

## DRAINAGE EASEMENT

(Reciprocal)

**GRAHANELI REALTY, LLC**, a Limited Liability Company, with a mailing address of P.O. Box 1269, Wells, Maine 04090 (hereinafter “Grantor”), owner of certain real estate located at Willie Hill Road and Route 9 in the Town of Wells, County of York and State of Maine (Wells Municipal Lot # 41-11-1B), more particularly described in deeds recorded at the York County Registry of Deeds in Book 10499, Page 80 and Book 11902, Page 105 (the “Property”) for consideration paid, grants to **GRAHANELI REALTY, LLC**, a Limited Liability Company, with a mailing address of P.O. Box 1269, Wells, Maine 04090 (Wells Municipal Lot # 40-18), (hereinafter Grantee) a perpetual easement, in common with the Grantor, limited as set forth below (the “Easement”), in, on, underground and over the portion of the Grantor’s land as identified on the Plan cited below (“the Plan”) for purposes of storm-water management and drainage, together with the right to enter the easement area from Willie Hill Road with persons, vehicles and machinery for construction, maintenance, repair and replacement of ditches, culverts, pipes, swales, retention ponds and similar storm-water management and drainage improvements, including the right of Grantee to install or remove vegetation, to remove or add soil, all to such extent as is required by the Town of Wells Planning Board in connection with approval of Grantor’s *Subdivision Plan Amendment #5, Central Industrial Park, Route 9 & Willie Hill Road, Wells, Maine*, Sheet 1 of 1, dated 7/18/22, revised 9/21/22, prepared by Attar Engineering, Inc., Job No. C180-21, or in the judgment of Grantor and Grantee is necessary for the efficient drainage of storm-water.

It is also recognized and anticipated that there would be some water run-off from Lot 41-11-1B on to Lot 40-18. With the execution of this document, both parties to this Easement grant the necessary authority for this to occur.

Said easement is shown and delineated on the *Site Plan, Storage Depot, TM 41, Lots 11-1A, 11-1B & 11-2, Willie Hill Road and North Berwick Road (Route 9), Wells, Maine*, Sheet 1 of 5, dated 5/31/22, revised 9/21/22, prepared by Attar Engineering, Inc., Job No. C180-21. This Easement is to effectuate the plan for drainage, which is to allow an outlet from the existing Molly Corp. detention pond to flow through a new culvert to a new detention/treatment pond on the Storage Depot lot (Lot 11-1B after subdivision amendment to consolidate three lots).

By acceptance of this Drainage Easement, Grantee covenants with Grantor, and Grantor covenants with Grantee, that Grantor and Grantee will be mutually, and in equal shares, responsible for the expense of maintenance, repair or replacement of said storm-water management and drainage improvements, but Grantor will not be responsible for the initial construction of such improvements necessary to connect the storm-water drainage improvements located or to be located on Grantee’s land to the existing storm-water drainage improvements located on Grantor’s land; and Grantee agrees to indemnify, defend (with Counsel acceptable to Grantor) and hold Grantor harmless from and against any and all losses, costs, claims, expenses and liabilities suffered by Grantor on account of any injury to persons or damage to property caused by Grantee, or any agents, employees, contractors, or invitees of Grantee, while Grantee, or any agents, employees, contractors, or invitees of Grantee are within the Easement area pursuant to the rights granted by this Easement. In exercising their rights hereunder, Grantee and Grantor shall comply with all applicable laws, ordinances, regulations, and codes. This instrument shall be binding upon, and inure to the benefit of, Grantor and Grantee, and their respective heirs, successors and assigns from time to time of all or any portion of either or both

of the benefited and servient estates or any portion or portions thereof, however such estates may hereafter be divided or combined, and shall be covenants running with the land.

**WITNESS** its hand this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**GRAHANELI REALTY, LLC**

Wells Municipal Lot # 41-11-1B

\_\_\_\_\_  
Witness

By: \_\_\_\_\_  
Its: \_\_\_\_\_

**GRAHANELI REALTY, LLC**

Wells Municipal Lot # 40-18

\_\_\_\_\_  
Witness

By: \_\_\_\_\_  
Its: \_\_\_\_\_

**STATE OF MAINE**

**York, ss.**

\_\_\_\_\_, 2022

Then personally appeared the above-named, \_\_\_\_\_, in his said capacity, and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of said Corporation.

Before me,

\_\_\_\_\_  
Attorney-at-Law/Notary Public