

November 19, 2021



Maine Historic Preservation Commission 65 State House Station Augusta, Maine 04333-0065

Re: Proposed Subdivision at 239 Carding Machine Road in Bowdoinham, Maine

Dear Sir,

I have attached a copy of the USGS topographic quad showing the location for a proposed 3 lot subdivision in Bowdoinham, Maine. SJR Engineering Inc has been retained by the Owners to prepare State and local permit applications.

As part of the Towns permitting requirments, the applicant is required to notify the MHPC of the project. I would appreciate if you could review the Historic Preservation files for any known features in or adjacent to the proposed project and let me know of your findings so I can pass the information along to the Owner and Town of Bowdoinham.

Please feel free to contact me if you have any questions.

Sincerely yours,

Based on the information submitted, I have concluded that there will be no historic properties affected by the proposed undertaking, as defined by Section 106 of the National Historic Preservation Act.

Consequently, pursuant to 36 CFR 800.4(d)(1), no further Section 106 consultation is required unless additional resources are discovered

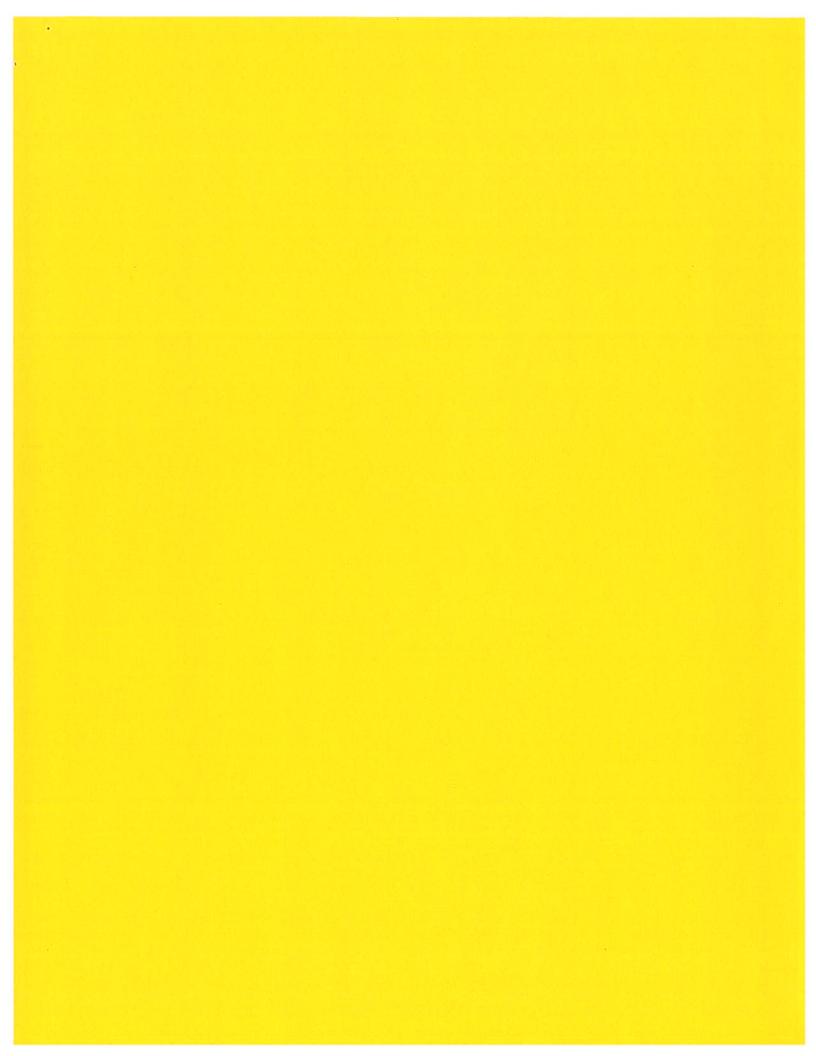
during project 'mplanentation pursuant to 36 CFR 800.13.

Stephen Roberge, PE for SJR Engineering Inc

irk F. Mohney,
State Historic Preservation Officer

Maine Aistoric Preservation Commission

Attachments: Location map, project plans



607-9869			EMSTILL .	LOT 2	
SUBSURFACE WAST	EWATER DISPOSAL SY	STEM APPLICA		Maine Dept-Health & Human Services Div of Environmental Health , 11 SHS (207) 267-2070 Feor (207) 287-4172	
	YLOCATION	>> CAL	JTION: LPI AP	PROVAL REQUIRED <<	
City, Town, or Plantation		FOWNICE BOAD	MANUE	Permit # 2237	
Street or Road	Masnine Rd 241	Date Permit Issued	LIZZII) Fee	S 250 Double Fee Charged []	
Subdivision, Lot # 50 B		6		LP.I. # 1167	
	ANT INFORMATION	Local Plambing Insp	ector Signature		
Name (tast, first, MI)	Owner	The Color of the			
Molling Address				al System shall not be installed until a	
of .	are flow use his	authorize the owne	or or installer to ins	tall the disposal system in accordance	
Owner/Applicant Commercia	sham THE 6400?			ubsurface Wastewater Disposal Rules.	
Daytime Tel. # 1751	3295	Municipal	Tax Map	ROS Los# Fri 40-B	
MANER OR APPLICA I state and acknowledge that the inform my knowledge and understand that an articler Local Plumbing Inspector to de	NT STATEMENT nation submitted is correct to the best of y falsification is reason for the Department ny a Permit. 9-21-17	I have inspects with the Subsu	CAUTION: MSPEC of the installation bythou face Wastewater Day	rzed shove and found it to be in complance sal Rules Application. (1st) date approved	
Signature of Owner of		100	Parisoblan Intractor of	processes (2nd) date approved.	
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TYPE OF APPLICATION	THIS APPLICATION RE	EQUIRES		OSAL SYSTEM COMPONENTS mplete Non-engineered System	
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Type replaced:	a. Local Plumbing Inspector A	\pproval		smative Tollet, specify:	
Year installed:	3. Replacement System Variance	5. Holi		n-engineered Treatment Tank (only) ding Tank, gallons	
3. Expanded System a. <25% Expansion b. ≥25% Expansion	a Local Plumbing Inspector A	5 Non-angineered Disposal Field (only)			
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SIZE OF PROPERTY	EDVE	11. Pre	e-treatment, specify:		
7 . □sq. FT	DISPOSAL SYSTEM TO SI	lo. of Bedrooms: 2		scellaneous Components	
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SHORELAND ZONING (Specify)				Well 2. Dug Well 3. Private	
Yes 🝱 No	Current Use Seasonal Year		4. Public	5. Other propered	
	DESIGN DETAILS (SY			SE 3)	
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a. Regular	3. Proprietary Device	1 60 (specify one below:	gallons per day	
2. Plastic	☐ a. cluster array ☐ c. Linear ☐ b. regular load ☐ d. H-20 los	a. multi-compa	artment tenk	BASED ON: 1. Table 4A (dwelling unit(s))	
CAPACITY 1000 GAL		ed b. tanks in tanks in		2. Table 4C(other facilities) SHOW CALCULATIONS for other facilities	
	SIZE: <u> </u>	n. ft. d. Filter on Tai		and was a second to the facility	
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at Observation Hole #	1. Medium-2 6 sq. ft. / gpd 2. Medium-Large 3.3 sq. f.t / g	May Be Require	d	LATITUDE AND LONGITUDE	
Depth ?	■3. Large4.1 sq. ft./ gpd	gpd . Required Specify only for engi	neered sustame-	at center of disposal area Latdms	
of Most Limiting Soil Factor	4. Extra Large5.0 sq. ft. / gpd		•	Lon. 39 d 50 m 33 s If g.p.s, state margin of error: 57	
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I certify that on				the data reported are accurate and	
that the proposed system is i	n compliance with the State of Ma	aine Subsurface Wast	tewater Disposal	ule data reported are accurate and Rules (10-144A CMR 241).	
Site Evaluato	r Sanatura	400		. 7	
	*	SE:		Date	
Site Evaluato	r Name Printed	Telephone	Number	F_mpil Address	
	7	• • • •		E-mail Address	
Note : Changes to or deviation	ons from the design should be co	nfirmed with the Site I	Evaluator 	Page 1 of 3 HHE-200 Rev. 08/2011	

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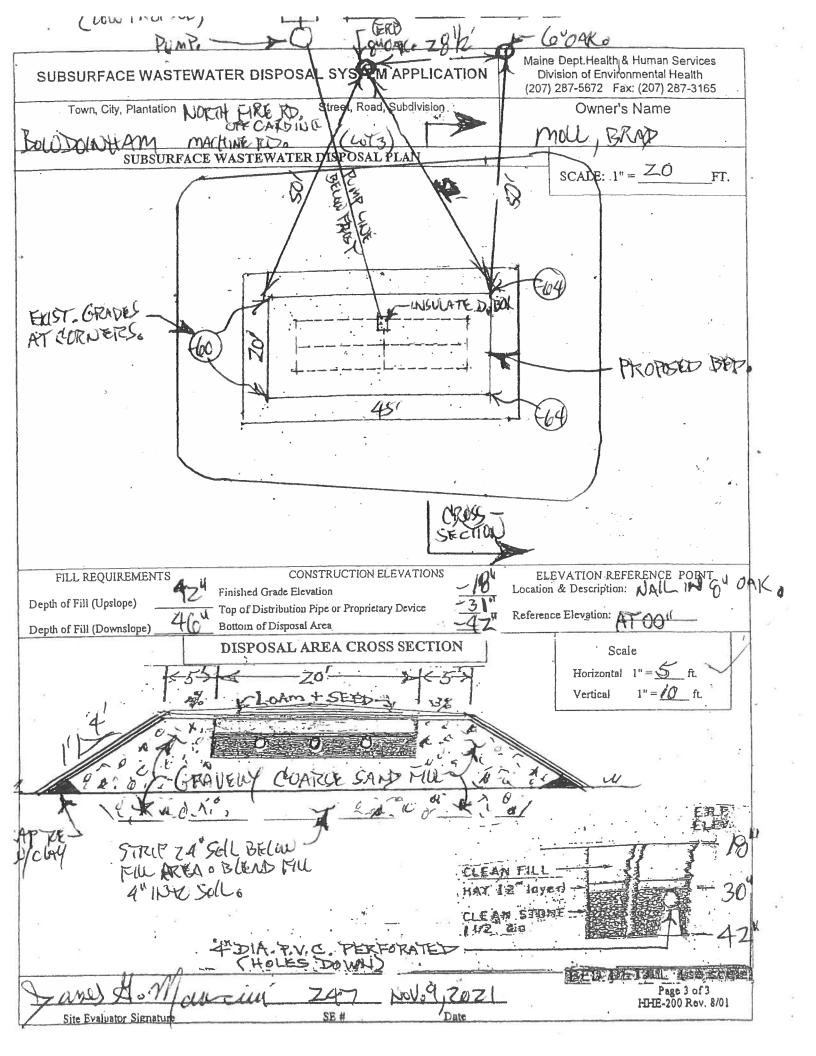
	WATER DISPOSAL SYSTEM APPLICATION	Department of Health & Human Services Division of Environmental Health (207) 287-5672 Fax: (207) 287-3165
Town, City, Plantation	Street, Road. Subdivision	Owner's Name
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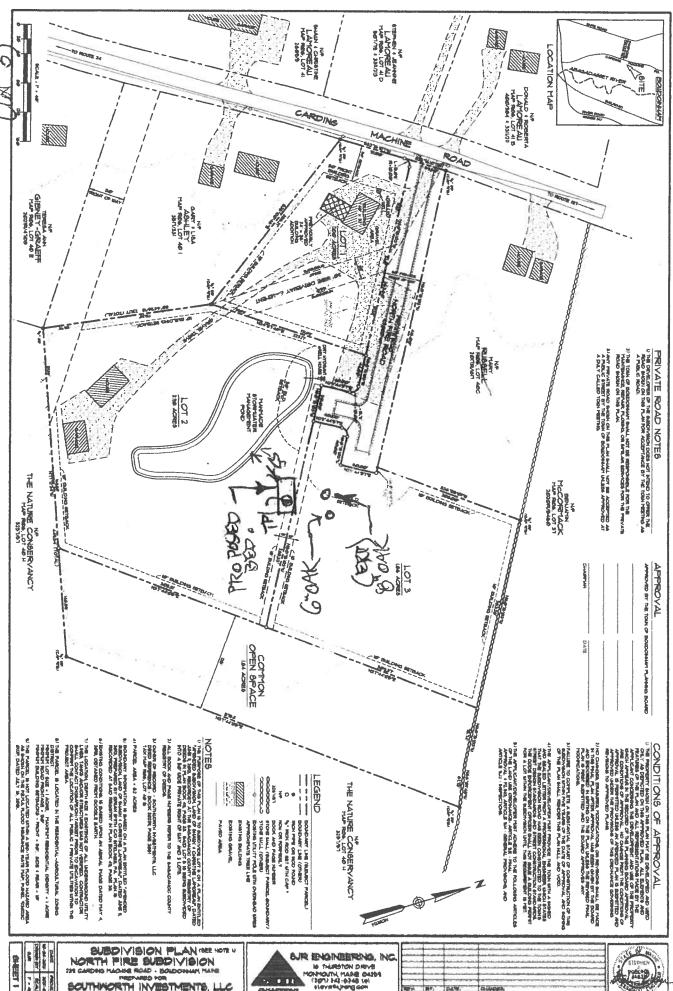
Maine Dept. Health & Human Services SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION Div. Environmental Health, 11SHS (207) 287-2070 Fax: (207) 287-4172 PROPERTY LOCATION >> CAUTION: LPI APPROVAŁ REQUIRED << City, Town, Town/City or Plantation Permit # Date Permit Issued .___/_/ Street or Road Double Fee Charged [] L.P.I. # Subdivision, Lot # Local Plumbing Inspector Signature OWNER/APPLICANT INFORMATION Fee: state min fee Locally adopted fee Copy: [] Owner [] Town [] State Name (last, first, MI) MULL The Subsurface Wastewater Disposal System shall not be installed until a Mailing Address Permit is issued by the Local Plumbing Inspector. The Permit shall of ' authorize the owner or installer to install the disposal system in accordance Owner/Applicant with this application and the Maine Subsurface Wastewater Disposal Rules. Daytime Tel. # Municipal Tax Map # Lot# OWNER OR APPLICANT STATEMENT CAUTION: INSPECTION REQUIRED I state and acknowledge that the information submitted is correct to the best of my knowledge and understand that any falsification is reason for the Department and/or Local Plumbing Inspector to deny a Permit. I have inspected the installation authorized above and found it to be in compliance with the Subsurface Wastewater Disposal Rules Application. (1st) date approved Signature of Owner or Applicant Local Plumbing Inspector Signature (2nd) date approved PERMIT INFORMATION TYPE OF APPLICATION THIS APPLICATION REQUIRES DISPOSAL SYSTEM COMPONENTS 1/First Time System No Rule Variance Complete Non-engineered System 2. Primitive System (graywater & alt. toilet) 2. Replacement System 2. First Time System Variance a. Local Plumbing Inspector Approval b. State & Local Plumbing Inspector Approval Alternative Toilet, specify: Type replaced: _ 4. Non-engineered Treatment Tank (only) Holding Tank, _____gallons
 Non-engineered Disposal Field (only) Year installed: 3. Replacement System Variance Expanded System a. <25% Expansion b. ≥25% Expansion a. Local Plumbing Inspector Approval b. State & Local Plumbing Inspector Approval 7. Separated Laundry System 8. Complete Engineered System (2000 gpd or more) 4. Experimental System 4. Minimum Lot Size Variance 9. Engineered Treatment Tank (only) 5. Seasonal Conversion 10. Engineered Disposal Field (only) 5. Seasonal Conversion Permit 11. Pre-treatment, specify: SIZE OF PROPERTY **DISPOSAL SYSTEM TO SERVE** 12. Miscellaneous Components 1, Single Family Dwelling Unit, No. of Bedrooms: TYPE OF WATER SUPPLY 2. Multiple Family Dwelling, No. of Units: 3. Other: 1. Drilled Well 2. Dug Well SHORELAND ZON (specify) (4.) Public 5. Other Yes Current Use Seasonal Year Round Undeveloped DESIGN DETAILS (SYSTEM LAYOUT SHOWN ON PAGE 3) DISPOSAL FIELD TYPE & SIZE TREATMENT TANK GARBAGE DISPOSAL UNIT Concrete DESIGN FLOW Stone Bed 2. Stone Trench 1. No (2) Yes 3. Maybe a.)Regular 3 Proprietary Device If Yes or Maybe, specify one below. gallons per day o. Low Profile cluster аптау (c.) Linear BASED ON: a. multi-compartment tank 2. Plastic 1 Table 4A (dwelling unit(s)) b./regular load d. H-20 load 3. Other: b. ___ tanks in series 2. Table 4C(other facilities) 4 Other CAPACITY: c. increase in tank capacity SHOW CALCULATIONS for other facilities d. Filter on Tank Outlet SOIL DATA & DESIGN CLASS DISPOSAL FIELD SIZING 3. Section 4G (meter readings) ATTACH WATER METER DATA EFFLUENT/EJECTOR PUMP PROFILE, CONDITION Not Required 1. Medium-2.6 sq. ft. / gpd 2. May Be Required LATITUDE AND LONGITUDE at Observation Hole # at center of disposal area 2. Medium-Large 3.3 sq. f.t / gpd 3. Required Depth 12" 3. Large-4.1 sq. ft. / gpd Specify only for engineered systems: of Most Limiting Soil Factor Lon. DOSE: __ 4. Extra Large—5.0 sq. ft. / gpd if g.p.s, state margin of error SITE EVALUATOR STATEMENT (date) I completed a site evaluation on this property and state that the data reported are accurate and that the proposed bystem son compliance with the State of Maine Subsurface Wastewater Disposal Rules (10-144A CMR 241). Site Evaluator Signature

Note: Changes to or deviations from the design should be confirmed with the Site Evaluator.

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E-mail Address





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SOUTHWORTH INVESTMENTS,







SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Department of Human Services Division of Health Engineering (207) 287-5672 Fax: (207) 287-3165 Owner's Name

NUM FILE Street, Road, Subdivision Town, City, Plantation ATOMS MACHINE TO LET ft, or as shown

BRAD

SITE LOCATION PLAN (map from Maine Atlas recommended)

Site Byaluator Signarture

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Soil Classification Slope Limiting Ground Water Factor Restrictive Layer [Bedrock [] } Profile Condition:	Soil Classification Slope Limiting [] Ground Water Factor [] Restrictive Layer [] Bedrock Profile Condition [] Pit Depth
Tanes of Maurin 247	Nov. 9,7021 Page 2.0f.3 HHE-200 Rev. 8/01

Date

SE#

Line Item Budget

Erosion control	\$ 2,650.00
Roadway	\$ 15,275.00
Drainage	\$ 5,500.00
Plantings	\$ 4,100.00
	\$ 27,525.00

Utilities are by the lot owner. Power, septic and water are in for Lots 1 and 2.

NORTH FIRE ROAD ASSOCIATION, INC.

BYLAWS

Article I: Name, Location, Purpose, Definitions.

- 1. Name. The name of the Corporation shall be "North Fire Road Association, Inc."
- 2. Location. The Association shall be located in the Town of Yarmouth, County of Cumberland, and State of Maine. The Association may have such other offices either within or outside the State of Maine as the Board of Directors may designate or as the business of the Association may require from time to time.
- 3. **Purpose.** The purpose of the Association is to engage in the activities authorized by 13-B M.R.S.A. Section 101 et seq. and more particularly to act as an association of neighboring lot owners organized for the purpose of maintaining a private road known as North Fire Road (the "Road"), a storm water management pond (the "Storm Water Management Pond"), and common open space (the "Common Open Space"), all as shown on that certain Subdivision Plan entitled "North Fire Subdivision, 239 Carding Machine Road, Bowdoinham, Maine" prepared for Southworth Investments, LLC by SJR Engineering, Inc. dated October 24, 2021 to be recorded in the Cumberland County Registry of Deeds (the "Plan").

The Association shall improve, maintain, repair, replace and/or manage the Road, the Storm Water Management Pond, and the Common Open Space designated on the Plan and all culverts adjacent to the Road and all drainage ways benefitting said Road, Management Ponds, and Open Space. Lot 2 on the Plan shall grant to the Association access to the Storm Water Management Pond located on Lot 2, said access being for the purpose of ingress and egress from North Fire Road to the Storm Water Management Pond and to drain storm water into said Pond. These Bylaws shall be interpreted so as to promote the primary goals of the Association as described herein.

4. **Definitions**.

- (a) "Association" shall mean and refer to North Fire Road Association, Inc., its successors and assigns.
- (b) "Common Area" shall mean all real property owned by the Association or rights granted to the Association for the common use and enjoyment of the Owners, if any, including but not limited to, the Road, Storm Water Management Ponds, Common Open Space, culverts adjacent to the Road, and drainage ways benefitting the Lot and Property.
- (c) "Declarant" shall mean and refer to Southworth Investments, LLC its successors and/or assigns.
 - (d) "Lot" shall mean and refer to Lots 1, 2, and 3 on the Plan.

- (e) "Member" shall mean any persons owning a Lot, or owning shares in a corporation or owning an interest in a partnership or other entity owning a Lot. Where two or more persons are joint owners or tenants-in-common of a Lot, both shall constitute one Member. Where two or more persons are shareholders in a corporation or have an interest in a partnership or other entity owning a Lot, the corporation, partnership or other entity shall become the Member. Upon transfer, conveyance, or sale by any owner of his/her/its Lot or any interest therein assuming that said owner retains no land subject to the Association, said owner's membership in the Association shall thereupon cease and terminate and the purchaser shall become a Member of the Association, subject to the provisions of the Bylaws. For every Lot there will be one vote in the Association. Each member of the Association shall have the right to use the Road and Common Open Space.
- (f) "Owner" shall mean and refer to the record owner of the fee simple title to any Lot excluding those having such interest merely as security for the performance of an obligation, but including any record owner by deed in lieu of foreclosure or foreclosure of a mortgage.
- (g) "Property" or "Properties" shall mean and refer to that certain real estate which is subject to and part of the Association.

Article II: Membership

- Classes. Membership in the Association shall be as follows: Any person(s) owning one or more Lots, or owning an interest in a corporation or partnership owning one or more Lots, shall become a member of the Association. When two or more persons are joint owners of one or more Lots, multiple owners shall be considered a single owner. The vote of a particular Lot may not be split or divided. An owner or owners may cast a vote for each separately owned Lot. Upon transfer, conveyance, or sale by any Lot owner of his or her Lot within the Association, assuming that said owner retains no land within the Association, said owner's membership interest in the Association shall thereupon cease and terminate, and the purchaser shall become a member of the Association, subject to the provisions of the Association Bylaws. No owner of a Lot on the Plan shall relinquish membership in the Association and any such relinquishment or withdrawal from the Association shall be deemed null and void ab initio. The Bylaws of the Association shall govern the terms, conditions, and procedures relating to maintenance and repairs to Road, storm water management pond, common open space, culverts, and drainage ways.
- Annual and Special Meetings. The Members shall meet annually on the first Monday of August of each year (at the office of the Association, or such other place as the Secretary of the Association may prescribe). If the day for the annual meeting for Members is a legal holiday, the meeting will be held at the same hour on the first day following which is not a legal holiday. Special meetings of the Members may be called at any time by the President or by the Board of Directors, or upon written request of not less than Fifty Percent (50%) of the Members entitled to vote.
- 3. **Notice of Meetings**. Notice of all meetings of Members shall be mailed or emailed with receipt of delivery to each Member at least Five (5) days prior to the time of the meeting, or in lieu thereof, the Secretary may send email (with receipt of delivery) or telephone communication at least Twenty-Four (24) hours prior thereto. Any meeting in which Bylaw changes are to be acted

upon shall require at least Seven (7) days written notice. Attendance at any meeting shall constitute a waiver of any required notice. Members may participate in the meeting by means of a telephone conference or similar communications equipment by means of which all persons participating in the meeting can hear each other, and participation in the meeting pursuant to this Section shall constitute presence in person at such meeting.

- 4. **Quorum**. A majority of the total number of Members shall constitute a quorum for the transaction of business at any meeting of the Members. The vote of the majority of the Members present at the meeting at which a quorum is present shall be the act of the Members, unless the vote of a greater number is required by the Articles of Incorporation or the Maine Non- Profit Corporation Act. The Members present at a duly held or called meeting at which a quorum was once present may continue to do business at the meeting notwithstanding the withdrawal of enough Members to leave less than a quorum.
- 5. **Voting Rights**. Each Lot shall be entitled to one vote on any matters presented at an Annual or Special Meeting.
- 6. **Proxies**. At all meetings of the Members, each Member may vote in person or by proxy. All proxies shall be in writing. Every proxy shall be revocable and shall automatically cease upon conveyance by the Member of his, her, or its Lot.

Article III: Board of Directors

- 1. **General Powers.** The activities of the Association shall be managed by the Board of Directors.
- Qualification, Number, Tenure and Election. The Board of Directors shall consist of a minimum of One (1) and a maximum of Five (5) Directors. The terms of Directors shall be One (1) year or until a successor is elected. Directors may serve successive terms. Directors shall be elected by a majority of the Members at the Annual Meeting of the Members. If a vacancy occurs as a result of death, resignation, or other removal prior to the expiration of a Director's term, the vacancy shall be filled by the affirmative vote of a majority of the Board of Directors then in office. Any competent member entitled to vote and having reached the age of majority may become a member of the Board of Directors.
- 3. **Resignation and Removal.** Any Director may resign at any time by giving written notice to the Board of Directors of his/her decision to resign. Unless indicated in such notice to the contrary, any such resignation shall be effective immediately upon its receipt by the Secretary of the Association. Any Director may be removed as a Director, with or without cause, by the affirmative vote of Two-Thirds (2/3) of the Members at any regular or special meeting of the Members called and convened for such purpose. Any Director who is absent from Three (3) meetings without excuse satisfactory to the Board shall be deemed to have surrendered his/her office as a Director. The Board shall fill the vacancy under Article III, Section 4.

- 4. **Vacancies.** Unless otherwise provided above, vacancies of the Board of Directors shall be filled by the affirmative vote of the majority of the remaining Directors then in office, and the Director so chosen shall hold office for the unexpired term of his/her predecessor in office.
- 5. **Meetings of the Directors.** Annual meetings of the Board of Directors shall be held immediately following the Annual Meeting of the Members at the offices of the Association, or such other place as may be fixed from time to time by resolution of the Board.

Special meetings may be called by the President or by request of a majority of the members of the Board of Directors.

6. **Notice of Meetings.** Notice of all meetings of the Board of Directors shall be mailed to each Director by the Secretary at least Five (5) days prior to the time of the meeting, or in lieu thereof, the Secretary may send an email with receipt of delivery, or telephone communications at least 24 hours prior thereto. Any meeting at which Bylaws changes are to be acted upon shall require at least Seven (7) days prior written notice. Attendance at any meeting shall constitute a waiver of any required notice. The Directors shall have the right to take any action in the absence of a meeting which they could take at a meeting by obtaining the written approval of all of the Directors. Any action so approved shall have the same effect as though taken at a meeting of the Directors.

Members of the Board of Directors may participate in a meeting of the Board by means of a telephone conference or similar communications equipment by means of which all persons participating in the meeting can hear each other, and participation in a meeting pursuant to this subsection shall constitute presence in person at such meeting.

- 7. Quorum and Vote of Directors. A majority of the total number of Directors then in office shall constitute a quorum for the transaction of business at any meeting of the Board of Directors. The vote of a majority of the Directors present at a meeting at which a quorum is present shall be the act of the Board of Directors, unless the vote of a greater number is required by the Articles of Incorporation or the Maine Non-Profit Corporation Act. The Directors present at a duly called or held meeting at which a quorum was once present may continue to do business at the meeting notwithstanding the withdrawal of enough Directors to leave less than a quorum.
- 8. Committees. The Board of Directors, by resolution adopted by a majority of the Board of Directors, may designate from among its members and the Members of the Association such committees as the Board deems necessary and may delegate to such committees all of the authority of the Board of Directors, except that no such committee or committees shall have or exercise the authority of the Board to amend the Articles of Incorporation, the Bylaws of the Corporation, or any duties reserved to the Board of Directors, by law or under these Bylaws. Any Committee may appoint a Director to chair a Sub-Committee composed of members of the Committee to consider an issue and render an opinion on said issue to the Committee provided that no such Sub-Committee shall be granted any authority independent of the Committee.
- 9. **Conflicts of Interest.** All Directors shall put personal or business interests aside when acting in the capacity of Director and shall act in the best interests of the Association. Directors

shall abstain from voting on any issue where they feel unable to act in the best interests of the Association.

- 10. **Compensation.** All Directors are elected to serve as volunteers and as such without salary. However, Directors may be reimbursed for reasonable expenses incurred on behalf of the Association while serving as a Director of the Association.
- 11. **Dual Capacity.** Nothing herein shall prevent a Director from serving as an Officer of the Association and vice versa.

ARTICLE III-A. Powers and Duties of the Board of Directors

- 1. **Powers**. The Board of Directors shall have power to:
- (a) Prepare a proposed budget for presentation to the Annual Meeting of the Members;
- (b) Maintain and repair any Road, Storm Water Management Ponds, Common Open Space, culverts, and drainage ways designated for the common use of the Members;
- (c) Make and amend regulations respecting the use of the Road, Storm Water Management Ponds, Common Open Space, culverts, and drainage ways;
- (d) Contract for improvement, maintenance, repair, and replacement of the Road, Storm Water Management Ponds, Common Open Space, and drainage ways;
- (e) Pay taxes and assessments which may be levied against any part of the Property of the Association and provide for the payment of the same by the Members through budget approval;
- (f) Procure and pay premiums for insurance on the Road, Storm Water Management Ponds, and Common Open Space, as approved by the Board of Directors;
 - (g) Arrange for an annual review of the Association's financial affairs;
- (h) Determine the appropriate annual pro-ration and apportionment of dues amongst Members, and timely due date therefore;
- (i) Take such action against such Members as may be appropriate and lawful to collect unpaid dues or assessments, or to collect a Member's legal obligations to pay the member's share of maintenance expenses as may be required of such Member, including the right to enforce a lien upon a Lot for non-payment of the dues or assessments related thereto;

- (j) Without limitation, the Board of Directors may acquire, in the name of the Association, whether by deed, easement or lease, the right to use any Road, Storm Water Management Ponds, Common Open Space, culverts, and drainage ways upon such terms and conditions as the Directors shall deem in the best interests of the Association;
- (k) Make such reasonable rules and regulations and provide such means and employ such agents as will enable the Association to adequately and properly carry out the provisions of these Bylaws;
- (l) Exercise for the Association all powers, duties and authority vested in or delegated to this Association and not reserved to the Membership by other provisions of these Bylaws or the Articles of Incorporation;
- (m) Declare the office of a member of the Board of Directors to be vacant in the event such member shall be absent from Three (3) consecutive regular meetings of the Board of Directors without excuse; and
- (n) Employ such person or persons as may be necessary to perform the duties set out below.
- 2. **Duties.** It shall be the duty of the Board of Directors to:
- (a) Cause to be kept a complete record of all its acts and corporate affairs and to present a statement thereof to the Members at the annual meeting of the Members, or at any special meeting when such statement is requested in writing by majority of the Members who are entitled to vote;
- (b) Supervise all officers, agents and employees of this Association and see that their duties are property performed;
 - (c) (i) Fix the amount of the annual assessment, if any, against each Lot;
 - (ii) Send written notice of each assessment to every Owner subject thereto in advance of each annual assessment period; and
 - (iii) If assessments are not paid within Thirty (30) days after due date, to bring action at law against the Owner personally obligated to pay the same or to file a lien in the Registry of Deeds and to foreclose said lien.
 - (iv) Issue, or to cause an appropriate officer to issue, upon demand by any person, a certificate setting forth whether or not any

assessment has been paid. A reasonable charge may be made by the Board for the issuance of these certificates. If a certificate states an assessment has been paid, such certificates shall be conclusive evidence of such payment;

- (v) Procure and maintain adequate liability and hazard insurance on Properties owned by the Association;
- (vi) Designate a person or person to approve for payment vouchers for maintenance expenses.

Article IV: Officers

- 1. **Number.** There shall be Three (3) officers of the Association consisting of the President, Secretary and Treasurer.
- 2. **Election and Term of Office.** All officers shall be elected annually by the affirmative vote of the majority of the Board of Directors and shall hold office for the term of One (1) year or until successors are chosen. The initial Officers of the Association are as follows:

President:

Bradley Moll

Treasurer:

Bradley Moll

Secretary:

Bradley Moll

- 3. **Compensation.** All Officers are elected to serve as volunteers and as such without salary. However, Officers may be reimbursed for reasonable expenses incurred on behalf of the Association while serving as Officers of the Association.
- 4. **Conflicts of Interests and Removal.** Officers of the Association shall put personal and business interests aside when acting in the capacity of an Officer of the Association and shall act in the best interests of the Association. Any Officer may be removed by the Two-Thirds (2/3) affirmative vote of the Board of Directors then in office when in the judgment of the Board the best interests of the Association would be served thereby. Any Officer so removed from office shall also be considered removed from his/her position as a Director of the Association, if serving as a Director.
- 5. **Resignation and Removal**. Any Officer may resign at any time by giving written notice to the Board of Directors. Such resignation shall take effect on the date of receipt of such notice or at any later time as specified therein and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.
- 6. **Vacancies.** Any vacancy in any office shall be filled by the affirmative vote of the majority of the Board of Directors then in office. The Officer appointed to such vacancy shall serve for the reminder of the term of the Officer he or she replaces.

- 7. **President.** The President shall be the chief executive officer of the Association, its Board and Members, and, subject to the direction of the Board of Directors, shall in general supervise and control all the business and affairs of the Association. Unless otherwise provided by the Board of Directors, the President shall preside, when present, at all meetings of the Board of Directors. He/she shall perform such other duties and have such other powers as may be provided by these Bylaws.
- 8. **Secretary.** The Secretary shall keep the minutes of all meetings of the Association and shall be responsible for providing notice of all meetings of the Association as provided in these Bylaws as well as receiving and distributing all Committee and Sub-Committee reports and such other and further duties as the Board of Directors may from time to time prescribe.
- 9. Treasurer. The Treasurer, subject to the direction of the Board of Directors, shall have general charge of the financial affairs of the Association. He/she shall have custody of all funds, securities and valuable documents of the Association, except as the Board of Directors may otherwise provide. He/she shall deposit or cause to be deposited all monies of the Association in such financial institutions as may be designated by the Board of Directors. He/she shall perform such other duties and have such other powers as may be provided by these Bylaws, including the power to seek the assistance of an accountant in performing his or her duties.

Article V: Fiscal Year

The fiscal year of the Association shall begin on January 1 and end on December 31.

Article VI: Assessments

Each Member shall be obligated to pay to the Association annual and special assessments. Annual and special assessments may be for the purpose of paying real estate taxes on the Road, the Stormwater Management Ponds, and the Common Open Space, for repairs and replacements to Road and Common Open Space, and Stormwater Management Ponds, for snowplowing, snow removal, sanding, landscaping, and all other costs and expenses relating to maintenance, improvements, repairs, and replacements to Road, Stormwater Management Ponds, Common Open Space, culverts, and drainage ways. Assessments shall be made by the Association based on budget approved by the Board. If the assessment is not paid within Thirty (30) days after the due date, the assessments shall bear interest from the date of delinquency at the annual rate of Eighteen Percent (18%). No Lot owner may waive or otherwise escape liability for the assessments provided for herein by non-use of the Road, Stormwater Management Ponds, Common Open Space, culverts, drainage ways, or abandonment of his or her Lot.

The Board of Directors may, from time to time, call a special meeting of the Board of Directors to levy a special assessment against the Lots. Any such special assessment shall be approved by a majority of the Board of Directors and be subject to the provisions of the above-described Easement and Maintenance Agreement.

All assessments as provided above shall be a charge on the Lots and shall be a continuing lien upon the Lot upon which assessment is made and run with the land. If the assessment to a Lot owner shall not be

paid within Thirty (30) days after the date when due, then the assessment shall be delinquent and shall, together with interest at the annual rate of Eighteen Percent (18%), and costs of collection and reasonable attorneys' fees, become a continuing lien on the Lot owned by the delinquent Lot owner (with the buildings and improvements situated thereon). The lien may be enforced in the same manner as a lien for assessments against condominium units as provided in the Maine Condominium Act, Title 33 M.R.S.A. Section 1603-116, as amended, or in any other manner provided by law, including, without limitation, foreclosure in a like manner as a mortgage on real estate. The lien shall have priority over all other liens and encumbrances on the Lot except for liens and encumbrances recorded prior to the recording of the lien against the Lot by the Association, and except for any other liens which have priority by operation of law.

Article VII: Execution of Instruments

All checks, drafts, deeds, leases, transfers, contracts, notes, bonds, mortgages, and other obligations authorized to be executed by an officer of the Association in its behalf shall be signed by the President and/or such other officers as the Board of Directors may elect.

Article VIII: Amendments

These Bylaws may be amended by an affirmative vote of a majority of the Board of Directors and Sixty-six percent (66%) of the total Membership votes, but may not be so amended so as to be in conflict with the requirements of law.

Article IX: Conflicts

In the case of any conflict between the Articles of Incorporation and these Bylaws, the Articles shall control.

Article X: Choice of Law/Binding Effect/Amendment

These Bylaws shall be construed under the laws of the State of Maine. All rights, restrictions, and obligations described herein are binding upon and inure to the benefit of the Members, their heirs, personal representative, successors, and assigns, and shall be appurtenant to and shall run with the Lots.

Article XII: Effective Date These Bylaws shall become effective _______, 2021. APPROVED BY UNANIMOUS VOTE OF BOARD OF DIRECTORS AND MEMBERS AT ITS MEETING ON _______, 2021. Bradley Moll, Director

EXHIBIT A

ARTICLES OF INCORPORATION

NORTH FIRE ROAD ASSOCIATION, INC.

ITEM SECOND:

The purpose of the Association is to engage in the activities authorized by 13-B M.R.S.A. Section 101 et seq. and more particularly to act as an association of neighboring lot owners organized for the purpose of maintaining Private Way Roads and Ways, stormwater management ponds, and common open space, all as shown on that certain subdivision plan for North Fire Subdivision, 239 Carting Machine Road, Bowdoinham, Maine prepared for Southworth Investments, LLC by SJ Engineering, Inc. dated October 24, 2021 to be recorded in the Sagadahoc County Registry of Deeds (the "Plan").

EXHIBIT B

ARTICLES OF INCORPORATION NORTH FIRE ROAD ASSOCIATION, INC.

ITEM 6:

Membership in the association shall be as follows: Any party owning one or more lots shown on the Plan, or owning any interest in the corporation or partnership or other entity owning one or more lots in said Plan, or any person owning a lot (or owning an interest in a corporation, partnership, or other entity owning one or more lots) which benefits from the roads. ways, and other amenities shown on the Plan, shall become a member of the Association. When two or more persons are joint owners of one or more lots, multiple owners shall be considered a single owner. The vote of a particular lot may not be split or divided. An owner or owners may cast a vote for each separately owned lot. Upon transfer, conveyance, or sale by any lot owner of his, her, or its lot within the Association, assuming that said lot owner retains no land within the Association, said Owner's membership in the Association shall thereupon cease and terminate. and the purchaser shall become a member of the Association, subject to the provisions of the Association By Laws. No Owner of a lot on the Plan shall relinguish membership in the Association and any such relinquishment or withdrawal from the Association may be deemed null and void ab initio. The By Laws of the Association shall govern the terms, conditions, and procedures related to maintenance and repairs for the roads, ways, storm water management ponds, and common open space.

DOMESTIC NONPROFIT CORPORATION

STATE OF MAINE

ARTICLES OF INCORPORATION

	00
	Deputy Secretary of State
A	True Copy When Attested By Signature
	Deputy Secretary of State
	- · ·
s) and deliver(s	s) the following Articles of Incorporation:
s) and deliver(s	

		<u> </u>	
Pursuant to 13-B	MRSA §	\$403, the undersigned incorporator(s) execute(s) and deliver(s) the following Articles of	f Incorporation:
FIRST:	The name of the corporation is North Fire Road Association, Inc.		
SECOND:	("X" on	one box only. Attach additional page(s) if necessary.)	
		The corporation is organized as a public benefit corporation for the following purpose	or purposes:
		The corporation is organized as a mutual benefit corporation for all purposes permitt not for all such purposes, then for the following purpose or purposes: See "Exhibit A" attached hereto	ted under Title 13-B or, if
THIRD:	The Reg	Registered Agent is a: (select either a Commercial or Noncommercial Registered Agent) Commercial Registered Agent CRA Public Number:	
		(name of commercial registered agent)	
	\checkmark	Noncommercial Registered Agent Bradley Moll	
		(name of noncommercial registered agent)	
		267 Hillside Street Yarmouth, ME 04096	
		(physical location, not P.O. Box – street, city, state and zip code)	AND ADDRESS OF THE PARTY OF THE
		(mailing address if different from above)	

FOURTH:

Pursuant to 5 MRSA §108.3, the new commercial registered agent as listed above has consented to serve as the registered agent for this nonprofit corporation.

FIFTH:	The number of directors (not less than 3) constituting the initial board of directors of the corporation, if the number has					
	been designated or if the initial director	s have been chosen, is				
	The minimum number of directors (no of directors shall be	t less than 3) shall be and the maximum number				
SIXTH:	Members: ("X" one box only.)					
	There shall be no members. There shall be one or more cla	asses of members and the information required by 13-B MRSA §402 is attached.				
SEVENTH:	(Optional) (Check if the	ais article is to apply.)				
	influence legislation, and the Corporation	the Corporation shall be the carrying on of propaganda, or otherwise attempting to on shall not participate in or intervene in (including the publication or distribution n behalf of any candidate for public office.				
EIGHTH:	(Optional) (Check if the	is article is to apply.)				
		luding provisions for the regulation of the internal affairs of the corporation r final liquidation and the requirements of the Internal Revenue Code section ached hereto and made a part hereof.				
Incorporators		Dated				
		Street				
	(signature)	(address)				
	(type or print name)	(city, state and zip code)				
	(signature)	Street(address)				
	(type or print name)	(city, state and zip code)				
	(signature)	Street(address)				
	(type or print name)	(city state and zin code)				

*Articles are to be executed as follows:

If a corporation is an incorporator (13-B MRSA §401), the name of the corporation should be typed or printed and signed on its behalf by an officer of the corporation. The articles of incorporation must be accompanied by a certificate of an appropriate officer of the corporation, not the person signing the articles, certifying that the person executing the articles on behalf of the corporation was duly authorized to do so.

Please remit your payment made payable to the Maine Secretary of State.

Submit completed form to:

Secretary of State

Division of Corporations, UCC and Commissions

101 State House Station Augusta, ME 04333-0101

Telephone Inquiries: (207) 624-7752

Email Inquiries: CEC.Corporations@Maine.gov

Customer Contact Cover Letter

Name of entity(s) on the submitted filings:				
North Fire Road Association, Inc.				
Optional special handling request(s): (check or	nly if applicable)			
Hold attested copy for pick up (will b	be required to pick up at our office in Augusta, Maine)			
24-hour expedited filing (next busine	ess day) service: \$50 additional filing fee per entity			
Immediate expedited filing (same bu	siness day): \$100 additional filing fee per entity			
NOTE: Only one expedite fee is required if filing	multiple documents for the same entity/charter number at the same time			
Payment can be made by check or money order obtain a credit card voucher at https://www.maine	er (payable to Maine Secretary of State) or by credit card. You may e.gov/sos/cec/forms/credit.pdf.			
Total fee(s) enclosed: \$			
Serena M. Tarr	207-376-3330			
(Name of contact person)	(Daytime telephone number)			
tarr@bellfirmmaine.com				
(Contact email address for this filing)	(Email address to use for annual report reminders)			
Name and address of person to return the attest	ed copy of the completed filing:			
Serena M. Tarr				
(Nan	ne of attested copy recipient)			
The Bell Firm				
	(Firm or Company)			
PO Box 1776				
	(Mailing Address)			
Lewiston, ME 04241-1776				
	(City, State & Zip)			

NOTE: Failure to provide a contact name and telephone number or email address will result in any erroneous filing(s) being returned to the filer by the Secretary of State's office.

For questions regarding the above filing(s), please call or email our office at (207) 624-7752 or cec.corporations@maine.gov

Submit filings to:
Mailing Address if using US Postal Service
Department of the Secretary of State
Corporations, UCC and Commissions
101 State House Station
Augusta, ME 04333-0101

Mailing Address if using FedEx/UPS
Department of the Secretary of State
Corporations, UCC and Commissions
111 Sewall Street, 4th Floor
Augusta, ME 04330