

Example indenture form used by Town of Brunswick:

**INDENTURE FOR DIVISION OF LAND
IN COASTAL PROTECTION 1 (CP-1) ZONE**

This Indenture is entered into this ____ day of _____ by and between the Town of Brunswick (hereinafter, the “Town”) and _____ of _____ with a mailing address of _____ (hereinafter, the “Divider”).

WITNESSETH

WHEREAS, the Divider is desirous of creating ____ 20,000-square foot minimum residential lot(s) from Divider’s parcel in Brunswick, Maine shown on Town of Brunswick Tax Map ____ Lot ____, acquired by deed dated _____, and recorded in the Cumberland County Registry of Deeds on _____ in Book ____, Page ____; and

WHEREAS, Section 209.2 of the Town of Brunswick Zoning Ordinance allows ____ 20,000-square foot minimum residential lot(s), but requires a maximum density of 4 acres/unit for projects that are subject to development review and 5 acres/unit for projects that are not subject to development review; and

WHEREAS, the proposed residential lot(s) is (are) less than 4 acres for projects subject to development review and 5 acres for projects not subject to development review, but is (are) 20,000 square feet or more; and

WHEREAS, residential uses (except accessory apartments under section 306.1(B)) may not be located in the land area set aside for density purposes, all other uses permitted within the zone or allowed pursuant to section 701 of the Town of Brunswick Zoning Ordinance, Special Permits for Unclassified and Omitted Uses, may be located in the land area set aside for density purposes, provided they meet all other provisions of the Town of Brunswick Zoning Ordinance; and

WHEREAS, the Town requires the Divider to execute a recordable document acknowledging that if the minimum lot area provisions are utilized, additional land area must be set aside from the parcel for density purposes;

NOW, THEREFORE, in consideration of the above and the covenants and agreements contained herein, the receipt and sufficiency of which are acknowledged, the Town and the Divider agree as follows:

1. The Divider acknowledges receipt of a copy of Section 209.2 of the Town of Brunswick Zoning Ordinance and designates the portion of the parcel shown on Exhibit A for density purposes.
2. The Town, through its Codes Enforcement Officer, acknowledges that upon receipt of an executed copy of this Indenture the Town will issue a building permit(s) for _____ lot(s) from the parcel.

WITNESS

TOWN OF BRUNSWICK

By
Its Code Enforcement Officer

WITNESS

DIVIDER

Print name: _____

STATE OF MAINE
COUNTY OF CUMBERLAND, ss.

_____, _____

PERSONALLY APPEARED the above-named _____ and
acknowledged the foregoing instrument to be his/her free act and deed.

Notary Public/ Attorney at Law