



Law Department

April 30, 2021

VIA OVERNIGHT COURIER

Yams Yams, LLC
21 Brookside Avenue
South Portland, ME 04106

RE: DEMAND NOTICE: 287 Ocean House Road, Cape Elizabeth, ME

Ladies and Gentlemen:

Please be advised that your property located at 287 Ocean House Road in Cape Elizabeth, Maine (the "Property") is subject to use restrictions pursuant to that certain Declaration of Restrictive Covenants dated February 29, 2016 and recorded in the Cumberland County Registry of Deeds in Book 32966, Page 52 (the "Restrictive Covenants").

As set forth in the Restrictive Covenants, no portion of the Property may be used for a quick serve restaurant, coffee shop or tobacco shop, gasoline dispensing facility and/or convenience store (the "Restricted Uses").

It has been brought to our attention that you have applied for and are seeking permits and approvals to include a food truck service on the Property. A food truck service use constitutes a quick serve restaurant and such a use is in direct violation of the Restrictive Covenants. Therefore, demand is hereby made that you **immediately cease and desist** from pursuing a use of the Property that is in violation of the Restrictive Covenants.

Please be advised that should you move forward with a use of the Property that is in violation of the Restrictive Covenants, Cumberland Farms intends to aggressively pursue all of the rights and remedies available to it under the Restrictive Covenants. In addition, Cumberland Farms reserves all rights at law and in equity to make additional claims against you.

Sincerely,

CUMBERLAND FARMS, INC.

Nicholas Unkovic
Senior Vice President, Secretary and General Counsel

cc: Maureen O'Meara, Town Planner

Cumberland Farms, Inc.
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