

III. DESCRIPTION

DURATION OF PLAN

The provisions of this Plan shall apply for 20 years, following approval of the Plan by the Commission except that the conservation easements (described in the Appendix) shall apply in perpetuity and will be committed, according to the schedule described hereafter.

Prior to its expiration, the Plan may be renewed and extended in accordance with Section 10.16,F of the Commission's Land Use Districts and Standards upon approval of the Commission and at the request of the landowner(s). The landowner(s) must provide the Commission with written notice of whether they intend to extend or renew the Plan one (1) year prior to the expiration of this Plan. If the Plan is proposed for renewal, the renewed Plan must be substantially complete and submitted to the Commission six (6) months prior to the current Plan's expiration date. If the landowner(s) or the Commission do not wish to renew the Plan, or cannot agree upon the terms of a renewal, the Commission will, in conformity with its Comprehensive Land Use Plan, statutes, and standards, designate appropriate zoning subdistricts for those areas encompassed by this Plan to become effective upon expiration of this Plan.

LIMITATION

It is understood and agreed that by entering into this Concept Plan any modification or variation from rules or standards that otherwise would have applied, or development occurring as a result of this Plan, may not be used to justify or support a subsequent rezoning, to meet adjacency requirements, or to otherwise change the zoning on property either within or outside the area subject to the Plan either during or upon expiration of the Plan.

In the event that this Plan is terminated following the 20 year period, all transactions initiated as a component of the Plan, including without limitation, the granting of conservation easements or restrictive covenants on subdivided land will continue to apply to the extent that they are covered by legal contract, deed or deed covenants, permit or other legal requirements. Approval of development for which corresponding conservation measures have not been conveyed under the terms of this Plan shall lapse upon expiration of this Plan.

In filing this Concept Plan proposal, Plum Creek Land Company agrees to not sell, lease or otherwise transfer land proposed for inclusion in the Plan, pending a final decision on the Plan by the Maine Land Use Regulation Commission.

PARTIES

The parties to this Plan are:

1. The Maine Land Use Regulation Commission (“Commission” or “LURC”); and
2. Plum Creek Land Company, a subsidiary of Plum Creek Timber Company Inc, a Real Estate Investment Trust (REIT) with its corporate office in Seattle, Washington, and its Maine office in Fairfield.

This First Roach Pond Concept Plan, including without limitation, the conservation easements and limitations imposed therefrom, shall be binding upon Plum Creek Land Company, its assigns and successors, and upon the Maine Land Use Regulation Commission.

AREA TO BE INCLUDED

The area specifically included in this Plan comprises 1463 acres, more or less, most of which lies within at least 500 feet of the normal high water (NHW) mark of First Roach Pond. Portions of this Concept Plan area on the north, south, and west shore extend up to 3000 feet beyond the NHW mark. The entire Concept Plan area, which lies within the larger “planning area,” is depicted on Map 11 in Part IV.

The Concept Plan area also includes:

- land within 500 feet of the NHW mark of North Inlet Pond;
- a \pm 1 acre leased lot on the “Peninsula;”
- a \pm 1 acre leased lot in the center of the north shore; and
- an area of 6.4 acres with 2400 feet of frontage on the southeast shore, currently leased for camping sites to the Page family.

Excluded from the Concept Plan area (but included as part of the “planning area”) is all land and real property held by others.

Table 1 shows the size and shorefrontage associated with the Concept Plan area. This includes 1463 acres and 82,411 feet of shorefront. The Concept Plan shorefrontage comprises 79.02% of the total shorefrontage around First Roach Pond.

Area ¹	Acres	Shorefrontage
1	423.8	20,050
2	145.0	9,000
3	456.4	37,857
4	170.6	5,304
5	267.5	10,200
Totals	1463.3	82,411

¹ Note: Please refer to Map 11 in Part IV for the five area locations.

AMENDMENTS

Upon mutual agreement of Plum Creek Land Company and the Commission, this Concept Plan may be amended from time to time due to unforeseen circumstances. It is expected, however, that this Plan will provide for the long-term protection and management of the Concept Plan Area. Should unforeseen circumstances arise, amendments which the Commission determines are warranted and in keeping with the purposes and intent of this Plan may be proposed. Amendments may be proposed by those parties authorized to do so by law, including Plum Creek Land Company, and shall be made in writing to the Commission and shall be subject to Commission review and approval in accordance with the Commission's lake concept plan provisions in its Comprehensive Plan and *Land Use Districts and Standards*. Amendments to the Plan shall be promptly filed in the Piscataquis County Registry of Deeds. Notice to abutters and the general public is required if amendments are proposed that would change the extent of development or the extent and placement of conservation measures. The conservation measures and any amendments thereto shall also require Commission approval

EFFECTIVE DATE OF PLAN

This Concept Plan shall take effect no sooner than 15 days after approval of the Plan by the Maine Land Use Regulation. Within thirty (30) days of the effective date of this Plan, a copy of the approved Plan will be filed by the Commission in the Piscataquis County Registry of Deeds. Upon the lease or conveyance of a lot that is included within this Plan, the landowner shall reference the existence of this Concept Plan and any amendments thereto in the lease or deed conveying the lot.