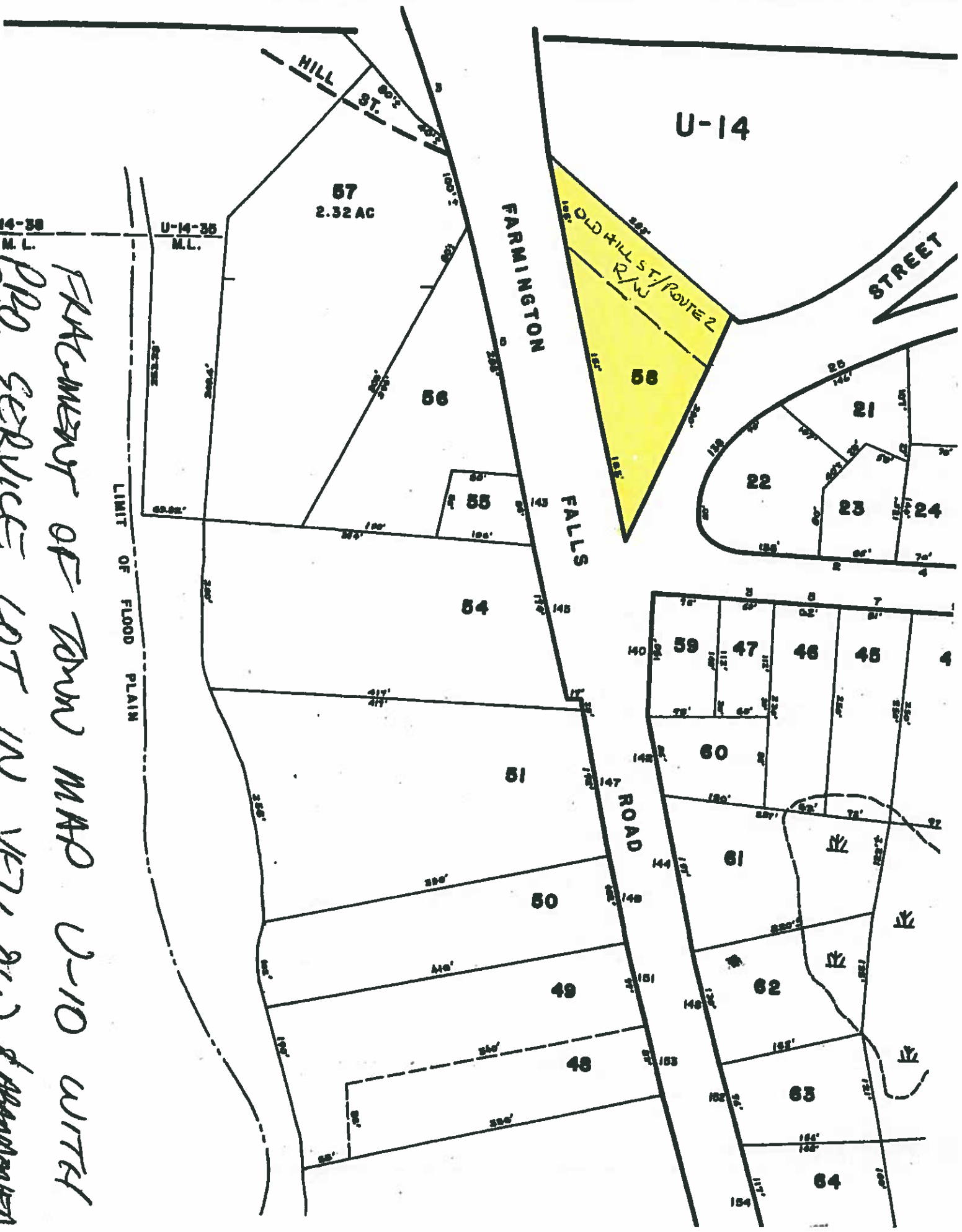
\_\_\_\_\_  
Buyer \_\_\_\_\_ Date \_\_\_\_\_

(NOTE: "Public easement" is defined as an easement held by a municipality for purposes of public access to land or water not otherwise connected to a public way, and includes all rights enjoyed by the public with respect to private ways created by statute prior to July 29, 1976.)

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PLACEMENT OF TOWN MAP U-10 WITH  
PRO SERVICE LOT IN YELLOW & REMOVED





**LEGEND**

- APPROXIMATE BOUNDARY LINE
- - - UTILITY POLE / O.H. WIRES
- ⊕ FIRE HYDRANT
- - - CENTERLINE OF PAVED ROAD

**NOTES**

1. THIS LOT DOES NOT APPEAR TO BE WITHIN THE 100 YEAR FREQUENCY FLOOD HAZARD ZONE.
2. THIS LOT AND THE STRUCTURES UPON IT APPEAR TO CONFORM TO ANY LOCAL ZONING ORDINANCES WHICH MAY HAVE BEEN IN EFFECT AT THE TIME OF CONSTRUCTION.
3. THIS IS A MORTGAGE LOAN INSPECTION AND IS TO BE USED FOR MORTGAGE PURPOSES ONLY. THIS PLAN MUST NOT BE USED FOR CONVEYANCES OR IMPROVEMENTS TO THE PROPERTY SHOWN HEREON.
4. THIS LOT IS DESIGNATED ON THE TOWN OF FARMINGTON TAX MAP U-10 AS LOT 58.
5. THIS LOT IS SERVICED BY THE LOCAL WATER AND SEWER DEPARTMENTS.

**DEED REFERENCE**

BOOK 3102, PAGES 259-263  
DATED DECEMBER 22, 2008

**MORTGAGE LOAN INSPECTION**

THIS IS NOT A BOUNDARY SURVEY

**CURRENT OWNER:** IOOMA, INC.

**PURCHASER / BORROWER:** LEON HECKBERT

**LOCATION:** 140 FARMINGTON FALLS ROAD  
FARMINGTON, MAINE 04938

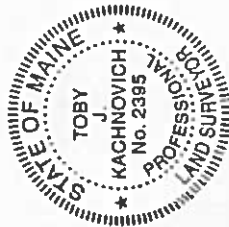
**DATE OF INSPECTION:** AUGUST 5, 2010

**COMPILED BY:**

KACHNOVICH LAND SURVEYING, INC.  
292 GODING ROAD  
LIVERMORE, MAINE 04253  
TEL. & FAX (207) 897-2748  
www.mainesurveying.com

SCALE 1" = 50'

MLJ-D1108



**CERTIFICATION:**  
TO LAW OFFICE OF MILLS & MILLS, THEIR SUCCESSORS AND ASSIGNS

I HEREBY CERTIFY THAT I HAVE EXAMINED THESE PREMISES AND THAT ALL EASEMENTS, ENCUMBRANCES AND BUILDINGS ARE APPARENTLY LOCATED ON THE GROUND AS SHOWN, AND THAT THE PREMISES SHOWN HEREON IS ALL OF THE LAND DESIGNATED IN BOOK 3102, PAGE 263, RECORDED AT THE FRANKLIN COUNTY REGISTRY OF DEEDS.

*Toby J. Kachnovich*  
TOBY J. KACHNOVICH PROFESSIONAL LAND SURVEYOR #2385

## QUITCLAIM DEED WITH COVENANT

**IOCMA, INC.**, a Massachusetts corporation having a place of business in Farmington, Franklin County, Maine ("Grantor"), for consideration paid, grants to **LEON E. HECKBERT** of 140 Main Street, Farmington, Maine 04938 ("Grantee"), with quitclaim covenant, certain real estate located in said Farmington more particularly described in Exhibit A attached hereto and made a part hereof (the "Premises"), together with all improvements thereon.

The Premises are conveyed expressly subject to the restriction, which shall run with the Premises in perpetuity, that the Premises shall not be used for day care centers, educational facilities, healthcare facilities, parks and outdoor recreational uses, any residential, hotel or other human habitation purposes of any kind or density, permanent or temporary, or for the sale, marketing, handling, lease, storage, placing, distribution of or other dealing in petroleum, gasoline, diesel fuel, or the operation of a convenience store or the operation of any business or activity of a similar nature to any of the foregoing (the "Proscribed Activity"); or for the purpose of storage or parking associated with or for the benefit of, or access, entrance, exit, right-of-way or easement, directly or indirectly, to or from, any other lands and premises used for the Proscribed Activity. For purposes of this restriction, the term "petroleum" shall not include lubricants, motor oils, greases, solvents, and antifreeze when used incidental to the operation of an automobile repair shop. The restriction set forth above shall inure to the benefit of Grantor, each of Grantor's successors and assigns, and be binding upon Grantee, Grantee's successors in title to the Premises, and every part thereof, Grantee's heirs, executors, personal representatives, successors and assigns, as the case may be, and all persons, firms, associations and corporations claiming under or through Grantee and such persons', firms', associations' and corporations' respective executors, personal representatives, successors and assigns, as the case may be. Grantee will take all action necessary to enforce the restrictive covenants herein contained and to prevent any breach of the same and, in default thereof, Grantor may take all such action necessary to enforce such covenants in the name of Grantee and entirely at the expense of Grantee. In such event, Grantee will provide full cooperation and assistance to Grantor and do, execute and deliver all such necessary documents, assurances and things for the better and more perfect enforcement of such covenants to the full extent provided herein or intended so to be. Grantee shall include as part of any transfer of the Premises a covenant with its transferee that said transferee shall abide by this restriction, and shall include the restriction in its deed to its transferee.

For Grantor's source of title, reference may be made to the deed from Irving Oil Corporation to IOCMA, Inc., dated December 22, 2008, and recorded in the Franklin County Registry of Deeds in Book 3102, Page 259.

Highlands Fuel Delivery, LLC, successor to Irving Oil Corporation by virtue of a statutory conversion, joins in this deed to release any interest it may have retained in the foregoing deed from Irving Oil Corporation to IOCMA, Inc., including without limitation, any possibility of reverter as well as any right of entry.

IN WITNESS WHEREOF, IOCMA, INC. has caused this instrument to be executed on its behalf by its duly authorized undersigned representative, this 13<sup>th</sup> day of OCTOBER, 2010, and HIGHLANDS FUEL DELIVERY, LLC has caused this instrument to be executed on its behalf by its duly authorized undersigned representative, this 13 day of October, 2010.

[Signature]  
Witness

IOCMA, INC.

By: [Signature]  
Printed Name: Dan Breen  
Its: Treasurer

[Signature]  
Witness

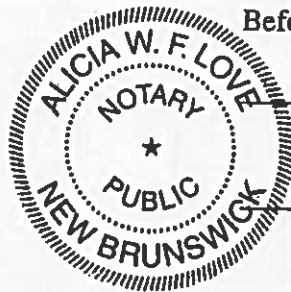
HIGHLANDS FUEL DELIVERY, LLC

By: [Signature]  
Printed Name: Darren Gillis  
Its: President

STATE/Commonwealth of New Brunswick, Canada  
County of Saint John, SS.

October 13, 2010

Then personally appeared the above-named Dan Breen, Treasurer of IOCMA, INC. and acknowledged the foregoing instrument to be his/her free act and deed in his/her said capacity and the free act and deed of said IOCMA, INC.



Before me,

[Signature]  
Notary Public

Alicia W. F. Love  
Print or type name as signed

## EXHIBIT A

A certain lot or parcel of land, with the buildings thereon, situated in Farmington, County of Franklin, State of Maine, and being the premises situated at the intersection of Route 2 and lower Main Street in said Farmington, described in a deed from Edith Gooch Searles and Meta Searles Hopkins to The Luce Company, formerly Farmington Oil Company, dated June 6, 1957, and recorded in the Franklin County Registry of Deeds in Book 348, Page 44, as follows: Beginning on the southerly side of the road leading from the dwelling house formerly occupied by Jonathan Wright by the dwelling house formerly of Josiah Prescott to the Center Bridge, so-called, at a stake standing on the southerly side of said road and twelve (12) rods and eighteen (18) links easterly of said Prescott's land; thence easterly on the southerly side of said road six (6) rods and twelve (12) links to the westerly side of the road leading from the Center Village, so-called, in Farmington to Farmington Falls; thence southerly on the westerly side of said last mentioned road about fifteen (15) rods to the northeasterly corner of land formerly of George Manter; thence westerly on said Manter land, being the northerly line thereof, six (6) rods and twelve (12) links to a stake; thence northerly in a direct line about sixteen (16) rods to the bound begun at, containing one hundred (100) square rods, more or less.

Also a certain lot or parcel of land, with any buildings thereon, situated in Farmington, County of Franklin, State of Maine, and being the premises described in a certain deed given by Gertrude M. Brown to Farmington Oil Co., dated June 11, 1958, and recorded in said Registry in Book 352, Page 108, with the exception of land conveyed by said Searles and Hopkins to the State of Maine by instrument dated August 2, 1957, and recorded in said Registry in Book 348, Page 111, the resulting parcel being described as follows:

Commencing on the easterly side of U.S. Route #2 at the highway limit at an iron stake set in the ground being at the intersection of said easterly side of said U.S. Route #2 as now located and the westerly side of U.S. Route #2 as formerly located; thence south sixty-seven (67) degrees and five (5) minutes easterly one hundred and five one hundredths (100.05) feet to line of land now or formerly of Farmington Oil Co.; thence south nine (9) degrees and fifty-five (55) minutes west along line of land of said Farmington Oil Co. ninety-three and ten one hundredths (93.10) feet to said highway limit on said U.S. Route #2; thence north thirty (30) degrees and twenty (20) minutes west one hundred fifty-one and sixty-two one hundredths (151.62) feet to the point of beginning.

The triangular piece of land hereby conveyed contains forty-five hundred forty-eight and sixty-one one hundredths (4548.61) square feet.

Reference is made to a certain plan entitled "A Plot Plan for Farmington Oil Co., Farmington, Me., Scale 1 = 20.00' - June 1958" and recorded in the Franklin County Registry of Deeds in Book 122 1/2, Page 42.

Also hereby conveying any rights in and to the old location of U.S. Route #2 or Hill Street, so-called, just northerly of the premises hereby conveyed.

The Premises are further conveyed subject to the following:

- a. Any and all present and future zoning, subdivision, environmental, building and other laws, ordinances, rules, resolutions, orders, regulations, codes, restrictions or other legal requirements pertaining to the ownership, use, development or operation of, or the physical improvements on, the Premises (or any portion thereof) of any government or governmental authority now having or hereafter acquiring jurisdiction over the Premises (or any portion thereof);
- b. Any and all liens for real estate taxes and assessments, unmetered water charges, unmetered sewer rents and any other governmental charges, which are not due and payable prior to the date of closing;
- c. Any encumbrances not affecting marketability of title such as standard utility easements and the like;
- d. Any state of facts an accurate survey or physical inspection of the Premises would show; and
- e. Any and all violations of building, fire, and similar laws, ordinances, rules, resolutions, orders, regulations, codes, restrictions or other legal requirements of any government or governmental authority now having or hereafter acquiring jurisdiction over the Premises (or any portion thereof).

**ENVIRONMENTAL SOIL SAMPLING  
AND TESTING SERVICES  
PRO SERVICE PROPERTY  
140 FARMINGTON FALLS ROAD  
FARMINGTON, MAINE**

**10-0287 E**

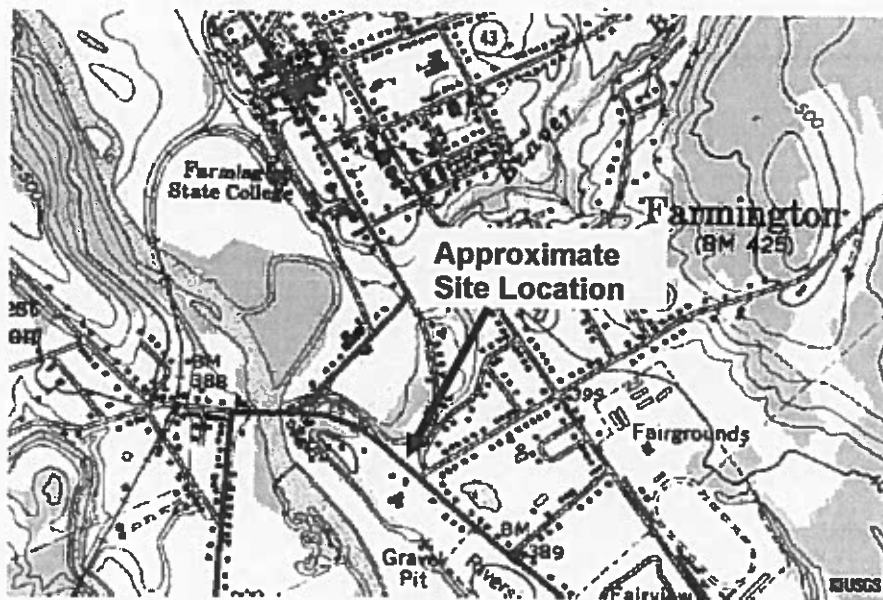
**AUGUST 25, 2010**

**PREPARED BY:**



**FOR:**

**LEON HECKBERT**



adjacent to and down-gradient of the USTs removed in 1993 and the reported location of the former soil venting remediation system. P-4 was made adjacent to the back side of the site building in the area of the removed waste oil UST, and P-5 and P-6 were made adjacent to the garage area of the site building.

The approximate locations of the geoprobe explorations are shown on the Site and Exploration Location Plan attached as Sheet B-1 in Appendix B.

Geoprobe explorations P-1, P-2 and P-6 were terminated at a depth of 12.0 feet below the ground surface. P-3 and P-4 were terminated on refusal surfaces (likely cobbles) at depths of 10.5 feet and 9.9 feet, respectively. P-5 was terminated at a depth of 8.0 feet.

Below several inches of bituminous pavement, the soils in P-1, P-5 and P-6 generally consisted of about 1.5 feet of sand and gravel fill overlying native sand with trace silt. The soils in P-2 and P-3 consisted of about 8 inches of loam overlying native sand with trace silt. Approximately 7.5 feet of silty sand fill overlying native sand with trace silt was encountered in P-4.

Groundwater was not encountered in any of the geoprobe explorations.

### **3.2 Soil Sampling and Testing**

We collected soil samples at continuous intervals from each of the geoprobe explorations. We tested the soil samples for petroleum and other ionizable volatile organic compounds (VOCs) with a photoionization detector (PID) using the MeDEP Headspace Technique. The PID used was a MSA Passport Model PID II with a 10.6 electron Volt (eV) ultraviolet lamp and detection capability of 0.1 ppm (parts per million).

The Headspace Technique is conducted by placing about 250 grams of soil sample in a one-quart zip-type plastic bag, which is then closed. The sample is agitated for about 30 seconds and left to equilibrate for 15 minutes. A reading is then taken by placing the PID probe through the bag and drawing out a sample of soil gas.

No detectable PID readings were obtained for any of the soil samples during the testing. We did not observe petroleum odors, staining or other evidence of contamination while testing the soil samples.

garage/office building used by Pro Service. Historically, the site building was used as a fuel station and an automobile repair garage.

Eleven USTs that contained gasoline, diesel, waste oil and #2 fuel oil were removed from the property in 1993 and 2008. MeDEP documents indicate that a soil venting system was installed to remediate gasoline contamination at the site in 1993.

Yarmouth Environmental Services of Yarmouth, Maine completed six direct-push geoprobe explorations (P-1 through P-6) at the site on August 20, 2010. The geoprobe explorations were made down-gradient of the USTs removed in 1993 and 2008, adjacent to and down-gradient of the reported location of the former soil venting remediation system, and adjacent to the garage portion of the site building including the area of the removed waste oil UST.

We collected soil samples at continuous intervals from each of the geoprobe explorations and tested the samples for petroleum and other ionizable VOCs with a PID using MeDEP-approved methods. No detectable PID readings were obtained for any of the soil samples during the testing, and we did not observe petroleum odors, staining or other evidence of contamination while testing the samples.

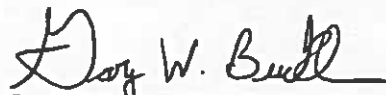
## 5.0 RECOMMENDATIONS

We do not recommend further environmental investigation of the site at this time.

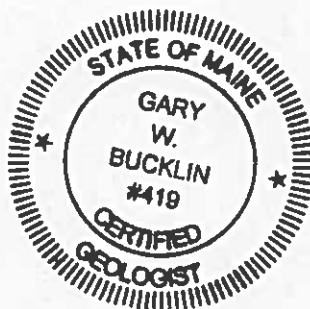
## 6.0 CLOSING

Thank you for using our services. Please contact us if you have questions or if we may be of further assistance.

S. W. COLE ENGINEERING, INC.



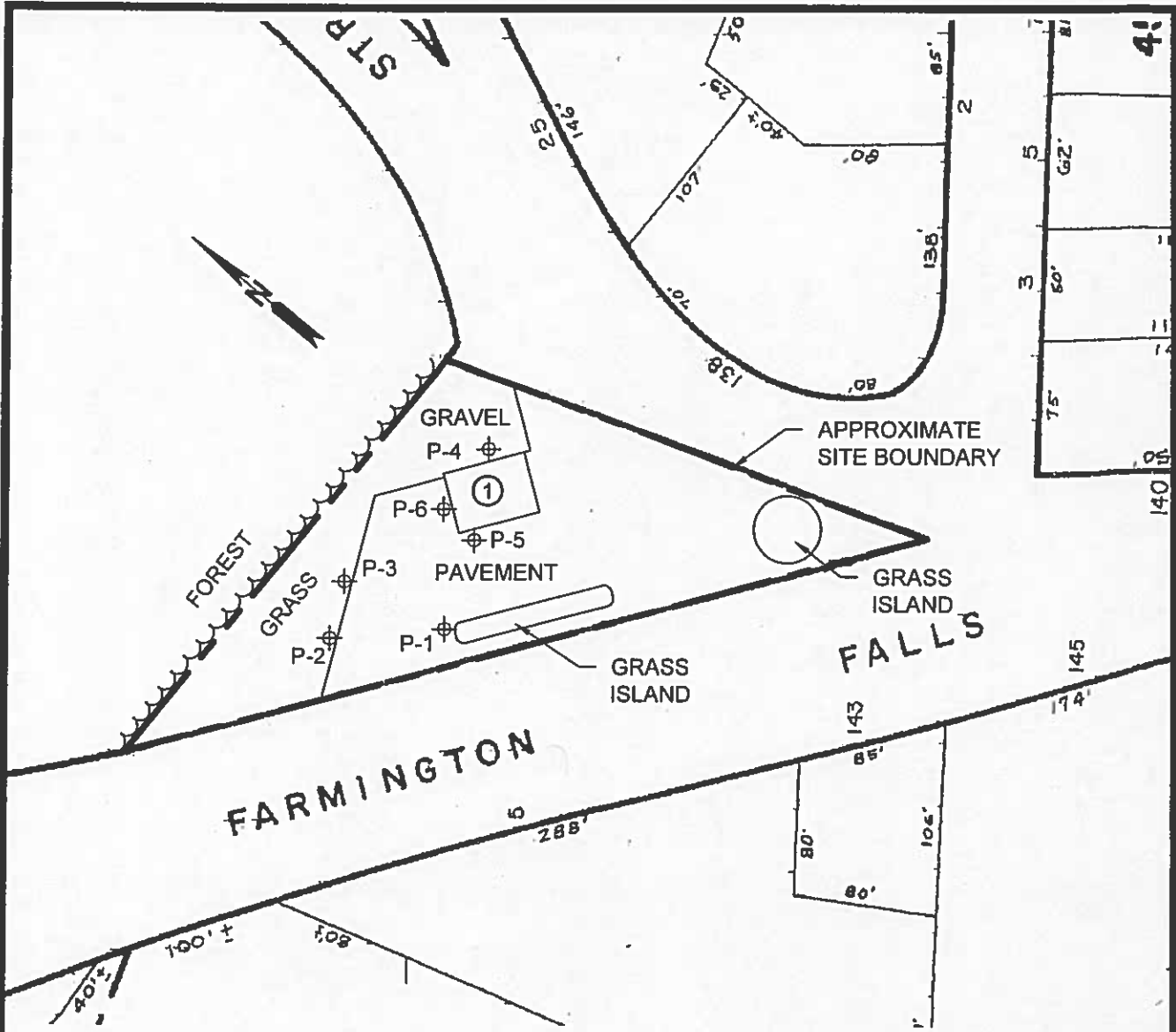
Gary W. Bucklin, C.G.  
Senior Geologist



GWB:gwb/jlw



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**LEGEND**

- ⊕ GEOPROBE EXPLORATION LOCATION
- ① PRO SERVICE OFFICE/GARAGE

**NOTE :**

THE GEOPROBE EXPLORATION LOCATIONS ARE APPROXIMATE AND ARE BASED ON THE RELATIVE LOCATIONS TO SITE FEATURES OBSERVED.



PRO SERVICE  
**SITE & EXPLORATION LOCATION PLAN**

SOIL SAMPLING & TESTING SERVICES  
 PRO SERVICE PROPERTY  
 140 FARMINGTON FALLS ROAD  
 FARMINGTON, MAINE

Job No. 10-0287 E  
 Date : 08/24/10

Scale Not to Scale  
 Sheet B-1