

Filing Fee \$20.00

For Use By The Secretary of State
File No. <u>850400ND</u>
Fee Paid <u>\$20.00</u>
C. B. <u>-----</u>
Date <u>5-22-85</u>
<u>2</u>

NONPROFIT CORPORATION

STATE OF MAINE

ARTICLES OF INCORPORATION

Pursuant to 13-B MRSA §403, the undersigned, acting as incorporator(s) of a corporation, adopt(s) the following Articles of Incorporation:

For Use By The Secretary of State
<b>FILED</b>
May 6, 19 85
<i>[Signature]</i> Deputy Secretary of State
A True Copy When Attested By Signature
<i>[Signature]</i> Deputy Secretary of State

FIRST: The name of the corporation is Thomas Pond Improvement Association

SECOND: The corporation is organized for all purposes permitted under Title 13-B, MRSA, or, if not for all such purposes, then for the following purpose or purposes:

1. To maintain and preserve mutually agreeable water levels through the acquisition of the Thomas Pond Dam and to act relative to the repair and ongoing maintenance of said dam.
2. To perform acts appropriate to a non-profit corporation dedicated to the protection and maintenance of water quality and natural beauty.

THIRD: The name of its Registered Agent and address of registered office: (The Registered Agent must be a Maine resident, whose business office is identical with the registered office or a corporation, domestic or foreign, profit or nonprofit, having an office identical with such registered office.)

Name Cole Plummer

Street & Number P.O. Box 537

City South Casco, Maine 04077  
(zip code)

FOURTH: The number of directors (not less than 3) constituting the initial board of directors of the corporation, if they have been designated or elected, is 9

The minimum number of directors (not less than 3) shall be 9 and the maximum number of directors shall be 9

FIFTH: Members: ☐ There shall be no members.  
("X" one box only)

☒ There shall be one or more classes of members, and the information required by §402 is as follows:

Membership in the association shall be limited to those persons owning property on Thomas Pond or those persons with a right of way to Thomas Pond. Thomas Pond shall consist of the main contiguous pond, the outlet, and the river to the dam, including those adjacent to the culvert.

All members have equal voting rights in the running of the association.

SIXTH: ☒ (Check if this article is to apply)

No substantial part of the activities of the Corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in or intervene in (including the publication or distribution of statements) any political campaign on behalf of any candidate for public office.

SEVENTH: ☐ (Check if this article is to apply. Then fill in reference number of Section 501(c)( ) in first paragraph below.)

Upon the dissolution of the Corporation or the termination of its activities, the assets of the Corporation remaining after the payment of all its liabilities shall be distributed exclusively to one or more organizations organized and operated exclusively for such purposes as shall then qualify as an exempt organization or organizations under Section 501(c)( ) of the Internal Revenue Code of 1954, as amended, and as a charitable, religious, eleemosynary, benevolent or educational corporation within the meaning of Title 13B, of the Maine Revised Statutes as amended.

No part of the net earnings of the Corporation shall inure to the benefit of any member, director, or officer of the Corporation, or any private individual (except that reasonable compensation may be paid for services rendered to or for the Corporation in carrying out one or more of its purposes), and no member, director, or officer of the Corporation, or any private individual, shall be entitled to share in the distribution of any of the corporate assets on dissolution of the Corporation.

EIGHTH: Other provisions of these articles, if any, including provisions for the regulation of the internal affairs of the corporation, and distribution of assets on dissolution or final liquidation:

Dated: April 30, 1985

INCORPORATORS

ADDRESSES

Barbara L. Morton  
(signature)  
Barbara L. Morton  
(type or print name)  
Philip Berry  
(signature)  
Philip Berry  
(type or print name)  
Robert N. Farthing  
(signature)  
ROBERT N. FARTHING  
(type or print name)  
C. Robert Farthing  
(signature)  
C. ROBERT FARTING  
(type or print name)  
Fred R. Dingley  
(signature)  
FRED R. DINGLEY  
(type or print name)

Street P.O. Box 153  
South Casco, Me. 04077  
(city, state and zip code)  
Street P.O. Box 293  
Raymond, Me. 04071  
(city, state and zip code)  
Street P.O. Box 309  
So. Casco, Me. 04077  
(city, state and zip code)  
Street P.O. Box 667  
RAYMOND, ME 04071  
(city, state and zip code)  
Street P.O. Box 6  
So. Casco, ME 04077  
(city, state and zip code)

*JD*

031233

## QUIT-CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, that the STATE OF MAINE, acting by and through its DEPARTMENT OF ENVIRONMENTAL PROTECTION, and pursuant to the provisions of Title 38 M.R.S.A. sections 830, 835 and 837, and the Department Board Order in the Matter of Thomas Pond Improvement Association, Inc., South Casco, Maine, Cumberland County, Petition for Award of an Abandoned Dam, #L-010896-37-A-E, a copy of which is attached hereto as Exhibit A, in consideration of One Dollar and other valuable consideration paid by THOMAS POND IMPROVEMENT ASSOCIATION, INC. a nonprofit corporation having its principal office at P.O. Box 537, Casco, ME 04077, the receipt of which is hereby acknowledged, does hereby remise, release, bargain, sell and convey and forever quit-claim unto the said THOMAS POND IMPROVEMENT ASSOCIATION, INC., its successors and assigns forever, all the right, title and interest of the STATE OF MAINE in and to the Thomas Pond Dam, so-called, situated in the Town of Raymond and Town of Casco, Cumberland County, State of Maine, as described below:

That portion of the Thomas Pond Dam in Raymond and Casco which lies northeasterly, easterly and southeasterly of the following described bounds all being as shown on the sketch attached hereto as Exhibit B.

Beginning on the line between the Towns of Raymond and Casco at its intersection with the westerly side of the stilling basin of the Thomas Pond Dam;

Thence southerly along the stilling basin and along its extension about four (4) feet to the south side of a granite bridge abutment, being the location of the bridge over Dingley Brook prior to its relocation in 1963;

Thence easterly along said abutment about eight (8) feet to the west side of said dam;

Thence southerly along said dam and southeasterly along the concrete wingwall about forty (40) feet to the end of said wingwall;

Thence northeasterly along the end of said wingwall to the shore of Thomas Pond.

Beginning again on the line between the Towns of Raymond and Casco at its intersection with the westerly side of the stilling basin of the Thomas Pond Dam;

Thence northerly along the stilling basin and along its extension about fifteen (15) feet to the north side of a granite bridge abutment, being the location of the bridge over Dingley Brook prior to its relocation in 1963;

Thence easterly along said abutment about eight (8) feet to the concrete wingwall of Thomas Pond Dam;

Thence easterly along said concrete wingwall to its easterly end;

Thence southerly along the end of said wingwall to the shore of Thomas Pond.

Meaning and intending to describe only the dam structure itself which consists of the concrete outlet structure and concrete wingwalls.

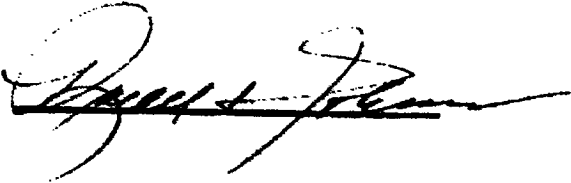
The purpose of this deed is to convey any and all interests the STATE OF MAINE may have in and to the Thomas Pond Dam by virtue of abandonment of the dam due to non-registration pursuant to 38 M.R.S.A. sections 830 and 835, and to effectuate the award of the dam to THOMAS POND IMPROVEMENT ASSOCIATION, INC. pursuant to 38 M.R.S.A. section 837 and Department Board Order #L-010896-37-A-N.

To have and to hold the same, together with all the privileges and appurtenances thereunto belonging, to the said THOMAS POND IMPROVEMENT ASSOCIATION, INC., its successors and assigns forever.

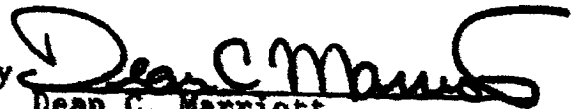
In witness whereof, the STATE OF MAINE, acting by and through its DEPARTMENT OF ENVIRONMENTAL PROTECTION, has caused this instrument to be executed by DEAN C. MARRIOTT, Commissioner of its DEPARTMENT OF ENVIRONMENTAL PROTECTION, hereunto duly authorized, this 2<sup>nd</sup> day of July, 1990.

STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL  
PROTECTION

Witnessed by:



By




Dean C. Marriott,  
Commissioner,  
Department of Environmental  
Protection

STATE OF MAINE  
KENNEBEC, SS.

July 2, 1990

Personally appeared the above named Dean C. Marriott, Commissioner, Department of Environmental Protection and acknowledged the foregoing instrument to be his free act and deed in his said capacity, and the free act and deed of the State of Maine, by its Department of Environmental Protection.

Before me,

  
Justice of the Peace  
Notary Public.  
Attorney at Law