



TOWN OF GRAY
GRAY TOWN COUNCIL
AGENDA • MAY 9, 2023

**Gray Town
Council Workshop**

Town Council Chambers
24 Main Street, Gray, ME 04039
<https://us06web.zoom.us/j/87821847320>
Phone 646-558-8656 / Meeting ID: 878 2184 7320

5:00 PM

CALL to ORDER

Roll Call

WORKSHOP 5:00 PM

- 1) Depot Rd Deed discussion
- 2) Water Quality/Phosphorus ordinance - update
- 3) Fire Cisterns/Public Safety ordinance
- 4) Tax Flyer/Mailer

** The Town of Gray is an equal opportunity employer and complies with all applicable equal access to public accommodations law. If you are planning to attend a Town Council or Town committee or board meeting and need assistance with a physical disability, please contact the Town Manager's office at least 48 hours in advance of the meeting to have the Town assist you. 657-3339. TTY 657-3931.*

Jonathan Hartt

From: Kristen Muszynski
Sent: Wednesday, May 3, 2023 9:56 AM
To: Jonathan Hartt
Subject: Packet info - council workshop agenda item - deed query
Attachments: original deed 2738 pg 172.pdf; Filed deed 39150.43.pdf; 211073.pdf; Tax bill - Depot rd lot.pdf

Hi Jon:

Below and attached are the information items for discussion of the deed query at the council workshop on May 9. It includes the materials sent by the property owner and a summary of her request, based on her emails and phone call.

I have let the property owner know that she and/or her representative need to attend the workshop, as this is between her and the council; Planning is not involved.

Thanks,
Kristen

Property owner Diana Ridlon is trying to close on the sale of her Depot Road property and is asking for council input regarding language in her deed that references the town. (See attached, and most notably, the language at the end of the "original deed" PDF.)

This property owner is requesting a letter from the town regarding the town's interest in this property. Her title attorney picked up on it and they'd like the town to sign a letter stating that the town does not have any interest in the property for cemetery use, to avoid any questions about the title so the pending sale can go through.

The town attorney has advised that the council is the appropriate body with the authority to consider this request.

Attached are:

- The original deed showing the verbiage at the very bottom of the deed
- The latest survey from Wayne Wood showing the 2.66 acre lot remaining
- The latest deed filed
- The latest tax invoice showing the map lot 045-033-028-000

This electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it, may be considered public records, and may therefore be subject to public record requests for review and copying under Maine's Right to Know Law (Title 1, 401-521 of the Maine Revised Statutes).

(506)

172

Know all Men by these Presents.

That I, Annie C. Carr of Gray in the County of Cumberland and the State of Maine

Carr
to
Morrill
&
War

in consideration of One dollar (\$1.00) and other valuable considerations

paid by Matthew G. Morrill and Annie A. Morrill of said County and State

See
Book 3492
Page 78

the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said Matthew G. Morrill and Annie A. Morrill

as joint tenants and not as tenants in common, their heirs and assigns, and to the survivor of them and the heirs and assigns of the survivor of them forever. A certain lot or parcel of land situated on the northerly side of the Depot Road more particularly described as follows; Beginning at a point on the northerly side of the Depot road and running northerly two hundred forty two and one half (242 1/2) feet (S-33° E) to a point thence north 48° E one hundred fifty four (154) feet to a point and land of Matthew G. Morrill, thence north 38° west seven hundred ninety two (792) feet to a point and land of Matthew G. Morrill, thence north 52° east six hundred twenty five (625) feet to a point, stone and hub and land of Karl Morrill, thence southerly 38° East one thousand twenty (1020) feet to the side line of said Depot Road and a point, thence southerly along road line 52° west twenty (20) feet to land of one Grant, thence along Grant line in a northerly direction 38° west two hundred forty nine (249) feet to a point, thence northerly one hundred seventy five (175) feet along Grant line to a point, thence southerly 38° west along Grant line to the side line of Depot Road, thence along line of Depot road southerly 52° west three hundred thirty seven (337) feet more or less to a point and land of Annie C. Carr, and the point of beginning, (Containing fourteen (14) acres more or less.

Meaning to convey to the Grantees a portion of the premises that I acquired by will from my husband, Peter Carr, and recorded in the Cumberland County Registry of deeds January 20, 1955. Lizzie Gallup to Peter and Earl Carr December 11, 1936 Book 1509 Page 472 and Earl Carr to Peter Carr by quit claim deed about 11/10/43.

Meaning also for this land to be used for a cemetery or burial ground purpose if the Town of Gray should desire to purchase it from grantees for this reason, at any future date.

original deed

RECORDING REQUESTED BY
AND AFTER RECORDING RETURN TO:
Richard J. Abbondanza, Esq.
Hopkinson & Abbondanza, P.A.
6 City Center, Suite 400
Portland, ME 04101

DLN: 1002240182277

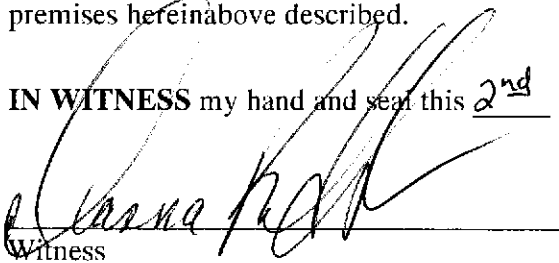
DEED

CARLENE DURGIN of Gray, County of Cumberland, and State of Maine, for consideration paid, grants, conveys and forever quitclaims to **CARLENE E. DURGIN, DIANNA RIDLON and DENISE PRIDE, Trustees, or their successors in trust, of the CARLENE E. DURGIN LIVING TRUST dated September 27, 2021, and any amendments thereto**, of Gray, County of Cumberland, and State of Maine, with quitclaim covenant, a certain lot or parcel of land situated in Gray, County of Cumberland, and State of Maine, more particularly bounded and described as follows:

See Exhibit A attached hereto and made a part hereof

Also hereby conveying all rights, easements, privileges, and appurtenances, belonging to the premises hereinabove described.

IN WITNESS my hand and seal this 2nd day of February, 2022.



Witness

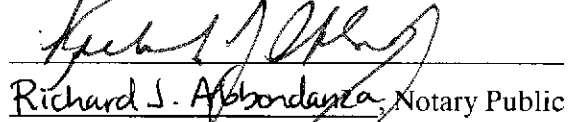


CARLENE DURGIN

State of Maine
County of Cumberland, ss.

Personally appeared before me **CARLENE DURGIN** and acknowledged the foregoing instrument to be her free act and deed on February 2, 2022.

Before me,



Richard J. Abbondanza, Notary Public

My commission expires: May 6, 2025

EXHIBIT A

(Depot Road)

A certain lot or parcel of land located in Gray, Cumberland County, Maine, more particularly described as follows:

The parcel located on the northwesterly sideline of Depot Road in Gray, conveyed by Annie C. Carr to Matthew G. Morrill and Annie A. Morrill by deed recorded at the Cumberland County registry of Deeds in Book 2738, Page 172, more particularly described as follows:

Beginning at a point on the northerly side of Depot Road and running northerly two hundred forty-two and one half (242½) feet (S 33° E) to a point; thence N 48° E one hundred fifty-four (154) feet to a point and land now or formerly of Matthew G. Morrill; thence N 38° W seven hundred ninety-two (792) feet to a point and land now or formerly of Matthew G. Morrill, thence N 52° E six hundred twenty-five (625) feet to a point, stone and hub and land now or formerly of Karl Merrill, thence S 38° E one thousand twenty (1020) feet to the sideline of said Depot Road and a point; thence S 52° W, along the road line, twenty (20) feet to land now or formerly of one Grant; thence along Grant line N 38° W two hundred forty-nine (249) feet to a point, thence northerly one hundred seventy-five (175) feet along Grant line to a point; thence S 38° W along Grant line to the sideline of Depot Road; thence along line of Depot Road S 52° W three hundred thirty-seven (337) feet, more or less, to a point and land now or formerly of Annie C. Carr, and the point of beginning.

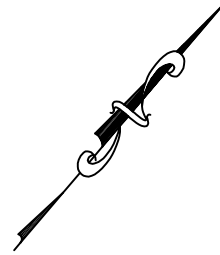
Excepting that portion of the above lot previously conveyed to Dennis M. Durgin and Carlene E. Durgin by deed of Evelyn Durgin recorded at the Cumberland County Registry of Deeds in Book 25195, Page 24.

Further Excepting that portion of the above lot conveyed to Ross Allen Spurling by deed dated April 17, 2012, and recorded in the Cumberland County Registry of deeds in Book 29531, Page 112.

Further excepting that portion of the above lot conveyed to Betsy J. Durgin by deed dated November 29, 2018, and recorded in the Cumberland County Registry of Deeds in Book 35337, Page 68.

The parcel herein conveyed contains 2.66 acres, more or less.

Meaning and intending to convey the same premises conveyed to Carlene Durgin by deed dated March 17, 2021, and recorded in the Cumberland County Registry of Deeds in Book 38030, Page 84, on April 6, 2021.



N/F
Dennis Durgin
Carlene Durgin
(17,260/340)

N/F
Dennis M. Durgin
(29,943/323)

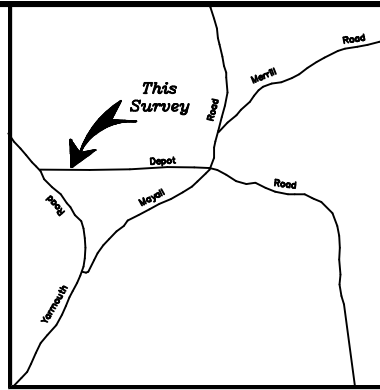
Remaining Land:
Total Lot Area: 116,157 sq.ft.
R.O.W. Area: 12,136 sq.ft.
Net Lot Area: 104,021 sq.ft.

N/F
Ross Allen Spurling
(29,531/112)

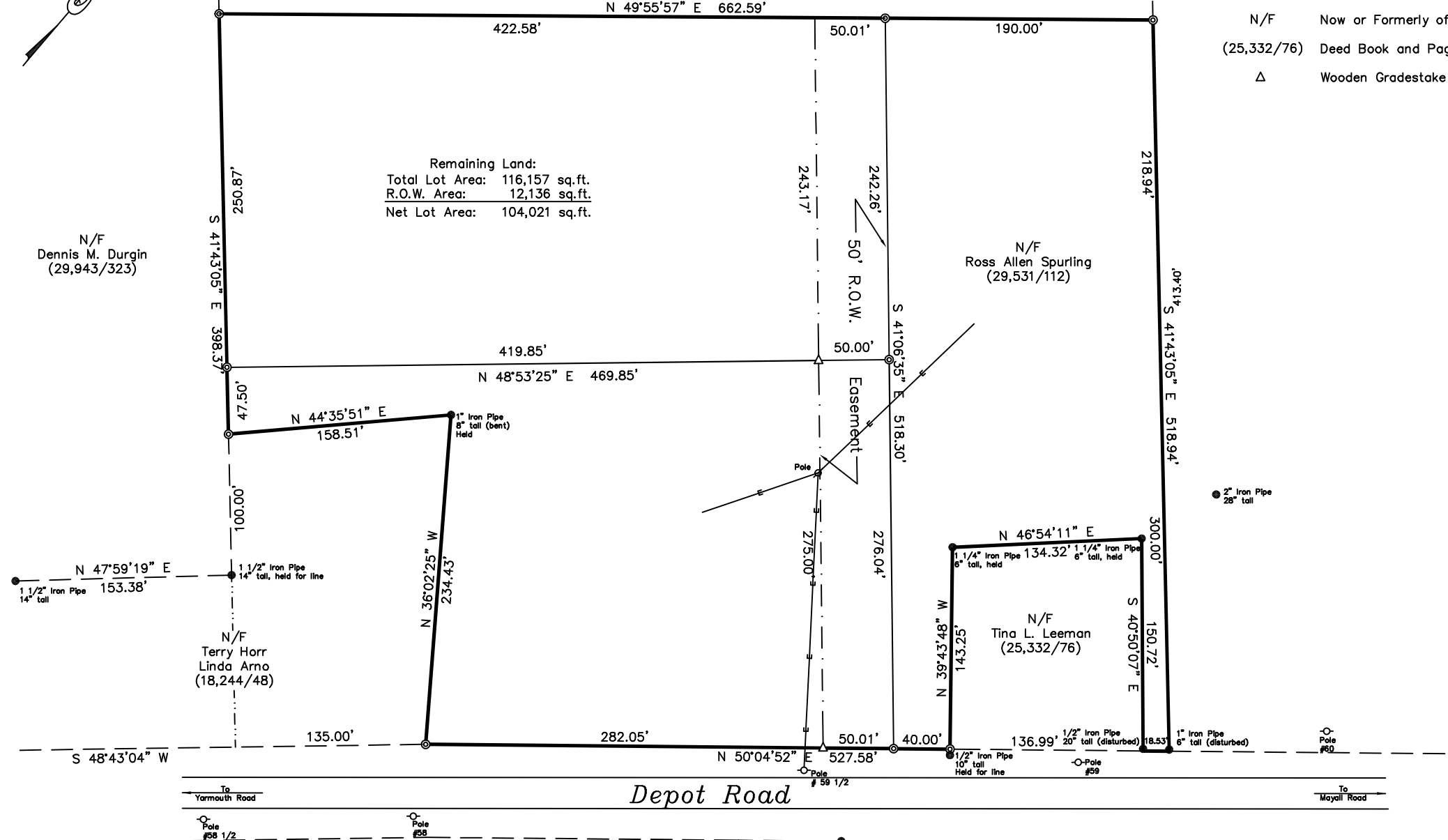
N/F
Pike Industries, Inc.
(23,578/296)

N/F
Tina L. Leeman
(25,332/76)

- LEGEND**
- ⊙ 5/8" Capped Rebar (#1328) Set
 - Iron Pipe or Pin Found as Noted
 - Utility Pole
 - N/F Now or Formerly of
 - (25,332/76) Deed Book and Page Reference
 - △ Wooden Gradestake Set

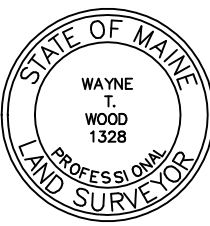


VICINITY MAP



PLAN REFERENCES

1. "Gravel Pit ~ Site Plan off Route 115 in Gray, Maine for Dennis Durgin" dated April 2002 by Wayne T. Wood & Co.
2. "Durgin Gravel Pit Existing Site Plan" dated January 4, 2001 by Pine Tree Engineering.
3. "Frontier Acres by Michael Valente III ~ Wade B. Trudel" dated January 1980 by Survey, Inc recorded in the Cumberland County Registry of Deeds in Plan Book 126 on Page 34.
4. "State of Maine Department of Transportation Right of Way Map State Aid Highway No. 1 & 2 - Gray Project No. 004470.00" dated February 1990 DOT File No. 3-379.
5. "State of Maine Department of Transportation Right of Way Map State Aid Highway No. 1 - Gray Federal Aid Project No. S-0139 (2)" dated February 1973 DOT File No. 3-220.



NOTES

1. Owner of record is Dennis M. Durgin by a quitclaim deed of Cynthia A. Rogers recorded in the Cumberland County Registry of Deeds in Book 26,905 on Page 166.
2. All bearings are referenced to Magnetic North of the Year 1980 per the plan in Plan Reference 3 and are calculated from angles of an actual on the ground survey.
3. The subject parcel is shown on the Town of Gray Tax Map #45 as Lot #33-28.



Plan of Land/Proposed Lot
On
Depot Road
In
Gray, Maine
For Owner of Record:
Dennis Durgin
P. O. Box 51 ~ Gray, ME 04039

WAYNE T. WOOD & CO.
Gray, Maine 04039
Drwn. By: KLV/WTW
Scale: 1" = 60'
Chkd. By: WTW
Bk.No. 122

(207)657-3330
Date
October 2011
Job No.
211073

April 2023	REVISED	Added utilities
December 2017	REVISED	Create New Lot

**TOWN OF GRAY MAINE
24 MAIN ST
GRAY, ME 04039-9407**



2023 REAL ESTATE TAX BILL

CURRENT BILLING INFORMATION

LAND VALUE	\$47,200.00
BUILDING VALUE	\$0.00
TOTAL: LAND & BLDG	\$47,200.00
FURNITURE & FIXTURES	\$0.00
MACHINERY & EQUIPMENT	\$0.00
COMPUTER EQUIPMENT	\$0.00
MISCELLANEOUS	\$0.00
TOTAL PER. PROPERTY	\$0.00
HOMESTEAD EXEMPTION	\$0.00
OTHER EXEMPTION	\$0.00
NET ASSESSMENT	\$47,200.00
TOTAL TAX	\$658.44
LESS PAID TO DATE	\$0.00
TOTAL DUE ⇨	\$658.44

Fiscal Year July 01, 2022 - June 30, 2023

OFFICE HOURS

Mon-Wed 8:30 - 4:00
Thursday 8:30 - 6:30
Friday 8:30 - Noon

**THIS IS THE ONLY BILL
YOU WILL RECEIVE**

S123036 P0 - 1of1 - M5

1013 CARLENE E DURGIN LIVING TRUST
PO BOX 512
GRAY, ME 04039-0512

ACCOUNT: 001938 RE
MIL RATE: 13.95
LOCATION: DEPOT RD
BOOK/PAGE: B39150P43 02/07/2022

ACREAGE: 2.66
MAP/LOT: 045-033-028-000

JULY 1, 2022 - DECEMBER 31, 2022
1ST HALF DUE: 10/03/2022 **\$329.22**
JANUARY 1, 2023 - JUNE 30, 2023
2ND HALF DUE: 04/03/2023 **\$329.22**

TAXPAYER'S NOTICE

PLEASE READ.

Interest at 4% per annum charged after 10/03/2022 and 04/03/2023. If you have an escrow account or have sold your property after 04/01/2022, please forward a copy of this bill to your mortgage holder or new owner.

INFORMATION

The Town's certified assessment ratio for Fiscal Year 2023 is 100%.

If you have questions regarding your valuation, please contact the Assessor at (207) 657-3339, ext. 112.

For information regarding payments, interest, cost changes, and/or refunds, please call 657-3339 extension 103.

As a result of the money our municipality receives from the state legislature through the State Municipal Revenue Sharing Program, Homestead Exemption Reimbursement, and State Aid to Education, your property tax bill has already been reduced by 28.51%

The total bonded indebtedness of the Town of Gray as of August 8, 2022 is \$8,145,432.

If you would like to receive general tax information by e-mail, sign up at www.graymaine.org/subscribe for Urgent Alerts: Finance.

CURRENT BILLING DISTRIBUTION

School	\$325.99	48.12%
Municipal	\$287.21	45.20%
County	\$23.57	3.50%
TIF	<u>\$21.66</u>	<u>3.18%</u>
TOTAL	\$658.44	100.00%

REMITTANCE INSTRUCTIONS

Please make check or money order payable to
TOWN OF GRAY and mail to:

**TOWN OF GRAY
24 MAIN ST
GRAY, ME 04039-9407**

Any payments received by mail postmarked after the due date
will be subject to interest.

TOWN OF GRAY, 24 MAIN ST, GRAY, ME 04039-9407

2023 REAL ESTATE TAX BILL
ACCOUNT: 001938 RE
NAME: CARLENE E DURGIN LIVING TRUST
MAP/LOT: 045-033-028-000
LOCATION: DEPOT RD
ACREAGE: 2.66



INTEREST BEGINS ON 04/04/2023

DUE DATE	AMOUNT DUE	AMOUNT PAID
04/03/2023	\$329.22	

PLEASE REMIT THIS PORTION WITH YOUR SECOND PAYMENT

TOWN OF GRAY, 24 MAIN ST, GRAY, ME 04039-9407

2023 REAL ESTATE TAX BILL
ACCOUNT: 001938 RE
NAME: CARLENE E DURGIN LIVING TRUST
MAP/LOT: 045-033-028-000
LOCATION: DEPOT RD
ACREAGE: 2.66



INTEREST BEGINS ON 10/04/2022

DUE DATE	AMOUNT DUE	AMOUNT PAID
10/03/2022	\$329.22	

PLEASE REMIT THIS PORTION WITH YOUR FIRST PAYMENT

May 9, 2023, Workshop.

Fire Cisterns and Public Safety Ordinance discussion.

NFPA

- Cistern topics should reference the Maine adopted NFPA 22: Standard for Water Tanks for Private Fire Protection, 2013 Edition.
- [Council worksheet item 107 - Cisterns.docx](#)

Link to the most recent ordinance working document.

[Fire Ordinance v5\(1\).pdf](#)