PO Box 127 Whitefield Maine 04353



Ms. Kathy Davis Howatt
Hydropower Coordinator
Bureau of Land Resources
Maine Department of Environmental Protection
17 State House Station
Augusta Maine 04333

RE: Cover Letter, Clary Lake Association's Proposed License Transfer Application Clary Lake Water Level Order #L-22585-36-B-N

October 22, 2018

### Dear Ms. Howatt:

As you have no doubt heard by now, the Clary Lake Association has finally succeeded in purchasing the Clary Lake dam property from the bankruptcy estate of Paul A. Kelley Jr. The closing took place on on 13 October 2018 after the 14 day automatic stay period of the Bankruptcy Court order approving the sale expired. We are very pleased to submit our application requesting Department approval of the transfer of the Clary Lake Water Level Order #L-22585-36-B-N [WLO] to our organization.

This is the second time we've submitted this license transfer application. The first application, submitted on or about 17 July 2018, was returned to us because we did not get title to the dam in time. In a subsequent followup phone call with you, you said the Department would waive the requirement that we pay the \$158.00 application fee again. This is appreciated!

Also please note: the former owner of the CLD and the current licensee is Pleasant Pond Mill LLC which company is an asset in Mr. Kelley's Bankruptcy Estate. Consequently, Mr. Kelley is not in a position to sign the license transfer application. For this reason we are taking advantage of Chapter 2 of Department Rules Section 21(C)(4) which states:

(4) If the proposed transferee demonstrates that the original licensee no longer has sufficient title, right or interest in the property subject to the license, the Department may allow the transfer application to be processed without the signature of the original licensee.

In our first application we included a breakdown of costs to repair the dam and bring the property into compliance with the Water Level Order. Unfortunately, we have had to revise our dam repair plan and do not have updated costs associated with dam repairs at this time.

### Please find attached:

- 1. Completed application;
- 2. A copy of the deed from the bankruptcy trustee to the Clary Lake Association;

- 3. Breakdown of costs;
- 4. Evidence of the availability of funds;
- 5. Narrative describing our technical ability to complete and maintain this development;
- 6. Certificate of Mailing of the Public Notice showing names and addresses of the 108 abutters who received notice. To save money, the public notice letters were sent out in 3 separate batches on consecutive days starting on October 1, 2018;
- 7. Screen shot from the Maine Secretary of State Interactive Corporate Services website showing the Clary Lake Association is currently in Good Standing.
- 8. Copy of the public notice as it appeared in the Lincoln County News;

As stipulated in the attached application, a complete copy of this application will be delivered to the Jefferson & Whitefield Town Offices.

Respectfully Submitted,

George Fergusson, Secretary Clary Lake Association

207-549-5991

secretary@clarylake.org

DEPARTMENT OF ENVIRONMENTAL PROTECTION Bureau of Land and Water Quality 17 State House Station Augusta, ME 04333

Telephone: 207-446-2642

FOR DEP USE ATS # 83699 #L-22585-36-F-T Fees Paid <u>Credited</u> Date Received 10/89/18

### TRANSFER APPLICATION FOR

Maine Waterway Development and Conservation Act Permit
And/Or Water Quality Certification
For Hydropower Projects

This form shall be used for the transfer of permit/certification authorization for the construction and/or operation of a hydropower project. All required fees must be paid before application processing will begin. Please contact the DEP for current fee schedule information. Fees are payable to Treasurer, State of Maine.

(Please type or print)

New Applicant:	
Name:	Clary Lake Association
	PO Box 127
	Whitefield ME 04353
Name of Contact	or Agent: George Fergusson
	Telephone: 207-549-5991
Current Permitte	ee:
Name:	Pleasant Pond Mill LLC
	171 Molyneaux Road
_	Camden ME
Name of Contact	or Agent: Paul A. Kelley Jr.
	Telephone: 207-236-2886
Location of Activ	víty:
Name of Project:	Clary Lake Dam (see: #L-22585-36-B-N)
Address (use "91	1" address, if available):_103 Mills Road
	Whitefield ME 04353
Municipality or To	wnship: WhitefieldCounty: Lincoln
	, if known: 44.228041°, -69.583036°
DEPLW0587-A200	

### REQUIRED INFORMATION

- Provide a breakdown of costs for any unfinished construction and for project operation.
   These must include costs resulting from compliance with the Board or Department
   Order.
- 2. Provide evidence of the availability and commitment of funds sufficient to complete any unfinished project construction and to operate the project as approved. Submit one of the following three:
  - a. a letter of commitment from a financial institution or funding agency for a specified amount of funds and their use, or
  - b. the most recent corporate annual report and supporting documents indicating sufficient funds to finance the development, or
  - copies of bank statements or other evidence indicating availability of the unencumbered funds, when the developer will personally finance the project.
- 3. Provide a narrative describing new applicant's technical ability to complete or maintain this development.
- 4. Provide a complete copy of the deed, lease, purchase option or other documented evidence of the new applicant's title, right or interest in the development.
- 5. If new applicant is a registered corporation, provide either a *Certificate of Good Standing* (available from the Secretary of State) or a statement signed by a corporate officer affirming that the corporation is in good standing.
- 6. Provide evidence of compliance with all public notice requirements (see attached Public Notice Requirements and Certification of Publication).

**NOTE:** All required information summarized above must be attached to this form and sent to the DEP Office listed at the top of this application form.

By signing this application, the current permittee certifies that he or she agrees to the transfer of his or her permit to the new applicant named on this form.

-	t red
Signature of Current Permittee	Date
(Current licensee is in bankruptcy)	(see attached cover letter)
Print or Type Name Title	
By signing this application, the new applicar project file and will comply with the Board or existing amendments to the order and all at	nt certifies he, she or it is familiar with the DEP Department Order being transferred, including all tached conditions.
Signature of Applicant	October 22, 2018
Signature of Applicant	Date
George Fergusson	Secretary
Print or Type Name Title	

### **PUBLIC NOTICE REQUIREMENTS**

The Department requires that an applicant provide public notice describing the location and nature of the activity proposed for approval. The public notice requirements that apply to this application are described in the Certification of Publication below, which must be signed and dated by the applicant or authorized agent.

The following information must be submitted with this form:

- A copy of a completed Notice of Intent to File.
- A list of abutters to whom notice was provided. [For the purposes of public notice of this application, an "abutter" is any person who owns property that is both (1) adjoining and (2) within 1 mile of the delineated project boundary, including owners of property directly across a public or private right of way.]

### **CERTIFICATION OF PUBLICATION**

By signing below, the applicant (or authorized agent) certifies that he or she has:

- 1. Published a Notice of Intent to File once in a newspaper circulated in the area where the project site is located, within 30 days prior to filing the application;
- Sent a completed copy of the Notice of Intent to File by certified mail or Certificate of Mailing to abutters, as determined by local tax records or other means, within 30 days prior to filing the application; and
- 3. Sent a copy of the Notice of Intent to File by certified mail or Certificate of Mailing and filed a duplicate of this application with the town clerk of the municipality(ies) where the project is located, within 30 days prior to filing the application.

Signature of Applicant Date

George Fergusson, Secretary

Name and title of applicant

If signature is other than that of the applicant, attach letter of agent authorization signed by the applicant.

Bk 5314 PG 281 10/15/2018 09:21:35 AM Pages 5 DEEDS

Instr # 43754 Rebecca S. Wotton Lincoln County Registry of Deeds

### TRUSTEE/QUITCLAIM DEED WITHOUT COVENANT WITH INCORPORATED PERSONAL PROPERTY BILL OF SALE

DLN: 1001840041145

KNOW ALL MEN BY THESE PRESENTS that Jeffrey T. Piampiano, Esq., both in his capacity as Chapter 7 trustee for the bankruptcy estate of Paul A. Kelley, Jr. ("Kelley") in Case No. 17-10618 pending before the United States Bankruptcy Court for the District of Maine (the "Bankruptcy Court"), and on behalf of Pleasant Pond Mill, LLC ("PPM, LLC"), as the successor as a matter of law to Kelley as PPM, LLC's sole member (collectively, the "Grantor" or "Trustee"), for consideration paid, conveys to Clary Lake Association ("CLA" or "Grantee"), a Maine nonprofit corporation with a mailing address of PO Box 127, Whitefield, Maine 04353, pursuant to the Notice of Sale filed in said bankruptcy proceeding, and a certain Sale Order, dated September 28, 2018, issued by the Bankruptcy Court, by trustee deed and quitclaim without covenants, certain real property consisting of a dam located at the outlet of Clary Lake on or about State Route 218 in the State of Maine, County of Lincoln, Town of Whitefield, and described in greater detail in the attached Exhibit A. A copy of the Sale Order is being separately recorded on or about the same day as this deed.

The Trustee's conveyance of the estate's interest in the real property shall be, and is, on an AS IS, WHERE IS basis, and the Trustee and the estate make no representations or warranties with respect to the real property, the estate's interest in the real property, or otherwise.

> No Transfer Tax Necessary

It is the intention of the Trustee to transfer all the estate's interest to the real property described in Exhibit A to the Grantee free of any equity of redemption by the Trustee and PPM, LLC and/or Kelley, if any.

Pursuant to this instrument, the Grantor also releases and quitclaims to the Grantee all right, title and interest in and to the entirety of a dam located on the Premises, all without covenant (the "Dam Site"), all mill privilege and flowage rights relating to the aforementioned Dam Site and/or the Premises, any improvements, buildings, structures, fixtures (including a certain steel-hand wheel for operating the dam) and any other assets forming a part of or necessary or convenient for the use, operation, and/or maintenance of the Dam Site. This conveyance is made AS IS, WHERE IS, WITH ALL FAULTS AND DEFECTS AND WITHOUT ANY COVENANTS OR WARRANTIES OR COVENANTS OF ANY KIND, INCLUDING BUT NOT LIMITED TO WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, ALL WARRANTIES BEING HEREBY DISCLAIMED.

[The remainder of this page is intentionally left blank.]

Witness his hand and seal this \_\_\_\_\_\_\_ day of September, 2018.

WITNESS:

Jeffrey T. Mampiano, in his capacity as Chapter 7 Trustee for the Estate of Paul A. Kelley, Jr., and as successor by law to Paul A. Kelley, Jr. in his capacity as the sole member of Pleasant Pond Mill, LLC

STATE OF MAINE County of Cumberland, ss. PENBSCOT (KMH)

September 23, 2018

Personally appeared before me the above-named Jeffrey T. Piampiano in his stated capacities and acknowledged the foregoing instrument to be his free act and deed in his said capacities.

Kallyn Hown
Attorney-at-Law/Notary Public #5614

Print Name: Kaitlyn Husar

### **EXHIBIT A**

A certain lot of parcel of land, with the dam thereon, situated on the southeasterly side of Route 218 at North Whitefield, in the Town of Whitefield, Lincoln County, Maine, bounded and described as follows:

Beginning at a point on the assumed right of way of said Route 218 at land of AquaFortis Associates LLC as described in deed dated April 13, 2010 and recorded in Book 4275 Page 85 at the Lincoln County Registry of Deeds, said point being 12 feet, more or less, southerly from the northwesterly corner and 6 feet from the southwesterly side of the Old Mill Building on the herein described premises;

Thence in an overall northeasterly direction along Route 218 crossing the mill pond outlet a distance of 146 feet, more or less, to a point, said point being on a line that is a northwesterly extension of the southwesterly face of the concrete foundation of a pump house on land formerly of Chester H. Chase, now of Steven and Julie Cowles as described in deed dated 17 February 2015 and recorded in Book 4862 Page 133;

Thence South 26° 08' 50" East a distance of 39 feet, more or less, along said extension line and land of Cowles the last part of this course being along the face of said concrete foundation, to the southwesterly corner of said foundation, said corner being a distance of 79.7 feet from the southeasterly corner of the concrete wingwall of the Route 218 Bridge over said outlet and a distance of 109.8 feet from the southeasterly corner of said Old Mill Building;

Thence South 58° 52′ 30″ West a distance of 142.59 feet and crossing the mill pond on the herein described premises and along land of Cowles and land of AquaFortis Associates LLC to a point on the southeasterly extension of a line that is 6 feet southwesterly from and parallel to the southwesterly side of said Old Mill Building, said point being a distance of 27.8 feet from the southwesterly corner and a distance of 45.7 feet from the southeasterly corner of said Old Mill Building;

Thence North 31° 17' 55" West along the last described extension line and land of AquaFortis Associates LLC a distance of 39 feet, more or less, keeping parallel to and 6 feet from the southwesterly side of said Old Mill Building to the point of beginning.

Containing 0.13 acres, more or less. Bearings being magnetic, 1994.

Also conveying all land and rights to land if any between the herein described premises and Route 218.

Also conveying herewith all the mill privilege and flowage rights contained in the deeds recorded in Book 478, Page 78 and Book 478, Page 82 and any other mill privileges and flowage rights on Clary Lake however obtained by Chester H. Chase and his predecessors in title.

Excepting the Old Mill Building located on the premises conveyed herein above.

See Standard Boundary Survey Proposed Conveyance from Chester H. Chase to Arthur Enos, Whitefield, Maine, Date: November 14, 1994 – Scale 1" = 30' Survey by Lemuel L. Brown, P.L.S. #225, R.R.1, Box 626, Wiscasset, Maine 04578, File No. 1025. Said plan not on record.

FOR REFERENCE, see deed of Arthur W. Enos to Pleasant Pond Mill, LLC dated March 27, 2006 and recorded at the Lincoln County Registry of Deeds in Book 3651, Page 224. See also Corrective Deed of Arthur W. Enos to Pleasant Pond Mill LLC dated March 19, 2015 and recorded at said Registry in Book 4870, Page 170.

SUBJECT TO the following easements to benefit a certain "Old Mill House" located on land of AquaFortis Associates LLC as described in a Corrective Deed of Pleasant Pond Mill LLC to AquaFortis Associates LLC, dated March 23, 2015, and recorded in Book 4870, Page 173 at said Registry:

"Also hereby conveying a perpetual easement to maintain said Old Mill House in its current location on the Clary Mill Dam [sic], so called, located on said land described in Book 3651, Page 224. Also hereby conveying a perpetual easement over the land described in the deed recorded in said Registry in Book 3651, Page 224 for all purposes of a right of way including, without limitation, ingress and egress by foot or vehicle and the installation and maintenance of services running from or through land described above to said Old Hill House. Also hereby conveying a perpetual easement to use, repair, replace and maintain the equipment associated with the septic system serving said Old Mill House running through the land described in the deed recorded in said Registry in Book 3651, Page 224 from said Old Mill House to Parcel Fourteen [as described in said deed recorded in Book 4870, Page 173]."

ALSO SUBJECT TO the terms and conditions of a Maine Department of Environmental Protection Order dated January 27, 2014 and recorded in Book 4756, Page 96 at the Lincoln County Registry of Deeds.

PO Box 127 Whitefield Maine 04353



31 October 2018

Mr. Eric Sroka
Bureau of Land Resources
Maine Department of Environmental Protection
17 State House Station
Augusta Maine 04333-0017

RE: Clary Lake Water Level Order #L-22585-36-B-N

Dear Mr. Sroka:

Please include this letter as part of our license transfer application. The the Clary Lake Association fully intends to comply with the Department Order #L-22585-36-B-N issued January 27, 2014.

Thank you,

George Fergusson, Secretary Clary Lake Association

PO Box 127 Whitefield Maine 04353



### Clary Lake Dam License Transfer Application DEP File # L-22585-36-B-N

### **Breakdown of Costs**

### Dam Purchase:

The dam was purchased from the Bankruptcy Estate of Paul A. Kelley Jr. for \$80,000.

### Dam Repairs:

The Clary Lake Association [CLA] has retained the services of Linkel Construction of Topsham Maine to make repairs to the Clary Lake dam sufficient to allow full compliance with the Clary Lake Water Level Order [WLO]. Due to unanticipated but necessary changes in the scope of work to be performed, Linkel Construction's original proposal is no longer valid; they are in the process of preparing a new proposal which was not available at the time of this writing.

### WLO Compliance:

- 1. The CLA is happy with and will be pleased to accept the surveyed NAVD88 elevation of 151.17' of the Normal High Water Line of Clary Lake as established by Pleasant Pond Mill LLC as referenced by the Department's condition letter dated June 7, 2016 (copy attached). The CLA has retained True North Surveying Services of Newcastle Maine to verify the accuracy of the current NAVD88 elevation benchmark at the dam site as well as conduct other non-compliance related surveying activities. The estimated cost of these surveying services is less than \$1000.
- 2. Special Condition #6 of the WLO requires the installation of a permanently mounted lake level gauge. <u>Forestry Suppliers</u> carries reasonably priced staff gauges in a variety of styles suitable for this purpose. True North Surveying Services will certify to the accurate installation of the staff gauge. We estimate the cost of purchasing and installing this gauge to be \$125.

### General Site Work:

The CLA intends to install fencing and signage as appropriate as well as general site work. We anticipate this work and materials to be donated.

Respectfully Submitted,

George Fergusson, Secretary Clary Lake Association 22 October 2018

PO Box 127 Whitefield Maine 04353



### October 15, 2018

### To Whom it May Concern:

The Clary Lake Association (CLA) recently embarked on a successful fundraising campaign, raising almost \$125,000 to purchase and repair the Clary Lake dam. As part of this initial fundraising effort, \$40,000 was pledged by an anonymous donor, \$15,000 of which has been already been given to us. The donor will provide the remaining \$25,000 of matching funds based on our cash management needs. I have personally spoken with the donor and was assured that we have an absolute commitment for the full \$25,000.

Regrettably, the bankruptcy proceedings took longer and cost more money than anticipated. Now that we own the dam, we are in the process of raising an additional \$15,000 towards repairs to the dam. The CLA Board is confident that we will quickly achieve this fundraising goal.

If you have any questions, please do not hesitate to contact me directly.

Sincerely,

Mary Gingrow-Snaw

Treasurer

Clary Lake Association

207-622-3308

207-242-8356

### Camden NATIONAL BANK

### Accounts

Bus Ckg 0001 Current Balance Account Number

\$3,327.86 90497697

### Stmt Svg 0001 Current Balance

Current Balance Account Number **\$2,500.75** 1303057

### **Promise Savings**

Current Balance Account Number \$9,528.89 15728595

### **Asset Summary**



### Promise Savings

15728595

62.05%

Current Balance Account Number \$9,528.89 15728595

PO Box 127 Whitefield Maine 04353



### October 29, 2018

### To Whom it May Concern:

The Clary Lake Association (CLA) charges a membership fee to each member of the association. Membership to the organization is open to any person who supports CLA's mission to preserve, protect, promote and enhance the natural beauty, quality and use of the land, water and total environment of the Clary Lake and its watershed, and who pays annual dues.

During the past two years, we collected around \$4000 in dues in each year. Our average operating costs were approximately \$2000 during this same period. We estimate the average annual cost of operating the dam to be less than \$500, a cost that will easily be absorbed at our current membership level.

Sincerely,

Mary Gingrow-Shaw

Treasurer

Clary Lake Association

207-622-3308

207-242-8356

PO Box 127 Whitefield Maine 04353



### Clary Lake Dam License Transfer Application DEP File # L-22585-36-B-N

### The Technical Ability of the Clary Lake Association as it relates to owning and operating the Clary Lake Dam

For the last 70+ years the Clary Lake dam has been privately owned and operated by individuals without any real demonstrable technical ability for operating a dam other than that which they gained through experience over time. In recent years the dam has been managed primarily but not exclusively to maintain the lake level for the use and enjoyment of the lake shore owners and for the general public for recreational purposes, as a public water supply, and for fire protection. Without an approved water level regime, dam operations have often involved arbitrary decisions regarding what the dam owner felt the lake level ought to be at any given time. As a result, lake levels over the years have fluctuated considerably, impacting public access and damaging the fragile ecology of Clary Lake. All that has changed. There is now a DEP Water Level Order [WLO] on Clary Lake that clearly describes the lake levels and minimum flows to be maintained throughout the year. The Clary Lake Association [CLA] is ready, willing, and able to take on this responsibility.

The CLA is a 501 C(3) organization dedicated to protecting and preserving Clary Lake and is admirably suited for owning and operating the Clary Lake dam [CLD]. The CLA currently has 140 members including 70% of Clary Lake's littoral owners. Our Membership has a vested interest in owning and maintaining the dam and complying with the WLO, and we bring considerable diverse skills and abilities to the task. This is a marked departure from previous dam owners who might have lacked the time, wherewithal, or resources to manage the CLD.

One of the challenges for past dam owners was coming up with the funds for dam operations and repairs. The Clary Lake Association has a proven fundraising track record and we do not anticipate any difficulty in raising the money necessary to maintain and operate the Clary Lake dam. Previous individual dam owners have understandably objected to having to maintain the CLD for the benefit of others, without financial assistance. The CLA on the other hand counts among it's Membership a majority of Clary Lake shore owners who are strongly committed to furthering goals of the CLA and protecting and preserving Clary Lake.

The CLA has retained Linkel Construction of Topsham Maine, a firm experienced in dam construction, repair, and maintenance to help us bring the CLD into operational condition. They will install a weir in the top of the dam with slots on the sides to accommodate stop logs, a solution originally proposed by an engineer with Kleinschmidt Associates back in 1997 but never implemented. This weir will be used to set the lake level at the elevation specified in the WLO. Routine dam operations will involve only adding or removing stop logs from the weir to set the desired lake level. The existing 34" diameter outlet gate will remain functional but will

be kept closed most of the time except when outflows need to be temporarily increased to accommodate increased runoff from significant precipitation events.

The CLA has also retained True North Surveying Services of Newcastle Maine to monument the CLD property corners and set several elevation benchmarks on site which will be used during dam repairs and also for the calibration of a lake level gauge as required by the WLO.

We are confident that we will quickly acquire what we currently may lack in operational experience. The CLD will be in good hands.

Respectfully Submitted,

George Fergusson, Secretary Clary Lake Association

dated: October 22, 2018

### NOTICE OF INTENT TO FILE

### TRANSFER APPLICATION

Please take notice that	Clary Lake Association
(applicant)	
of	PO Box 127, Whitefield ME 04353 telephone number)
(address and	
	207-549-5991
transfer a Water Quality Certifica 38 M.R.S.A. §§ 630-637, permit Hydropower Projects 06-096 CM Applications and Other Administ for	with the Maine Department of Environmental Protection to ation or Maine Waterway Development and Conservation Act, pursuant to the Maine Administrative Regulations for IR 450(9)(C)(10) and Rules Concerning the Processing of rative Matters 06-096 CMR 2(21)(C). The permit/certification is
Clary Lake Water Lev	vel Order #L-22585-36-B-N
	(summary of the activity)
Own and Operate the	Clary Lake Dam
in the town/city of Whitefield	d (Tax Map 17 Lot 055-001)
in the terminary of	(municipality, tax map or numbers)
	October 22, 2019
The application will be filed on or	r about October 22, 2018
public hearing, provide comment application and request that the application. A written request for assume jurisdiction of the applica-	tions, public notice must be given of the opportunity to request a ts to the Department during the course of processing the Board of Environmental Protection assume jurisdiction of the a public hearing, or that the Board of Environmental Protection ation, must be received by the Department no later than 20 epted by the Department as complete for processing.
	documentation are available for review at the Department of in Augusta. A copy of the application may also be seen at the
Whitefield	, Maine.
(town/city)	<del></del>
	thy Howatt, Maine Department of Environmental Protection, 17

For Federally licensed, permitted, or funded activities in the Coastal Zone, review of this application shall also constitute the State's consistency review in accordance with the Maine Coastal Program pursuant to Section 307 of the federal Coastal Zone Management Act.

### STATE OF I

### -- Public Notices --

LEGAL ADVERTISING

STATE OF MAINE LINCOLN, SS

MAINE DISTRICT COURT DISTRICT SIX

LOCATION: WISCASSET DIVISION OF LINCOLN DOCKET NO. WISDC-RE-2018-017 UNITED STATES OF AMERICA, acting

through the RURAL HOUSING SERVICE,

USDA, f/k/a the FARMERS HOME ADMINISTRATION

PLAINTIFF

CYNTHIA B SHARON n/k/a CYNTHIA B SPEAR

DEFENDANT

and
MAINE STATE HOUSING
AUTHORITY

PARTY IN INTEREST ORDER FOR ALTERNATE SERVICE AND SERVICE BY PUBLICATION

On Motion of the Plaintiff for Alternate Service and Service by Publication of the Complaint for Foreclosure on the Defendant pursuant to M.R. Civ. P. 4(g), it appears that this is an action to foreclose mortgages from Cynthia B. Sharon dated August 2, 1988 and August 31, 1989 and recorded in the Lincoln County Registry of Deeds in Book 1491 Page 283 and Book 1572 Page 133 respectively on premises located at 98 Eastern Avenue, Boothbay Harbor, Maine.

It further appears, and the Court so finds, that personal service of the Complaint cannot be made upon the Defendant any other way inasmuch her present whereabouts unknown and cannot with reasonable diligence be established, it is hereby ORDERED that service be made upon the Defendant by leaving a copy of the Summons and Complaint at the subject premises of the foreclosure and by forwarding a copy of the summons and complaint by regular mail with proof of mailing and in addition by publishing this Order once a week for three consecutive weeks in the Lincoln County News, a newspaper of general circulation in Lincoln County. The first publication shall be made within twenty (20) days after the Order is granted. Service by publication shall be complete on the twenty-first day after the first publication. Within twenty (20) days after service is complete by the foregoing method, the Defendant

LEGAL ADVERTISING

NOTICE OF INTENT TO FILE TRANSFER APPLICATION

Please take notice that Clary Lake Association, PO Box 127, Whitefield, Maine 04353, (207-549-5991) is intending to an application with the Maine Department of Environmental Protection to transfer a Water Quality Certification or Maine Waterway Development and Conservation Act, 38 M.R.S.A. §§ 630-637, permit pursuant to the Maine Administrative Regulations for Hydropower Projects 06-096 CMR 450(9)(C)(10) and Rules Concerning the Processing of Applications and Other Administrative Matters 06-096 CMR 2(21)(C). The permit/ certification is for the Clary Lake Water Level Order #L-22585-36-B-N in the town/city of Whitefield (Tax Map 17, Lot 055-001). The application will be filed on or about October 22, 2018.

According to Department regulations, public notice must be given of the opportunity to request a public hearing, provide comments to the Department during the course of processing the application and request that the Board of Environmental Protection assume jurisdiction of the application. A written request for a public hearing, or that the Board of Environmental Protection assume jurisdiction of the application, must be received by the Department no later than 20 days after the application is accepted by the Department as complete for processing.

The application and supporting documentation are available for review at the Department of Environmental Protection offices in Augusta. A copy of the application may also be seen at the municipal offices in Whitefield, Maine.

Send all correspondence to: Kathy Howatt, Maine Department of Environmental Protection, 17 State House Station, Augusta, Maine 04333 or <u>Kathy.Howatt@</u> maine.gov.

For Federally licensed, permitted, or funded activities in the Coastal Zone, review of this application shall also constitute the State's consistency review in accordance with the Maine Coastal Program pursuant to Section 307 of the federal Coastal Zone Management Act

LEGAL ADVERTISING

NOTICE OF PUBLIC SALE

Notice is hereby given that in accordance with the Judgment of Foreclosure and Sale entered May 31, 2018 in the action entitled Citibank, N.A. as Successor Trustee to U.S. Bank National Association as Trustee of the MASTR Asset Securitization Trust 2006-1 v. Todd Park Merolla a/k/a Todd Merolla and Joseph J. Krulis, et al., by the Wiscasset District Court, Docket No. WISDC-RE-16-32, wherein the Court adjudged the foreclosure of a mortgage granted by Todd Park Merolla a/k/a Todd Merolla and Joseph J. Krulis to Mortgage Electronic Registration Systems, Inc., as nominee for Downeast Mortgage Corporation dated January 9, 2006 and recorded in the Lincoln County Registry of Deeds in Book 3620, Page 147, the period of redemption having expired, a public sale of the property described in the mortgage will be conducted on

November 1, 2018 at 10:00 AM At Bendett & McHugh, P.C., 30 Danforth Street, Suite 104,

Portland, Maine The property is located at 47 Ponderosa Lane, Southport, Maine, as described in said mortgage. The sale will be by public auction. All bidders for the property will be required to make a deposit of \$5,000.00 in certified or bank check at the time of the public sale made payable to Bendett & McHugh, P.C., which deposit is non-refundable as to the highest bidder. The balance of the purchase price shall be paid within sixty (60) days of the public sale. In the event a representative of the mortgagee is not present at the time and place stated in this notice, no sale shall be deemed to have occurred and all rights to reschedule a subsequent sale are reserved. If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the deposit paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney.

This property will be sold as is.
Additional terms will be announced at the public sale.
Citibank, N.A. as Successor
Trustee to U.S. Bank National
Association as Trustee of the
MASTR Asset Securitization Trust

DEUTSCHE COMPANY AMERICAS, RESIDENTI LOANS, INC MORTGAGE PASS-

THROUGH ( SERIES 2004 PLAINTIFF

STEPHEN F DEFENDAN and THE FIRST, MAINE-

MAINE REV PARTIES IN ORD

MOTION

TITI

Before the Plaintiffs atto Esq., of the l McHugh, PC, Suite 151, F for an Order Alternate Me Stephen P. Summons an Real Estate I before this H Civ. P. 4 (g) ( service to be r Stephen P. F. copy of this ( three (3) suc Lincoln Count of general ci County.

Plaintiffs GRANTED.

This is a foreclosure of property and property of that, 322 Bayvin ME 04555, and

in such I recorded in I in the Lincolr Deeds, Nobleh

After due
Deutsche Ba
Americas, as I
Accredit Loa
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service of Pla
Complaint, Tit
on Defendan

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Forestoale MA 02544	18 FIMICO FONO ROBO	William H. Andersen	Notingnam NH 03290	54 Garland Road	Charlene Andersen	So. China ME 04358	85 Kidder Road	Patricia & Rusty Althenn	Whitefield ME 04353	104 Mills Road	Pamela Spear & Philip L. Allen	Yarmouth ME 04096	54 Burnell Drive	William & Valerie Albert		Raymond NH 03077	3 Pierce Road	John & Barbara Ahern	(Name, Street, City, State, and ZIP Code™)	Address	whitefield, ME 04353-478	1/32 Jefferson Rd	De Merca on	Phylis # Harrison	Posumastar, per (name or receiving employee)		<u></u>	ンナーンニー	)	TOTAL NO. TOTAL NO. of Pieces Listed by Sender of Pieces Received at Post Office™
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						USPS <sup>o</sup> Tracking Number Firm-specific Identifier	Whitefield ME 04353	Name and Address of Sender  Clary Lake Association
Daniel & Dorothy Burns 52 Jefferson Road VVnitefield ME 04353	Albert Boynton  98 Mills Road  Whitefield ME 04353	Georgina & Gary Bergendoff 196 Main Street Bowdoinham ME 04008	Julie M. Barton 624 Gardiner Road Jefferson ME 04348	John & Sheila Barnstein P.O. Box 5 Warren ME 04864	Aquafortis Associates LLC PO Box 1024 Camden ME 04843	Address (Name, Street, City, State, and ZIP Code <sup>m</sup> )	Postmasigi, per mame of recogning employee)  Pulled Harrison  32 Jefferson Ry  antiefield ME 04353-7898	TOTAL NO. of Pieces Listed by Sender of Pieces Rec
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	22 Jetterson Per				
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USPS® Tracking Number	Address (Name, Street, City, State, and ZIP Code <sup>m</sup> )	Postage	-00 P	Special Handling	Parcel Airlift
	Pat & Robin Chase				
	P. O. Box 142	\$0.50	\$0.40		
					1 2
S	Sharon L. Clark				
	151 Main Street Whitefield ME 04353	\$0.50	\$0.40	10	
دند	Debora A. Connell-Duncan				
· · · · · · · · · · · · · · · · · · ·	61 Hodsdon Lane	\$0.50	\$0.40		
	Consider the Constant				
	Dawna Cooper-Haskell				
4,	71 Sennett Rd.	\$0.50	\$0.40		
	Whitefield ME 04353				
	Steve & Julie Cowles				
Ç	7272 Elm Place	\$0.50	\$0.40		
	Pearl City HI 96782				-
	Karen Stutzer & Terry Crummett				
Ö	5 Valley View	<b>\$</b> 0.50	\$0.40		
	Newton NJ 07860				
			1001		

Name and Address of Sender	TOTAL NO. of Pieces Listed by Sender	TOTAL NO.  of Pieces Received at Post OfficeTM	Affix Stamp Here			
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Clary Lake Association						
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	32 Jefterson	Jeffeison Rd 04353-9788				
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USPS® Tracking Number Firm-specific Identifier	Ad (Name, Street, City,	Address (Name, Street, City, State, and ZIP Code™)	Postage	Fee	Special Handling	Parcel Airlift
1.	Genie & James Dailey					
55	Jefferson ME 04348		\$C.5D	\$0.40		n
?	Beverly D'Urbano 8551 Coltrane Ct		e D D D	200		
	Ellicott MD 21043		Č			
3.	William & Janet Donovan	20	) ]			
	Gardiner ME 04345		\$C.50	Ф <u>С.4</u> С		
4	Brent S. Duncan					
1	74 Duncan Road		\$0.50	\$0.40		
	aciiciacii wit ototo					
ח	Frederick & Nancy Duncan	can				
Ç	10 Vaters Hideway		\$0.50	\$0.40		
	Jefferson ME 04348		1	4		
2	Arthur & Ellen Enos					
Ç	PO Box 174		\$0.50	\$0.40		
	Burlington MA 01803		6	0		
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				GIAY ME 04039	
		\$0.40	\$0.50	8 Colley Hill Road	O.
				Kenneth G. Finegan	
				OGIIGIOOII INIL OTOTO	
		\$0.40	\$0.50	192 Alkins Road	
				Elizabeth Fergusson	7
		1	40.0	Whitefield ME 04353	
		\$0.40	<b>\$</b> 0.50	326 Jefferson Road	4.
				George & Margaret Fergusson	
				Whitefield ME 04353	
		\$0.40	\$0.50	341 Jefferson Road	
				Sara Jean Fergusson	သ
				Whitefield ME 04353	
		\$0.40	\$0.50	342 Jefferson Road	P.
				Colin S. Fergusson	
			4	Jefferson ME 04348-4091	
		\$0.40	\$0.50	727 Gardiner Road	
11/4				Cheryle & Peter Fasano	
Handling Parcel Airlift	Special Handling	Tee	Postage	(Name, Street, City, State, and ZIP Code <sup>TM</sup> )	USPS <sup>e</sup> Tracking Number Firm-specific Identifier
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				266-5584 DE 04353-9795	
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0434				Phylish (PS) Harrison	Whitefield ME 04353
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Wisher Chacking Number  Firm-specific Identifier  Mathew P. & Sheri C. Floge 60 Fogler Road Bremen ME 04551   Jeffrey & Diana French 28 Meadowrue Drive Augusta ME 04330  Kelsie L. French 165 South Belfast Ave Augusta ME 04330  Daniel H. Gatz 92 Farm Pond Lane Jefferson ME 04348  Roger Gilbert 32 Vaters Hideaway Jefferson ME 04348
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	\$0,40	\$0.50	Christina Bishop & Erin Grimshaw 8621 Georgia Avenue #811	6.
	\$0.40	\$0.50	37 Sheldon Street Farmingdate ME 04344	ŗ
-			Dee Ann Grazioso	
	& 0. 1.	<b>&amp;</b> C.00	Portland ME 04102-2523	
	6 3	900	Malcolm Burson & Eleanor Goldberg	
			Augusta ME 04330	
	\$0.40	\$0.50	Emie Shaw & Mary Gingrow-Shaw 865 South Belfast Ave	
	<del>\$</del> .04.	<b>\$</b> 0.00	Cypress TX 77429	
	3	5	Leslie Gillette 19719 Secret Forest Ct	
			Portland OR 97212	
	\$0,40	\$0.50	Janina Malone & Baxter Gillette 2215 NE 19th Ave	æ
Special Handling	Fee	Postage	Address (Name, Street, City, State, and ZIP Code™)	USPS Tracking Number Firm-specific Identifier
			R Harrison	
			Whitefield, ME 04353-9998	
			Postmaster, per (name of receiving employee)  Hyllis H. Harrisan	Whitefield ME 04353
			740	Clary Lake Association
	re te of Receipt	Affix Stamp Here Postmark with Date of Receipt.	of Pieces Listed by Sender of Pieces Received at Post Office™	Name and Address of Sender

Name and Address of Sender	TOTAL NO. of Pieces Listed by Sender	TOTAL NO. of Pieces Received at Post Office™	Affix Stamp Here Postmark with Date of Receipt.	e of Receipt	
Clary Lake Association					
PO Box 127 Whitefield ME 04353	Postmaster, per (name of receiving employee)  ### All Ship (PS) Ha	employee)			
-354.5	32 Jefferson	SI Jefferson Rd Whitefield ME 04353-9788			
	Bolain's-			•	
USPS <sup>®</sup> Tracking Number Firm-specific Identifier	Add (Name, Street, City,	Address (Name, Street, City, State, and ZIP Code™)	Postage	Fee	Special Handling
-	Tim & Trish Harkins 3269 Lester Ave.		# D D D D D D D D D D D D D D D D D D D	60	
	Mims FL 32754		6	÷0.	
0 2.	Mrs. Stacy Herring 228 Starbird Corner Road	ă.	5	3	
	Bowdoin ME 04287		60.00	ф0.40	
ů.	Gladys Hewett				
	Windsor ME 04363		\$0.50	\$0.40	
<b>.</b>	David S. & Gail A. Hillstrom	rom			
	Farmingdale ME 04344		\$0.50	\$0.40	
ח	Trudi Hodgkins				
à	84 Duncan Road		\$0.50	\$0.40	
	Jefferson ME 04348		0	0.10	
מכ	Frances Hodsdon				
C.	16 Hodsdon Lane		\$0.50	\$0.40	
	Jefferson ME 04348			•	

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																# 1			USPS® Tracking Number Firm-specific Identifier					Whitefield ME 04353	Clary Lake Association			Name and Address of Sender
Jefferson ME 04348-3861	48 Robinson Lane	Rhian Waller & S. Brandon Keller	VVInterield IVIE 04353	P.O. Box 223	Julia A. & Doug Jordan	Jefferson ME 04348	58 Washington Road	Town of Jefferson	Jefferson ME 04348	P. O. Box 52	Jack & Ann Holland	Rome ME 04963	194 North Pond Road	Nora Hoesing		Jefferson ME 04348	73 Hodsdon Lane	David & Janette Hodsdon	Ad (Name, Street, City,	pother	Whitetield mg 043\$3-9598	32 Jetterson Kg	sughes most part is on in	Postmaster, per (name of receiving employee)			3	of Pieces Listed by Sender
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		\$0.40	\$0.50	3/ No. Clary Road	3/ No.	9
				Glenn Bruce MacDonald	Glenn E	മ
52				Hendersonville IN 37075	Tende	
		\$0.40	\$0.50	13/ Raindrop Lane	1:10 7 7 6 6 6 6 6 7 7 7 1 7 1 7 7 7 7 7 7 7	
				Megan Pratt-Luisi & Richard Luisi	Megan	n.
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		\$0 40	<b>\$</b> 0.50	65	PO Box 55	-
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		6		Whitefield ME 04353	Whitefi	
		\$0.40	\$0.50	179 Mills Road	179 Mil	
				Pauline Labelle-Weeks	Pauline	ı.
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		\$0.40°	\$0.50 50	116 Gardiner Road	116 Ga	
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		.10	40.00	Jefferson ME 04348	Jefferso	
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				Wynne & Michael Keller		4
ng Parcel Airlift	Special Handling	Tee	Postage	(Name, Street, City, State, and ZIP Code <sup>Tu</sup> )	Firm-specific Identifier	
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Saco				Phyllis A (PT) Harrison NTFT	Whitefield ME 04353	-
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	Jefferson ME 04348	13 South Clary Road	Lucy & Don Norman	VValpole IVIE 049/3	This is a second	PO Box 57	Bertha Navior	Jefferson ME 04348	59 Hodsdon Lane	Dennis Morgan		ANILOSOI MIE 04303	420 Augusta Rockland Ro	Jon Moody		Hallowell ME 04347	61 Central Street	Jean McWilliams		Whitefield ME 04353	P.O. Box 148	Bill & Sue McKeen	(Name, Street, City	Ac	Marison	SAME TIME OF THE	the voriginal ro	Thylis 17 (17) Hull	Postmaster, per (name of receiving employee)			TOTAL NO. of Pieces Listed by Sender
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Whitefield ME 04353	Postriaster, per (name of receiving employee) Phythis A (P) Harrison	mployee)			(1505)	1
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USPS® Tracking Number Firm-specific Identifier	Address (Name, Street, City, State, and ZIP Code <sup>th</sup> )	ress tate, and ZIP Code™)	Postage	Fee	Special Handling	Parcel Airlift
	Les & Claudia Page 4242 Lakeview Blvd					
63	Lake Oswego OR 97035		6000	-t		
2.	Melissa Palmer-Karas					
	Waldoboro ME 04572		\$0.00	\$0.40		
N I	Patricia H. Petry					
C.	497 Sennett Road		\$0 50	\$0 A0		
	Jefferson ME 04348			4		
	Pleasant Pond Mill LLC					
	171 Molyneaux Road		# 0 50 50	\$0 A0		
	Camden ME 04843		0			
	Michael Potter					
Ç	7 Carlisle Ave		\$0.50	\$0.40		
	Augusta ME 04330					9
	Frances Potter & Gail Potter Pratt	tter Pratt				
Ç	264 Starbird Corner Road	0.	\$0.50	\$0.40		
	Bowdoin ME 04387			1		
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	\$0.40	\$0.50	Audrey Relyea 2900 Simondale Drive Fort Worth TX 76109	6,
	\$0.40	\$0.50	Kenneth & Freida Rapp 2816 Wilgwaas Lane Virginia Beach VA 23451	5.
	\$0.40	\$0.50	Ezelda Prescott 400 Mills Rd. Whitefield ME 04353	4.
	\$0.40	\$0.50	Eric Prescott 23 Cloutier Road Durham ME 04222	S No.
	\$0.40	\$0.50	Larry & Sandra Prescott 17 Kings Road York ME 03909	2.
	\$0.40	\$0.50	Lee A. & Linda Prager 110 Colburn Road Berlin MA 01503	64
Special Handling	FI ee	Postage	Address (Name, Street, City, State, and ZIP Code™)	USPS® Tracking Number Firm-specific Identifier
			Country ield, Mr. 04353-4998	E 04353
			P	Clary Lake Association
	of Receipt.	Affix Stamp Here Postmark with Date of Receipt.	TOTAL NO. TOTAL NO.  of Pieces Received at Post Office***  of Pieces Received at Post Office***	Name and Address of Sender
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Clary Lake Association	of Pieces Listed by Sender of Pieces Received at Post Office™	Affix Stamp Here Postmark with Date of Receipt.	of Receipt		2002
Whitefield ME 04353	Postmaster, per (neme of receiving employee) Physics A(D) Hurrison, NTFT  32 Tefferson Rd Whitefield ME 04353-9998  D Hurrison			181	
USPS® Tracking Number Firm-specific identifier	Address (Name, Street, City, State, and ZIP Code™)	Postage	Føe	Special Handling	Parcel Airlift
	Greg & June Relyea 5408 Northcrest Fort Worth TX 76107	\$0.50	\$0.40		
2.	Steven & Adrienne Relyea 4820 Willow Run Ct Fort Worth TX 76132	\$0.50	\$0.40	0	
3.	Timothy & Brenda Robbins 68 No. Clary Road Jefferson ME 04348	\$0.50	\$0.40		
4.	Brian Roderick 14 South Belfast Drive Augusta ME 04330	\$0.50	\$0.40		
5.	Ken & Doris Roever 141 Mills Road Whitefield ME 04353	\$0.50	\$0.40		
5.	Ronald W. Rollins 386 Mills Rd. Whitefield ME 04353	\$0.50	\$0.40		

Name and Address of Sender	TOTAL NO.	Affix Stamp Here			
Clary Lake Association			of Receipt.		
Whitefield ME 04353	Postmaster, per (name of receiving employee)			7	
USPS® Tracking Number	Address (Name, Street, City, State, and ZIP Code <sup>TM</sup> )	Postage	Fee	Special Handling	Parcel Airlift
	Edwin A. & Mildred E. Rosso				
66	Whitefield ME 04353	#0.00	<b>₩0.4</b> 0		ii
₩ 0	Robert Rubin	3			
	Rockport ME 04856	#C.00	<b>\$0.40</b>		
3	Barbara Sadler				
· ·	137 Willowcrest Waxahachie TX 75165	\$0.50	\$0.40		
	Kate & David Seba				
	16803 Fort Pulaski Avenue	\$0.50	\$0.40		
	Baton Rouge LA 70017-3222				
	Lewis A. & Paula P. Shorey				
Chi	220 Mils Road	\$0.50	\$0.40		
	Whitefield ME 04353				10
	Meagan & Tim Soule				
O.	41 Piper Lane	\$0.50	\$0.40		
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	Contestield ME 04353-4795				
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USPS <sup>®</sup> Tracking Number Firm-specific Identifier	Address (Name, Street, City, State, and ZIP Code™)	Postage	Fee	Special Handling	Parcel Airlift
7.	April St Pierre				
67	Augusta ME 04330-4314	<del>6</del>	<b>90.40</b>		8
N.	Kim Teel				
	Windsor ME 04363	\$0.50	\$0.40		
3.	Randy & Jody Thivierge PO Box 64	9	5		
	West Rockport ME 04865	<b>\$0.50</b>	\$0.40		
	Joann Tribby				
ţ.	101 Old Madden Road	\$0.50 50	\$5 A5		
	Jefferson ME 04348	6	6.10		
ת	Thomas & Linda Vigue				
Ç	P.O. Box 128	\$0.50	\$0.40		
	Whitefield ME 04353		•		
D.	Thomas Vigue				
	PO Box 173	\$0.50	\$0,40		
	Whitefield ME 04353	1			
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			Whitefield ME 04353	
_	\$0.40	\$0.50	88 Jefferson Road	Ó
			Michael & Tiffany Winchenbach	
1			Coopers Mills ME 04341	
	\$0.40	\$0.50	PO Box 1/3	Ò
		5	Carliegh M. Wilson	
				n n
		1	Augusta ME 04330	
	\$0.40	\$0.50	620 Eastern Ave.	4.
			Stanley Whittier	
			Whitefield ME 04353	
	\$0,40	\$0,50	36 Townhouse Road	Ç.
		1	Town of Whitefield	
	1		Harpswell ME 04079	
	\$0.40	\$0.50	18 Howards Hill Road	2
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			DISCINE 04000	00
	\$0.40	\$0.50	/ DIGIT NOOK LAND	
	3		Todd & Stephanie Vincentsen	<del></del> ,
			(Name, Steet, City, State, and Air Code ")	Firm-specific Identifier
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	of Receipt.	Postmark with Date of Receipt	of Pieces Listed by Sender of Pieces Received at Post Office™	Name and Address of Sender
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						USPS® Tracking Number Firm-specific Identifier	Clary Lake Association PO Box 127 Whitefield ME 04353	Name and Address of Sender
		Stan York PO Box 51 Palernio ME 04354	Russell Young, Jr. 81 Williams Road Cheisea ME 04330	Commissioner Chandler Fisheries & Wildlife 41 State House Station Augusta ME 04333	Arlene & Randy Wing 64 North Clary Road Jefferson ME 04348	Add (Name, Street, City, S	Postmaster, per (name of receiving employee)  Thy IIIs A (PT) +  G2 Tefferson R.  White field, ME  White Hold, ME	of Piaces Listed by Sender
				Commissioner Chandler Woodcock Maine Inland -isheries & Wildlife 41 State House Station		Address (Name, Street, City, State, and ZIP Code™)	Phyllis A (PT) Harrison, NTFT  GI Tefferson Rd White field, ME CH83-9998	of Pieces Received at Post Office To
		\$0.50	\$0.50	\$0.50	\$0.50	Postage	TEFIELD ALGO ASS.	Affix Stamp Here Postmark with Date of Receipt.
4		\$0.40	\$0.40	\$0.40	\$0.40	Fee	USPS	e e of Receipt
						Special Handling		
						Parcel Airlift		



### MAINE

### Department of the Secretary of State

**Bureau of Corporations, Elections and Commissions** 

Corporate Name Search

### **Information Summary**

This record contains information from the CEC database and is accurate as of: Wed Jun 20 2018 07:17:44. Please print or save for your records.

Legal Name	Charter Number	Filing Type	Status						
CLARY LAKE ASSOCIATION	19950250ND	NONPROFIT CORPORATION (T13-B)	GOOD STANDING						
Filing Date	Expiration Date	Jurisdiction							
01/11/1995	N/A	MAINE							
Other Names		(A=Assumed ; F=F	ormer)						
NONE									
Clerk/Registered Agent									
GEORGE S. FER PO BOX 127 WHITEFIELD, ME									