

CITIZEN INITIATIVE

Presented to the Select Board on May 18, 2021. The Select Board acknowledged and supported the language presented below. Exhibit H, the January 2020 Survey of Map 7, Lot 64, can be found on the back of this page.

Original:

ARTICLE 2: To see if the Town will grant a conservation easement or similar instrument to an entity that will have the effect of restricting the use of Sharp's Field, located on town property at 10 Village Square Road, to public recreation and public activities, and authorize and delegate to the Select Board undertaking all action necessary to effect the purposes of this article including the selection of such entity?

Select Board recommends approval.

Explanation: *The purpose of the article is to ensure that Sharp's Field remains an open outdoor area for public recreation use and is not considered or sold for commercial development at any time in the future.*

Amendments:

ARTICLE 2: To see if the Town will grant a conservation easement or similar instrument to an entity that will ensure compliance with the instrument's terms. The instrument ~~that~~ will have the effect of restricting the use of Sharp's Field, located on town property at 10 Village Square Road, as shown on the sketch on the Town's January 2020 survey in Exhibit H to its current condition for its continued use primarily as a lacrosse and other sports playing fields and secondarily for other public recreation and public activities , and authorize and delegate to the Select Board undertaking all action necessary to effect the purposes of this article including the selection of such entity?

Select Board recommends approval.

Explanation: *The purpose of the article is to ensure that Sharp's Field remains ~~an open outdoor area~~ a sports field ~~for public recreation use~~ and is not considered or sold for ~~commercial~~ development or building recreation facilities or structure at any time in the future. At this time MSAD 51 may be the party to the instrument.*

As amended:

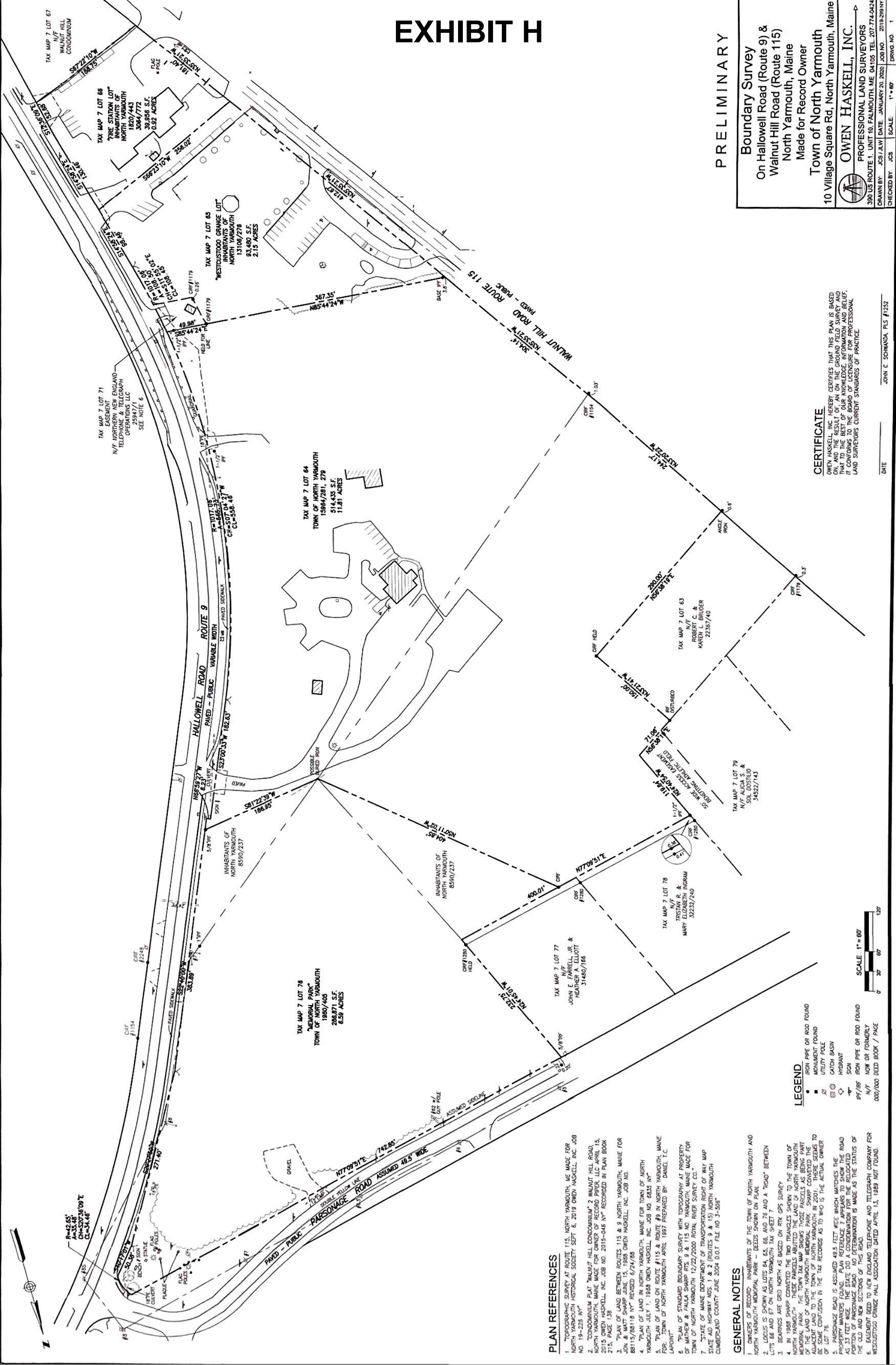
ARTICLE 2: To see if the Town will grant a conservation easement or similar instrument to an entity that will ensure compliance with the instrument's terms. The instrument will have the effect of restricting the use of Sharp's Field, located on town property at 10 Village Square Road, as shown on the sketch on the Town's January 2020 survey in Exhibit H to its current condition for its continued use primarily as a lacrosse and other sports playing fields and secondarily for other public recreation and public activities , and authorize and delegate to the Select Board undertaking all action necessary to effect the purposes of this article including the selection of such entity?

Select Board recommends approval.

Explanation: *The purpose of the article is to ensure that Sharp's Field remains a sports field and is not considered or sold for development or building recreation facilities or structure at any time in the future. At this time SAD 51 may be the party to the instrument.*

5-16-2021

EXHIBIT H



PLAN REFERENCES

- 1. TOPOGRAPHIC SURVEY AT ROUTE 115, NORTH YARMOUTH, ME MADE FOR NORTH YARMOUTH HISTORICAL SOCIETY SEPT. 6, 2019 OWEN HASKELL, INC. JOB NO. 19-225 NY
- 2. "CONDOMINIUM PLAN 'WALNUT HILL CONDOMINIUM' 2 WALNUT HILL ROAD, NORTH YARMOUTH, MAINE MADE FOR OWNER OF RECORD PAPER LLC APRIL 15, 2015 OWEN HASKELL, INC. JOB NO. 2015-046 NY" RECORDED IN PLAN BOOK 215, PAGE 138
- 3. "PLAN OF LAND BETWEEN ROUTES 115 & 9 NORTH YARMOUTH, MAINE FOR JOHN & MATT SHARP JUNE 15, 1988 OWEN HASKELL, INC. JOB NO. 88115/88118 NY" REVISED 6/24/88
- 4. "PLAN OF LAND IN NORTH YARMOUTH, MAINE FOR TOWN OF NORTH YARMOUTH JULY 1, 1958 OWEN HASKELL, INC. JOB NO. 5815 NY"
- 5. "PLAN OF LAND ON ROUTE #115 & ROUTE #9 IN NORTH YARMOUTH, MAINE FOR TOWN OF NORTH YARMOUTH APRIL 1997 PREPARED BY: DANIEL T.C. LAPONT"
- 6. "PLAN OF STANDARD BOUNDARY SURVEY WITH TOPOGRAPHY AT PROPERTY OF MATTHEW & PAULA SHARP RTS. 9 & 115 NO. YARMOUTH, MAINE MADE FOR TOWN OF NORTH YARMOUTH 12/22/2000 ROYAL RIVER SURVEY CO."
- 7. "STATE OF MAINE DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP STATE AID HIGHWAY NOS. 1 & 2 (ROUTES 9 & 15) NORTH YARMOUTH CUMBERLAND COUNTY JUNE 2004 D.O.T. FILE NO. 3-506"

GENERAL NOTES

- 1. OWNERS OF RECORD: INHABITANTS OF THE TOWN OF NORTH YARMOUTH AND NORTH YARMOUTH MEMORIAL PARK - DEEDS SHOWN ON PLAN
- 2. LOCUS IS SHOWN AS LOTS 64, 65, 66, AND 76 AND A "ROAD" BETWEEN LOTS 66 AND 67 ON NORTH YARMOUTH TAX SHEET 7
- 3. BEARINGS ARE GROUND NORTH AS BASED ON RTK GPS SURVEY
- 4. IN 1988 SHARP CONVEYED THE TWO TRIANGLES SHOWN TO THE TOWN OF NORTH YARMOUTH. THESE PARCELS ABUTTED THE LAND OF NORTH YARMOUTH MEMORIAL PARK. THE TOWN TAX MAP SHOWS THOSE PARCELS AS BEING PART OF THE LAND OF NORTH YARMOUTH MEMORIAL PARK. SHARP CONVEYED THE ADJACENT LAND TO THE TOWN OF NORTH YARMOUTH IN 2001. THERE SEEMS TO BE SOME CONFUSION IN THE TAX RECORDS AS TO WHO IS THE ACTUAL OWNER OF LOT 76.
- 5. PARSONAGE ROAD IS ASSUMED 48.5 FEET WIDE WHICH MATCHES THE PROPERTY MARKERS FOUND. PLAN REFERENCE 7 APPEARS TO SHOW THE ROAD AS 33 FEET WIDE. THE STATE DID A CONDEMNATION FOR THE RELOCATED PARSONAGE ROAD IN 1989. NO DETERMINATION IS MADE AS THE STATUS OF THE OLD AND NEW SECTIONS OF THIS ROAD.
- 6. EASEMENT DEED TO NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY FOR WESTCUSTOD GRANGE HALL ASSOCIATION DATED APRIL 13, 1989 NOT FOUND.

LEGEND

- IRON PIPE OR ROD FOUND
- MONUMENT FOUND
- UTILITY POLE
- CATCH BASIN
- HYDRANT
- SGN
- IRON PIPE OR ROD FOUND
- IRON PIPE OR ROD FOUND
- IRON PIPE OR ROD FOUND
- 000/000 DEED BOOK / PAGE



CERTIFICATE

OWEN HASKELL, INC. HEREBY CERTIFIES THAT THIS PLAN IS BASED ON, AND THE RESULT OF, AN ON THE GROUND FIELD SURVEY AND THAT TO THE BEST OF OUR KNOWLEDGE, INFORMATION AND BELIEF, IT CONFORMS TO THE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS CURRENT STANDARDS OF PRACTICE.

DATE _____ JOHN C. SCHWANDA, PLS #1252

PRELIMINARY

Boundary Survey
On Hallowell Road (Route 9) &
Walnut Hill Road (Route 115)
North Yarmouth, Maine
Made for Record Owner
Town of North Yarmouth
10 Village Square Rd, North Yarmouth, Maine
OWEN HASKELL, INC.
PROFESSIONAL LAND SURVEYORS
390 US ROUTE 1, UNIT 10, FALMOUTH, ME 04105 TEL 207-774-0424
DRAWN BY: JCS/JAW DATE: JANUARY 20, 2020 JOB NO. 2019-299 NY
CHECKED BY: JCS SCALE: 1" = 60' DRWG NO. 1