

Order 208-20/21
Passage: 9-0 on 4/26/2021

Effective May 6, 2021

KATE SNYDER (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
TAE Y. CHONG (3)
ANDREW ZARRO (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

MARK DION (5)
APRIL D. FOURNIER(A/L)
PIOUS ALI (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

**ORDER GRANTING THE MAINE DEPARTMENT OF TRANSPORTATION
A TEMPORARY CONSTRUCTION LICENSE
RE: CONGRESS SQUARE INTERSECTION**

ORDERED, that a license agreement for the Maine Department of Transportation to allow the construction of a redesigned intersection at High Street and Congress Street is hereby granted in substantially the forms attached hereto; and

BE IT FURTHER ORDERED, that the City Council hereby authorizes the City Manager or his or her designee to execute said documents and any other related documents necessary or convenient to carry out the intent of said documents and this Order.

City/Town: Portland

Project/WIN: Congress Street & Route 77/High Street, WIN 24293.00, Item No. 1

**STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
TEMPORARY CONSTRUCTION RIGHTS**

KNOW ALL BY THESE PRESENTS, THAT, the **City of Portland**, a municipal body politic and corporate organized under the laws of the State of Maine, whose mailing address is 389 Congress Street, Maine 04101, for consideration paid, grants unto the **STATE OF MAINE, acting by and through its Department of Transportation**, the following temporary construction rights over land situated in **Portland**, County of Cumberland, and State of Maine, being shown as Item No. 1 on a Maine Department of Transportation Right of Way Map entitled, "State Highway Nos. "12 & "77", Congress Street & Route 77/High Street, Portland, Cumberland County, Federal Aid Project No. 2429300" WIN 024293.00, dated February 2021, a reduced copy of which is attached hereto as **Exhibit A** (the "Project"):

The right, for the duration of the period of the Project construction as determined by the date of completion of construction according to the records of the Department of Transportation, to enter upon land outside of and adjoining the boundary lines of the above-referenced highways to perform the work as set forth below within the limits defined as "Temporary Construction Limits" as shown on the above-referenced Right of Way Map. Provided that after 2 years from the date of this document, the City of Portland has the right to revoke this Temporary Construction Right upon 30 days' written notice by the City for any reason, including its convenience.

Said right may include, but is not limited to, necessary excavating, placing of fill material, curbing, loaming, seeding, paving, installation of structures, removal of trees, shrubs, bushes and other growth, selective cutting, trimming, and other necessary incidental work in grading said adjoining land, in addition to the temporary placement of utility poles including all related fixtures, overhead wires, guys, etc. in order to allow for project construction in accordance with all governing regulations and other requirements of law.

Location and Station:

Station 204+97 Rt. State Highway "77" (High St.) to Station 104+58 Lt. State Highway "12" (Congress St.)

Containing an area of approximately 1,123 s.f.

Meaning and Intending to convey temporary construction rights on land acquired by the City of Portland by a Warranty Deed dated June 1, 1981 and recorded at the Cumberland County Registry of Deeds in Book 4791, Page 313.

Dated this _____ day of _____, 2021.

CITY OF PORTLAND

Witness

By: _____, duly authorized
Print name: _____
Its: _____

THIS DOCUMENT WILL NOT BE RECORDED

