



**GARDINER CITY COUNCIL
AGENDA ITEM INFORMATION SHEET**



Meeting Date	08/04/2021	Department	City Council
Agenda Item	4.d) Consideration of an extension of agreement – 38 Partridge Drive		
Est. Cost			

Background Information	<p>The current owner of 38 Partridge Drive is requesting that Gardiner City Council consider allowing him an extension of the original terms. The Quitclaim and the request are attached to this agenda item.</p>

Requested Action	After discussion with the property owner council may instruct staff to execute a new Quitclaim Deed or, they may chose to keep the original deed.
City Manager and/or Finance Review	
Council Vote/ Action Taken	
Departmental Follow-Up	

City Clerk Use Only	1 st Reading _____	Advertised _____	EFFECTIVE DATE _____
	2 nd Reading _____	Advertised _____ w/in 15 Days	
	Final to Dept _____	Updated Book _____	Online _____



OPR BK 13659 PGS 252 - 253 08/07/2020 08:50:35 AM
INSTR # 2020018870 # OF PAGES 2
ATTEST: BEVERLY BUSTIN-HATHEWAY
REGISTER OF DEEDS KENNEBEC COUNTY, ME

TRANSFER TAX PAID

MUNICIPAL QUITCLAIM DEED

②

CITY OF GARDINER, a body corporate and politic located in Kennebec County, Maine, for consideration paid, releases to **ROBERT J. DUPLISEA, JR.** and **ANNE-MARIE BROWN**, with a mailing address of 39 Partridge Drive, Gardiner, ME 04345, all right, title or interest of Grantor in the property in said **Gardiner** described in the deed from Linda Adams to the City of Gardiner, dated January 20, 2017 and recorded in the Kennebec County Registry of Deeds in Book 12548, Page 64, commonly known as Lot 73 on Tax Map 22 of the City of Gardiner on file with the City of Gardiner as of April 1, 2013, excepting and reserving all public easements or other public interests in the above-described parcel for roads, sewers, or other purposes.

Also meaning and intending to release and hereby releasing any interest Grantor may have in the above-described property pursuant to the following lien certificates:

1. Recorded in said Registry on June 23, 2016 in Book 12329, Page 333; and
2. Recorded in said Registry on June 8, 2017 in Book 12624, Page 44.

SUBJECT TO the following condition which shall run with and bind the land and Grantees' successors and assigns shall be subject to the same:

1. On or before twenty-four (24) months from the date of this deed, Grantees shall complete the construction of a house upon the above-described property with an assessed value of at least \$150,000.
2. This obligation shall be fulfilled pursuant to duly issued City of Gardiner building permits and in compliance with all zoning requirements and building codes.
3. In the event this obligation is not complete by the deadline, Grantor shall have all of the following remedies without waiving any claims for breach of agreement or any other rights or remedies available at law: (1) upon thirty (30) days written notice from Grantor to Grantees, Grantees shall convey the above-described property to Grantor for \$1.00; (2) Grantor may seek specific performance; or (3) Grantor may fulfill this obligation or cause the obligation to be fulfilled for the account of Grantees, and Grantees shall reimburse Grantor for any amount paid and any expense or contractual liability so incurred, and any amounts due thereunder shall be deemed payable on demand of Grantor.

IN WITNESS WHEREOF, the City of Gardiner has caused this instrument to be signed and sealed by the undersigned, duly authorized, this 17 day of June, 2020.

City of Gardiner

By Christine M Landes
Christine Landes, City Manager

STATE OF MAINE

Kennebec County

July 17, 2020

Personally appeared the above-named Christine Landes, City Manager of the City of Gardiner, and acknowledged before me the foregoing instrument to be her free act and deed in her said capacity and the free act and deed of said body corporate and politic.

Karen L. Currier
Notary Public

Karen L. Currier
Print or type name as signed

Robert Duplisea Jr
39 Partridge Drive
Gardiner ME 04345
207-416-7246
rob@rjdappraisal.com

July 25, 2021

City of Gardiner
6 Church Street
Gardiner ME 04345

RE: Extension of Agreement – 38 Partridge Drive.

Dear Council,

I am reaching out to you asking for your consideration. In May of 2020, Anne-Marie (Brown) Duplisea and I were the successful bidders on land located at 38 Partridge Drive, directly across from our home. The deed, executed June 17, 2020, included an agreement that this lot would be developed with a home that exceeded \$150,000 in value within 24 months. Our intentions at that time were to sell our existing home and build in this piece. Unfortunately, many changes in our lives have occurred since then. The pandemic has certainly affected all of us and Anne-Marie and I we no exceptions. Job security, lumber prices, and the overall uncertainty caused us to halt this decision. In addition, a split between the two of us has now occurred causing the sale of our home and now this piece as well.

I respectfully ask that City Council extend the 24 month development requirement. Although we will not be ones to develop this piece, I want to honor our agreement as best as I can. It is currently for sale and I feel and an extended deadline will make this lot more appealing to a prospective buyer.

I thank you for your time and consideration,

Rob Duplisea