

109 CLARK POINT ROAD

109 Clark Point Road
Southwest Harbor

\$1,195,000



*Distinctive properties.
Legendary service.*



- Year-round, in-town home with ample parking, close to amenities
- c 1883 renovated colonial with 6 en-suite bedrooms & 3,520+/- sq. ft.
- 2 spacious kitchens with upgraded appliances
- Strong rental history



For more information, please contact: THE KNOWLES COMPANY

One Summit Road
Northeast Harbor, Maine 04662

207.276.3322

info@KnowlesCo.com

www.KnowlesCo.com

The Knowles Company represents both sellers and buyers, and practices an Appointed Agency Policy. We have a fiduciary responsibility to disclose to our client all information material to the sale of this property acquired from any source.

109 CLARK POINT ROAD

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Southwest Harbor



Living Room



Suite 3rd Flr.



Dining Kitchen



Cooking Kitchen

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Public Detail Report

MLS #: 1613413

County: Hancock

Seasonal: No

List Price: \$1,195,000

Status: Active

Property Type: Residential

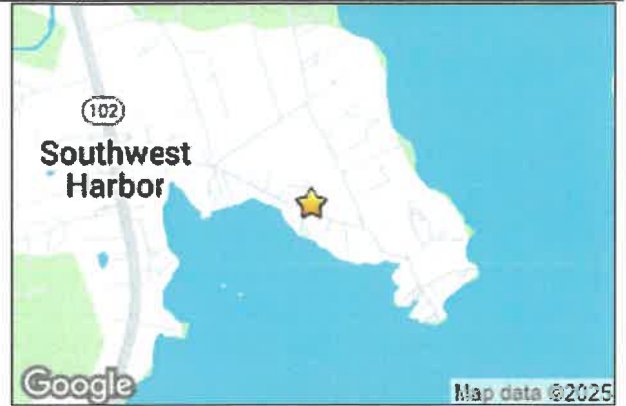
Original List Price: \$1,195,000

Directions: Traveling to Southwest Harbor, left onto Clark Point Road, property is on your left shortly after the High Road intersection.



**109 Clark Point
Road
Southwest Harbor,
ME 04612**

**List Price:
\$1,195,000
MLS#: 1613413**



General Information

| | | | |
|-----------------------------------|---------------------|------------|--------------------------------|
| Sub-Type: Single Family Residence | Year Built: 1883 | Rooms: 10 | Sqft Fin Abv Grd+/-: 3,520 |
| Style: Colonial | Fireplaces Total: 1 | Beds: 6 | Sqft Fin Blw Grd+/-: 0 |
| Color: Yellow | | Baths: 6/1 | Sqft Fin Total+/-: 3,520 |
| | | | Source of Sqft: Public Records |

Land Information

| | | | |
|-----------------------------------|------------------|------------------------------|----------------------------|
| Leased Land: No | Waterfront: No | Water Body: Southwest Harbor | Zoning: Shore/Res see desc |
| Lot Size Acres +/-: 0.25 | Water Views: Yes | Water Body Type: Harbor | |
| Source of Acreage: Public Records | | | Zoning Overlay: Yes |
| Surveyed: Yes | | | |

Interior Information

| | | |
|---------------------|---------------------|-------------------|
| Full Baths Bsmnt: 0 | Half Baths Bsmnt: 0 | VA Certification: |
| Full Baths Lvl 1: 1 | Half Baths Lvl 1: 1 | |
| Full Baths Lvl 2: 3 | Half Baths Lvl 2: 0 | |
| Full Baths Lvl 3: 2 | Half Baths Lvl 3: 0 | |
| Full Baths Upper: 0 | Half Baths Upper: 0 | |

Appliances: Cooktop; Dishwasher; Dryer; Electric Range; Gas Range; Microwave; Refrigerator; Washer; Other Appliances: 2 refrigerators, 2 stoves

| Room Name | Length | Width | Level | Room Features | Room Name | Length | Width | Level | Room Features |
|-------------|--------|-------|--------|---------------|-----------|--------|-------|-------|---------------|
| Kitchen | | | First | | Bedroom 6 | | | Third | |
| Bedroom 1 | | | First | | Sunroom | | | First | |
| Dining Room | | | First | | | | | | |
| Bedroom 2 | | | Second | | | | | | |
| Bedroom 3 | | | Second | | | | | | |
| Bedroom 4 | | | Second | | | | | | |
| Bedroom 5 | | | Third | | | | | | |
| Living Room | | | First | | | | | | |

Property Features

| | |
|--|---|
| Site: Level; Sidewalks | Construction: Wood Frame |
| Driveway: Paved | Basement Info: Bulkhead; Crawl Space; Slab; Unfinished |
| Parking: 5 - 10 Spaces; On Site | Foundation Materials: Granite; Poured Concrete |
| Location: Intown; Near Country Club; Near Golf Course; Near Shopping; Neighborhood | Exterior: Wood Siding |
| Rec. Water: Nearby | Roof: Shingle |
| Roads: Paved; Public | Heat System: Baseboard; Hot Water; Multi-Zones |
| Electric: Circuit Breakers | Heat Fuel: Oil |
| Gas: Bottled | Water Heater: Off Heating System |
| Sewer: Public Sewer | Cooling: A/C Units; None |
| Water: Public | Floors: Carpet; Vinyl; Wood |
| Basement Entry: Bulkhead; Exterior Only | Other Structures: Shed |
| | Veh. Storage: No Vehicle Storage |
| | Garage: No |
| | Garage Spaces: 0 |
| | Amenities: 1st Floor Primary Bedroom w/Bath; Furniture Included; Laundry - 1st Floor; Pantry; Shower; Walk-in Closets |
| | Patio and Porch Features: Deck; Glassed-in Porch |
| | View: Scenic |

Tax/Deed Information

| | | |
|-------------------|--------------------------------|-----------------------------------|
| Book/Page 7058/97 | Full Tax Amt/Yr: \$7,002/ 2024 | Map/Block/Lot: 4/105 |
| | | Tax ID: SOUR-000004-000000-000105 |

Remarks

Remarks: This renovated Colonial Revival style home (circa 1883) features 6 en-suite bedrooms, 2 kitchens, a half bath, sun porch, spacious parking, and a convenient storage shed. Additionally, this property has a robust short-term rental history. With over 3,500+/- square feet of living space and a prime location on the popular Clark Point Road.. with close proximity to downtown shops, cafes, Beals Lobster Pound, The Claremont Hotel, and the Causeway Club Golf Course, this is a terrific investment, 2nd home, or even primary residence opportunity. Home features new roof, new half bath, select upgraded appliances, and updated basement.

LO: The Knowles Company

Listing provided courtesy of:

The Knowles Company
One Summit Road
Northeast Harbor, ME 04662
207-276-3322

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MAINE
Listings



PROPERTY LOCATED AT: 109 Clark Point Rd, Southwest Harbor, ME 04679

PROPERTY DISCLOSURE

Under Maine Law, certain information must be made available to buyers prior to or during preparation of an offer. This statement has been prepared to assist prospective buyers in evaluating this property. This disclosure is not a warranty of the condition of the property and is not part of any contract between Seller and any Buyer. Seller authorizes the disclosure of the information in this statement to real estate licensees and to prospective buyers of this property. The Seller agrees to provide prompt notice of any changes in the information and this form will be appropriately changed with an amendment date. Inspections are highly recommended.

DO NOT LEAVE ANY QUESTIONS BLANK. STRIKE, WRITE N/A OR UNKNOWN IF NEEDED.

SECTION I - WATER SUPPLY

TYPE OF SYSTEM: ☒ Public ☐ Private ☐ Seasonal ☐ Unknown
☐ Drilled ☐ Dug ☐ Other _____

MALFUNCTIONS: Are you aware of or have you experienced any malfunctions with the (public/private/other) water system?

Pump (if any): ☐ N/A ☐ Yes ☒ No ☐ Unknown
 Quantity: ☐ Yes ☒ No ☐ Unknown
 Quality: ☐ Yes ☒ No ☐ Unknown

If Yes to any question, please explain in the comment section below or with attachment.

WATER TEST: Have you had the water tested? ☐ Yes ☒ No
 If Yes, Date of most recent test: _____ Are test results available? .. ☐ Yes ☒ No
 To your knowledge, have any test results ever been reported as unsatisfactory or satisfactory with notation? NA | | Yes ☒ No
 If Yes, are test results available? | Yes ☒ No
 What steps were taken to remedy the problem? NA

~~IF PRIVATE: (Strike Section if Not Applicable):~~

~~INSTALLATION: Location: _____
 Installed by: _____
 Date of Installation: _____~~

USE: Number of persons currently using system: NA
 Does system supply water for more than one household? ☐ Yes ☒ No ☐ Unknown

Comments: NA

Source of Section I information: Seller

Buyer Initials _____ Page 1 of 8 Seller Initials PER

PROPERTY LOCATED AT: 109 Clark Point Rd, Southwest Harbor, ME 04679

SECTION II - WASTE WATER DISPOSAL

TYPE OF SYSTEM: ☒ Public ☐ Private ☐ Quasi-Public ☐ Unknown

IF PUBLIC OR QUASI-PUBLIC (Strike Section if Not Applicable):

Have you had the sewer line inspected?..... ☐ Yes ☒ No

If Yes, what results: _____

Have you experienced any problems such as line or other malfunctions? ☐ Yes ☒ No

What steps were taken to remedy the problem? _____

~~IF PRIVATE (Strike Section if Not Applicable):~~

~~Tank: ☐ Septic Tank ☐ Holding Tank ☐ Cesspool ☐ Other: _____~~

~~Tank Size: ☐ 500 Gallon ☐ 1000 Gallon ☐ Unknown ☐ Other: _____~~

~~Tank Type: ☐ Concrete ☐ Metal ☐ Unknown ☐ Other: _____~~

~~Location: _____ OR ☐ Unknown~~

~~Date installed: _____ Date last pumped: 01/14/2025 Name of pumping company: _____~~

~~Have you experienced any malfunctions? ☐ Yes ☐ No~~

~~If Yes, give the date and describe the problem: _____~~

~~Date of last servicing of tank: _____ Name of company servicing tank: _____~~

~~Leach Field: _____ ☐ Yes ☐ No ☐ Unknown~~

~~If Yes, Location: _____~~

~~Date of installation of leach field: _____ Installed by: _____~~

~~Date of last servicing of leach field: _____ Company servicing leach field: _____~~

~~Have you experienced any malfunctions? ☐ Yes ☐ No~~

~~If Yes, give the date and describe the problem and what steps were taken to remedy: _____~~

~~Do you have records of the design indicating the # of bedrooms the system was designed for? ☐ Yes ☐ No~~

~~If Yes, are they available? ☐ Yes ☐ No~~

~~Is System located in a Shoreland Zone? ☐ Yes ☐ No ☐ Unknown~~

Comments: N/A

Source of Section II information: Seller / Seller's Brokers

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PROPERTY LOCATED AT: 109 Clark Point Rd, Southwest Harbor, ME 04679

SECTION III - HEATING SYSTEM(S)/HEATING SOURCE(S)

| Heating System(s) or Source(s) | SYSTEM 1 | SYSTEM 2 | SYSTEM 3 | SYSTEM 4 |
|--|--|---------------------------------|----------|----------|
| TYPE(S) of System | HWBB | | | |
| Age of system(s) or source(s) | 27+/- | | | |
| TYPE(S) of Fuel | oil | | | |
| Annual consumption per system or source (i.e., gallons, kilowatt hours, cords) | 2024 - 1,170 gallons | | | |
| Name of company that services system(s) or source(s) | Dead River Company | | | |
| Date of most recent service call | Fall 2024 | | | |
| Malfunctions per system(s) or source(s) within past 2 years | 2: March '23 - 1st floor thermostat rewire ; June '23 ; zone valve replacement | | | |
| Other pertinent information | NA | Repairs completed by Dead River | | |

Are there fuel supply lines? ☒ Yes ☐ No ☐ Unknown

Are any buried? ☐ Yes ☒ No ☐ Unknown

Are all sleeved? ☒ Yes ☐ No ☐ Unknown

Chimney(s): ☒ Yes ☐ No

If Yes, are they lined: ☒ Yes ☐ No ☐ Unknown

Is more than one heat source vented through one flue? ☐ Yes ☒ No ☐ Unknown

Had a chimney fire: ☐ Yes ☒ No ☐ Unknown

Has chimney(s) been inspected? ☐ Yes ☒ No ☐ Unknown

If Yes, date: _____

Date chimney(s) last cleaned: 2008

Direct/Power Vent(s): ☐ Yes ☒ No ☐ Unknown

Has vent(s) been inspected? ☐ Yes ☒ No ☐ Unknown

If Yes, date: _____

Comments: NA

Source of Section III information: Seller / Previous Disclosure / Seller's Brokers

SECTION IV - HAZARDOUS MATERIAL

The licensee is disclosing that the Seller is making representations contained herein.

A. UNDERGROUND STORAGE TANKS - Are there now, or have there ever been, any underground storage tanks on the property? ☐ Yes ☐ No ☒ Unknown

If Yes, are tanks in current use? ☐ Yes ☒ No ☐ Unknown

~~If no longer in use, how long have they been out of service? _____~~

~~If tanks are no longer in use, have tanks been abandoned according to DEP? ☐ Yes ☐ No ☐ Unknown~~

~~Are tanks registered with DEP? ☐ Yes ☐ No ☐ Unknown~~

~~Age of tank(s): _____ Size of tank(s): _____~~

~~Location: _____~~

Buyer Initials _____

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PROPERTY LOCATED AT: 109 Clark Point Rd, Southwest Harbor, ME 04679

What materials are, or were, stored in the tank(s)? _____

Have you experienced any problems such as leakage: NA ☐ Yes ☐ No ☐ Unknown

Comments: None

Source of information: Seller / Previous Disclosure / Seller's Brokers

B. ASBESTOS - Is there now or has there been asbestos:

As insulation on the heating system pipes or duct work? ☐ Yes ☒ No ☐ Unknown

In the ceilings? ☐ Yes ☒ No ☐ Unknown

In the siding? ☐ Yes ☒ No ☐ Unknown

In the roofing shingles? ☐ Yes ☒ No ☐ Unknown

In flooring tiles? ☐ Yes ☒ No ☐ Unknown

Other: ☐ Yes ☒ No ☐ Unknown

Comments: None

Source of information: Seller / Seller's Brokers

C. RADON/AIR - Current or previously existing:

Has the property been tested? ☒ Yes ☐ No ☐ Unknown

If Yes: Date: Unknown By: Prior Owner

Results: results report not available but informed no issue with elevated radon; previous owner also installed

If applicable, what remedial steps were taken? meter with result: Long term avg .29pCi/L and 7 day short term avg 0.43 pCi/L ; no issue

Has the property been tested since remedial steps? ☐ Yes ☐ No ☐ Unknown

Are test results available? ☐ Yes ☐ No

Results/Comments: NA

Source of information: Seller / Previous Owner

D. RADON/WATER - Current or previously existing:

Has the property been tested? ☐ Yes ☒ No ☐ Unknown

If Yes: Date: _____ By: _____

Results: _____

If applicable, what remedial steps were taken? _____

Has the property been tested since remedial steps? ☐ Yes ☐ No ☐ Unknown

Are test results available? ☐ Yes ☐ No

Results/Comments: NA

Source of information: Seller

E. METHAMPHETAMINE - Current or previously existing:

☐ Yes ☒ No ☐ Unknown

Comments: NA for ownership period; prior history unknown

Source of information: Seller

Buyer Initials _____

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PROPERTY LOCATED AT: 109 Clark Point Rd, Southwest Harbor, ME 04679

F. LEAD-BASED PAINT/PAINT HAZARDS - (Note: Lead-based paint is most commonly found in homes constructed prior to 1978)

Is there now or has there ever been lead-based paint and/or lead-based paint hazards on the property?

..... Yes ☐ No ☐ Unknown ☒ Unknown (but possible due to age)

~~If Yes, describe location and basis for determination:~~ _____

Do you know of any records/reports pertaining to such lead-based paint/lead-based paint hazards: ☐ Yes ☒ No

~~If Yes, describe:~~ _____

Are you aware of any cracking, peeling or flaking paint? ☒ Yes ☐ No

~~Comments:~~ _____

Source of information: Seller

G. OTHER HAZARDOUS MATERIALS - Current or previously existing:

TOXIC MATERIAL: ☐ Yes ☒ No ☐ Unknown

LAND FILL: ☐ Yes ☒ No ☐ Unknown

RADIOACTIVE MATERIAL: ☐ Yes ☒ No ☐ Unknown

~~Other:~~ _____

Source of information: Seller

Buyers are encouraged to seek information from professionals regarding any specific issue or concern.

SECTION V - ACCESS TO THE PROPERTY

Is the property subject to or have the benefit of any encroachments, easements, rights-of-way, leases, rights of first refusal, life estates, private ways, trails, homeowner associations (including condominiums and PUD's) or restrictive covenants? ☐ Yes ☒ No ☐ Unknown

~~If Yes, explain:~~ _____

Source of information: Seller

Is access by means of a way owned and maintained by the State, a county, or a municipality over which the public has a right to pass? ☒ Yes ☐ No ☐ Unknown

~~If No, who is responsible for maintenance?~~ _____

~~Road Association Name (if known):~~ _____

Source of information: Seller

Buyer Initials _____

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Seller Initials

^{Initial}
PRN

PROPERTY LOCATED AT: 109 Clark Point Rd, Southwest Harbor, ME 04679**SECTION VI – FLOOD HAZARD**

For the purposes of this section, Maine law defines "flood" as follows:

- (1) A general and temporary condition of partial or complete inundation of normally dry areas from: (a) The overflow of inland or tidal waters; or (b) The unusual and rapid accumulation or runoff of surface waters from any source; or
- (2) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm or by an unanticipated force of nature, such as a flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event that results in flooding as described in subparagraph (1), division (a).

For purposes of this section, Maine law defines "area of special flood hazard" as land in a floodplain having 1% or greater chance of flooding in any given year, as identified in the effective federal flood insurance study and corresponding flood insurance rate maps.

During the time the seller has owned the property:

Have any flood events affected the property? ☐ Yes ☒ No ☐ Unknown

If Yes, explain: _____

Have any flood events affected a structure on the property? ☐ Yes ☒ No ☐ Unknown

If Yes, explain: _____

Has any flood-related damage to a structure occurred on the property? ☐ Yes ☒ No ☐ Unknown

If Yes, explain: _____

Has there been any flood insurance claims filed for a structure on the property? ☐ Yes ☒ No ☐ Unknown

If Yes, indicate the dates of each claim: _____

Has there been any past disaster-related aid provided related to the property or a structure on the property from federal, state or local sources for purposes of flood recovery? ☐ Yes ☐ No ☒ Unknown

If Yes, indicate the date of each payment: _____

Is the property currently located wholly or partially within an area of special flood hazard mapped on the effective flood insurance rate map issued by the Federal Emergency Management Agency on or after March 4, 2002? ☐ Yes ☒ No ☐ Unknown

If yes, what is the federally designated flood zone for the property indicated on that flood insurance rate map?
Zone X - Area of Minimal Flood Hazard

Relevant Panel Number: 23009C1214D Year: 2016 (Attach a copy)Comments: NoneSource of Section VI information: Seller / Seller's Brokers / FEMA FIRMette Map

Buyer Initials _____

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PROPERTY LOCATED AT: 109 Clark Point Rd, Southwest Harbor, ME 04679

SECTION VII - GENERAL INFORMATION

Are there any tax exemptions or reductions for this property for any reason including but not limited to: Tree Growth, Open Space and Farmland, Veteran's, Homestead Exemption, Blind, Working Waterfront?.....

..... ☐ Yes ☒ No ☐ Unknown

If Yes, explain: _____

Is a Forest Management and Harvest Plan available?..... ☐ Yes ☒ No ☐ Unknown

Are there any actual or alleged violations of a shoreland zoning ordinance including those that are imposed by the state or municipality? ☐ Yes ☒ No ☐ Unknown

If Yes, explain: _____

Equipment leased or not owned (including but not limited to, propane tank, hot water heater, satellite dish, water filtration system, photovoltaics, wind turbines): Type: Propane Tank owned by Dead River Company

Year Principal Structure Built: 1883 What year did Seller acquire property? 2020

Roof: Year Shingles/Other Installed: 2022

Water, moisture or leakage: None

Comments: _____

Foundation/Basement:

Is there a Sump Pump? ☐ Yes ☒ No ☐ Unknown

Water, moisture or leakage since you owned the property: ☒ Yes ☐ No ☐ Unknown

Prior water, moisture or leakage? ☒ Yes ☐ No ☐ Unknown

Comments: Some seasonal dampness; seepage from basement stone during periods of heavy prolonged rains

Mold: Has the property ever been tested for mold? ☐ Yes ☐ No ☒ Unknown

If Yes, are test results available? ☐ Yes ☐ No

Comments: None

Electrical: ☐ Fuses ☒ Circuit Breaker ☐ Other: _____ ☐ Unknown

Comments: None

Has all or a portion of the property been surveyed? ☐ Yes ☐ No ☒ Unknown

If Yes, is the survey available? ☐ Yes ☐ No ☐ Unknown

Manufactured Housing - Is the residence a:

Mobile Home ☐ Yes ☒ No ☐ Unknown

Modular ☐ Yes ☒ No ☐ Unknown

Known defects or hazardous materials caused by insect or animal infestation inside or on the residential structure

..... ☐ Yes ☒ No ☐ Unknown

Comments: None

KNOWN MATERIAL DEFECTS about Physical Condition and/or value of Property, including those that may have an adverse impact on health/safety: None known

Comments: None

Source of Section VII information: Seller / Previous Disclosure

Buyer Initials _____

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PROPERTY LOCATED AT: 109 Clark Point Rd, Southwest Harbor, ME 04679

SECTION VIII - ADDITIONAL INFORMATION

Observed water stain on living room ceiling.

New half bath off of dining kitchen on the main level; installed sink and toilet and closed off corridor to main floor bedroom.

New oven (2023) and new dishwasher (2024) in the main cooking kitchen. New Certainteed Roof

Continued... See Addendum Additional information 1

ATTACHMENTS EXPLAINING CURRENT PROBLEMS, PAST REPAIRS OR ADDITIONAL INFORMATION IN ANY SECTION IN DISCLOSURE: ☐ Yes ☒ No

Seller shall be responsible and liable for any failure to provide known information regarding known material defects to the Buyer.

Neither Seller nor any Broker makes any representations as to the applicability of, or compliance with, any codes of any sort, whether state, municipal, federal or any other, including but not limited to fire, life safety, building, electrical or plumbing.

As Sellers, we have provided the above information and represent that all information is correct. To the best of our knowledge, all systems and equipment, unless otherwise noted on this form, are in operational condition.

Signed by: 1/29/2025
Clark Point House LLC.
SELLER DATE SELLER DATE
Clark Point House LLC.

SELLER DATE SELLER DATE

I/We have read and received a copy of this disclosure, the arsenic in wood fact sheet, the arsenic in water brochure, and understand that I/we should seek information from qualified professionals if I/we have questions or concerns.

BUYER DATE BUYER DATE

BUYER DATE BUYER DATE

ADDENDUM

PROPERTY: **109 Clark Point Rd, Southwest Harbor, ME 04679**

1) Additional information

(includes rubber roof over dining kitchen and chimney flashing).

Majority of furnishings and items in the home to convey with the sale.

2, Some water observed on the floor in the northeast (left) corner of the basement. Seller is investigating the cause and potential repair, as needed.

2/8/2025

Date: _____

Date: _____

Signature _____

Signature _____

Date: 1/29/2025

Date: _____

Signed by:
Signature *Clark Point House LLC*

Signature _____

Addendum

LEAD PAINT DISCLOSURE/ADDENDUM

AGREEMENT BETWEEN Clark Point House LLC.

(hereinafter "Seller")

AND _____

(hereinafter "Buyer")

FOR PROPERTY LOCATED AT 109 Clark Point Rd, Southwest Harbor, ME 04679

Said contract is further subject to the following terms:

Lead Warning Statement

Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to purchase.

Seller's Disclosure

(a) Presence of lead-based paint and/or lead-based paint hazards (**check one below**):

_____ Known lead-based paint and/or lead-based paint hazards are present in the housing (explain).

☒ Seller has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.

(b) Records and reports available to the Seller (**check one below**):

_____ Seller has provided the Buyer with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (list documents below).

_____ Seller has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.

Buyer's Acknowledgment

(c) Buyer has received copies of all information listed above.

(d) Buyer has received the pamphlet Protect Your Family from Lead in Your Home.

(e) Buyer has (**check one below**):

_____ Received a 10-day opportunity (or mutually agreed upon period) to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards; or

_____ Waived the opportunity to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards.


Agent's Acknowledgment

(f) Agent has informed the Seller of the Seller's obligations under 42 U.S.C. 4852(d) and is aware of his/her responsibility to ensure compliance.

Certification of Accuracy

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information they have provided is true and accurate.

| | | | |
|-------|------------|--|-----------|
| | Signed by: | <u>Clark Point House LLC.</u> | 1/27/2025 |
| Buyer | Date | Seller <u>Clark Point House LLC.</u> | Date |
| Buyer | Date | Seller | Date |
| Buyer | Date | Seller | Date |
| Buyer | Date | Seller | Date |
| Agent | Date | Signed by: <u>Maria Spallino</u> <u>Susan Ferrante Collier</u> 1/27/2025 Agent <u>Maria Spallino and Susan Ferrante Collier</u> | |

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The Knowles Company, 1 Summit Road Northeast Harbor ME 04662
Maria Spallino

Phone: (207)276-3322 Fax: _____
Produced with Lone Wolf Transactions (zipForm Edition) 717 N Harwood St, Suite 2200, Dallas, TX 75201 www.lwolf.com



109 Clark Point

DocuSign Envelope ID: DDAA9842-AB87-404F-AAAE-527BD1C1AAF6

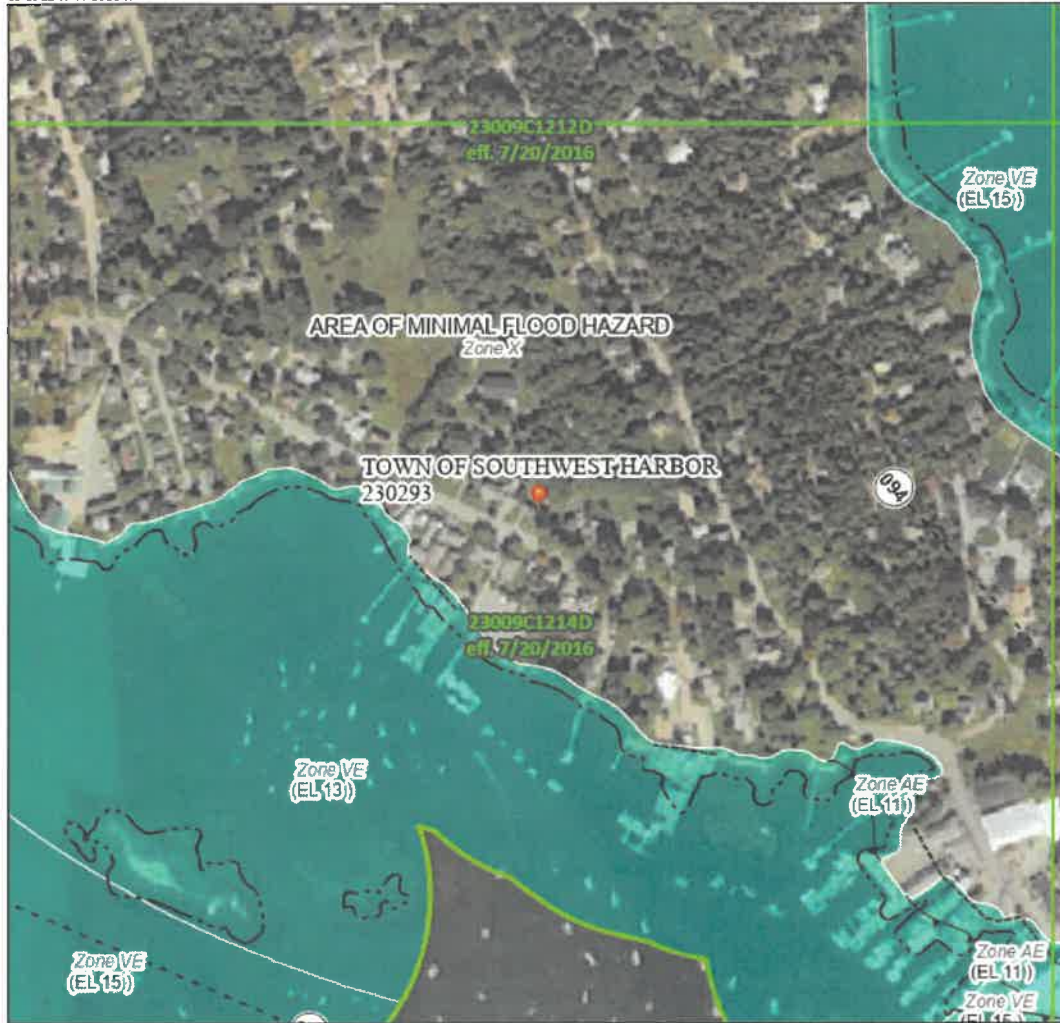
National Flood Hazard Layer FIRMette

1/27/2025

Initial
PRN



68°19'22"W 44°16'56"N



0 250 500 1,000 1,500 2,000 Feet 1:6,000

Basemap Imagery Source: USGS National Map 2023

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

| | | |
|-----------------------------|--|---|
| SPECIAL FLOOD HAZARD AREAS | | Without Base Flood Elevation (BFE) Zone A, V, A99 |
| | | With BFE or Depth Zone AE, AO, AH, VE, AR |
| OTHER AREAS OF FLOOD HAZARD | | Regulatory Floodway |
| | | 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X |
| | | Future Conditions 1% Annual Chance Flood Hazard Zone X |
| | | Area with Reduced Flood Risk due to Levee. See Notes, Zone X |
| | | Area with Flood Risk due to Levee Zone D |
| OTHER AREAS | | NO SCREEN Area of Minimal Flood Hazard Zone X |
| | | Effective LOMRs |
| GENERAL STRUCTURES | | Area of Undetermined Flood Hazard Zone D |
| | | Channel, Culvert, or Storm Sewer |
| OTHER FEATURES | | Levee, Dike, or Floodwall |
| | | Cross Sections with 1% Annual Chance Water Surface Elevation |
| MAP PANELS | | Coastal Transect |
| | | Base Flood Elevation Line (BFE) |
| | | Limit of Study |
| | | Jurisdiction Boundary |
| | | Coastal Transect Baseline |
| | | Profile Baseline |
| | | Hydrographic Feature |
| | | Digital Data Available |
| | | No Digital Data Available |
| | | Unmapped |

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

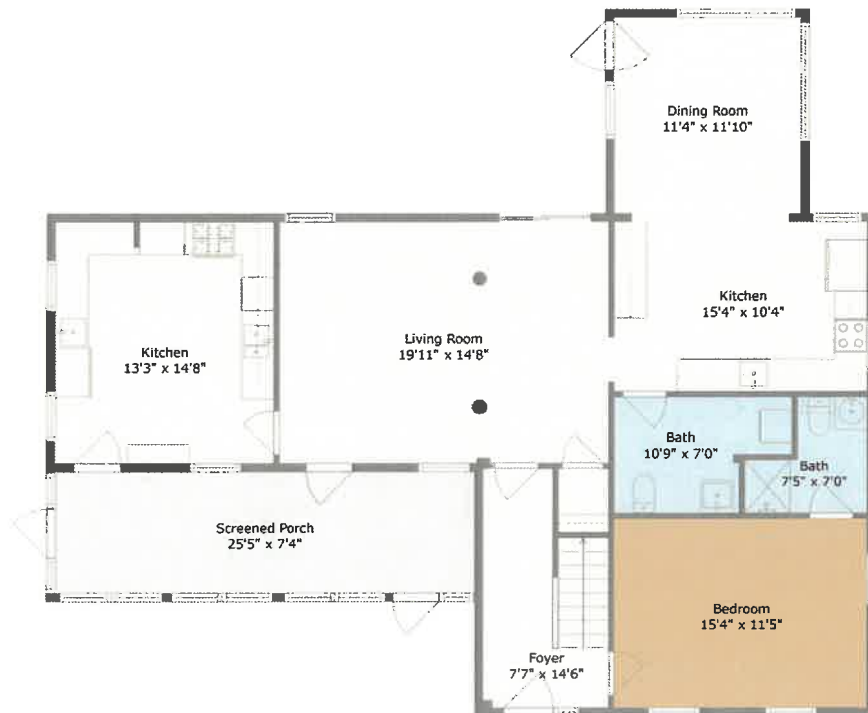
This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 1/15/2025 at 2:47 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

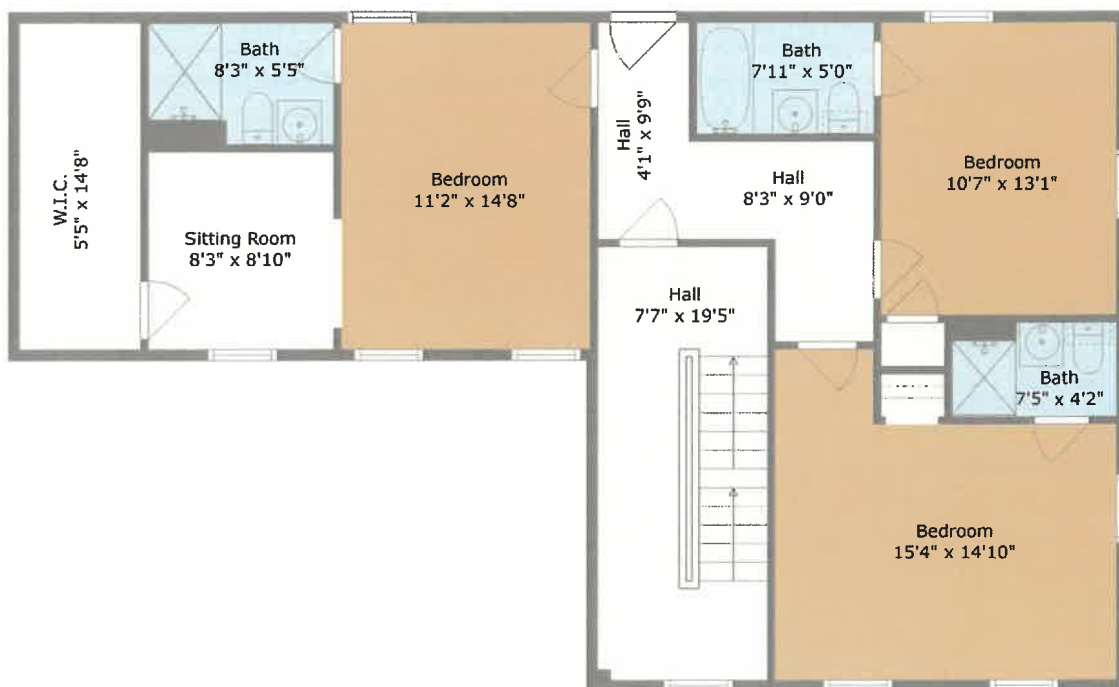


TOTAL: 3036 sq. ft.
 FLOOR 1: 1205 sq. ft, FLOOR 2: 1066 sq. ft, FLOOR 3: 765 sq. ft
 EXCLUDED AREAS: SCREENED PORCH: 187 sq. ft, LOW CEILING: 283 sq. ft
 Measurements Deemed Highly Reliable, but Not Guaranteed



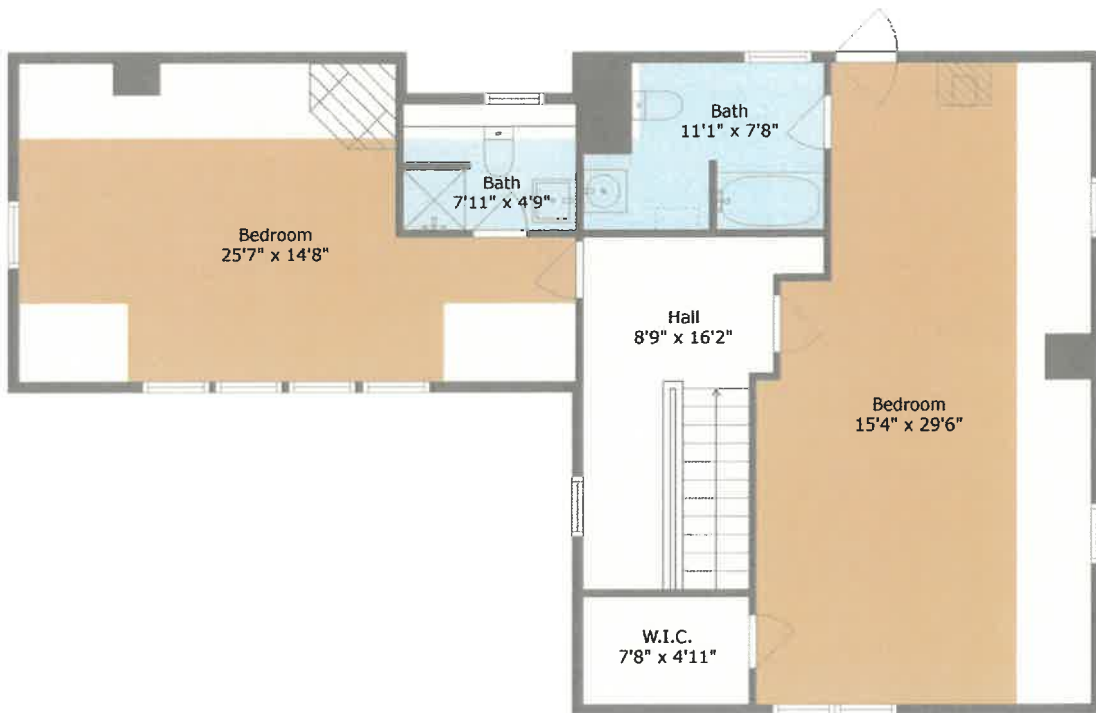
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 Measurements Deemed Highly Reliable, But Not Guaranteed.



LEGEND

- | | |
|--|---------------------------|
| | Property Line |
| | Estimated Right of Way |
| | Original Parcel |
| | Water |
| | Lot Number |
| | Street Number |
| | Cemetery |
| | Town-Owned Lot |
| | Saniclehole Link |
| | Customization Checker |

FOR A FREE COPY OF THE NEW 1997 CATALOG, VISIT WWW.BEACON-ONLINE.COM



Map 4

PERMITS 1-800-222-2222



SECTION V: STANDARDS FOR THE ZONES

ZONE A (See applicable General Regulations and Standards)

A. LAND USE STANDARDS

1. The following uses are not permitted:
 - a) Commercial boat storage within structures (structures existing on the lot at the time of the adoption of this Ordinance may be used but not expanded)
 - b) Non-maritime industry
2. All other uses are permitted subject to lot, structure and performance standards.

B. LOT STANDARDS

1. Lot area minimum: 6500 square feet.

C. STRUCTURE STANDARDS

1. Set-backs (minimum):
 - a) 10' from edge of paved roadway; sidewalks must be provided (standards in Southwest Harbor Road Ordinance)
 - b) 10' from lot lines
EXCEPTION: Construction permitted either on the lot line as an agreed common firewall, or set back at least 5' from the lot line, provided a firewall is used.
2. Height:
 - a) 40' maximum
3. Lot coverage:
 - a) no limit

ZONE B (See applicable General Regulations and Standards)

A. LAND USE STANDARDS

All uses are permitted.

B. MINIMUM LOT STANDARDS AREA

Note: Minimum lot area requirements based on availability of utilities to the site

1. Minimum lot size:
 - a. 40,000 sq. ft. (If Structures are serviced by Private Well and Private Septic System)
 - b. 30,000 sq. ft. (If Structures are service by Public Water and Private Septic System)
 - c. 20,000 sq. ft. (If Structures are serviced by Private Water and Public Sewerage)
 - d. 15,000 sq. ft (If Structures are serviced by Public Water and Public Sewerage)

C. STRUCTURE STANDARDS

1. Minimum set-backs for all structures except antennae, boundary walls, driveways, parking lots, roads, sidewalks and signs:
 - a) Lot lines – 15'
 - b) State road – 55' from the centerline
 - c) Town road – 20' from the edge of the right-of-way but not less than 35' from the centerline
 - d) Private road – same as Town road if service to three or more lots

EXCEPTION: A 6' minimum setback from the edge of a vehicular way on a driveway.

2. Height:
 - a) 40' maximum
3. Individual Lot coverage: Includes structures only
 - a. 10% if structures are serviced by private well and private septic system
 - b. 12% if structures are serviced by public water and private septic system
 - c. 15% if structures are serviced by private water and public sewerage
 - d. 3,000 sq ft or 20%, whichever is greater, if structures are serviced by public water and public sewerage

EXCEPTION:

- a. 40% lot coverage by structures for commercial uses
 1. May include multi-family structures in excess of three dwelling units.
 2. Seasonal cottages with occupancy less than six months.
 3. Property to be in common ownership
 4. No condos or condo associations allowed
 1. All performance standards must apply

SECTION VI: PERFORMANCE STANDARDS

A. BUFFERING

1. PURPOSE

The Ordinance allows a mixture of land uses to occur in all zones. For this reason, a buffer is required to protect residential properties from adjoining unlike uses or activities. The buffer is required to minimize the impact of buildings and/or activities that could cause a nuisance; to block or soften lights (including car lights or reflections of the sun); to reduce noise; to preserve privacy; and to reduce smells and dust. The depth of the screen and the nature of the planting required will depend upon the potential impact of a development on its neighbors. Activities which may cause a nuisance include but are not limited to the movement and parking of heavy equipment, trucks, dumpsters, and cars; loading and off-loading; exterior bulk storage such as lumber or gravel; and the sheer size of very large buildings, such as storage sheds.

Abbreviations:

| | |
|----------------------------|---|
| RP - Resource Protection | GD General Development |
| RS - Residential Shoreland | CFMA - Commercial Fisheries/Maritime Activities |
| HAR - Harbor Zone | SP - Stream Protection |

The following notes are applicable to the Land Uses Table on the following page:

TABLE 1. LAND USES IN THE SHORELAND ZONE

| <u>LAND USES</u> | <u>ZONE</u> | | | | | |
|--|-------------------|------------------|-------------------|-------------------|-------------------|-------------------|
| | SP | RP | RS | HAR | GD | CFMA |
| 1. Non-intensive recreational uses not requiring structures such as hunting, fishing and hiking | yes | yes | yes | yes | yes | yes |
| 2. Motorized vehicular traffic on existing roads and trails | yes | yes | yes | yes | yes | yes |
| 3. Clearing or removal of vegetation for activities other than timber harvesting | CEO | CEO ¹ | yes | yes | yes | yes |
| 4. Fire prevention activities | yes | yes | yes | yes | yes | yes |
| 5. Wildlife management practices | yes | yes | yes | yes | yes | yes |
| 6. Soil and water conservation practices | yes | yes | yes | yes | yes | yes |
| 7. Mineral exploration | no | yes ² | yes ² | yes ² | yes ² | yes ² |
| 8. Mineral extraction including sand and gravel extraction | no | PB ³ | PB | PB | PB | PB |
| 9. Surveying and resource analysis | yes | yes | yes | yes | yes | yes |
| 10. Emergency operations | yes | yes | yes | yes | yes | yes |
| 11. Agriculture | yes | PB | yes | yes | yes | yes |
| 12. Aquaculture | PB | PB | PB | yes | yes | yes |
| 13. Principal structures and uses | | | | | | |
| A. One and two family residential, including driveways | PB ⁴ | PB ⁹ | CEO | CEO | CEO | no |
| B. Multi-unit residential | no | no | PB | PB | PB | no |
| C. Commercial | no | no ¹⁰ | no ¹⁰ | PB | PB | PB ⁵ |
| D. Industrial | no | no | no | no | PB | PB ⁵ |
| E. Governmental and institutional | no | no | PB | PB | PB | PB ⁵ |
| F. Small non-residential facilities for educational, scientific, or nature interpretation purposes | PB ⁴ | PB | CEO | CEO | CEO | PB ⁵ |
| 14. Structures accessory to allowed uses | PB ⁴ | PB | CEO | CEO | yes | yes |
| 15. Piers, docks, wharfs, bridges and other structures and uses extending over or below the normal high-water line or within a wetland | | | | | | |
| a. Temporary | CEO ¹¹ | CEO ¹ | CEO ¹ | CEO ¹ | CEO ¹ | CEO ¹¹ |
| b. Permanent | PB | PB | PB | PB | PB | PB ⁵ |
| 16. Conversions of seasonal residences to year-round residences | LPI | LPI | LPI | LPI | LPI | no |
| 17. Home occupations | PB | PB | PB | CEO | yes | yes |
| 18. Private sewage disposal systems for allowed uses | LPI | LPI | LPI | LPI | LPI | LPI |
| 19. Essential services | PB ⁶ | PB ⁶ | PB | PB | PB | PB |
| A. Roadside distribution lines (34.5kV and lower) | CEO ⁶ | CEO ⁶ | yes ¹² | yes ¹² | yes ¹² | yes ¹² |
| B. Non-roadside or cross-country distribution lines involving ten poles or less in the shoreland zone | PB ⁶ | PB ⁶ | CEO | CEO | CEO | CEO |

Southwest Harbor Shoreland Zoning

| | | | | | | |
|--|-----------------|-----------------|-----|-----|-----|------------------|
| C. Non-roadside or cross-country distribution lines involving eleven or more poles in the shoreland zone | PB ⁶ | PB ⁶ | PB | PB | PB | PB |
| D. Other essential services | PB ⁶ | PB ⁶ | PB | PB | PB | PB |
| 20. Service drops, as defined, to allowed uses | yes | yes | yes | yes | yes | yes |
| 21. Public and private recreational areas involving minimal structural development | PB | PB | PB | CEO | CEO | CEO ⁵ |
| 22. Individual, private campsites | CEO | CEO | CEO | CEO | CEO | CEO |
| 23. Campgrounds | no | no ⁷ | PB | PB | PB | no |
| 24. Road construction | PB | no ⁸ | PB | PB | PB | PB ⁵ |
| 25. Parking facilities | no | no ⁷ | PB | PB | PB | PB ⁵ |
| 26. Marinas | PB | no | PB | PB | PB | no |
| 27. Filling and earth moving of <10 cubic yards | CEO | CEO | yes | yes | yes | yes |
| 28. Filling and earth moving of >10 cubic yards | PB | PB | CEO | CEO | CEO | CEO |
| 29. Signs | yes | yes | yes | yes | yes | yes |
| 30. Uses similar to allowed uses | CEO | CEO | CEO | CEO | CEO | CEO |
| 31. Uses similar to uses requiring a CEO permit | CEO | CEO | CEO | CEO | CEO | CEO |
| 32. Uses similar to uses requiring a PB permit | PB | PB | PB | PB | PB | PB |
| 33. Hotels, Motels, Boatels | no | no | no | no | no | no |
| 34. Inns and transient accommodations | no | no | no | no | PB | no |
| 35. Commercial boat storage in structures | no | no | no | no | no | no |

¹In RP not allowed within 75 feet horizontal distance, of the normal high-water line of great ponds, except to remove safety hazards.

²Requires permit from the Code Enforcement Officer if more than 100 square feet of surface area, in total, is disturbed.

³In RP not allowed in areas so designated because of wildlife value.

⁴Provided that a variance from the setback requirement is obtained from the Board of Appeals.

⁵Functionally water-dependent uses and uses accessory to such water dependent uses only (See note on previous page).

⁶See further restrictions in Section 15(L)(2).

⁷Except when area is zoned for resource protection due to floodplain criteria in which case a permit is required from the PB.

⁸Except as provided in Section 15(H)(4).

⁹Single family residential structures may be allowed by special exception only according to the provisions of Section 16(E), Special Exceptions. Two-family residential structures are prohibited.

¹⁰Except for commercial uses otherwise listed in this Table, such as marinas and campgrounds, that are allowed in the respective zone.

¹¹Excluding bridges and other crossings not involving earthwork, in which case no permit is required.

¹²Permit not required but must file a written "notice of intent to construct" with CEO.

NOTE: Item 17, in its entirety, should be deleted from Table 1 if a municipality elects not to regulate "piers, docks, wharfs, bridges and other structures and uses extending over or below the normal high-water line or within a wetland".

NOTE: A person performing any of the following activities shall require a permit from the Department of Environmental Protection, pursuant to 38 M.R.S.A. section 480-C, if the activity occurs in, on, over or adjacent to any freshwater or coastal wetland, great pond, river, stream or brook and operates in such a manner that material or soil may be washed into them:

- A. Dredging, bulldozing, removing or displacing soil, sand, vegetation or other materials;
- B. Draining or otherwise dewatering;
- C. Filling, including adding sand or other material to a sand dune; or
- D. Any construction or alteration of any permanent structure.

15. Land Use Standards. All land use activities within the shoreland zone shall conform with the following provisions, if applicable.

A. Minimum Lot Standards

| | Minimum Lot Area (sq. ft.) | Minimum Shore Frontage (ft.) |
|--|---------------------------------------|---|
| (1) | | |
| (a) Residential per dwelling unit | | |
| (i) Within the Shoreland Zone Adjacent to Tidal Areas | 40,000 | 150 |
| (ii) Within the Shoreland Zone Adjacent to Non-Tidal Areas | 40,000 | 200 |
| (b) Governmental, Institutional, Commercial or Industrial per principal structure | | |
| (i) Within the Shoreland Zone Adjacent to Tidal Areas, Exclusive of Those Areas Zoned for Commercial Fisheries and Maritime Activities | 40,000 | 200 |
| (ii) Within the Shoreland Zone Adjacent to Tidal Areas Zoned for Commercial Fisheries and Maritime Activities; For other principal use | NONE 6,500 | NONE 150 |
| (iii) Within the Shoreland Zone Adjacent to Non-tidal Areas | 60,000 | 300 |
| (c) Public and Private Recreational Facilities | | |
| (i) Within the Shoreland Zone Adjacent to Tidal and Non-Tidal Areas | 40,000 | 200 |
| (2) Land below the normal high-water line of a water body or upland edge of a wetland and land beneath roads serving more than two (2) lots shall not be included toward calculating minimum lot area. | | |

- (3) Lots located on opposite sides of a public or private road shall be considered each a separate tract or parcel of land unless such road was established by the owner of land on both sides thereof after September 22, 1971.
- (4) The minimum width of any portion of any lot within one hundred (100) feet, horizontal distance, of the normal high-water line of a water body or upland edge of a wetland shall be equal to or greater than the shore frontage requirement for a lot with the proposed use.
- (5) If more than one residential dwelling unit, principal governmental, institutional, commercial or industrial structure or use, or combination thereof, is constructed or established on a single parcel, all dimensional requirements shall be met for each additional dwelling unit, principal structure, or use.

B. Principal and Accessory Structures

- (1) All new principal and accessory structures shall be set back at least one hundred (100) feet, horizontal distance, from the normal high-water line of great ponds classified GPA and rivers that flow to great ponds classified GPA, and seventy-five (75) feet, horizontal distance, from the normal high-water line of other water bodies, tributary streams, or the upland edge of a wetland, except that in the General Development Zone the setback from the normal high-water line shall be at least twenty five (25) feet, horizontal distance, and in the Commercial Fisheries/Maritime Activities Zone there shall be no minimum setback. In the Resource Protection Zone the setback requirement shall be 250 feet, horizontal distance, except for structures, roads, parking spaces or other regulated objects specifically allowed in that zone in which case the setback requirements specified above shall apply.

In addition:

- (a) The water body, tributary stream, or wetland setback provision shall neither apply to structures which require direct access to the water body or wetland as an operational necessity, such as piers, docks and retaining walls, nor to other functionally water-dependent uses.
- (b) All principal structures along Significant River Segments as listed in 38 M.R.S.A. section 437 (see Appendix A), shall be set back a minimum of one hundred and twenty-five (125) feet, horizontal distance, from the normal high-water line and shall be screened from the river by existing vegetation. This provision does not apply to structures related to hydropower facilities.
- (c) For principal structures, water and wetland setback measurements shall be taken from the top of a coastal bluff that has been identified on Coastal Bluff maps as being “highly unstable” or “unstable” by the Maine Geological Survey pursuant to its “Classification of Coastal Bluffs” and published on the most recent Coastal Bluff map. If the applicant and the permitting official(s) are in disagreement as to the specific location of a “highly unstable” or “unstable” bluff, or where the top of the bluff is located, the applicant may at his or her expense, employ a Maine Registered Professional Engineer, a Maine Certified Soil Scientist, a Maine State Geologist, or other qualified individual to make a determination. If agreement is still not reached, the applicant may appeal the matter to the board of appeals.



Fact Sheet: Arsenic Treated Wood

Department of Health and
Human Services
11 State House Station
Augusta, ME 04333

Maine CDC
Environmental and
Occupational Health Program
Toll Free in Maine: 866-292-3474
Fax: 207-287-3981
TTY: 207-287-8066
Email: ehu@maine.gov

IF YOU WORK WITH CCA WOOD

- **NEVER** burn CCA wood.
- Wear gloves when handling CCA wood
- Wear a dust mask when sanding or cutting CCA wood
- Don't work with CCA wood in an enclosed area (like a garage)

Apply a coating to seal the wood every 1-2 years

TO LEARN MORE

Eric Frohberg
Environmental and
Occupational Health
Program
Maine CDC
Toll-free in Maine 866-
292-3474
TTY: 207-287-8066
[www.maine.gov/dhhs/
eohp](http://www.maine.gov/dhhs/eohp)

Does Your New Home Have Arsenic (CCA) Treated Wood?

About half of all Maine homes have a deck, or playground or some other structure that is made of wood treated with arsenic. This wood is called "CCA pressure-treated wood" or just "pressure-treated" wood. The wood was treated with arsenic to protect against rot and insects.

Too much arsenic can cause cancer. So it is good to prevent arsenic getting into your body when you can. When you touch wood treated with arsenic, you can get arsenic on your hands. The arsenic on your hands can get into your mouth if you are not careful about washing before eating. Young children are most at risk because they are more likely to put their hands in their mouths. The good news is that there are simple things you can do to protect yourself and your family from arsenic treated wood. This fact sheet will tell you how.



Children touching unsealed treated wood, and then putting their hands in their mouths is the biggest concern.

First: Does your house have arsenic treated (CCA) wood?

When arsenic treated wood is new, it tends to have a greenish tint. When CCA wood is older, it is harder to tell. Ask your realtor if the seller knows whether CCA wood was used. You can also test the wood to find out if it contains arsenic. Call us to find out how.

Second: If so, reduce contact with the arsenic.

You can lower the amount of arsenic on the surface of the wood by applying a coating on the wood every 1-2 years. Oil-based sealants, varnishes, or polyurethane work best for sealing arsenic in the wood. Be sure to wash your children's hands when they finish playing on or near CCA wood.

Third: If you have any questions, call us toll-free in Maine: 866-292-3474

Common Questions

What is CCA wood?

CCA wood is made by dipping the wood in a mixture of chemicals. These chemicals include chromium, copper, and arsenic. This protects the wood against insects and rot. This wood is known as CCA wood or "pressure treated" wood. Most pressure treated wood in the U.S. is CCA wood. After December 31, 2003, no more CCA wood will be made for use around homes. CCA wood may still be sold for home use until April 1, 2004 in the state of Maine.

What is Arsenic?

Arsenic is found in soil and rocks. Most people get a little arsenic every day from the food they eat. Also, some people have arsenic in their private wells, which is why it is important that anyone with a well have it tested for arsenic. People who are exposed to too much arsenic over many years are more likely to get cancer.

Have you tested your well water for arsenic?



Your water looks, smells and tastes fine. So why do you need to test it?

It is hard to believe that water that looks, smells and tastes fine may not be safe to drink. But the truth is that 1 in 10 wells in Maine has water that is high in arsenic. There are wells high in arsenic in all parts of Maine.

Protect your family. Test your well for arsenic every 3 to 5 years.

How to Test Your Well Water

1. Call a lab.

- Call a certified lab and ask for an arsenic test kit for your well water. You can find a lab at this website: wellwater.maine.gov. Or call the Maine Lab Certification Officer at 207-287-1929.
- If you have never tested your well water for bacteria, nitrites and nitrates, or other chemicals like radon, uranium and flouride, ask your lab for a test kit for all of these.

2. Do the test.

- Your test kit will arrive in the mail. It will have empty bottles, directions and forms to fill out.
- Follow the directions and mail the bottles back to the lab with the forms.
- Watch a video on how to do a water test: youtube.com/user/MainePublicHealth

3. Get your results.

- Your test results will come to you in the mail.
- If you have too much arsenic in your water, or if you are not sure you understand your test results, call 866-292-3474 (toll-free in Maine) or 207-287-4311 to speak to an expert.

Why Arsenic is Bad

People who drink water with too much arsenic for many years are more likely to get cancer. Arsenic can cause skin, bladder and lung cancers.

It may cause low birthweight and affect brain development in babies if pregnant women drink water with too much arsenic in it. Arsenic can also affect brain development in young children. Other problems from drinking water with very high arsenic levels include: stomach pain, nausea, diarrhea, numbness or tingling in the hands and feet and changes in skin.

Your chance of having any of these health problems depends on:

- how much arsenic is in your water;
- how much water you drink;
- how long you have been drinking the water.

Solving Arsenic Problems

There are actions you can take to protect your family if your water has too much arsenic. First, you can switch to bottled water for drinking and making drinks. This will allow you time to decide if you want to install a water treatment system.

Call us at 866-292-3474 (toll-free in Maine) or 207-287-4311 if you have high arsenic. We can help you decide how to solve the problem.

Protect your family. Test your well.

- For more information: wellwater.maine.gov
- Call for advice: 866-292-3474 • TTY: Call Maine Relay 711



Maine Center for Disease
Control and Prevention
in cooperation with
Department of Health and Human Services

April 2013



Dept. of Professional & Financial Regulation
Office of Professional & Occupational Regulation
MAINE REAL ESTATE COMMISSION

35 State House Station Augusta ME 04333-0035



REAL ESTATE BROKERAGE RELATIONSHIPS FORM

Right Now You Are A Customer

Are you interested in buying or selling residential real estate in Maine? Before you begin working with a real estate licensee it is important for you to understand that Maine Law provides for different levels of brokerage service to buyers and sellers. You should decide whether you want to be represented in

a transaction (as a client) or not (as a customer). To assist you in deciding which option is in your best interest, please review the following information about real estate brokerage relationships:

Maine law requires all real estate brokerage companies and their affiliated licensees ("licensee") to perform certain basic duties when dealing with a buyer or seller. You can expect a real estate licensee you deal with to provide the following customer-level services:

- ✓ To disclose all material defects pertaining to the physical condition of the real estate that are known by the licensee;
- ✓ To treat both the buyer and seller honestly and not knowingly give false information;
- ✓ To account for all money and property received from or on behalf of the buyer or seller; and
- ✓ To comply with all state and federal laws related to real estate brokerage activity.

Until you enter into a written brokerage agreement with the licensee for client-level representation you are considered a "customer" and the licensee is not your agent. As a customer, you should not expect the licensee to promote your best interest, or to keep any information you give to the licensee confidential, including your bargaining position.

You May Become A Client

If you want a licensee to represent you, you will need to enter into a written listing agreement or a written buyer representation agreement. These agreements create a client-agent relationship between you and the licensee. As a client you can expect the licensee to provide the following services, in addition to the basic services required of all licensees listed above:

vices required of all licensees listed above:

- ✓ To perform the terms of the written agreement with skill and care;
- ✓ To promote your best interests;
 - For seller clients this means the agent will put the seller's interests first and negotiate the best price and terms for the seller;
 - For buyer clients this means the agent will put the buyer's interests first and negotiate for the best prices and terms for the buyer; and
- ✓ To maintain the confidentiality of specific client information, including bargaining information.

COMPANY POLICY ON CLIENT-LEVEL SERVICES — WHAT YOU NEED TO KNOW

The real estate brokerage company's policy on client-level services determines which of the three types of agent-client relationships permitted in Maine may be offered to you. The agent-client relationships permitted in Maine are as follows:

- ✓ The company and all of its affiliated licensees represent you as a client (called "single agency");
- ✓ The company appoints, with your written consent, one or more of the affiliated licensees to represent you as an agent(s) (called "appointed agency");
- ✓ The company may offer limited agent level services as a disclosed dual agent.

WHAT IS A DISCLOSED DUAL AGENT?

In certain situations a licensee may act as an agent for and represent both the buyer and the seller in the same transaction. This is called disclosed dual agency. *Both the buyer and the seller must consent to this type of representation in writing.*

Working with a dual agent is not the same as having your own exclusive agent as a single or appointed agent. For instance, when representing both a buyer and a seller, the dual agent must not disclose to one party all confidential information obtained from the other party.

Remember!
*Unless you enter into a written agreement
for agency representation, you are
a customer—not a client.*

THIS IS NOT A CONTRACT

It is important for you to know that this form is not a contract. The licensee completion of the statement below acknowledges that you have been given the information required by Maine law regarding brokerage relationships so that you may make an informed decision as to the relationship you wish to establish with the licensee/company.

To Be Completed By Licensee

This form was presented on (date) _____

To _____
Name of Buyer(s) or Seller(s)

by _____
Licensee's Name

on behalf of _____
The Knowles Company
Company/Agency

MREC Form#3 Revised 07/20
Office Title Changed 09/20

To check on the license status of the real estate brokerage company or affiliated licensee go to www.maine.gov/professionallicensing. Inactive licensees may not practice real estate brokerage.