

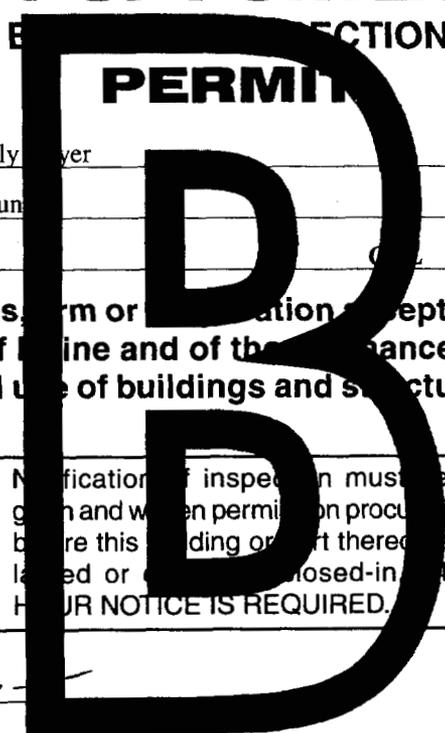
DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

CITY OF PORTLAND

Please Read Application And Notes, If Any, Attached

PERMIT ISSUED DEC 12 2005 CITY OF PORTLAND

Permit Number: 051488



This is to certify that SALEM ANTHONY /Wally ...

has permission to Change of use to 4 Condo un...

AT 108 EASTERN PROMENADE

003 C007001

provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statutes of the State and of the Ordinances of the City of Portland regulating the construction, maintenance and use of buildings and structures, and of the application on file in this department.

Apply to Public Works for street line and grade if nature of work requires such information.

Notification of inspection must be given and when permission procured before this building or part thereof is placed or closed-in. 24 HOUR NOTICE IS REQUIRED.

A certificate of occupancy must be procured by owner before this building or part thereof is occupied.

OTHER REQUIRED APPROVALS

Fire Dept. Cereq Cross 12-7-

Health Dept.

Appeal Board

Other

Department Name

Signature of Director - Building & Inspection Services

PENALTY FOR REMOVING THIS CARD

City of Portland, Maine - Building or Use Permit Application
 389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No: 05-1488
 Issued Date: **PERMIT ISSUED**
 UOB C007001

Location of Construction: 108 EASTERN PROMENADE	Owner Name: SALEM ANTHONY	Owner Address: 1433 RYDAL RD	Phone:
Business Name:	Contractor Name: Wally Geyer	Contractor Address: 223 Woodville Road, Falmouth ME	Phone: 207 293885
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use - Condo Conversion	Zone: R6

Past Use: 4 short term rentals	Proposed Use: 4 Condo units/ Change of use to 4 Condo units	Permit Fee:	Cost of Work: \$0.00	CEO District:
		FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied TO NEPA 101	INSPECTION: Use Group: 22 Type: SB 12/8/05 Signature: <i>[Signature]</i>	
		Signature: <i>[Signature]</i>	Signature: <i>[Signature]</i>	
PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)				
Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied				
Signature: _____ Date: _____				

Permit Taken By: Idobson	Date Applied For: 10/11/2005	Zoning Approval		
1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules. 2. Building permits do not include plumbing, septic or electrical work. 3. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..		Special Zone or Reviews <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/> Date: 12/16/05 <i>[Signature]</i>	Zoning Appeal <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied Date: _____	Historic Preservation <input checked="" type="checkbox"/> Not in District or Landmar <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Date: <i>[Signature]</i>

CERTIFICATION

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application is issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provision of the code(s) applicable to such permit.

SIGNATURE OF APPLICANT	ADDRESS	DATE	PHONE
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE		DATE	PHONE

City of Portland, Maine - Building or Use Permit

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No: 05-1488	Date Applied For: 10/11/2005	CBL: 003 C007001
------------------------------	--	----------------------------

Location of Construction: 108 EASTERN PROMENADE	Owner Name: SALEM ANTHONY	Owner Address: 1433 RYDAL RD	Phone:
Business Name:	Contractor Name: Wally Geyer	Contractor Address: 223 Woodville Road Falmouth	Phone (207) 329-3885
Tenant/Buyer's Name	Phone:	Permit Type: Change of Use - Condo Conversion	

Proposed Use: 4 Condo units/ Change of use to 4 Condo units	Proposed Project Description: Change of use to 4 Condo units
---	--

Dept: Building **Status:** Approved with Conditions **Reviewer:** Mike Nugent **Approval Date:** 12/08/2005
Note: **Ok to Issue:**
 1) This is a Change of ownership ONLY permit. It does NOT authorize any construction activities. The applicant advises that no work that requires permits is happening in this project, simply carpeting, cabinets and door replacement in existing openings.

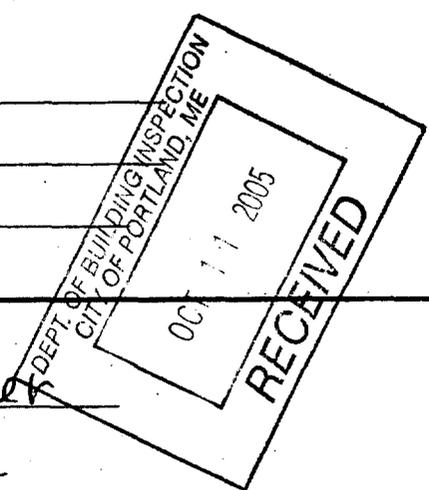
Dept: Fire **Status:** Approved with Conditions **Reviewer:** Cptn Greg Cass **Approval Date:** 12/07/2005
Note: **Ok to Issue:**
 1) Building shall comply with NFPA 101 Life Safety Code

All Purpose Building Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Total Square Footage of Proposed Structure <u>39</u>	Square Footage of Lot <u>7,121</u>
Applicant name, address & telephone: <u>Wally Geyer</u> <u>223 Woodville Rd Fel. 329 3885</u> <u>900</u>	
Current use: <u>Weekly Rental</u>	
If the location is currently vacant, what was prior use: <u>SAME</u>	
Approximately how long has it been vacant: <u>2 weeks</u>	
Proposed use: <u>Condo's</u> <u>(4)</u>	
Project description:	
Contractor's name, address & telephone:	
Mailing address: <u>Wally Geyer</u> <u>Call will pick up 329-3885</u> <u>223 Woodville Rd Fel - Me 04105</u>	

We will contact you by phone when the permit is ready. You must come in and pick up the permit and



IF THE REQUIRED INFORMATION IS NOT INCLUDED IN THE SUBMISSIONS THE PERMIT WILL BE AUTOMATICALLY DENIED AT THE DISCRETION OF THE BUILDING/PLANNING DEPARTMENT, WE MAY REQUIRE ADDITIONAL INFORMATION IN ORDER TO APPROVE THIS PERMIT.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of the jurisdiction. In addition, My permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature of applicant: Wally Geyer CEO Bay Ventures | Date: 9-12-05

This is NOT a permit, you may not commence ANY work until the permit is issued. If you are in a Historic District you may be subject to additional permitting and fees with the Planning Department on the 4th floor of City Hall

Oct 14 05 09:17a

Suzanne Geyer

207-797-7752

p.11

All Purpose Building Permit Application

If you or the property owner owns real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Location/Address of Construction: <u>108 Eastern Prom</u>		
Total Square Footage of Proposed Structure <u>3,619</u>	Square Footage of Lot <u>7,121 SF</u>	
Tax Assessor's Chart, Block & Lot Chart# <u>3</u> Block# <u>C</u> Lot# <u>10</u> <u>Sherry as Lots SR-10</u>	Owner: <u>Coco Bay Ventures</u>	Telephone: <u>329-3285</u>
Lessee/Buyer's Name (if Applicable)	Applicant name, address & telephone: <u>Wally Geyer</u> <u>223 Woodville Rd. Fel. 329-3885</u>	Cost Of Work: \$ <u>22,010</u> Fee: \$
Current use: <u>Weekly Rental</u>		
If the location is currently vacant, what was prior use: <u>SAME</u>		
Approximately how long has it been vacant: <u>2 Weeks</u>		
Proposed use: <u>Condo's (4)</u>		
Project description:		
Contractor's name, address & telephone:		
Who should we contact when the permit is ready: <u>Wally Geyer</u>		
Mailing address: <u>Call will pick up 329-3885</u> <u>223 Woodville Rd. Fel - Me. 04105</u>		
We will contact you by phone when the permit is ready. You must come in and pick up the permit and review the requirements before starting any work with a Plan Reviewer. A stop work order will be issued and a \$100.00 fee if any work starts before the permit is picked up. PHONE: <u>329-3885</u>		

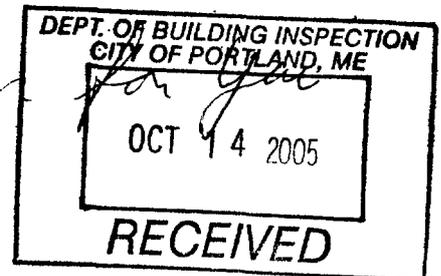
IF THE REQUIRED INFORMATION IS NOT INCLUDED IN THE SUBMISSIONS THE PERMIT WILL BE AUTOMATICALLY DENIED AT THE DISCRETION OF THE BUILDING/PLANNING DEPARTMENT, WE MAY REQUIRE ADDITIONAL INFORMATION IN ORDER TO APPROVE THIS PERMIT.

I hereby certify that I am the Owner of record of the named property, or that the owner of record has authorized me to make this application as his/her authorized agent. I am also authorized to all applicable laws of the jurisdiction. In addition, if a permit for work described in this application is issued, I certify that I am authorized to represent the applicant and shall have the authority to enter all areas covered by this permit or any reasonable extensions thereof. I am also authorized to accept the provisions of the codes applicable to this permit.

Signature of applicant: Wally Geyer Date: 9-12-05

This is NOT a permit, you may not commence ANY work until the permit is issued. If you are in a Historic District you may be subject to additional permitting and fees with the Planning Department on the 4th floor of City Hall

Lammie I left this form
Wally



Submit with Condominium Conversion Permit Application

Project Data:

Address: 108 Eastern Prom

C-B-L: 3 C 10

Number of Units in Building: 4

Tenant Name	Tenant Tel#	Occup. Length	Date of Notice	Eligible for \$?
Unit 1 <u>Victoria Terrace</u>		<u>Weekly</u>	<u>0</u>	
Unit 2 <u>)</u>		<u>)</u>	<u>0</u>	
Unit 3 <u>)</u>		<u>)</u>	<u>0</u>	
Unit 4 <u>)</u>		<u>)</u>	<u>0</u>	
Unit 5				
Unit 6				
Unit 7				
Unit 8				

If more units, submit same information on all units

Length of time building owned by applicant 1 year 2 months

Are any building improvements, renovations, or modifications being made associated with this conversion that requires a building, plumbing, electrical, or heating permit?

YES _____ NO (check one)

Type and cost of building improvements associated with this conversion that do not require permits:

\$ ND Exterior walls, windows, doors, roof

\$ ND Insulation

\$ Yes Interior cosmetics (walls/floors/hallways/refinishing, etc.)

\$ Cabinets Other (specify)

22,000

Victorian Terrace

On the Prom

84 Eastern Promenade
Tel: 207.774.9083
www.victorianterrace.com

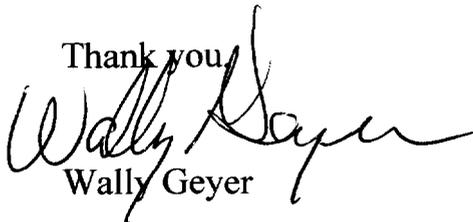
Portland, Maine 04101
Fax: 207.775-0530
info@victorianterrace.com

October 11, 2005

Dear Marge Schmuckal,

I am applying for a condo conversion permit and would explain that the four units at 108 Eastern Promenade are part of Victorian Terrace On the Prom, which are fully furnished short-term rentals. Currently, no tenants/guests are renting in the building at 108 Eastern Promenade.

Thank you,



Wally Geyer

Casco Bay Ventures

Our Last Guests At 108 Eastern Promenade

Unit 801

Guest Name: Tim Donell

Office Address:

3 Customs Street
Calais, Maine 04619

Office Phone: 454-3621 Ext. 222

Stayed in Unit from: August 1,2005 - September 1,2005

Unit 802

Guest Name: Carla Youht

Office Address:

350 Commercial Street
Portland, Maine 04101

Cell Phone: 228-1675

Stayed in Unit from: September 22,2005 - October 1,2005

Unit 803

Guest Name: Bill Miracky

Address:

147 Sumner Street
Newton, MA 02459

Cell Phone: 617-916-1118

Stayed in Unit from: August 21 - August 28,2005

Unit 804

Guest Name: Mary Pavlik

Address:

34 Middle Road
Boxborough, MA 01719

Home Phone: 978-264-4796

Stayed in Unit from: August 15 - August 22,2005

Zoning Division
Marge Schmuckal

Zoning Administrator



Department of Planning & Development
Lee Urban, Director

CITY OF PORTLAND

July 15, 2004

Keller Williams Realty/ The Hatcher Group
49 Dartmouth Street
Portland, ME 04101
Attn: Robin Fallon & John Hatcher

RE: 108 Eastern Promenade – 003-C-007,8,18 – R-6 Residential Zone

Dear Robin & John,

I am in receipt of your request to determine the legal number of dwelling units within the building located at 108 Eastern Promenade. A research of our files show that the most recently approved building permit allowed four (4) family dwelling units at this property. No certificate of occupancy was found in our files. The lack of a certificate of occupancy does not indicate that the four dwelling units are in any way deficient under any zoning regulations. A copy of the most recently approved building permit is attached. I have also included a violation letter from 1999.

Our files have also revealed an application in 1990 for a condominium conversion for the four dwelling units along with a request to add two more dwelling units for a total of six dwelling units. It is clear that the two extra dwelling units were never installed as evidenced by later permits and some copies of letters within the file. I am not convinced that the condominium documents were ever filed at the registry of deeds as required under state laws, If no condominium documents are found at the registry of deeds, any contemplation of a future condominium conversion would require a new application through this office.

Please note that any change of use from the four legal dwelling units will require a separate permit application for reviews and approvals.

Very truly yours,

Marge Schmuckal
Zoning Administrator

Law Office of Terry N. Snow, P.A.
294 Main Street, P.O. Box 275
Cumberland, Maine 04021-0275

Terry N. Snow, Esq.
Alan E. Wolf, Esq.
J. Gregory Lestage, Esq.
S & W Associates

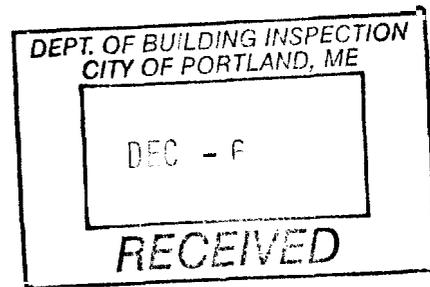
Telephone: (207) 829-6363
Facsimile: (207) 829-4481
E-Mail: tsnowlaw@maine.rr.com

December 5, 2005

VIA HAND-DELIVERY

Marge Schmuckal, Zoning Administrator
City of Portland
Portland City Hall
389 Congress Street
Portland, ME 04101

Re: 108 Eastern Promenade, Portland, Maine
Promenade Estates Condominium



Dear Marge:

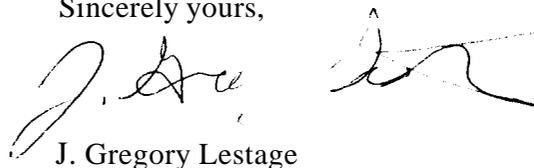
Please be advised that I represent Anthony Salem, owner of 108 Eastern Promenade. I am also working closely with Mr. Salem's associate, Waldon Geyer, with whom I understand you discussed this matter.

Enclosed please find copies of the condominium conversion notices mailed to the prior tenants at 108 Eastern Promenade, Portland, Maine, pursuant to the requirements of sections 14-568 and 14-569 of the City of Portland, Code of Ordinances, as well as attachments thereto and proof of mailing. It is my understanding that the City required these notices to be mailed before it could process the condominium conversion permit in this matter.

Will you kindly proceed in processing the condominium conversion permit for this building as soon as possible. We would appreciate any efforts to expedite the permit on your part.

Thank you for your assistance. Please feel free to give me a call if you have any questions.

Sincerely yours,



J. Gregory Lestage

Enclosures

cc: Waldon Geyer (w/ encs.)

Law Office of Terry N. Snow, P.A.
294 Main Street, P.O. Box 275
Cumberland, Maine 04021-0275

Terry N. Snow, **Esq.**
Alan E. Wolf, Esq.
J. Gregory Lestage, **Esq.**
S & W Associates

Telephone: (207) 829-6363
Facsimile: (207) 829-4481
E-Mail: tsnowlaw@rnaine.rr.com

December 2, 2005

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Tim Donell
3 Customs Street
Calais, Maine 04619

Re: Unit 801, 108 Eastern Promenade, Portland, Maine

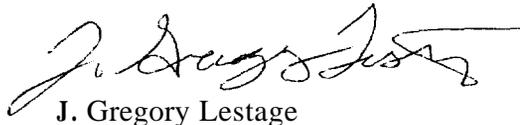
Dear Mr. Donell:

Please be advised that I represent Anthony W. Salem in connection with the condominium conversion of the building located at 108 Eastern Promenade, Portland, Maine.

Enclosed please find a Notice of Conversion to Condominium, with attachments, relating the above described premises you previously occupied. We are mailing this letter and the enclosure to you at the address you previously provided.

Feel free to give me a call if you have any questions.

Sincerely yours,



J. Gregory Lestage

Enclosure

cc: Anthony W. Salem (w/ enc.)



NOTICE OF CONVERSION TO CONDOMINIUM

To: TIM DONELL, prior tenant of Unit 801, 108 Eastern Promenade, Portland, Maine.

You are hereby notified that Unit 801, 108 Eastern Promenade, Portland, Maine, previously occupied by you, and belonging to Anthony W. Salem will be converted to a condominium. Attached hereto for your review, please find a copy of the proposed Declaration of Condominium, Bylaws and Plat and the Plans for Promenade Estates Condominium, Portland, Maine. Though you are not a current tenant, subtenant or occupant of the premises described above, and you vacated said premises voluntarily, the City of Portland has requested that we deliver this notice of conversion to you.

Please be advised that sections 14-568 and 14-569 of the City of Portland, Code of Ordinances, generally provide tenants and subtenants of a building being converted to condominium with the following rights:

A. A developer shall give to each tenant written notice of intent to convert at least one hundred twenty (120) days before the tenant is required by the developer to vacate. If a tenant has been in possession of any unit within the same building for more than four (4) consecutive years, the notice period shall be increased by thirty (30) additional days for each additional year, or fraction thereof, to a maximum of two hundred forty (240) additional days.

B. The notice shall be hand-delivered to the tenant or mailed, by certified mail, return receipt requested, postage prepaid, to the tenant at the address of the unit or such other address as the tenant may provide. The notice shall be effective when actually received. No tenant may be required by a developer to vacate without having been given notice as required herein, except for the reasons specified in the applicable law of forcible entry and detainer, and in accordance with the procedures thereof. The terms of a tenancy, including rent, may not be altered during the notice period, except as expressly provided in a preexisting written lease.

C. For a sixty-day period following the giving of notice as required in subsection (a), the developer shall grant to the tenant an exclusive and irrevocable option to purchase the unit of which the tenant is then possessed, which option may not be assigned. If the tenant does not purchase or contract to purchase the unit during the sixty-day period, the developer may not convey or offer to convey the unit to any other person during the following one hundred eighty (180) days at a price or on terms more favorable than the price or terms previously offered to the tenant, unless the more favorable price or terms are first offered exclusively and irrevocably to the tenant for an additional sixty-day period.

D. If the tenant does not purchase the unit, the developer shall, before the tenant is required by the developer to vacate, make a cash payment to the tenant in an amount equal to the amount of rent paid by the tenant for the immediately preceding two (2) months; provided that this requirement shall not apply to any tenant whose gross income exceeds eighty (80) percent of

the median income of the Portland SMSA, adjusted for family size, as determined by the City of Portland Land Use U.S. Department of Housing and Urban Development at the time notice is given as required in section 14-568(a). Additionally, the developer shall, upon demand, provide assistance to the tenant in the form of referrals to other reasonable accommodations and in determining the tenant's eligibility for relocation payments as provided herein.

If you do not buy your apartment, the developer of this project may be required by law to assist you in finding another place to live and in determining your eligibility for relocation payments. If you have questions about your rights under the law, or complaints about the way you have been treated by the developer, you may contact the Building Inspection Division, Department of Planning and Urban Development, City of Portland, 389 Congress Street, Portland, Maine 04101 (telephone: (207) 874-8703).

My records indicate that: (1) you were not in possession of Unit 801, 108 Eastern Promenade, Portland, Maine for more than four (4) consecutive years at the time you vacated said Unit; and (2) your gross income exceeds eighty (80) percent of the median income of the Portland SMSA, adjusted for family size, as determined by the City of Portland Land Use U.S. Department of Housing and Urban Development.

Dated this 2nd day of December, 2005.



ANTHONY W. SALEM

Law Office of Terry N. Snow, P.A.
294 Main Street, P.O. Box 275
Cumberland, Maine 04021-0275

Terry N. Snow, Esq.
Alan E. Wolf, Esq.
J. Gregory Lestage, Esq.
S & W Associates

Telephone: (207) 829-6363
Facsimile: (207) 829-4481
E-Mail: tsnowlaw@maine.rr.com

December 2, 2005

VIA CERTIFIED MAIL,
RETURN RECEIPT REQUESTED

Carla Youht
350 Commercial Street
Portland, Maine 04101

Re: Unit 802, **108** Eastern Promenade, Portland, Maine

Dear Ms. Youht:

Please be advised that I represent Anthony W. Salem in connection with the condominium conversion of the building located at 108 Eastern Promenade, Portland, Maine.

Enclosed please find a Notice of Conversion to Condominium, with attachments, relating the above described premises you previously occupied. We are mailing this letter and the enclosure to you at the address you previously provided.

Feel free to give me a call if you have any questions.

Sincerely yours,



J. Gregory Lestage

Enclosure

cc: Anthony W. Salem (w/ enc.)

NOTICE OF CONVERSION TO CONDOMINIUM

To: CARLA YOUHT, prior tenant of Unit 802, 108 Eastern Promenade, Portland, Maine.

You are hereby notified that Unit 802, 108 Eastern Promenade, Portland, Maine, previously occupied by you, and belonging to Anthony W. Salem will be converted to a condominium. Attached hereto for your review, please find a copy of the proposed Declaration of Condominium, Bylaws and Plat and the Plans for Promenade Estates Condominium, Portland, Maine. Though you are not a current tenant, subtenant or occupant of the premises described above, and you vacated said premises voluntarily, the City of Portland has requested that we deliver this notice of conversion to you.

Please be advised that sections 14-568 and 14-569 of the City of Portland, Code of Ordinances, generally provide tenants and subtenants of a building being converted to condominium with the following rights:

A. A developer shall give to each tenant written notice of intent to convert at least one hundred twenty (120) days before the tenant is required by the developer to vacate. If a tenant has been in possession of any unit within the same building for more than four (4) consecutive years, the notice period shall be increased by thirty (30) additional days for each additional year, or fraction thereof, to a maximum of two hundred forty (240) additional days.

B. The notice shall be hand-delivered to the tenant or mailed, by certified mail, return receipt requested, postage prepaid, to the tenant at the address of the unit or such other address as the tenant may provide. The notice shall be effective when actually received. No tenant may be required by a developer to vacate without having been given notice as required herein, except for the reasons specified in the applicable law of forcible entry and detainer, and in accordance with the procedures thereof. The terms of a tenancy, including rent, may not be altered during the notice period, except as expressly provided in a preexisting written lease.

C. For a sixty-day period following the giving of notice as required in subsection (a), the developer shall grant to the tenant an exclusive and irrevocable option to purchase the unit of which the tenant is then possessed, which option may not be assigned. If the tenant does not purchase or contract to purchase the unit during the sixty-day period, the developer may not convey or offer to convey the unit to any other person during the following one hundred eighty (180) days at a price or on terms more favorable than the price or terms previously offered to the tenant, unless the more favorable price or terms are first offered exclusively and irrevocably to the tenant for an additional sixty-day period.

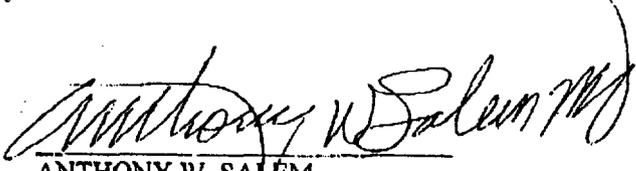
D. If the tenant does not purchase the unit, the developer shall, before the tenant is required by the developer to vacate, make a cash payment to the tenant in an amount equal to the amount of rent paid by the tenant for the immediately preceding two (2) months; provided that this requirement shall not apply to any tenant whose gross income exceeds eighty (80) percent of

the median income of the Portland SMSA, adjusted for family *size*, as determined by the City of Portland Land Use U.S. Department of Housing and Urban Development at the time notice is given as required in section 14-568(a). Additionally, the developer shall, upon demand, provide assistance to the tenant in the form of referrals to other reasonable accommodations and in determining the tenant's eligibility for relocation payments as provided herein.

If you do not buy your apartment, the developer of this project may be required by law to assist you in finding another place to live and in determining your eligibility for relocation payments. If you have questions about your rights under the law, or complaints about the way you have been treated by the developer, you may contact the Building Inspection Division, Department of Planning and Urban Development, City of Portland, 389 Congress Street, Portland, Maine 04101 (telephone: (207) 874-8703).

My records indicate that; (1) you were not in possession of Unit 802, 108 Eastern Promenade, Portland, Maine for more than four (4) consecutive years at the time of you vacated said Unit; and (2) your gross income exceeds eighty (80) percent of the median income of the Portland SMSA, adjusted for family size, as determined by the City of Portland Land Use U.S. Department of Housing and Urban Development.

Dated this 2nd day of December, 2005


ANTHONY V. SALEM

Law Office of Terry N. Snow, P.A.
294 Main Street, P.O. Box 275
Cumberland, Maine 04021-0275

Terry N. Snow, **Esq.**
Alan E. Wolf, **Esq.**
J. Gregory Lestage, Esq.
S & W Associates

Telephone: (207) 829-6363
Facsimile: (207) 829-4481
E-Mail: tsnowlaw@maine.rr.com

December 2, 2005

VIA CERTIFIED MAIL,
RETURN RECEIPT REQUESTED

Bill Miracky
147 Sumner Street
Newton, Massachusetts 02459

Re: Unit 803, 108 Eastern Promenade, Portland, Maine

Dear Mr. Miracky:

Please be advised that I represent Anthony W. Salem in connection with the condominium conversion of the building located at 108 Eastern Promenade, Portland, Maine.

Enclosed please find a Notice of Conversion to Condominium, with attachments, relating the above described premises you previously occupied. We are mailing this letter and the enclosure to you at the address you previously provided.

Feel free to give me a call if you have any questions.

Sincerely yours,



J. Gregory Lestage

Enclosure

cc: Anthony W. Salem (w/ enc.)

NOTICE OF CONVERSION TO CONDOMINIUM

To: BILL MIRACKY, prior tenant of Unit 803, 108 Eastern Promenade, Portland, Maine.

You are hereby notified that Unit 803, 108 Eastern Promenade, Portland, Maine, previously occupied by you, and belonging to Anthony W. Salem will be converted to a condominium. Attached hereto for your review, please find a copy of the proposed Declaration of Condominium, Bylaws and Plat and the Plans for Promenade Estates Condominium, Portland, Maine. Though you are not a current tenant, subtenant or occupant of the premises described above, and you vacated said premises voluntarily, the City of Portland has requested that we deliver this notice of conversion to you.

Please be advised that sections 14-568 and 14-569 of the City of Portland, Code of Ordinances, generally provide tenants and subtenants of a building being converted to condominium with the following rights:

A. A developer shall give to each tenant written notice of intent to convert at least one hundred twenty (120) days before the tenant is required by the developer to vacate. If a tenant has been in possession of any unit within the same building for more than four (4) consecutive years, the notice period shall be increased by thirty (30) additional days for each additional year, or fraction thereof, to a maximum of two hundred forty (240) additional days.

B. The notice shall be hand-delivered to the tenant or mailed, by certified mail, return receipt requested, postage prepaid, to the tenant at the address of the unit or such other address as the tenant may provide. The notice shall be effective when actually received. No tenant may be required by a developer to vacate without having been given notice as required herein, except for the reasons specified in the applicable law of forcible entry and detainer, and in accordance with the procedures thereof. The terms of a tenancy, including rent, may not be altered during the notice period, except as expressly provided in a preexisting written lease,

C. For a sixty-day period following the giving of notice as required in subsection (a), the developer shall grant to the tenant an exclusive and irrevocable option to purchase the unit of which the tenant is then possessed, which option may not be assigned. If the tenant does not purchase or contract to purchase the unit during the sixty-day period, the developer may not convey or offer to convey the unit to any other person during the following one hundred eighty (180) days at a price or on terms more favorable than the price or terms previously offered to the tenant, unless the more favorable price or terms are first offered exclusively and irrevocably to the tenant for an additional sixty-day period.

D. If the tenant does not purchase the unit, the developer shall, before the tenant is required by the developer to vacate, make a cash payment to the tenant in an amount equal to the amount of rent paid by the tenant for the immediately preceding two (2) months; provided that **this** requirement shall not apply to any tenant whose gross income exceeds eighty (80) percent of

the median income of the Portland SMSA, adjusted for family size, as determined by the City of Portland Land Use U.S. Department of Housing and Urban Development at the time notice is given as required in section 14-568(a). Additionally, the developer shall, upon demand, provide assistance to the tenant in the form of referrals to other reasonable accommodations and in determining the tenant's eligibility for relocation payments as provided herein.

If you do not buy your apartment, the developer of this project may be required by law to assist you in finding another place to live and in determining your eligibility for relocation payments. If you have questions about your rights under the law, or complaints about the way you have been treated by the developer, you may contact the Building Inspection Division, Department of Planning and Urban Development, City of Portland, 389 Congress Street, Portland, Maine 04101 (telephone: (207) 874-8703).

My records indicate that: (1) you were not in possession of Unit 803, 108 Eastern Promenade, Portland, Maine for more than four (4) consecutive years at the time of your vacated said Unit; and (2) your gross income exceeds eighty (80) percent of the median income of the Portland SMSA, adjusted for family size, as determined by the City of Portland Land Use U.S. Department of Housing and Urban Development.

Dated this 2nd day of December, 2005.


ANTHONY W. SALEM

Law Office of Terry N. Snow, P.A.
294 Main Street, P.O. Box 275
Cumberland, Maine 04021-0275

Terry N. Snow, Esq.
Alan E. Wolf, Esq.
J. Gregory Lestage, Esq.
S & W Associates

Telephone: (207) 829-6363
Facsimile: (207) 829-4481
E-Mail: tsnowlaw@maine.rr.com

December 2, 2005

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mary Pavlik
34 Middle Road
Boxborough, Massachusetts 01719

Re: Unit 804, 108 Eastern Promenade, Portland, Maine

Dear Ms. Pavlik:

Please be advised that I represent Anthony W. Salem in connection with the condominium conversion of the building located at 108 Eastern Promenade, Portland, Maine.

Enclosed please find a Notice of Conversion to Condominium, with attachments, relating the above described premises you previously occupied. We are mailing this letter and the enclosure to you at the address you previously provided.

Feel free to give me a call if you have any questions.

Sincerely yours,



J. Gregory Lestage

Enclosure

cc: Anthony W. Salem (w/ enc.)

NOTICE OF CONVERSION TO CONDOMINIUM

To: MARY PAVLTK, prior tenant of Unit **804**, 108 Eastern Promenade, Portland, Maine

You are hereby notified that Unit 804, 108 Eastern Promenade, Portland, Maine, previously occupied by you, and belonging to Anthony W. Salem will be converted to a condominium. Attached hereto for your review, please find a copy of the proposed Declaration of Condominium, Bylaws and Plat and the Plans for Promenade Estates Condominium, Portland, Maine. Though you are not a current tenant, subtenant or occupant of the premises described above, and you vacated said premises voluntarily, the City of Portland has requested that we deliver this notice of conversion to you.

Please be advised that sections 14-568 and 14-569 of the City of Portland, Code of Ordinances, generally provide tenants and subtenants of a building being converted to condominium with the following rights:

A. A developer shall give to each tenant written notice of intent to convert at least one hundred twenty (120) days before the tenant is required by the developer to vacate. If a tenant has been in possession of any unit within the same building for more than four (4) consecutive years, the notice period shall be increased by thirty (30) additional days for each additional year, or fraction thereof, to a maximum of two hundred forty (240) additional days.

B. The notice shall be hand-delivered to the tenant or mailed, by certified mail, return receipt requested, postage prepaid, to the tenant at the address of the unit or such other address as the tenant may provide. The notice shall be effective when actually received. No tenant may be required by a developer to vacate without having been given notice as required herein, except for the reasons specified in the applicable law of forcible entry and detainer, and in accordance with the procedures thereof. The terms of a tenancy, including rent, may not be altered during the notice period, except as expressly provided in a preexisting written lease.

C. For a sixty-day period following the giving of notice as required in subsection (a), the developer shall grant to the tenant an exclusive and irrevocable option to purchase the unit of which the tenant is then possessed, which option may not be assigned. If the tenant does not purchase or contract to purchase the unit during the sixty-day period, the developer may not convey or offer to convey the unit to any other person during the following one hundred eighty (180) days at a price or on terms more favorable than the price or terms previously offered to the tenant, unless the more favorable price or terms are first offered exclusively and irrevocably to the tenant for an additional sixty-day period.

D. If the tenant does not purchase the unit, the developer shall, before the tenant is required by the developer to vacate, make a cash payment to the tenant in an amount equal to the amount of rent paid by the tenant for the immediately preceding two (2) months; provided that this requirement shall not apply to any tenant whose gross income exceeds eighty (80) percent of

the median income of the Portland SMSA, adjusted for family size, as determined by the City of Portland Land Use U.S. Department of Housing and Urban Development at the time notice is given as required in section 14-568(a). Additionally, the developer shall, upon demand, provide assistance to the tenant in the form of referrals to other reasonable accommodations and in determining the tenant's eligibility for relocation payments as provided herein.

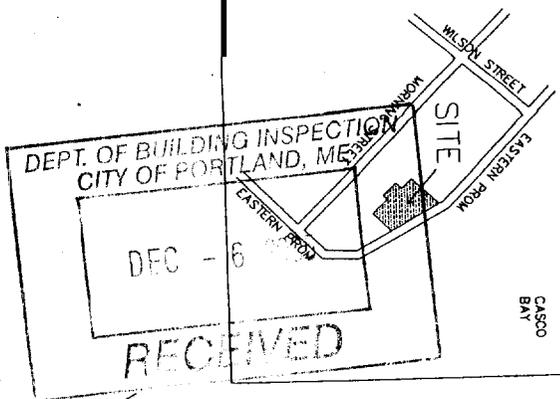
If you do not buy your apartment, the developer of this project may be required by law to assist you in finding another place to live and in determining your eligibility for relocation payments. If you have questions about your rights under the law, or complaints about the way you have been treated by the developer, you may contact the Building Inspection Division, Department of Planning and Urban Development, City of Portland, 389 Congress Street, Portland, Maine 04101 (telephone: (207) 874-8703).

My records indicate that: (1) you were not in possession of Unit 804, 108 Eastern Promenade, Portland, Maine for more than four (4) consecutive years at the time of you vacated said Unit; and (2) your gross income exceeds eighty (80) percent of the median income of the Portland SMSA, adjusted for family size, as determined by the City of Portland Land Use U.S. Department of Housing and Urban Development.

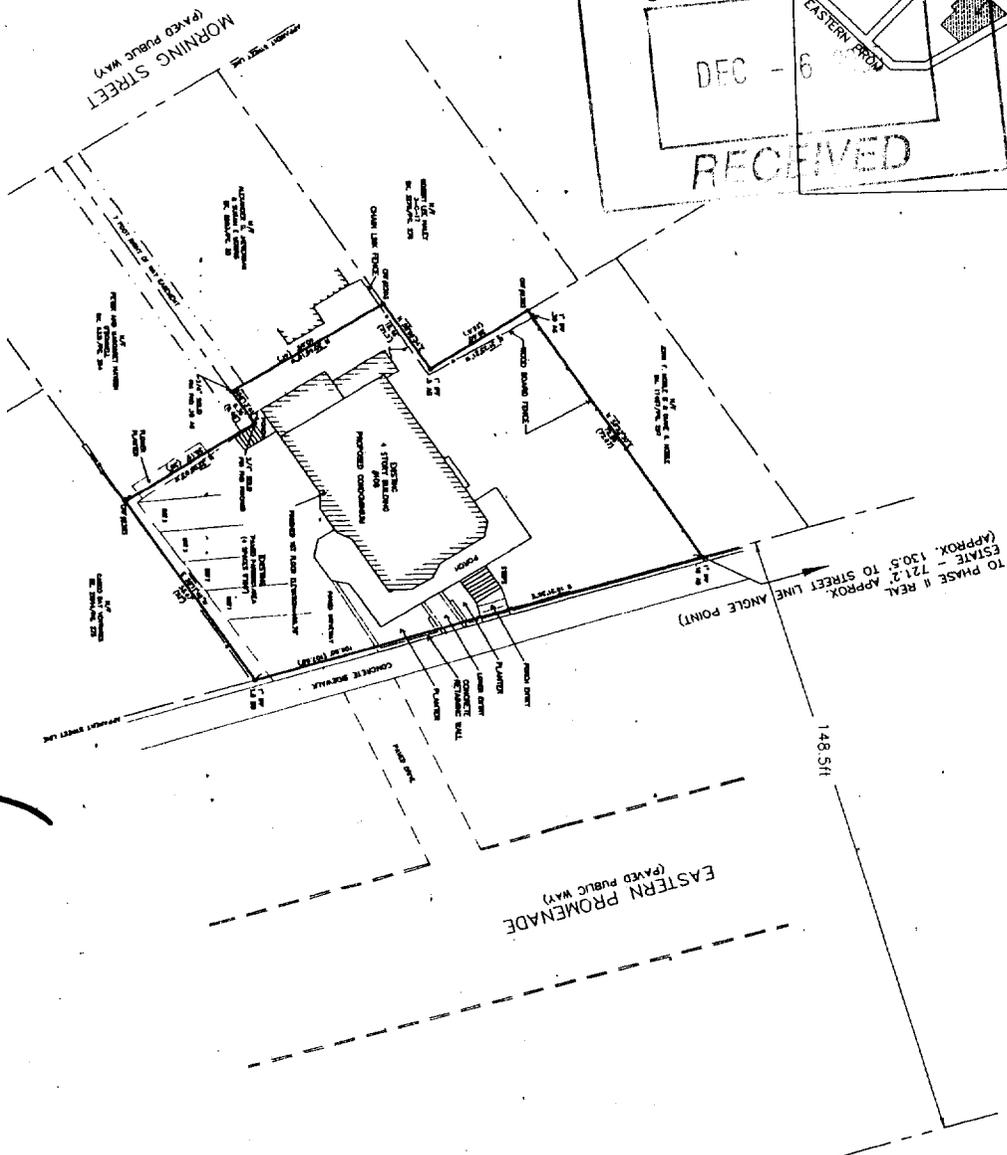
Dated this 2nd day of December, 2005.


ANTHONY W. SALEM

SITE LOCATION MAP
CASCO BAY



MAGNETIC NORTH 1999



REVISIONS:
REVISION 1: 11/29/2005 - SHEETS 2 & 3 REVISED FOR CLIENT.
REVISION 2: 11/29/2005 - SHEETS 2 & 3 REVISED FOR CLIENT.
REVISION 3: 11/29/2005 - SHEETS 2 & 3 REVISED FOR CLIENT.
REVISION 4: 11/29/2005 - SHEETS 2 & 3 REVISED FOR CLIENT.
REVISION 5: 11/29/2005 - SHEETS 2 & 3 REVISED FOR CLIENT.
REVISION 6: 11/29/2005 - SHEETS 2 & 3 REVISED FOR CLIENT.
REVISION 7: 11/29/2005 - SHEETS 2 & 3 REVISED FOR CLIENT.
REVISION 8: 11/29/2005 - SHEETS 2 & 3 REVISED FOR CLIENT.
REVISION 9: 11/29/2005 - SHEETS 2 & 3 REVISED FOR CLIENT.
REVISION 10: 11/29/2005 - SHEETS 2 & 3 REVISED FOR CLIENT.

STATE OF MAINE, CASCO BAY
RECEIVED BY: [Signature]
RECEIVED DATE: [Date]
RECEIVED TIME: [Time]

COPY NOT TO SCALE
GRAPHIC SCALE
0' 20' 40' 60'

STATE OF MAINE
LAND SURVEYOR
ROBERT T. GREENLAW
#2303

CONDOMINIUM PLAT
SCALE: 1"=20'
SHEET 1 OF 1 - CONDOMINIUM PLAT

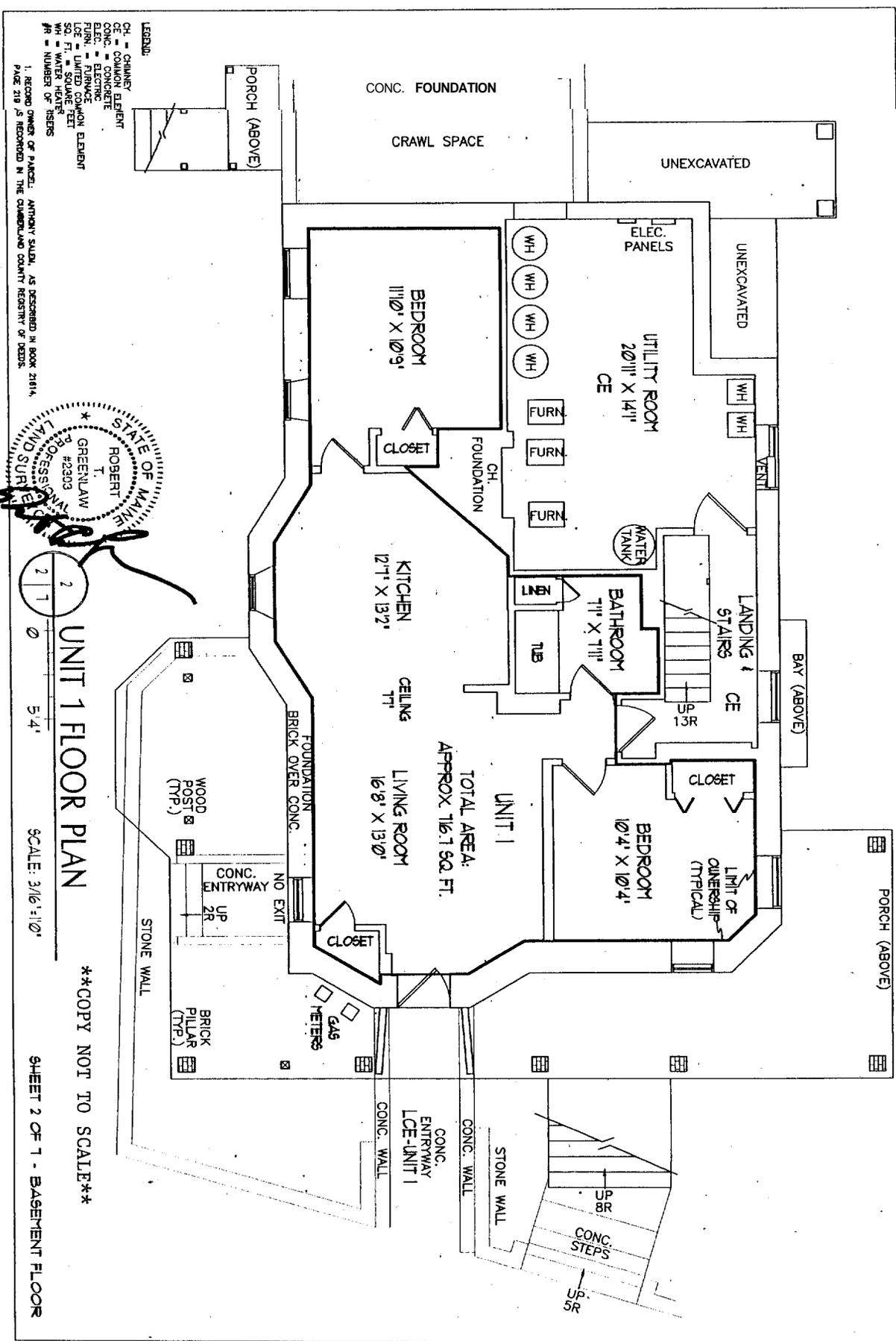
PREPARED BY:
ANTHONY W. SALEM
FOR:
PROMENADE ESTATES CONDOMINIUM
AT 108 EASTERN PROMENADE, PORTLAND, MAINE

LEGEND:
COPED 5/8" REBAR FOUND
IRON PIPE FOUND
SOLID FIN FOUND
H/W: HOW OF FORMERLY
UTILITIES: UTILITIES FOUND IN COMMON
E or 1-: Easement, Encroachment or Contaminant
Dotted Line: Easement of Easement
Dashed Line: Easement of Easement
Solid Line: Easement of Easement
Dotted Line: Easement of Easement
Dashed Line: Easement of Easement
Solid Line: Easement of Easement

FLOOD NOTES:
FLOOD ZONE: F-1 (FLOOD HAZARD)
FLOOD ELEVATION: 10.0 FT. (BASE FLOOD ELEVATION)
FLOOD DEPTH: 1.0 FT. (BASE FLOOD DEPTH)
FLOOD DAMAGE: 1.0 FT. (BASE FLOOD DAMAGE)

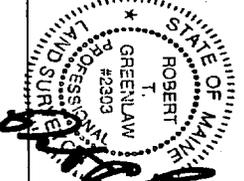
ZONING:
ZONE: R-1 (RESIDENTIAL)
SETBACKS: 10 FT. (FRONT), 10 FT. (SIDE), 10 FT. (REAR)
MAXIMUM LOT AREA: 10,000 SQ. FT.
MINIMUM LOT AREA: 10,000 SQ. FT.
MAXIMUM LOT WIDTH: 100 FT.
MINIMUM LOT WIDTH: 100 FT.

GENERAL NOTES:
1. RECORD DRAWING OF ANTHONY W. SALEM, REGISTERED PROFESSIONAL ENGINEER, LICENSE NO. 1194, MADE THIS 11/29/2005.
2. THIS DRAWING IS THE PROPERTY OF ANTHONY W. SALEM AND SHOULD NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF ANTHONY W. SALEM.
3. THE CLIENT HAS PROVIDED ALL NECESSARY INFORMATION AND DATA FOR THE PREPARATION OF THIS DRAWING.
4. THE CLIENT HAS PROVIDED ALL NECESSARY INFORMATION AND DATA FOR THE PREPARATION OF THIS DRAWING.
5. THE CLIENT HAS PROVIDED ALL NECESSARY INFORMATION AND DATA FOR THE PREPARATION OF THIS DRAWING.
6. THE CLIENT HAS PROVIDED ALL NECESSARY INFORMATION AND DATA FOR THE PREPARATION OF THIS DRAWING.
7. THE CLIENT HAS PROVIDED ALL NECESSARY INFORMATION AND DATA FOR THE PREPARATION OF THIS DRAWING.
8. THE CLIENT HAS PROVIDED ALL NECESSARY INFORMATION AND DATA FOR THE PREPARATION OF THIS DRAWING.
9. THE CLIENT HAS PROVIDED ALL NECESSARY INFORMATION AND DATA FOR THE PREPARATION OF THIS DRAWING.
10. THE CLIENT HAS PROVIDED ALL NECESSARY INFORMATION AND DATA FOR THE PREPARATION OF THIS DRAWING.



LEGEND:
 CH - CHIMNEY
 CE - COMMON ELEMENT
 CONC. - CONCRETE
 ELEC. - ELECTRICAL
 FURN. - FURNITURE
 WH - WATER HEATER
 #R - NUMBER OF RISERS

1. RECORD OWNER OF PLANT: ANTHONY SALEM, AS DESCRIBED IN BOOK 23164, PAGE 218 IS RECORDED IN THE QUENBECQ COUNTY REGISTER OF DEEDS.



UNIT 1 FLOOR PLAN
 SCALE: 3/16" = 1'0"
 SHEET 2 OF 1 - BASEMENT FLOOR

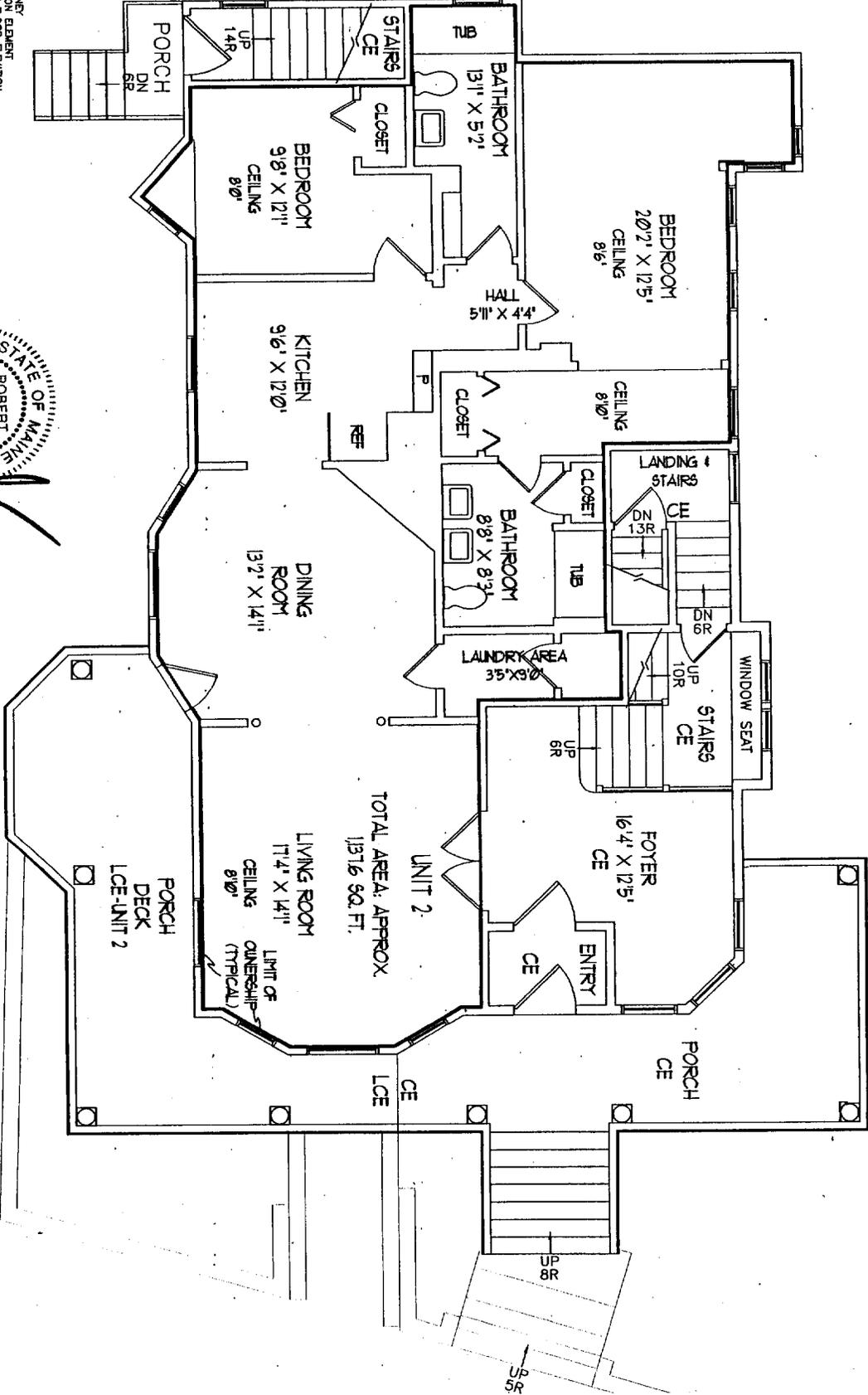
COPY NOT TO SCALE

REVISION I: 11/30/2005 - UNITS 2 & 3 REVISED PER WENT

PROMENADE ESTATES CONDOMINIUM
 108 EASTERN PROMENADE
 Portland, Maine
 FOR: ANTHONY W. SALEM

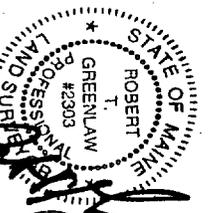
BACK BY REWARD, INC.
 LAND SURVEYING
 643 FOREST AVENUE
 PORTLAND, ME 04101
 207.754.2200
 207.754.2201
 207.754.2202
 207.754.2203
 207.754.2204
 207.754.2205
 207.754.2206
 207.754.2207
 207.754.2208
 207.754.2209
 207.754.2210
 207.754.2211
 207.754.2212
 207.754.2213
 207.754.2214
 207.754.2215
 207.754.2216
 207.754.2217
 207.754.2218
 207.754.2219
 207.754.2220

DATE: 2005/12
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]



LEGEND:
 CH - CHIMNEY ELEMENT
 CE - COMMON ELEMENT
 FFE - FIRST FLOOR ELEVATION
 LAUND - LAUNDRY AREA ELEMENT
 LCE - LIMITED COMMON ELEMENT
 PR - NUMBER OF PASSES

1. RECORD OWNER OF PARCEL: ANTHONY SALEM, AS DESCRIBED IN BOOK 21814, PAGE 219 AS RECORDED IN THE CLARKELAND COUNTY REGISTRY OF DEEDS.



3 UNIT 2 FLOOR PLAN
 SCALE: 3/16" = 1'-0"
 5'-4"

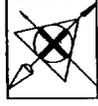
COPY NOT TO SCALE

SHEET 3 OF 1 - FIRST FLOOR

REVISION 1: 11/29/2005 - UNITS 2 & 3 REVISED PER CLIENT

PROMENADE ESTATES CONDOMINIUM
 108 EASTERN PROMENADE
 Portland, Maine
 FOR: ANTHONY W. SALEM

BLAKE BAY ROBINSON, INC.
 643 ROBERT AVENUE
 PORTLAND, MAINE 04101
 TEL: 541.454.6446
 FAX: 541.454.6448
 www.blakebayrobinson.com

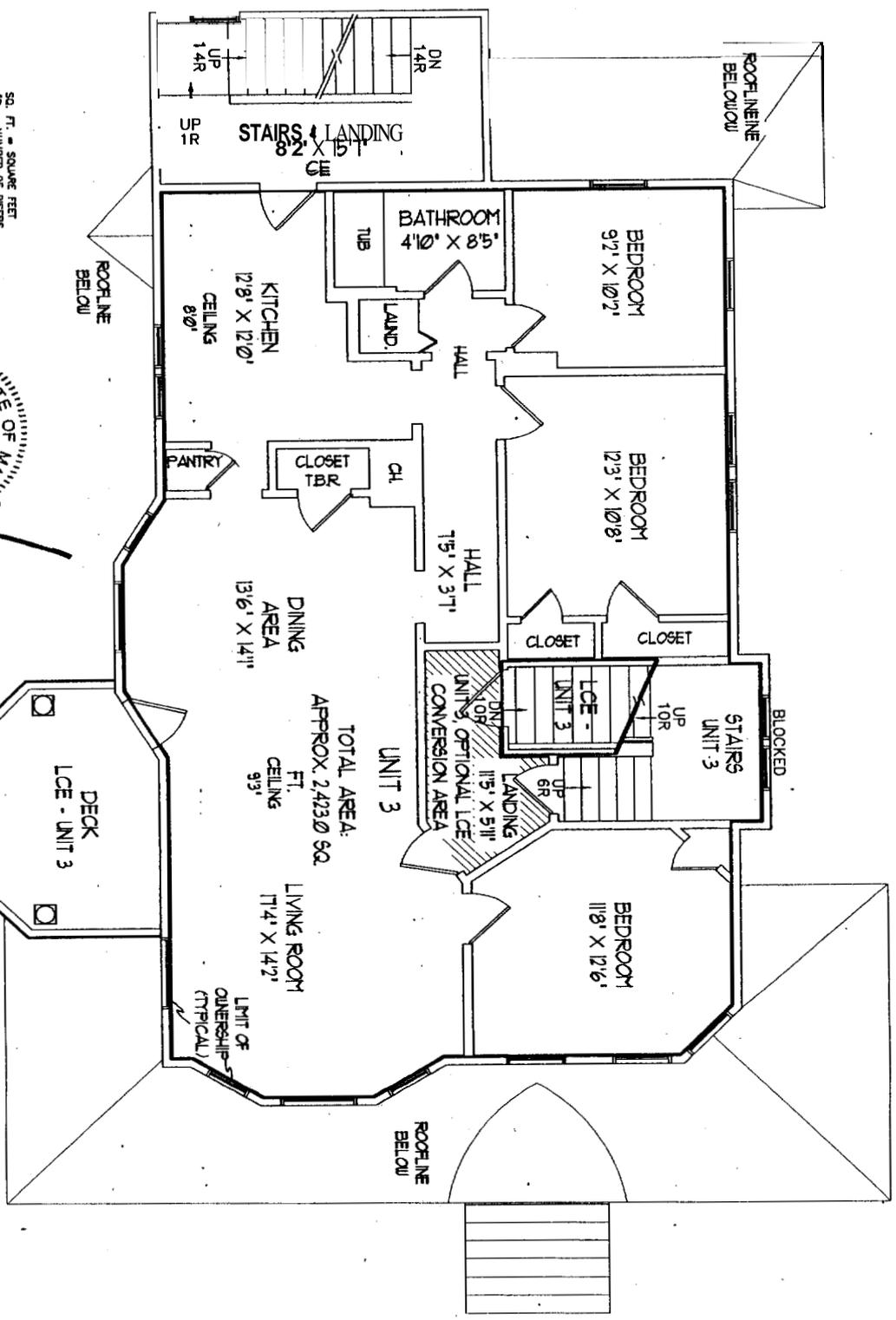
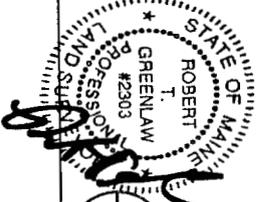


DATE: 11/29/05
 2005122

LEGEND:
 CH - CHAIRS
 C - COMMON ELEMENT
 FTE - FIRST FLOOR ELEVATION
 FURN. - FURNITURE
 LCE - LIMITED COMMON ELEMENT

SQ. FT. - SQUARE FEET
 #R - NUMBER OF RESERS
 T.B.R. - TO BE REMOVED
 (OPTIONAL)

1. RECORD OWNER OF PARCEL: ANTHONY SALEM, AS DESCRIBED IN BOOK 21814,
 PAGE 219 AS RECORDED IN THE CAMDENLAND COUNTY REGISTRY OF DEEDS.



TOTAL AREA:
 APPROX. 2,423.0 SQ. FT.

UNIT 3 FLOOR PLAN A

COPY NOT TO SCALE

SCALE: 3/16" = 1'-0"

SHEET 4 OF 1 - SECOND FLOOR

REVISION 1 11/29/2005 - UNITS 2 & 3 REWYD PER CLIENT

PROMENADE ESTATES CONDOMINIUM
 108 EASTERN PROMENADE
 Portland, ME 04101
 FOR: ANTHONY W. SALEM

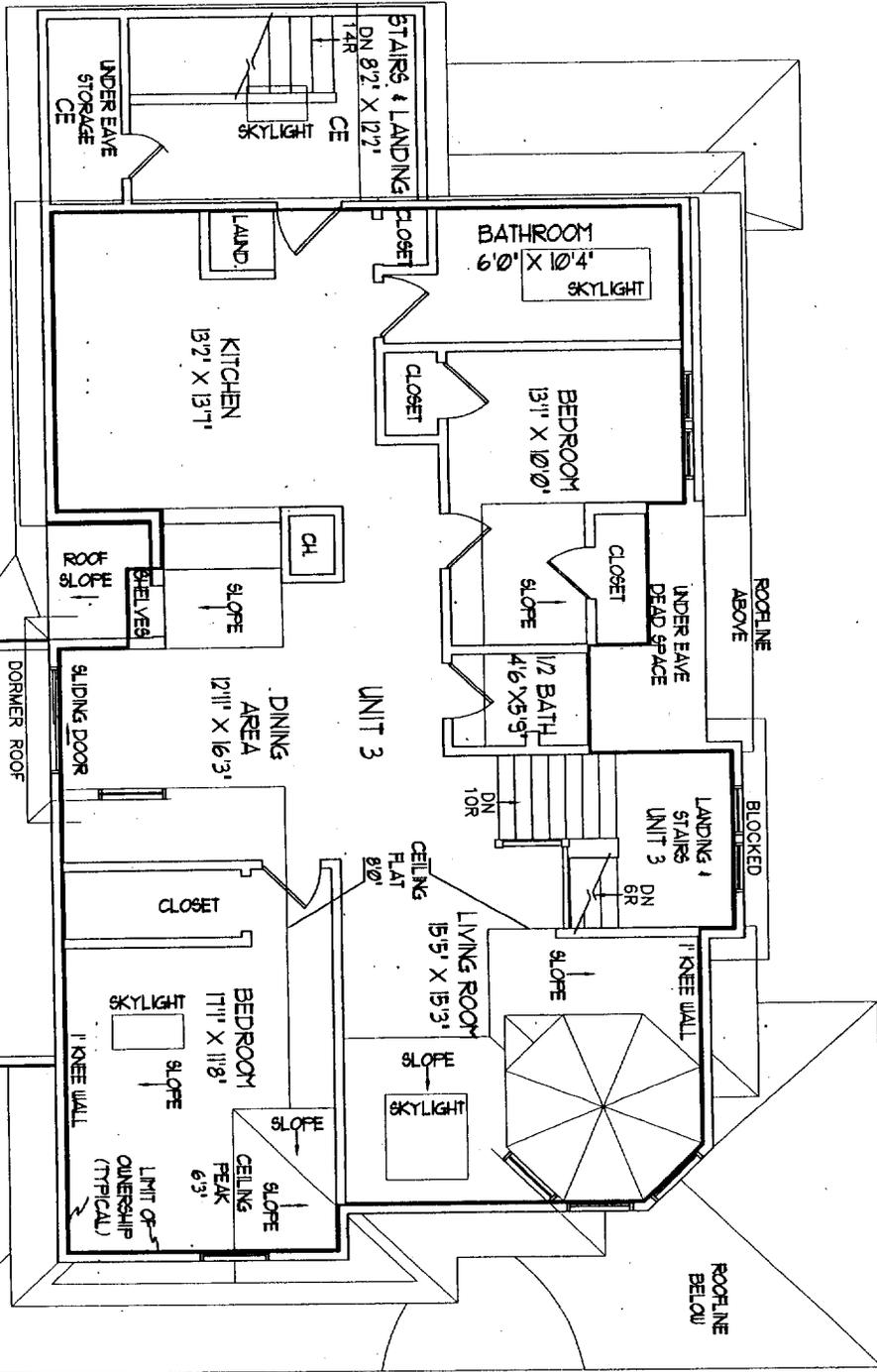
BOC BY PRODUCT, INC.
 443 FOREST AVENUE
 PORTLAND, ME 04101
 TEL: 774-547-5348
 www.bocbyproduct.com

CONTRACTOR:
 ANTHONY W. SALEM
 108 EASTERN PROMENADE
 PORTLAND, ME 04101

DATE	2/20/05
REV	1
BY	SALEM

LEGEND
 CE - COMMON ELEMENT
 CH - CHIMNEY
 LA - LAUNDRY AREA
 LCE - LIMITED COMMON ELEMENT
 SQ. FT. - SQUARE FEET
 TYP. - TYPICAL
 #N - NUMBER OF RESERVES

1. RECORD OWNER OF PARCEL, ANTHONY SALEM, AS DESCRIBED IN BOOK 210 (REVISED) PAGE 219 AS RECORDED IN THE CUMBERLAND COUNTY DEPARTMENT OF RECORDS.



UNIT 3 FLOOR PLAN B
 SCALE: 3/16" = 1'-0"

COPY NOT TO SCALE

SHEET 5 OF 1 - THIRD FLOOR

REVISION 1: 11/29/2005 - UNITS 2 & 3 REVISED PER CLIENT

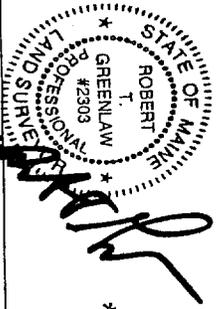
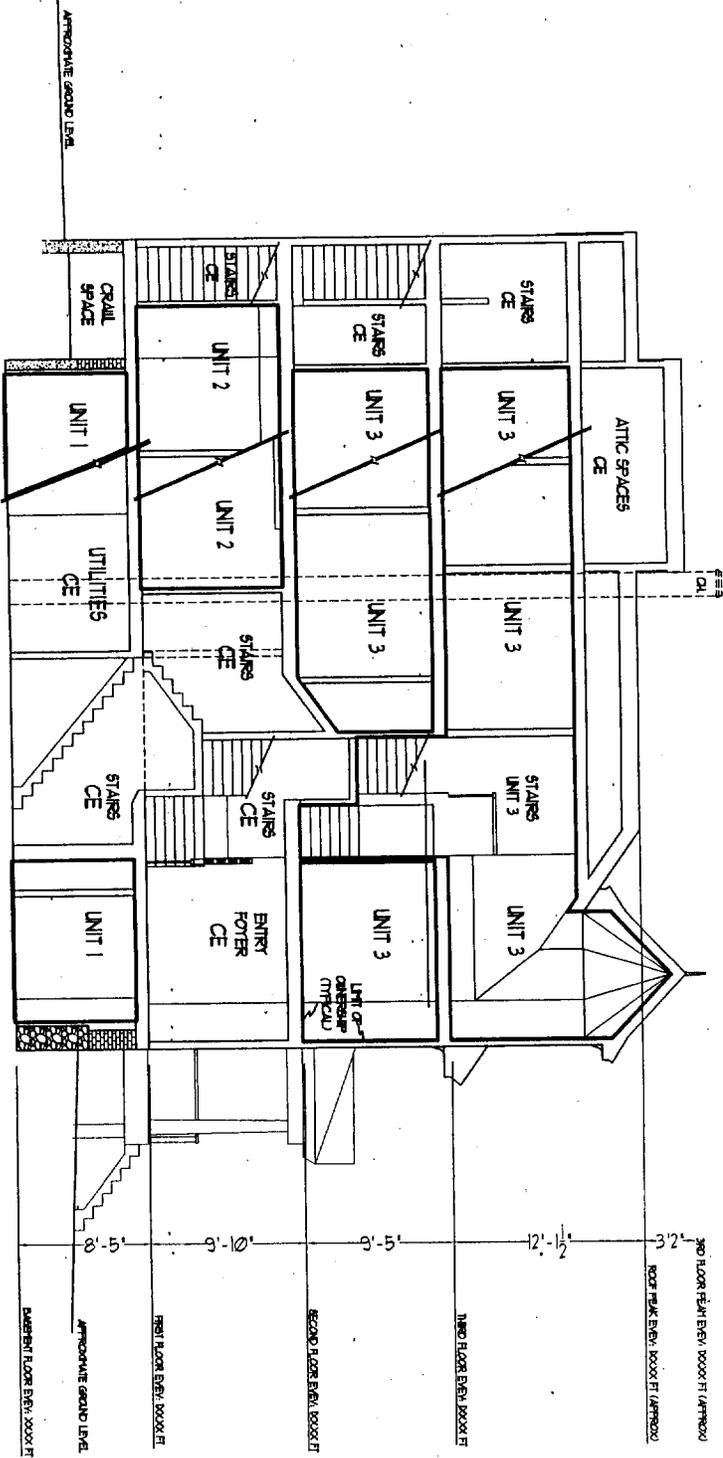
PROMENADE ESTATES CONDOMINIUM
 108 EASTERN PROMENADE
 Portland, Maine
 FOR: ANTHONY W. SALEM

BLIX CIVIL ENGINEERING, INC.
 LAND SURVEYING
 443 FOREST AVENUE
 PORTLAND, ME 04101
 TEL: 734-4344
 FAX: 734-4344
 www.blixed.com
 Maine Professional Land Surveyor
 License No. 10003
 State of Maine
 Registered Professional Engineer
 License No. 10003
 State of Maine

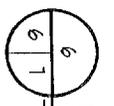
DATE PLOTTED: 11/29/05
 PLOT NO.: 20051122
 REV: 1/27/2006

LEGEND:
 CE = COMMON ELEMENT
 CH = CHIMNEY
 FFE = FIRST FLOOR ELEVATION
 TP = TYPICAL

2. ELEVATIONS ARE BASED ON ASSUMED 100.0' - SEE CONDOMINIUM PLAN, PAGE 1 OF 7.
 1. RECORD OWNER OF PARCEL: ANTHONY W. SALEM, AS RECORDED IN BOOK 2184,
 PAGE 219 AS RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS.



**Copy Not
 To Scale**



UNITS 1-3 BUILDING SECTION

SHEET 6 OF 7 - BUILDING SECTION

REVISION 1: 11/29/2005 - UNITS 2 & 3 REWSED PER CUENT

PROMENADE ESTATES CONDOMINIUM
 108 EASTERN PROMENADE
 Portland, Maine
 FOR: ANTHONY W. SALEM

BRICK BAY BUILDING, INC.
 LAND SURVEYING
 645 FOREST AVENUE
 PORTLAND, ME 04101
 603-773-4266
 603-773-4268
 www.brickbaybuilding.com

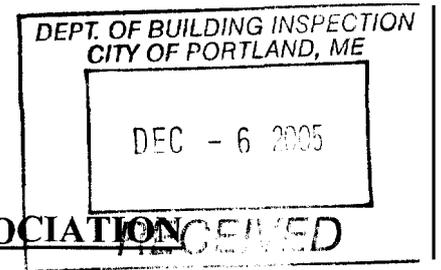
COPYRIGHT
 2005 BY BRICK BAY BUILDING, INC.
 ALL RIGHTS RESERVED.
 REPRODUCTION OF THIS PLAN
 WITHOUT PERMISSION IS PROHIBITED.

JOB NO.
 2005122

DATE PLOTTED
 1/1/2006

BY
 [Signature]

BYLAWS
OF
PROMENADE ESTATES CONDOMINIUM ASSOCIATION



These Bylaws have been adopted by the sole incorporator named in the Promenade Estates Condominium Association, a Maine nonprofit (mutual benefit) corporation duly organized under Title 13-B of the Maine Revised Statutes (the "Association").

ARTICLE 1
INTRODUCTORY PROVISIONS

Section 1.1 Applicability. These Bylaws ("Bylaws") shall relate solely to the property called "Promenade Estates Condominium" located in Portland, Maine (the "Property"), and more fully described in the Declaration of Promenade Estates Condominium and the Plat and the Plans related thereto (collectively the "Declaration"), recorded in the Cumberland County Registry of Deeds, Portland, Maine, as the same may be amended from time to time.

Section 1.2 Definitions. The capitalized terms used herein without definition shall have the same definitions as such terms have in the Declaration and the Maine Condominium Act, Section 1601-101 et seq. (the "Act"). Unless otherwise provided in the Act, in the event of inconsistencies in definitions between the Act and the Declaration, the Declaration shall control.

Section 1.3 Compliance. Pursuant to the provisions of the Act, every Unit owner and all persons entitled to occupy a Unit shall comply with these Bylaws.

Section 1.4 Office. The office of the Condominium, the Association and the Executive Board shall be located at the Condominium property, Portland, Maine, or at such other place as may be designated from time to time by the Executive Board.

Section 1.5 Incorporation of Statutory Law. Except as expressly provided herein, in the Declaration, or in the Act, the Association shall be governed by the provisions of any applicable statute of the State of Maine and the Articles of Incorporation.

ARTICLE 2
THE ASSOCIATION

Section 2.1 Membership. The Association is a Maine nonprofit corporation, all the members of which are the Unit owners of the Property. The Declarant, being the initial owner of all Units, initially shall constitute all of the members of the Association. A person or legal entity shall automatically become a member of the Association at the

time he, she or it acquires legal title to a Unit, and he, she or it shall continue to be a member so long as he, she or it continues to hold title to such Unit. A Unit owner shall not be permitted to resign from membership in the Association prior to the time when the Unit owner transfers title to his, her or its Unit to another. No membership may be transferred in any way except as appurtenant to the transfer of title to the Unit to which that membership pertains. Transfer of membership shall be automatic upon transfer of title, but the Association may treat the prior Unit owner as the member for all purposes until satisfactory evidence of the recording of the instrument transferring title shall be presented to the Secretary. The date of recordation of an instrument of conveyance in the Cumberland County Registry of Deeds shall be determinative of all disputes concerning the date of transfer of title to any Unit. Notwithstanding any applicable theory of mortgage, no mortgage shall operate to transfer membership until either the mortgage is foreclosed or the Unit is transferred to a mortgagee in lieu of foreclosure.

Section 2.2 Meetings. Meetings of the Association shall be held at the Office of the Association unless some other place is designated by the Executive Board and shall be conducted in accordance with the following provisions:

(a) Annual Meetings

(i) The Association shall hold Annual Meetings for the purposes stated in Section 2.2(a)(ii)-(iii) herein (the "Annual Meetings"). The Annual Meetings shall be held in March and November of each year.

(ii) The purpose of the March Annual Meeting of the Association shall be to elect the members of the Executive Board and to conduct such other business as may be required or permitted by law, the Declaration or these Bylaws to be done by a vote of Unit owners.

(iii) The purpose of the November Annual Meeting of the Association shall be to ratify the proposed budget of the Condominium for the upcoming calendar year. The date of the November Annual Meeting of the Association shall be set by the Executive Board pursuant to Section 3.3(a)(ii) herein.

(b) Special Meetings. The President shall call a Special Meeting of the Association if so directed by resolution of the Executive Board or upon the written request of one (1) Unit owner presented to the Secretary. The notice of any Special Meeting shall state the time, the place and purpose thereof. Such meetings shall be held within thirty (30) days after receipt by the President of said resolution or written request; provided, however, if the purpose includes the consideration of the rejection of a capital expenditure pursuant to Section 5.8 herein, such meeting shall be held within fifteen (15) days after receipt by the President of said resolution or written request.

(c) Notice. Notices of meetings of the Association shall be given to Unit owners in accordance with Section 10.3 herein, unless waived as provided herein. If a notice sent

to Unit owners pursuant to the foregoing sentence includes an item on the proposed agenda which would require the approval of eligible mortgage holders pursuant to the Declaration, a copy of such notice will also be sent to all eligible mortgage holders. All such notices shall be delivered to all Unit owners (and eligible mortgage holders, if applicable) not less than Ten (10) nor more than Sixty (60) days in advance of the date of the meeting to which the notice relates and shall state the date, time and place of the meeting and the items on the agenda, including the general nature of any proposed amendment to the Declaration or Bylaws, any budget changes and any proposal to remove a director or officer. The Secretary shall cause all such notices to be delivered as aforesaid. Before or after any Association meeting, any Unit owner may waive notice of a meeting in writing. A Unit owner's attendance at any Association meeting shall constitute his, her, or its waiver of notice of such meeting.

(d) Quorum. Except as set forth below, the presence in person or by proxy of Unit owners from at least fifty percent (50%) of the Units entitled to vote shall constitute a quorum at all meetings of the Association. If a quorum is not present, Unit owners entitled to cast a majority of the votes represented at such meeting may adjourn the meeting to a time not less than two (2) nor more than thirty (30) days after the time for which the original meeting was called. If such adjournment is for twenty (20) days or more, notice of the adjourned meeting shall be given as provided in Section 2.2(c) herein. If, however, such adjournment is for less than twenty (20) days and the time and place of the second meeting are announced at the meeting being adjourned, then notice need not be given.

(e) Voting. Voting at all meetings of the Association shall be on the basis of the vote allocation provided in Section 7 of the Declaration. When the ownership of a Unit is in more than one person, the person owning the Unit who is present at an Association meeting will be entitled to cast the vote of such Unit. If more than one person owning a Unit is present at the meeting, then the vote allocated to the Unit will be cast in accordance with the agreement of the majority in interest of the owners of such Unit. Such majority agreement shall be deemed to exist if any one of the multiple owners of a Unit casts the vote allocated to such Unit without any protest from the other owners of such Unit being made promptly to the person presiding over the meeting. Subject to the requirements of the Act, wherever the approval or disapproval of a Unit owner is required by the Act, the Declaration or these Bylaws, such approval or disapproval shall be made only by the person who would be entitled to cast the vote of such Unit at any meeting of the Association.

Except where a greater number is required by the Act, the Declaration or these Bylaws, the vote of the Unit owners that represent at least fifty-one percent (51%) of the Units present at a given meeting (voting in person or by proxy at a duly convened meeting at which a quorum is present) is required to adopt decisions at any meeting of the Association. If the Declarant owns or holds title to one or more Units, the Declarant shall have the right at any meeting of the Association to cast the votes to which such Unit(s) are entitled.