

STATE OF MAINE
YORK, ss.

SUPERIOR COURT
CIVIL ACTION
DOCKET NO. RE-09-111

Robert F. Almeder and Virginia S.)
Almeder, et al.,)

Plaintiffs,)

v.)

TOWN OF KENNEBUNKPORT and)
ALL PERSONS WHO ARE)
UNASCERTAINED, not in being,)
unknown or out of the State, heirs or)
legal representatives of such)
unascertained persons, or such persons)
as shall become heirs, devisees or)
appointees of such unascertained)
persons who claim the right to use or)
title in Plaintiffs' Property other than)
persons claiming ownership or easement)
by, through, or under an instrument)
recorded in the York County Registry of)
Deeds,)

Defendants.)

NOTICE OF PUBLICATION
TO PERSONS WHO
ARE UNASCERTAINED AND
TO THE GENERAL PUBLIC
PURSUANT TO 14 M.R.S. §§ 6653-54

(Title to Real Estate Involved)

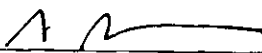
TO: CLERK OF COURT

PLEASE TAKE NOTICE that plaintiffs, pursuant to 14 M.R.S. §§ 6653-54, have caused service to be made on all persons who are unascertained, not in being, unknown or out of the State, heirs or legal representatives of such unascertained persons, or such persons as shall become heirs, devisees or appointees of such unascertained persons who claim the right to use or title in Plaintiffs' Property, other than persons claiming ownership or easement by, through, or under an instrument recorded in the York County Registry of Deeds, by publishing a notice titled: Notice to Persons Who Are Unascertained And To The General Public Pursuant to 14

M.R.S. § 6653. The notice is attached hereto and incorporated herein. Said notice shall be published pursuant to M. R. Civ. P. 4(g)(2), once a week for 3 successive weeks, in the Journal Tribune: York County's Only Daily Newspaper.

Upon completion of publication of the notice in the Journal Tribune: York County's Only Daily Newspaper, an affidavit shall be filed with the court.

Dated: November 17, 2009



Sidney St. F. Thaxter, Bar No. 1301
Susan E. Schorr, Bar No. 9865
CURTIS THAXTER STEVENS BRODER
& MICOLEAU LLC
One Canal Plaza / P.O. Box 7320
Portland, Maine 04112-7320
(207) 774-9000

Attorney for plaintiffs

NOTICE TO PERSONS WHO ARE UNASCERTAINED
AND TO THE GENERAL PUBLIC
14 M.R.S. § 6653

PURSANT to 14 M.R.S. §§ 6653-6654, PLEASE TAKE NOTE that on October 26, 2009, a complaint was filed in the Office of the Clerk of the York County Superior Court, Alfred, Maine, Docket No. ALFSC-RE-2009-00111, titled: *Robert F. Almeder et al. v. Town of Kennebunkport*.

The plaintiffs in this lawsuit are as follows: Robert F. Almeder and Virginia S. Almeder, Trustees of the Almeder Living Trust, 113 Kings Highway, York County Registry of Deeds ("YCROD") Book 15659, Page 864; Christopher Asplundh, 17 Sandpoint Road, YCROD Book 1979, Page 551; Charles L. Nickerson, Successor Trustee of the Albert Palmer Trust, 217 Kings Highway, YCROD Book 4354, Page 48; John T. Coughlin and Priscilla M. Coughlin, Trustees of P.M.C. Realty Trust, 115 Kings Highway, YCROD Book 3085, Page 5; Willard Parker Dwelley, Jr. and W. Parker Dwelley, III and John H. Dwelley, Co-Trustees of the Joan H. Dwelley Testamentary Trust, 23 Sandpoint Road, YCROD Book 12248, Page 9 and Book 15577, Page 679; Robert B. Eisenberg and Leslie A. Eisenberg, 167 Kings Highway, YCROD Book 11817, Pages 222 and 224; Janice M. Fleming, 227 Kings Highway, YCROD Book 13696, Page 59; John O. Gallant and Sharon A. Gallant, 219 Kings Highway, YCROD Book 8413, Page 198; Jule C. Gerrish, 173 Kings Highway, YCROD Book 1819, Page 32; Eugene R. Gray, Trustee of the Qualified Personal Residence Trust, 183 Kings Highway, YCROD Book 14656, Page 916; Edwina D. Hastings, Trustee of the Edwina D. Hastings Revocable Trust, 221 Kings Highway, YCROD Book 14999, Page 766; Leslie A. Josselyn-Rose, Trustee of the LAJR Trust, 251 Kings Highway, YCROD Book 15587, Page 491; Deborah J. Kinney, 223 Kings Highway, YCROD Book 9721, Page 278; Terrence G. O'Connor and Joan M. Leahey, 195 Kings Highway, YCROD Book 13253, Page 87; Paley Family Homes, LLC, 153 Kings Highway, YCROD Book 15495, Page 120; Kristen B. Raines, 249 Kings Highway, YCROD Book 14147, Page 614; Linda M. Rice, 193 Kings Highway, YCROD Book 7955, Page 127; Michael J. Sandifer and Alice B. Sandifer, Co-Trustees of the Alice B. Sandifer Trust, 253 Kings Highway, YCROD Book 14627, Page 144; Eleanor A. Scribner and Robert H. Scribner, Trustees of the Eleanor A. Scribner Qualified Personal Residence Trust, 291 Kings Highway, YCROD Book 14225, Page 139; Carolyn K. Sherman, 109 Kings Highway, YCROD Book 9721, Page 281; J. Liener Temerlin and Karla Sue Temerlin, Trustees of the Temerlin 1988 Family Trust, 29 Sandpoint Road, YCROD Book 15455, Page 875; Richard M. Vandervoorn, Lawrence W. Vandervoorn and Robert O. Clemens, Trustees of The Cornelius J. Vandervoorn Qualified Personal Residence Trust, 177 Kings Highway, YCROD Book 15718, Page 584; and Beth G. Zagoren, 215 Kings Highway, YCROD Book 5931, Pages 340.

The defendants in this lawsuit are: the TOWN OF KENNEBUNKPORT and ALL PERSONS WHO ARE UNASCERTAINED, not in being, unknown or out of the State, heirs or legal representatives of such unascertained persons, or such persons as shall become heirs, devisees or appointees of such unascertained persons who claim the right to use or title in Plaintiffs' Property other than persons claiming ownership or easement by, through, or under an instrument recorded in the York County Registry of Deeds.

The complaint seeks a declaratory judgment under 14 M.R.S. §§ 5951-5963 and to quiet title pursuant to 14 M.R.S. §§ 6651-6663 in order to remove any cloud of apprehension over plaintiffs' title to their respective properties, including intertidal and upland property situated at Goose Rocks Beach, Town of Kennebunkport, York County, State of Maine.

IMPORTANT WARNING

IF ANY PERSON so summoned appears and claims title or an easement in the plaintiffs' property, or voluntarily appears and claims title or such easement, he/she shall by answer show cause why he/she should not be required to bring an action and try such title, or his title to such easement. If any person appears and claims an easement, however acquired, in plaintiffs' property, he/she may bring an action to try the title thereto, alleging in his/her complaint how said easement was acquired.

Pursuant to Rule 4(g)(3) of the Maine Rules of Civil Procedure, SERVICE by Publication is complete upon the twenty-first day after the date of first publication of this notice. If you wish to oppose this lawsuit, you or your attorney MUST PREPARE AND SERVE A WRITTEN ANSWER to the complaint WITHIN 20 DAYS from the date of first publication. IF YOU INTEND TO OPPOSE THIS LAWSUIT, DO NOT FAIL TO ANSWER WITHIN THE REQUIRED TIME.

Dated: November 17, 2009

Sidney St. F. Thaxter, Bar No. 1301
Susan E. Schorr, Bar No. 9865
CURTIS THAXTER STEVENS BRODER
& MICOLEAU LLC
One Canal Plaza / P.O. Box 7320
Portland, Maine 04112-7320
(207) 774-9000
Attorneys for plaintiffs