Doc # 0006808 4

OXFORD WEST DIST. REGISTRY
2014 Jan 13 02:38:28P
JEAN WATSON
REGISTER

MAINE REAL ESTATE
TRANSFER TAX PAID

The space above this line is reserved for recording information

WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS that **MARY A. HOLT,** a married person, having a mailing address of 67 Walnut Street, Belmont, County of Middlesex, Commonwealth of Massachusetts (02478), for consideration paid, grant to **NORA M.P. SCHWARZ,** having a mailing address of 277 Northwestern Avenue, Philadelphia, County of Philadelphia, State of Pennsylvania (19128), with WARRANTY COVENANTS, the following:

A certain lot or parcel of land, together with all buildings and improvements thereon, situated in Fryeburg, Oxford County, Maine, near the northwesterly shore of Lovewell Pond, being all and the same premises conveyed to Charles E. and Alice S. Carlston by deed of William L. and Carolyn F. Hale, dated March 17, 1970, and recorded in Oxford Western District Registry of Deeds, Book 199, Page 469, and therein bounded and described as follows:

Beginning at an iron pipe on the westerly side of the private road known as Brook Road, about 450 feet southerly from the intersection of Brook Road with Carolyn Drive; then running westerly by land this day conveyed by the Grantors to Richard Capano, about 270 feet to an iron pipe on the southeasterly boundary of a parcel of land used as a Boy Scout Camp Grounds and believed to be owned by the Town of Fryeburg; thence southwesterly by said camp grounds 57 feet to an iron pipe and stones; then on in the same course by said camp grounds about 17 feet to Mill Brook; thence southeasterly down Mill Brook about 275 feet to a point opposite an iron pipe on the easterly bank thereof; thence easterly to said iron pipe and on in the same course by our remaining

land 121 feet to an iron pipe on the westerly side of Brook Road; thence northerly by said Brook Road 300 feet to the bound begun at.

This conveyance is intended to include the same common right of travel over the private roadways serving the above real estate, the same common right of travel leading to the common beach area on Lovewell Pond, and the same common right to use said beach area, all as set forth at length in deed first abovementioned.

Meaning and intending to describe and convey those premises conveyed by Warranty Deed of John Holt to Mary Holt herein dated July 8, 2013 and recorded at Oxford (WD) Registry of Deeds at Book 613, Page 301. See also Warranty Deed recorded at Book 353, Page 757.

Grantor relinquishes and conveys all rights by descent and all other rights to the above-described premises.

EXECUTED, this 7 day of Jan., 2014.

Mary A. Holt

Mary A. Holt

STATE OF Mass. COUNTY OF Middlesex

The foregoing instrument was acknowledged before me this 7th day of January, 2014 by Mary A. Holt known to me or satisfactorily proven by photo identification to be the person whose name is subscribed to the foregoing instrument and acknowledged that she executed the same for the purposes therein contained.

Janet E. Murphy

Notary Public/Justice of the Peace
My Commission
Expires:_____

JANET E. MURPHY
Notary Public
COMMONWEALTH OF MASSACHUSETTS
My Commission Expires
March 21, 2014

Docusign Envelope ID: 0042B694-19C8-8364-803B-EA7E8FABA136

PROPERTY LOCATED AT: **21 Brook Road, Fryeburg, ME 04037**

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 Seller and any Buyer. Seller authorizes the disclosure of the information in this statement to real estate licensees and to prospective buyers of this property. The Seller agrees to provide prompt notice of any changes in the information and this form will be appropriately changed with an amendment date. Inspections are highly recommended.

DO NOT LEAVE ANY QUESTIONS BLANK. STRIKE, WRITE N/A OR UNKNOWN IF NEEDED.

SECTION I - WATER SUPPLY

TYPE OF SYSTEM: ☐ Public ☐ Private ☐ Seasonal _____ ☐ Unknown
☐ Drilled ☐ Dug ☒ Other **Community Well**

MALFUNCTIONS: Are you aware of or have you experienced any malfunctions with the (public/private/other) water system?

Pump (if any): ..... ☐ N/A ☐ Yes ☒ No ☐ Unknown
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: **9/24/26** Are test results available? .. ☒ Yes ☐ No

To your knowledge, have any test results ever:

a) Been reported as unsatisfactory or satisfactory with notation?..... ☒ Yes ☐ No
b) Detected perfluoroalkyl and polyfluoroalkyl (PFA) substances? ☒ Yes ☐ No

If Yes to (a) and/or (b) above, are test results available? ..... ☒ Yes ☐ No

What steps were taken to remedy the problem? **Low levels of PFAS detected on voluntary test by Assoc.**

IF PRIVATE: (Strike Section if Not Applicable):

INSTALLATION: Location: **Well house across the street from 21 Brooks**

Installed by: **Unknown**

Date of Installation: **Unknown**

USE: Number of persons currently using system: **18 +/-**

Does system supply water for more than one household? ☒ Yes ☐ No ☐ Unknown

Comments: **Coliform and E. Coli tested monthly. Nitrates tested annually.**

Source of Section I information: **Lovewell Pond Beach Assoc/Fryeburg Development**

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PROPERTY LOCATED AT: **21 Brook Road, Fryeburg, ME 04037**

SECTION II - WASTE WATER DISPOSAL

TYPE OF SYSTEM: ☐ Public ☒ Private ☐ Quasi-Public _____ ☐ Unknown

IF PUBLIC OR QUASI-PUBLIC (Strike Section if Not Applicable):

Have you had the sewer line inspected?..... ☐ Yes ☒ No

If Yes, what results: **N/A**

Have you experienced any problems such as line or other malfunctions? ..... ☐ Yes ☒ No

What steps were taken to remedy the problem? **N/A**

IF PRIVATE (Strike Section if Not Applicable):

Tank: ☒ Septic Tank ☐ Holding Tank ☐ Cesspool ☐ Other: _____

☐ Overboard Discharge (38 MRS Section 413(3) and (3-A))

Tank Size: ☐ 500 Gallon ☒ 1000 Gallon ☐ Unknown ☐ Other: _____

Tank Type: ☒ Concrete ☐ Metal ☐ Unknown ☐ Other: _____

Location: **Front yard, see plan** OR ☐ Unknown

Date installed: **2015** Date last pumped: **2021** Name of pumping company: **D & J Septic**

Have you experienced any malfunctions? ..... ☐ Yes ☒ No

If Yes, give the date and describe the problem: **N/A**

Date of last servicing of tank: **N/A** Name of company servicing tank: **N/A**

Leach Field: ..... ☒ Yes ☐ No ☐ Unknown

If Yes, Location: **Front yard, see plan**

Date of installation of leach field: **2015** Installed by: **D & J Excavation**

Date of last servicing of leach field: **N/A** Company servicing leach field: **N/A**

Have you experienced any malfunctions? ..... ☐ Yes ☒ No

If Yes, give the date and describe the problem and what steps were taken to remedy: **N/A**

Do you have records of the design indicating the # of bedrooms the system was designed for? ☒ Yes ☐ No

If Yes, are they available? ..... ☒ Yes ☐ No

Is System located in a Shoreland Zone? ..... ☐ Yes ☒ No ☐ Unknown

Comments: **N/A**

Source of Section II information: **Subsurface Wastewater System Application**

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PROPERTY LOCATED AT: **21 Brook Road, Fryeburg, ME 04037**

SECTION III - HEATING SYSTEM(S)/HEATING SOURCE(S)

Heating System(s) or Source(s)	SYSTEM 1	SYSTEM 2	SYSTEM 3	SYSTEM 4
TYPE(S) of System	**FHA**	**Fireplace Insert**		
Age of system(s) or source(s)	**2014**	**2015**		
TYPE(S) of Fuel	**propane**	**Wood**		
Annual consumption per system or source (i.e., gallons, kilowatt hours, cords)	**Not full time use**	**Not full time use**		
Name of company that services system(s) or source(s)	**Suburban Propane**	**Dirty Bristles**		
Date of most recent service call	**Cleaned 2025**	**2025 Cleaned**		
Malfunctions per system(s) or source(s) within past 2 years				
Other pertinent information	**Located under house**			

Are there fuel supply lines? ..... [X] Yes [ ] No [ ] Unknown

Are any buried? ..... [X] Yes [ ] No [ ] Unknown

Are all sleeved? ..... [X] Yes [ ] No [ ] Unknown

Chimney(s): ..... [X] Yes [ ] No

If Yes, are they lined: ..... [X] Yes [ ] No [ ] Unknown

Is more than one heat source vented through one flue? ..... [ ] Yes [X] No [ ] Unknown

Had a chimney fire: ..... [ ] Yes [X] No [ ] Unknown

Has chimney(s) been inspected? ..... [X] Yes [ ] No [ ] Unknown

If Yes, date: **2025**

Date chimney(s) last cleaned: **2025**

Direct and/or Power Vent(s): ..... [ ] Yes [X] No [ ] Unknown

Has vent(s) been inspected? ..... [ ] Yes [ ] No [X] Unknown

If Yes, date: **Unknown**

Comments: **N/A**

Source of Section III information: **Seller**

SECTION IV - HAZARDOUS MATERIAL

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

A. UNDERGROUND STORAGE TANKS - Are there now, or have there ever been, any underground storage tanks on the property? ..... [ ] Yes [X] No [ ] Unknown

If Yes, are tanks in current use? ..... [ ] Yes [X] No [ ] Unknown

If no longer in use, how long have they been out of service? **N/A**

If tanks are no longer in use, have tanks been abandoned according to DEP? [ ] Yes [X] No [ ] Unknown

Are tanks registered with DEP? ..... [ ] Yes [X] No [ ] Unknown

Age of tank(s): **N/A** Size of tank(s): **N/A**

Location: **N/A**

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What materials are, or were, stored in the tank(s)? **N/A**

Have you experienced any problems such as leakage: ..... ☐ Yes ☒ No ☐ Unknown

Comments: **N/A**

Source of information: **Seller**

B. ASBESTOS - Is there now or has there been asbestos:

As insulation on the heating system pipes or duct work?	☐ Yes	☒ No	☐ Unknown
In the ceilings?	☐ Yes	☒ No	☐ Unknown
In the siding?	☐ Yes	☒ No	☐ Unknown
In the roofing shingles?	☐ Yes	☒ No	☐ Unknown
In flooring tiles?	☐ Yes	☒ No	☐ Unknown
Other: **N/A**	☐ Yes	☒ No	☐ Unknown

Comments: **Seller has no knowledge of asbestos.**

Source of information: **Seller**

C. RADON/AIR - Current or previously existing:

Has the property been tested? ..... ☐ Yes ☒ No ☐ Unknown

If Yes: Date: **N/A** By: **N/A**

Results: **N/A**

If applicable, what remedial steps were taken? **N/A**

Has the property been tested since remedial steps? ..... ☐ Yes ☒ No ☐ Unknown

Are test results available? ..... ☐ Yes ☒ No

Results/Comments: **N/A**

Source of information: **Seller**

D. RADON/WATER - Current or previously existing:

Has the property been tested? ..... ☐ Yes ☒ No ☐ Unknown

If Yes: Date: **N/A** By: **N/A**

Results: **N/A**

If applicable, what remedial steps were taken? **N/A**

Has the property been tested since remedial steps? ..... ☐ Yes ☒ No ☐ Unknown

Are test results available? ..... ☐ Yes ☒ No

Results/Comments:

Source of information:

E. METHAMPHETAMINE - Current or previously existing: ☐ Yes ☒ No ☐ Unknown

Comments: **Seller has no knowledge of methamphetamine on the property.**

Source of information: **Seller and Previous Disclosure.**

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F. LEAD-BASED PAINT/PAINT HAZARDS - *(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 basis for determination: **No evidence of flaking paint.**

Do you know of any records/reports pertaining to such lead-based paint/lead-based paint hazards: ☐ Yes ☒ No

If Yes, describe: **N/A**

Are you aware of any cracking, peeling or flaking paint? ..... ☐ Yes ☒ No

Comments: **There has not been painted wood since the Seller has owned the property.**

Source of information: **Seller and previous disclosure.**

G. OTHER HAZARDOUS MATERIALS - Current or previously existing:

TOXIC MATERIAL:	☐ Yes	☒ No	☐ Unknown
LAND FILL:	☐ Yes	☒ No	☐ Unknown
RADIOACTIVE MATERIAL:	☐ Yes	☒ No	☐ Unknown

Other: **Seller has no knowledge of hazardous materials.**

Source of information: **Seller and previous disclosure.**

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

SECTION V - ACCESS TO THE PROPERTY

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

If Yes, explain: **ROW to Lovewell Pond via HOA**

Source of information: **Deed**

Is access by means of a way owned and maintained by the State, a county, or a municipality over which the public has a right to pass? ..... ☐ Yes ☒ No ☐ Unknown

If No, who is responsible for maintenance? **HOA**

Road Association Name (if known): **Lovewell Pond Beach Association**

Source of information: **Seller**

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SECTION VI – FLOOD HAZARD

For the purposes of this section, Maine law defines "flood" as follows:

(1) A general and temporary condition of partial or complete inundation of normally dry areas from:(a) The overflow of inland or tidal waters; or (b) The unusual and rapid accumulation or runoff of surface waters from any source; or

(2) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm or by an unanticipated force of nature, such as a flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event that results in flooding as described in subparagraph (1), division (a).

For purposes of this section, Maine law defines “area of special flood hazard” as land in a floodplain having 1% or greater chance of flooding in any given year, as identified in the effective federal flood insurance study and corresponding flood insurance rate maps.

During the time the seller has owned the property:

Have any flood events affected the property? ……. ☐ Yes ☒ No ☐ Unknown

If Yes, explain: **N/A**

Have any flood events affected a structure on the property? ……... ☐ Yes ☒ No ☐ Unknown

If Yes, explain: **N/A**

Has any flood-related damage to a structure occurred on the property? ……. ☐ Yes ☒ No ☐ Unknown

If Yes, explain: **N/A**

Has there been any flood insurance claims filed for a structure on the property? ……... ☐ Yes ☒ No ☐ Unknown

If Yes, indicate the dates of each claim: **N/A**

Has there been any past disaster-related aid provided related to the property or a structure on the property from federal, state or local sources for purposes of flood recovery? …… ☐ Yes ☒ No ☐ Unknown

If Yes, indicate the date of each payment: **N/A**

Is the property currently located wholly or partially within an area of special flood hazard mapped on the effective flood insurance rate map issued by the Federal Emergency Management Agency on or after March 4, 2002? ……... ☐ Yes ☒ No ☐ Unknown

If yes, what is the federally designated flood zone for the property indicated on that flood insurance rate map?

Area of minimal flood hazard.

Relevant Panel Number: **23017C1339D** Year: **7/7/09** (Attach a copy)

Comments: **N/A**

Source of Section VI information: **FEMA**

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SECTION VII - GENERAL INFORMATION

Are there any tax exemptions or reductions 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: **N/A**

Is a Forest Management and Harvest Plan available?..... ☐ Yes ☒ No ☐ Unknown

Is the property subject to any of the following relating to shoreland zoning ordinances: a) A notice of violation issued by a municipal official or state agency; b) A pending enforcement action; c) Litigation; d) A court judgment; or e) A settlement or consent agreement?..... ☐ Yes ☒ No ☐ Unknown

If Yes, explain: **N/A**

Equipment leased or not owned (including but not limited to, propane tank, hot water heater, satellite dish, water filtration system, solar panels, wind turbines): Type: **Propane Tank**

From Whom: **Suburban**

Year Principal Structure Built: **1940** What year did Seller acquire property? **2014**

Roof: Year Shingles/Other Installed: **Metal Roof on house installed in 2000.**

Water, moisture or leakage: **None**

Comments: **Seller has not had any moisture or leakage since owning the property.**

Foundation/Basement:

Is there a Sump Pump? ..... ☐ Yes ☒ No ☐ Unknown

Water, moisture or leakage since you owned the property: ..... ☐ Yes ☒ No ☐ Unknown

Prior water, moisture or leakage? ..... ☐ Yes ☒ No ☐ Unknown

Comments: **N/A**

Mold: Has the property ever been tested for mold? ..... ☐ Yes ☒ No ☐ Unknown

If Yes, are test results available? ..... ☐ Yes ☒ No

Comments: **Seller has no knowledge of mold on the property.**

Electrical: ☐ Fuses ☒ Circuit Breaker ☐ Other: _____ ☐ Unknown

Comments: **100 amp service**

Has all or a portion of the property been surveyed? ..... ☐ Yes ☐ No ☒ Unknown

If Yes, is the survey available? ..... ☐ Yes ☐ No ☒ Unknown

Manufactured Housing - Is the residence a:

Mobile Home ..... ☐ Yes ☒ No ☐ Unknown

Modular ..... ☐ Yes ☒ No ☐ Unknown

Known defects or hazardous materials caused by insect or animal infestation inside or on the residential structure ..... ☐ Yes ☒ No ☐ Unknown

Comments: **Seller has no knowledge of any infestation.**

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PROPERTY LOCATED AT: **21 Brook Road, Fryeburg, ME 04037**

KNOWN MATERIAL DEFECTS about Physical Condition and/or value of Property, including those that may have an adverse impact on health/safety: **The seller has no knowledge of any material defects. Property has been maintained and updated on a regular basis.**

Comments: **N/A**

Source of Section VII information: **Seller**

SECTION VIII - ADDITIONAL INFORMATION

2014: New septic system, new propane furnace.

2015: Gargae added, new fireplace insert and trees removed.

2016: Bathroom vanity, shower and floors

HOA Annual Dues $370 includes water, road maintenance, plowing, and beach maintenance.

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

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

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.

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.

Signed by: 10/15/2026

SELLER DATE SELLER DATE

Nora MP Schwarz

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

BUYER DATE BUYER DATE

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LEAD PAINT DISCLOSURE/ADDENDUM

AGREEMENT BETWEEN **Nora MP Schwarz**

(hereinafter "Seller")

AND

(hereinafter "Buyer")

FOR PROPERTY LOCATED AT **21 Brook Road, Fryeburg, ME 04037**

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

(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).

Initial 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).

Initial 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.

Buyer	Date	Signed by: 40145AA1AF24A6... Seller **Nora MP Schwarz**	10/15/2026 Date
Buyer	Date	Seller	Date
Buyer	Date	Seller	Date
Buyer	Date	Seller	Date
Agent	Date	DocuSigned by: 694EFDC8F49F2E1... Agent **Tara Peirce**	10/15/2026 Date

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EQUAL HOUSING OPPORTUNITY

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Fact Sheet: Arsenic Treated Wood

Department of Health and Human Services
11 State House Station
Augusta, ME 04333

Maine CDC
Environmental and Occupational Health Program
Toll Free in Maine: 866-292-3474
Fax: 207-287-3981
TTY: 207-287-8066
Email: ehu@maine.gov

IF YOU WORK WITH CCA WOOD

- **NEVER** burn CCA wood.
- Wear gloves when handling CCA wood
- Wear a dust mask when sanding or cutting CCA wood
- Don't work with CCA wood in an enclosed area (like a garage)

Apply a coating to seal the wood every 1-2 years

TO LEARN MORE

Eric Frohmberg
Environmental and Occupational Health Program
Maine CDC
Toll-free in Maine 866-292-3474
TTY: 207-287-8066
www.maine.gov/dhhs/eohp

Does Your New Home Have Arsenic (CCA) Treated Wood?

About half of all Maine homes have a deck, or playground or some other structure that is made of wood treated with arsenic. This wood is called "CCA pressure-treated wood" or just "pressure-treated" wood. The wood was treated with arsenic to protect against rot and insects.

Too much arsenic can cause cancer. So it is good to prevent arsenic getting into your body when you can. When you touch wood treated with arsenic, you can get arsenic on your hands. The arsenic on your hands can get into your mouth if you are not careful about washing before eating. Young children are most at risk because they are more likely to put their hands in their mouths. The good news is that there are simple things you can do to protect yourself and your family from arsenic treated wood. This fact sheet will tell you how.



Children touching unsealed treated wood, and then putting their hands in their mouths is the biggest concern.

First: Does your house have arsenic treated (CCA) wood?

When arsenic treated wood is new, it tends to have a greenish tint. When CCA wood is older, it is harder to tell. Ask your realtor if the seller knows whether CCA wood was used. You can also test the wood to find out if it contains arsenic. Call us to find out how.

Second: If so, reduce contact with the arsenic.

You can lower the amount of arsenic on the surface of the wood by applying a coating on the wood every 1-2 years. Oil-based sealants, varnishes, or polyurethane work best for sealing arsenic in the wood. Be sure to wash your children's hands when they finish playing on or near CCA wood.

Third: If you have any questions, call us toll-free in Maine: 866-292-3474

Common Questions

What is CCA wood?

CCA wood is made by dipping the wood in a mixture of chemicals. These chemicals include chromium, copper, and arsenic. This protects the wood against insects and rot. This wood is known as CCA wood or "pressure treated" wood. Most pressure treated wood in the U.S. is CCA wood. After December 31, 2003, no more CCA wood will be made for use around homes. CCA wood may still be sold for home use until April 1, 2004 in the state of Maine.

What is Arsenic?

Arsenic is found in soil and rocks. Most people get a little arsenic every day from the food they eat. Also, some people have arsenic in their private wells, which is why it is important that anyone with a well have it tested for arsenic. People who are exposed to too much arsenic over many years are more likely to get cancer.

Initial

Badger Peabody & Smith Realty - North Conway, 2633 White Mountain Hwy North Conway NH 03860 (603) 356-5757 (603) 388-9000 21 Brook Road
Tara Peirce

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Have you tested your well water for arsenic?



Your water looks, smells and tastes fine. So why do you need to test it?

It is hard to believe that water that looks, smells and tastes fine may not be safe to drink. But the truth is that 1 in 10 wells in Maine has water that is high in arsenic. There are wells high in arsenic in all parts of Maine.

Protect your family. Test your well for arsenic every 3 to 5 years.

How to Test Your Well Water

1. Call a lab.

- Call a certified lab and ask for an arsenic test kit for your well water. You can find a lab at this website: wellwater.maine.gov. Or call the Maine Lab Certification Officer at 207-287-1929.
- If you have never tested your well water for bacteria, nitrites and nitrates, or other chemicals like radon, uranium and flouride, ask your lab for a test kit for all of these.

2. Do the test.

- Your test kit will arrive in the mail. It will have empty bottles, directions and forms to fill out.
- Follow the directions and mail the bottles back to the lab with the forms.

3. Get your results.

- Your test results will come to you in the mail.
- If you have too much arsenic in your water, or if you are not sure you understand your test results, call 866-292-3474 (toll-free in Maine) or 207-287-4311 to speak to an expert.

Why Arsenic is Bad

People who drink water with too much arsenic for many years are more likely to get cancer. Arsenic can cause skin, bladder and lung cancers.

It may cause low birthweight and affect brain development in babies if pregnant women drink water with too much arsenic in it. Arsenic can also affect brain development in young children. Other problems from drinking water with very high arsenic levels include: stomach pain, nausea, diarrhea, numbness or tingling in the hands and feet and changes in skin.

Your chance of having any of these health problems depends on:

- how much arsenic is in your water;
- how much water you drink;
- how long you have been drinking the water.

Solving Arsenic Problems

There are actions you can take to protect your family if your water has too much arsenic. First, you can switch to bottled water for drinking and making drinks. This will allow you time to decide if you want to install a water treatment system.

Call us at 866-292-3474 (toll-free in Maine) or 207-287-4311 if you have high arsenic. We can help you decide how to solve the problem.

Protect your family. Test your well.

- For more information: wellwater.maine.gov
- Call for advice: **866-292-3474 • TTY: Call Maine Relay 711**

March 2020

Badger Peabody & Smith Realty - North Conway, 2633 White Mountain Hwy North Conway NH 03860 Phone: (603) 356-5757 Fax: (603) 388-9000 21 Brook Road
Tara Peirce Produced with Lone Wolf Transactions (zipForm Edition) 717 N Harwood St, Suite 2200, Dallas, TX 75201 www.lwolf.com

Initial

National Flood Hazard Layer FIRMette

FEMA

70°57'32"W 44°1'2"N



70°56'55"W 44°0'36"N

0 250 500 1,000 1,500 2,000 Feet

1:6,000

Basemap Imagery Source: USGS National Map 2023

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS
- Without Base Flood Elevation (BFE) *Zone A, V, A99*
- With BFE or Depth *Zone AE, AO, AH, VE, AR*
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD
- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile *Zone X*
- Future Conditions 1% Annual Chance Flood Hazard *Zone X*
- Area with Reduced Flood Risk due to Levee. See Notes. *Zone X*
- Area with Flood Risk due to Levee *Zone D*

OTHER AREAS
- NO SCREEN Area of Minimal Flood Hazard *Zone X*
- Effective LOMRs
- Area of Undetermined Flood Hazard *Zone D*

GENERAL STRUCTURES
- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES
- 20.2 Cross Sections with 1% Annual Chance
- 17.5 Water Surface Elevation
- Coastal Transect
- 513 Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS
- Digital Data Available
- No Digital Data Available
- Unmapped

N

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 10/17/2026 at 4:48 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

Job No 15-008 SDS

SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Maine Dept.Health & Human Services
Div of Environmental Health , 11 SHS
(207) 287-5672 Fax: (207) 287-3165

PROPERTY LOCATION

City, Town, or Plantation	Fryeburg, Maine
Street or Road	21 Brook Road
Subdivision, Lot #	

>> CAUTION: LPI APPROVAL REQUIRED <<

Town/City Fryeburg Permit # 2705

Date Permit 6/9/15 Fee $ 270 + 15 - $285 Double Fee Charged [ ]

Kotr LPI # 1100

Local Plumbing Inspection Signature

OWNER/APPLICANT INFORMATION

Name (last, first, MI) Schwarz, Nora ● Owner Applicant

Mailing Address of Owner/Applicant	21 Brook Road Fryeburg, Maine 04037
Daytime Tel. #	610-587-8695

The Subsurface Wastewater Disposal System ***shall not*** be installed until a Permit is attached HERE by the Local Plumbing Inspector. The Permit shall authorize the owner or installer to install the disposal system in accordance with this application and the Maine Subsurface Wastewater Disposal Rules.

Municipal Tax Map # 39 Lot # 18

OWNER OR APPLICANT STATEMENT

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.

Nora M. Schwarz 4/28/15

Signature of Owner or Applicant Date

CAUTION: INSPECTION REQUIRED

I have inspected the installation authorized above and found it to be in compliance with the Subsurface Wastewater Disposal Rules Application. _____ (1st) date approved

_____ Local Plumbing Inspector Signature _____ (2nd) date approved

PERMIT INFORMATION

TYPE OF APPLICATION

1. First Time System
● 2. Replacement System
Type replaced: _____
Year installed: _____
3. Expanded System
a. <25% Expansion
b. >25% Expansion
4. Experimental System
5. Seasonal Conversion

THIS APPLICATION REQUIRES

1. No Rule Variance
2. First Time System Variance
a. Local Plumbing Inspector Approval
b. State & Local Plumbing Inspector Approval
● 3. Replacement System Variance
a. Local Plumbing Inspector Approval
● b. State & Local Plumbing Inspector Approval
4. Minimum Lot Size Variance
5. Seasonal Conversion Permit

DISPOSAL SYSTEM COMPONENTS

● 1. Complete Non-engineered System
2. Primitive System (graywater & aft. toilet)
3. Alternative Toilet, specify: _____
4. Non-engineered Treatment Tank (only)
5. Holding Tank, _____ gallons
6. Non-engineered Disposal Field (only)
7. Separated Laundry System
8. Complete Engineered System (2000 gpd or more)
9. Engineered Treatment Tank (only)
10. Engineered Disposal Field (only)
11. Pre-treatment, specify: _____
12. Miscellaneous Components

SIZE OF PROPERTY

1± SQ. FT. ●ACRES

SHORELAND ZONING

Yes ●No

DISPOSAL SYSTEM TO SERVE

● 1. Single Family Dwelling Unit, No. of Bedrooms: 2
2. Multiple Family Dwelling, No. of Units: _____
3. Other: _____ (specify)

Current Use Seasonal ●Year Round Undeveloped

TYPE OF WATER SUPPLY

1. Drilled Well 2. Dug Well 3. Private
4. Public ● 5.Community

DESIGN DETAILS (SYSTEM LAYOUT SHOWN ON PAGE 3)

TREATMENT TANK

● 1. Concrete
● a. Regular
b. Low Profile
2. Plastic
3. Other: _____
CAPACITY: 1000 GAL.

DISPOSAL FIELD TYPE & SIZE

● 1. Stone Bed 2. Stone Trench
3. Proprietary Device
a. cluster array c. Linear
b. regular load d. H-20 load
4. Other: _____
SIZE: 480 ● sq. ft. lin. ft.

GARBAGE DISPOSAL UNIT

● 1. No 2. Yes 3. Maybe
If Yes or Maybe, specify one below:
a. multi-compartment tank
b. ___ tanks in series
c. increase in tank capacity
d. Filter on Tank Outlet

DESIGN FLOW

180 gallons per day
BASED ON:
● 1. Table 4A (dwelling unit(s))
2. Table 4C(other facilities)
SHOW CALCULATIONS for other facilites
3. Section 4G (meter readings)
ATTACH WATER METER DATA

SOIL DATA & DESIGN CLASS

PROFILE CONDITION
5 / B / 2
at Observation Hole # 1
Depth 48 "
of Most Limiting Soil Factor
Pit Depth

DISPOSAL FIELD SIZING

● 1. Medium---2.6 sq. ft. / gpd
2. Medium---Large 3.3 sq. f.t / gpd
3. Large---4.1 sq. ft / gpd
4. Extra Large---5.0 sq. ft. / gpd

EFFLUENT/EJECTOR PUMP

1. Not Required
● 2. May Be Required
3. Required
Specify only for engineered systems:
DOSE: _____ gallons

LATITUDE AND LONGITUDE

at center of disposal area
Lat. 44 d 00 m 50 s
Lon. 70 d 57 m 12 s
if g.p.s. state margin of error: 50' ±

SITE EVALUATOR STATEMENT

I certify that on 4/14/15 (date) I completed a site evaluation on this property and state that the data reported are accurate and that the proposed system is in compliance with the State of Maine Subsurface Wastewater Disposal Rules (10-144A CMR 241).

Site Evaluator Signature	SE # 225	Date 4/17/15
F.Jonathan Bliss	207-925-1468	blissinc@fairpoint.net
Site Evaluator Name Printed	Telephone Number	E-mail Address

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

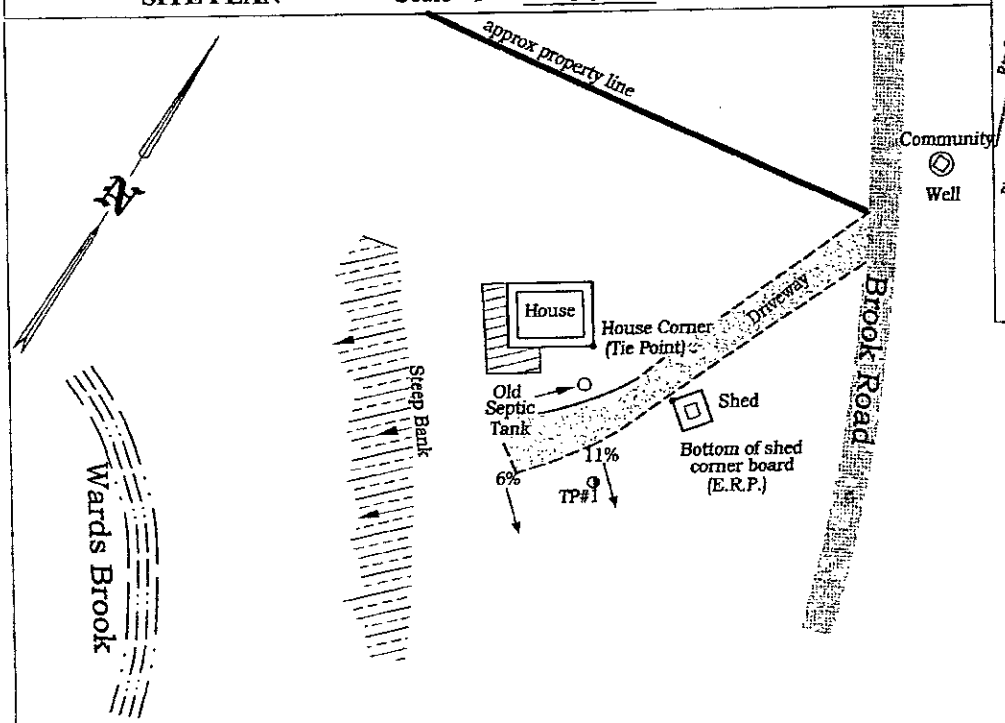
HHE-

SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

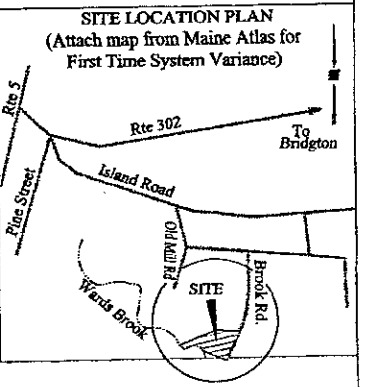
Department of Human Services
Division of Health Engineering
(207) 287-5689 Fax: (207) 287-3165

Town, City, Plantation	Street, Road, Subdivision	Owner's or Applicant Name
Fryeburg, Maine	21 Brook Road	Nora Schwarz

SITE PLAN Scale 1" = 60 ft. or as shown



SITE LOCATION PLAN
(Attach map from Maine Atlas for First Time System Variance)



Dwg No 15-008 SDS a

SOIL DESCRIPTION AND CLASSIFICATION (Location of Observation Holes Shown Above)

Observation Hole 1 ● Test Pit ☐ Boring
1 " Depth of Organic Horizon Above Mineral Soil

Depth Below Mineral Soil Surface (inches)	Texture	Consistency	Color	Mottling
0	Fine Sandy Loam		Dark Brown	
10			Yellowish Red	
20	Very Fine Sand	Friable		None
30				
40			Pale Brown	
50				

Soil Classification	Slope	Limiting Factor	
5 / B (Profile / Condition)	6-11 %	48 "	[ ] Ground Water [ ] Restrictive Layer [ ] Bedrock ● Pit Depth

Observation Hole _____ ☐ Test Pit ☐ Boring
_____ " Depth of Organic Horizon Above Mineral Soil

Depth Below Mineral Soil Surface (inches)	Texture	Consistency	Color	Mottling
0				
10				
20				
30				
40				
50				

Soil Classification	Slope	Limiting Factor	
Profile / Condition	%	"	[ ] Ground Water [ ] Restrictive Layer [ ] Bedrock

Site Evaluator Signature | 225 SE # | 4/17/15 Date

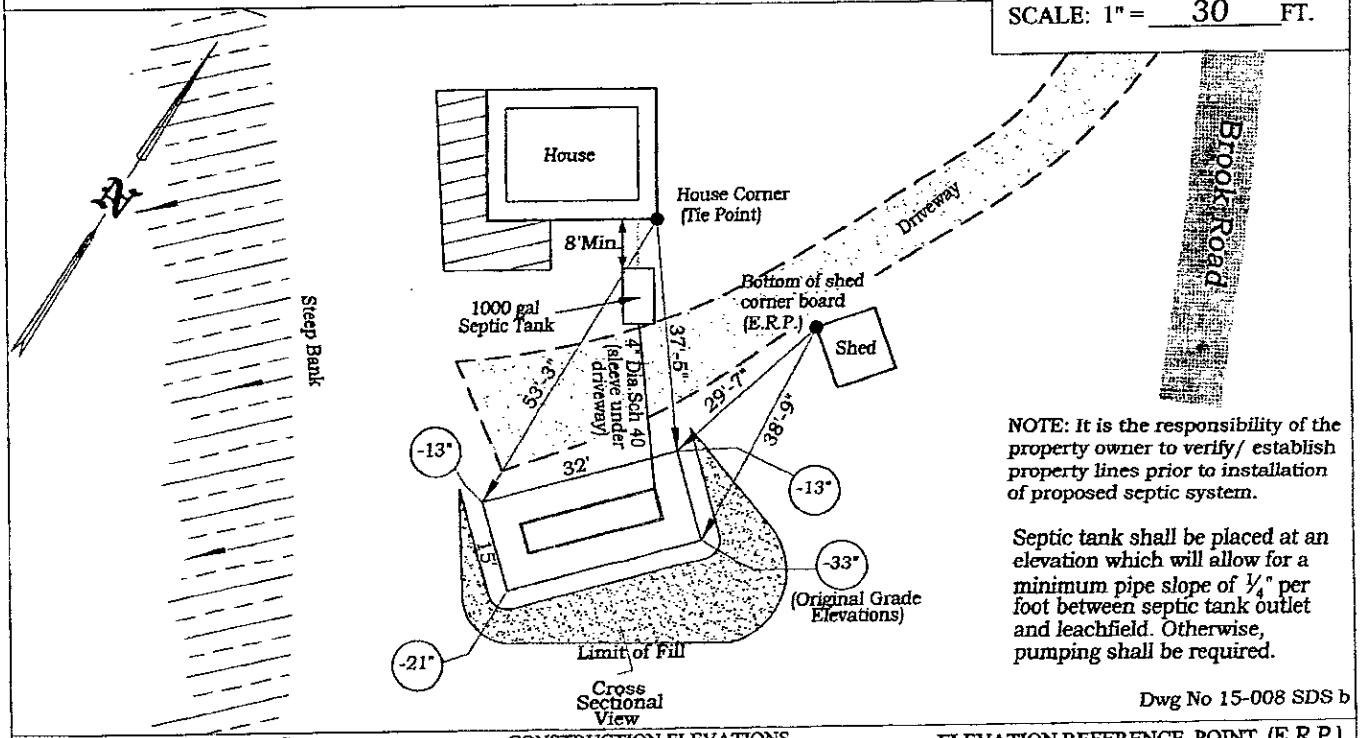
SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

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

Town, City, Plantation	Street, Road, Subdivision	Owner's Name
Fryeburg, Maine	*21 Brook Road*	*Nora Schwarz*

SUBSURFACE WASTEWATER DISPOSAL PLAN

SCALE: 1" = 30 FT.



NOTE: It is the responsibility of the property owner to verify/ establish property lines prior to installation of proposed septic system.

Septic tank shall be placed at an elevation which will allow for a minimum pipe slope of ¼" per foot between septic tank outlet and leachfield. Otherwise, pumping shall be required.

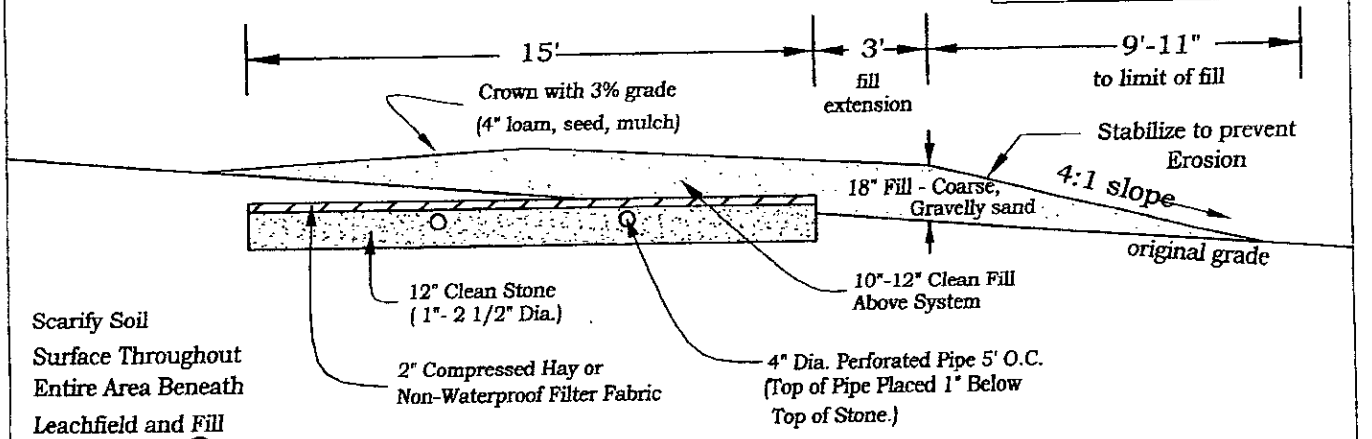
Dwg No 15-008 SDS b

FILL REQUIREMENTS		CONSTRUCTION ELEVATIONS		ELEVATION REFERENCE POINT (E.R.P.)	
Depth of Fill (Upslope)	0"	Finished Grade Elevation	⊖ 11"	Location & Description:	Bottom of shed corner board (8" T.G.)
		Top of Distribution Pipe or Proprietary Device	⊖ 26"		
Depth of Fill (Downslope)	18"	Bottom of Disposal Area	⊖ 37"	Reference Elevation:	0"

DISPOSAL AREA CROSS SECTION

STONE & PIPE LEACH FIELD: 15' x 32'

Scale
Horizontal 1" = 5 ft.
Vertical 1" = 5 ft.



Scarify Soil Surface Throughout Entire Area Beneath Leachfield and Fill Extensions

Site Evaluator Signature | SE # 225 | Date 4/17/15

Maine Center for Disease Control and Prevention
An Office of the Department of Health and Human Services

Department of Health and Human Services
Maine Center for Disease Control and Prevention
286 Water Street
11 State House Station
Augusta, Maine 04333-0011
Tel: (207) 287-5672
Fax: (207) 287-4172; TTY: 1-800-606-0215

SUBSURFACE WASTEWATER DISPOSAL SYSTEM VARIANCE REQUEST

This form must accompany an application (HHE-200 Form) for any subsurface wastewater disposal system which requires a variance to provisions of the Subsurface Wastewater Disposal Rules. The Local Plumbing Inspector must not issue a permit for the installation of a subsurface wastewater disposal system requiring a variance from the Department of Health and Human Services until approval has been received from the Department.

GENERAL INFORMATION Town of Fryeburg

Property Owner's Name: Mora Schwarz Tel. No.: 610-587-8695

System's Location: 21 Brook Road

Property Owner's Address: 21 Brook Road – Fryeburg, Maine Zip Code 04037

e-mail address:

The subsurface wastewater disposal system design for the subject property requires a replacement system variance [X] first time system variance to the Subsurface Wastewater Disposal Rules. This variance requires ☐ local approval [X] local and state approval.

SPECIFIC VARIANCE REQUESTED (To be filled in by Site Evaluator. Use additional sheets if needed.) **SECTION OF RULE**

1. Distance from disposal field to community well reduced to 144 feet — Section A.1.
2. Distance from septic tan to community well reduced to 130 feet — Section A.1
3.

SITE EVALUATOR

When a property is found to be unsuitable for subsurface wastewater disposal by a licensed Site Evaluator, the Evaluator shall so inform the property owner. If the property owner, after exploring all other alternatives, wishes to request a variance to the Rules, and the Evaluator in his professional opinion feels the variance request is justified and the site limitations can be overcome, he shall document the soil and site conditions on the Application. The Evaluator shall list the specific variances necessary plus describe below the proposed system design and function. The Evaluator shall further describe how the specific site limitations are to be overcome, and provide any other support documentation as required prior to consideration by the Department. Attach a separate sheet if necessary.

I, F. Jonathan Bliss, S.E., certify that a variance to the Rules is necessary since a system cannot be installed which will completely satisfy all the Rule requirements. In my judgment, the proposed system design on the attached Application is the best alternative available; enhances the potential of the site for subsurface wastewater disposal; and that the system should function properly.

SIGNATURE OF SITE EVALUATOR — DATE 4/17/15

PROPERTY OWNER

I, Nora M. P. Schwarz, am the owner agent for the owner of the subject property. I understand that the installation on the Application is not in total compliance with the Rules. Should the proposed system malfunction, I release all concerned provided they have performed their duties in a reasonable and proper manner, and I will promptly notify the Local Plumbing Inspector and make any corrections required by the Rules. By signing the variance request form, I acknowledge permission for representatives of the Department to enter onto the property to perform such duties as may be necessary to evaluate the variance request.

SIGNATURE OF OWNER
☐ AGENT FOR THE OWNER — DATE 4/28/15

LOCAL PLUMBING INSPECTOR - Approval at local level

The local plumbing inspector shall review all variance requests prior to rendering a decision.
I, Katie Haley, the undersigned, have visited the above property and find that the variance request submitted by the applicant does not conform with certain provisions of the wastewater disposal rules. The variance request submitted by the applicant is the best alternative for a subsurface wastewater disposal system on this property. The proposed system (does X does not) conflict with any provisions controlling subsurface wastewater disposal in the shoreland zone. Therefore, I (X do do not) approve the requested variance. I (X will will not) issue a permit for the system's installation as proposed by the application.

LPI Signature — Date: 4-28-15

LOCAL PLUMBING INSPECTOR - Referral to the Department

The local plumbing inspector shall review all variance requests prior to forwarding to the Division of Environmental Health.
I, _____, the undersigned, have visited the above property and find that the variance request submitted by the applicant does not conform with certain provisions of the wastewater disposal rules. The variance request submitted by the applicant is the best alternative for a subsurface wastewater disposal system on this property. The proposed system (does does not) conflict with any provisions controlling subsurface wastewater disposal in the shoreland zone. Therefore, I (do do not) recommend the issuance of a permit for the system's installation as proposed by the application.

LPI Signature — Date

FOR USE BY THE DEPARTMENT ONLY

The Department has reviewed the variance(s) and (does ~~does not~~ give its approval. Any additional requirements, recommendations, or reasons for the Variance denial, are given in the attached letter.

SIGNATURE OF THE DEPARTMENT — DATE: 5/12/15

Notes: 1. Variances for soil conditions may be approved at the local level as long as the total point assessment is at least the minimum allowed. (See Section 7.B.4 of the Subsurface Wastewater Disposal Rules for Municipal Review.)

2. Variances for other than soil conditions or soil conditions beyond the limit of the LPI's authority are to be submitted to the Department for review. (See Section 7.B.3 for Department Review.) The LPI's signature is required on these variance requests prior to sending them to the Department.

SOIL, SITE AND ENGINEERING FACTORS FOR FIRST TIME SYSTEM VARIANCE ASSESSMENT WITH LIMITING SOIL DRAINAGE CONDITIONS (SEE TABLES 7C THROUGH 7M).

	CHARACTERISTIC	POINT ASSESSMENT
Soil Profile		
Depth to Groundwater/Restrictive Layer		
Terrain		
Size of Property		
Waterbody Setback		
Water Supply		
Type of Development		
Disposal Area Adjustment		
Vertical Separation Distance		
Additional Treatment		
	TOTAL POINT ASSESSMENT:	

Minimum Points (Check One): ☐ Outside Shoreland Zone-50 ☐ Inside Shoreland Zone-65 ☐ Subdivision-65

Maine Center for Disease Control and Prevention
An Office of the Department of Health and Human Services
Paul R. LePage, Governor Mary C. Mayhew, Commissioner

Department of Health and Human Services
Maine Center for Disease Control and Prevention
286 Water Street
11 State House Station
Augusta, Maine 04333-0011
Tel. (207) 287-8016
Fax (207) 287-9058; TTY (800) 606-0215

Tel. (207) 287-2070 Subsurface Wastewater Unit Fax (207) 287-5672

May 11, 2015

RECEIVED
MAY 18 2015
By KW

Town of Fryeburg
Katie Haley
16 Lovewell Pond Road
Fryeburg, Maine 04037

Subject: Approved, Replacement System Variance Request, Nora Schwarz Property, 21 Brook Road, Fryeburg, Maine, 04037. Mailing Address Of Owner/Applicant: SAME.

Katie;

We have completed our review of an HHE-200 Form dated 04-17-2015 for the property at 21 Brook Road, Fryeburg, Maine.

The variance request that is not within the LPI's authority is from the disposal field to a Community potable water supply of 140 feet. The new system design will be an improvement over the existing system.

The variance request that is within the LPI's authority is from the septic tank to the community potable water supply of 130 feet.

The variance request has been submitted because topography and existing development limit the potential of the system location and the system design prepared by Jonathan Bliss, SE #225 on 04-17-2015 is otherwise found to be in compliance with the Maine Subsurface Wastewater Disposal Rules.

Because of the replacement system being installed in the same location as the existing system, we approve the local requested variance with the following requirements:

A permit for system installation is to be obtained from the Local Plumbing Inspector in advance of the start of system construction.

The system is to be installed in accordance with the submitted and approved system design. Should alterations to the design be required at the time of construction, the site evaluator is to be notified prior to making any changes.

The contractor is to scarify the soils under the fill extensions to create a transitional zone more compatible with the disposal field area.

By accepting this approval and the associated plumbing permit, the owner agrees to comply fully with the conditions of approval and the Subsurface Wastewater Rules.

Because installation and owner maintenance has a significant effect on the working order of onsite sewage disposal systems, including their components, the Division makes no representation or guarantee as to the efficiency and/or operation of the system.

Should you or others have any questions, please feel free to contact me at 592-7376.

Sincerely,

Brent Lawson, State Plumbing Inspector
Subsurface Wastewater Program
Division of Environmental Health
e-mail: brent.lawson@maine.gov

/BML
xc: File
Nora Schwarz, Owner/Applicant.
Jonathan Bliss, SE

BYLAWS
Lovewell Pond Beach Ass'n
(11/2023)

Section I – Creation and Application

The name of this organization is the Lovewell Pond Beach Ass'n, as having been created on September 1, 1970, and incorporated the same as a non-profit association under the Laws of Maine on September 18, 1970.

The Purposes of said corporation are to plan, construct, foster, encourage and/or operate a beach and bathing facility and common facilities therefor including the right to take, hold and sell real estate or any other property however acquired; and to provide for its mutual assistance, enjoyment, entertainment, and improvement of its members, socially and physically, by encouraging them in participation in some form of recreation and thereby to improve the well being of its members.

Section II – Officers/Directors

The officers of the Association shall be president, vice president, treasurer, and secretary. Directors shall include officers of the Association and at least three and not more than five additional members.

Section III - Elections

There shall be a nomination committee of three members appointed by the board of directors prior to the annual meeting who shall nominate at the annual meeting officers and directors for the ensuing year. Nominations may also be made from the floor. Before a candidate shall be voted upon by the members at the annual meeting, his or her consent to hold office, if elected, shall be obtained. A majority of those present shall elect. The officers and directors shall be elected for a term of one year and shall begin their terms following the annual meeting. Husband and wife and family members shall be allowed to serve concurrently as directors.

Section IV - Duties

The directors shall supervise and manage the affairs of the Association. They may fill vacancies in their own board. A majority of the board shall constitute a quorum. Directors must be current members of the Association. Directors missing three consecutive Board meetings may be removed as a director by a majority vote of the Board. Board business may be conducted via electronic media.

The president shall preside at all meetings of the members, when present, and perform such other duties as may be required.

The vice president shall assume the duties of the president when so delegated by the president and succeed to the office of the president in the event of the president's death or

resignation. The vice president shall preside at all meetings of the members and directors in the absence of the president and shall perform such other duties as may be required.

The treasurer shall have the custody of and keep an accurate account of the Association's funds; submit a financial report at the annual meeting; and perform such other duties as may be required. The treasurer's reports and financial statements will be periodically audited as directed by the Board. The treasurer and president have the authority to sign checks with the authority of the board of directors.

The secretary shall keep a record of the proceedings of all meetings of members and directors and shall give adequate advance notice to each and all interested parties.

Section V - Membership

Membership to the Association shall be all lot owners of lots now or hereafter within the development of William Hale on Lovewell Pond in Fryeburg, Maine. All members shall have the same privileges regarding voting and holding office.

Section VI - Meetings

There shall be an annual meeting of the members of the Association during the fall season at some convenient place in the vicinity of the Lovewell Pond Beach Association properties, the date and place to be determined by the directors, such meeting to be held to elect officers and directors, and to consider any other business. Any business relating to the affairs of the Association may be acted on at the annual meeting without specifying the same in the prior notice to members. A majority of the members present at the annual meeting shall constitute a quorum.

Special meetings of the members may be held at any time upon the call of the President or the Board of Directors, or upon the call of twenty percent (20%) or more in interest of the owners, which call shall state the purpose of the meeting. Upon receipt of such call, the Secretary shall promptly send out notices of the meeting to all members of the Association.

A written notice of each meeting of the Association, stating whether it is an annual meeting or special meeting, the authority for the call of the meeting, the place and time of the meeting, and the times on the agenda (including the general nature of any proposed Declaration or Bylaw amendment, any budget charges and any proposal to remove an Officer or Director) shall be sent by the President or Secretary or Assistant Secretary, if any, at least fourteen (14) days, but not more than sixty (60) days, before the date set for the meeting. Such notice shall be given to each member listed with the records of the Association:

1. By hand delivering it to him/her, or

2. By mailing it, postage prepaid, addressed to the member at the address of the Unit or any other address designated in writing by that member with the records of the Association or to the Eligible Mortgage Holder at the address of such holder as shown in the records of the Association, or

3. Posting in and/or around the association property and on the LPBA Facebook Page, or

4. Email address provided and on record with the Association.

If notice is given pursuant to the provisions of this section, the failure of any member to receive actual notice of the meeting shall not invalidate the meeting.

Section VII - Committees

Committees may be appointed by the president with the approval of the board of directors and shall continue their function until discontinued by the directors. The president shall appoint committee membership and designate the chairperson. The appointments shall be until the next annual meeting unless discontinued earlier.

Section VIII – Authority

The Officers and Directors shall have all the powers, authority, and responsibilities to conduct all business of the Association, to include but not limited to the following:

(a) Adopt and amend Bylaws and Rules and Regulations.

(b) Adopt and amend budgets for revenues, expenditures, and reserves, and to collect assessments for common expenses and service charges from lot owners.

(c) Hire and terminate contractors.

(d) Institute, defend, or intervene in litigation or administrative proceedings in its own name on behalf of itself or two (2) or more unit owners on matters affecting the Association.

(e) Make contracts and incur liabilities.

(f) Regulate the use, maintenance, repair, replacement, and modification of common elements; provided, however, that the use of the limited common elements may not be changed without the consent of those lot owners affected.

(g) Cause additional improvements to be made as a part of the common elements subject to the restrictions set forth herein.

(h) Acquire, hold, encumber and convey in its own name any right, title, or interest to real or personal property, provided that common elements may be conveyed or encumbered only as set forth herein.

(i) Grant easements, leases and licenses for public utilities and fire escapes servicing or benefiting the Property through or over the common elements, with the consent of a majority in interest of the members.

(k) Impose charges and interest for late payment of assessments and service charges and, after notice and an opportunity to be heard, impose reasonable penalties for violations of the Declaration, Bylaws, and Rules and regulations of the Association.

(l) Impose reasonable charges for the preparation and recordation of amendments to the Declaration or statements of unpaid common charges and assessments.

(n) Exercise any other powers conferred by the Declaration or Bylaws.

(o) Maintain the roads, beach, and water system owned by the Association.

The Officers and Directors of the Association shall manage and exercise such powers on behalf of the Association, subject to the terms of these Bylaws.

Section IX – Order of Business

The order of business at all meetings of the members shall be generally as follow, if applicable:

- Roll call/Attendance.
- Proof of notice of meeting.
- Reading of minutes of preceding meeting.
- Reports of Officers.
- Report of Committees.
- Election of the Board of Directors (if applicable).
- Unfinished business.
- New business.
- Adjournment

Section X - Voting

Any person, partnership, corporation, trust, or other legal entity or combination thereof, owning any lot within the Association, duly recorded in his or its name, which ownership shall be determined from the records of the Oxford County Registry of Deeds, shall be a member of the Association, entitled to a single vote in the Association for each lot so owned.

Multiple owners of a lot shall be deemed one owner. If only one of the multiple owners of a unit is present in person at a meeting of the Association, he/she is entitled to cast the vote allocated to that lot. If more than one of the multiple owners are present, the vote allocated to that lot may be cast only in accordance with the agreement of a majority in interest of the owners present at the meeting. There is presumed to be a majority agreement if any one of

the multiple owners present cast the vote allocated to the unit unless any of the other owners of the unit promptly protest to the person presiding over the meeting.

An executor, administrator, personal representative, guardian, or trustee may vote in person by proxy at any meeting of the Association with respect to any unit owner or held by him in such a capacity, whether or not the same shall have been transferred or record by a duly recorded conveyance. If the unit has not been so transferred, he/she shall satisfy the Secretary that he/she so holds the unit.

At any meeting at which a quorum is present, the affirmative vote of a majority of those present shall determine any question except as otherwise provided in the Act, the Articles of Incorporation, or these Bylaws. In the election of Directors, those receiving the greatest number of votes, though less than a majority, shall be elected. To the extent required by the Act, for the purposes of amending the Declaration or these Bylaws, the number of votes shall be such lot owners are present.

Section XI - Compensation

No compensation shall be paid to Directors for their services as Directors or in any other capacity, unless a resolution authorizing such remuneration shall have been adopted by the members before or after the services are undertaken. A Director shall be reimbursed for out-of-pocket expenses incurred for the benefit of the Association upon presentation of receipts or other satisfactory evidence to the Treasurer.

Section XII – Fiscal Affairs and Administration

Accounting: Books and accounts of the Association shall be kept under the direction of the Treasurer and in accordance with customary accounting principles and practices. Any Eligible Mortgage Holder shall be allowed at its expense to have an audited financial statement prepared by the Association. Otherwise, the Association will prepare an audited financial statement only if so decided by the Officers and Directors. At the time of the annual meeting, the Association will be provided with Income and Disbursements for that fiscal year to date and a projection for that year end. However, the Treasurer shall, within ninety (90) days after the close of each fiscal year, furnish its Board of Directors with a final statement of the income and disbursements for such prior fiscal year and a balance sheet as of the close of that year. The Association shall have current copies of the Declaration, Bylaws and Rules and Regulations and all financial records available for examination during normal business hours or under other reasonable circumstances.

Budget and Common Charges: The board shall cause a proposed annual budget to be prepared each year based on its estimate of annual income and expenses. This proposed budget shall be presented to the owners prior to the annual meeting. At this meeting this budget or a modified version must be ratified so that the new Association fees can be established.

Each member shall pay his share of assessments as determined by the board. If any member shall fail or refuse to pay to the Association when due his share of the assessments or

any other service charges, user fees and penalties, thereafter the amount thereof shall bear interest at the rate of eight percent (8%) per annum, or such other lower rate as may be set by vote of the members of the Association prior to the date on which the payment came due. In addition, if any such monthly assessment, charge or fee is not paid on or before the date sixty (60) days after the day it is due, the unit owner shall be assessed a late fee of twenty-five dollars ($25.00). Late fees shall be calculated separately with respect to each installment of assessment, charges and fees. Such assessments, service charges and late charges, interest and all costs of collection, including reasonable attorneys' fees, shall constitute a lien on the lot of such member, and shall be so recorded at the Oxford County Registry of Deeds.

Revised and Special Assessments: If at any time the Board shall determine the amount of the common charges to be inadequate, for any reason, the Board may adopt a revised budget and deliver a summary thereof to each member and shall set a date for a meeting of the members to ratify the budget all in accord with the provisions herein.

The Board may, upon determining that circumstances exist which require immediate assessment of the members, make special assessments not to exceed an amount equal to one current assessment for each unit, without such assessment being approved by the members as provided herein. Such special assessment shall be due and payable when notice of the assessment is delivered to the members.

Section XIII. Bylaws

These Bylaws may be amended, modified, or revoked in any respect from time to time at any regular or special meeting of the corporation, provided that notice of the same shall be included and substantially set forth in the notice of said meeting.