

# DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND

Please Read Application And Notes, If Any, Attached

BUILDING DEPARTMENT

## PERMIT

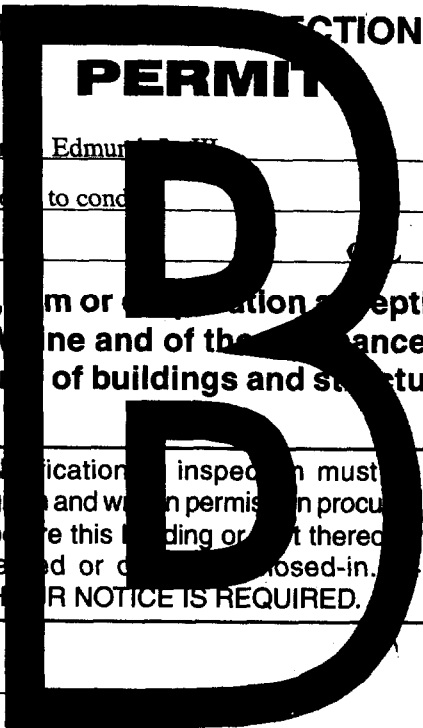
Permit Number: 020402

This is to certify that Gardner Edmund S Iii / Gardner Edmund S Iii

has permission to change of use from 5 apartment to cond

AT 101 North St 015 E014001

provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statutes of Maine 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 work on permit must be completed before this building or part thereof is occupied or closed-in. **48 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. *[Signature]*

Health Dept. \_\_\_\_\_

Appeal Board \_\_\_\_\_

Other \_\_\_\_\_

Department Name

*[Signature]*  
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: 02-0402	<b>PERMIT ISSUED</b>	CBL: 015 E014001
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<b>Location of Construction:</b> 101 North St	<b>Owner Name:</b> Gardner Edmund S Iii	<b>Owner Address:</b> 377 Brighton Ave	<b>Phone:</b> 207-415-4493
<b>Business Name:</b>	<b>Contractor Name:</b> Gardner, Edmund Jr. III	<b>Contractor Address:</b> 377 Brighton Ave Portland	<b>Phone:</b> 2074154493
<b>Lessee/Buyer's Name</b>	<b>Phone:</b>	<b>Permit Type:</b> Change of Use - Condo Conversion	<b>Zone:</b> R6

<b>Past Use:</b> 5 apartments	<b>Proposed Use:</b> 5 condo units no structural change	<b>Permit Fee:</b> \$530.00	<b>Cost of Work:</b> \$0.00	<b>CEO District:</b> 1
<p><i>leave 5 units ok per microfiche</i></p>		<b>FIRE DEPT:</b> <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied	<b>INSPECTION:</b> Use Group: R-2 Type: 5B 7/17/02	
		<b>Signature:</b> <i>[Signature]</i>	<b>Signature:</b> <i>[Signature]</i>	

**Proposed Project Description:**  
change of use from 5 apartments to condos

**PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)**

Action:  Approved  Approved w/Conditions  Denied

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Permit Taken By:** jodinea  
**Date Applied For:** 04/25/2002

**Zoning Approval**

- This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.
- Building permits do not include plumbing, septic or electrical work.
- 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**

Shoreland  
 Wetland  
 Flood Zone  
 Subdivision  
 Site Plan

Maj  Minor  MM

Date: *[Signature]* 7/10/02

**Zoning Appeal**

Variance  
 Miscellaneous  
 Conditional Use  
 Interpretation  
 Approved  
 Denied

Date: \_\_\_\_\_

**Historic Preservation**

Not in District or Landmark  
 Does Not Require Review  
 Requires Review  
 Approved  
 Approved w/Conditions  
 Denied

Date: *[Signature]*

**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 \_\_\_\_\_

7/24/02 Initial walk thru - w/ Jay Kelly

- ① Basement Hall Exposed ~~to~~ conductor to ceiling  
Smoke ceiling/Hall.
- ② Unit 1 Basement phone line dangling in kitchen/Hall area
- ③ Clear rear egress → need fire door to Laundry Room  
~~Smoke at boiler room~~
- ④ Illuminate Egress at Rear w/switch \* Screens Throughout
- ⑤ Receptacle plate at rear egress needs replacing
- ⑥ Handrail @ Rear Right side egress stairs.
- ⑦ Boiler sprinkler protection - put close on fire door to Furnace

Unit 3 1st FL. Rear - cracked/damage plaster/paint in kitchen/Hall

Unit 2 occupied - 1st FL - Fire Door at Fr. Hall (side) or Fire Rate wall.

Unit 4 - 2nd FL - Fire Doors Throughout Building

Units 5 - 3rd FL - under renovation

Handrail / rear Egress.

10/8/02 Close-in Box Unit 5 (3rd FL) Electrical done by MC OK.

to close in gr

12.17.02 Unit #1 ready for move  
cert. of occupancy now

1.27.03 Inspected framing rear unit 2nd FL  
headers OK to close unit #4

02-0102

# 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.

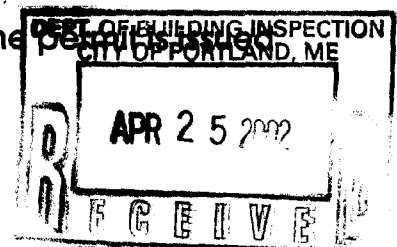
Location/Address of Construction: <u>95.101 North St.</u>		
Total Square Footage of Proposed Structure	Square Footage of Lot <u>8068</u>	
Tax Assessor's Chart, Block & Lot Chart# <u>15</u> Block# <u>E</u> Lot# <u>14</u>	Owner: <u>Ed Gardner III</u>	Telephone: <u>415-4493</u>
Lessee/Buyer's Name (If Applicable) <u>N/A</u>	Applicant name, address & telephone: <u>Ed Gardner III</u> <u>377 Brighton Ave</u> <u>Portland, ME 04102</u>	Cost Of Work: \$ _____ Fee: \$ <u>5</u> units @ \$25.00 per unit = <u>\$125.00</u>
Current use: <u>Apartment</u> number of units: <u>5</u>	[REDACTED]	
Purposed use <u>Condominiums</u> number of units: <u>5</u>	[REDACTED]	
Project description: <u>Change of ownership</u>		
Contractor's name, address & telephone: <u>Ed Gardner III</u>		
Who should we contact when the permit is ready: <u>Ed Gardner III</u>		
Mailing address: <u>377 Brighton Ave</u> <u>Portland, ME 04102</u>		
Phone: <u>415-4493</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 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 this jurisdiction. In addition, if a 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: <u>[Signature]</u>	Date: <u>4-24-02</u>
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This is not a permit, you may not commence ANY work until the permit is issued.





received  
4-26-02

CITY OF PORTLAND

Condominium Conversion Tenant Forms

BUILDING ADDRESS: ~~2000 Pine~~ 101 North St # Basement

NUMBER OF UNITS: Five units in building,

TENANT NAME: Bob Poirier

TENANT'S UNIT #: Basement

TENANT'S TEL. #: 761-7236

TENANT'S PRESENT ANNUAL INCOME: 2000 income \$ 10-11,000 (Adjusted Gross)

NUMBER OF YEARS TENANT HAS CONSECUTIVE LIVED IN BLDG: Less than one

ATTACH COPY OF TENANT NOTICE

OWNER'S NAME/ADDRESS/TEL. #: \_\_\_\_\_

DEVELOPER'S INFO IF DIFFERENT THAN OWNER: \_\_\_\_\_

TYPE OF ALTERATIONS EXPECTED FOR THE CONVERSION - PLEASE DETAIL

## AMENDMENT TO INCOME GUIDELINES

### FY 2002 HUD INCOME LIMITS

Effective March 7, 2002

Family Number:	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
50% of median	\$18,850	\$21,550	\$24,250	\$26,950	\$29,100	\$31,250	\$33,400	\$35,550
60% of median	\$22,620	\$25,860	\$29,100	\$32,340	\$34,920	\$37,500	\$40,080	\$42,660
80% of median	\$30,200	\$34,500	\$38,800	\$43,100	\$46,550	\$50,000	\$53,450	\$56,900

Parcel ID: 015 E014001 CARD 1 of 1  
Owner Name 1: GARDNER EDMUND S III  
Name 2:  
Mailing Address: 377 BRIGHTON AVE  
City, State, Zip: PORTLAND ME 04102

Property Address: 101 NORTH ST  
Property Type: COMMERCIAL  
Description: 15-E-14  
NORTH ST 95-101  
MONTREAL ST 65-69  
8068 SF

FIVE TO TEN FAMILY 5 LIGHT  
R6 040  
EAST END  
6784  
ALL PUBLIC NONE NONE  
101 NORTH ST  
12/28/2000 vjm

Basement - Bob Poirier - one unit  
First floor front Ellen Lebeda - 772-7119

First floor rear Kathy McInnis - Mase nor  
Bret Misenor  
SARA 773-0682

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2nd floor Susan Burns -  
Marylee  
Susan Quirk -

---

3rd Sean Carter  
Marie Carey -

2-0402

Building

Approved with Conditions

Mike Nugent

sent to fire 7/16/02

07/17/2002

07/16/2002



Mike Nugent

07/17/2002

No structural alterations are approved by this permit, simply a change in ownership

04/29/2002

Jodinea

07/17/2002

mjn



Application ID Number: **2-0402**

Department: **Zoning**

Status: **Approved with Conditions**

Reviewer: **Marge Schmuckal**

Comments: **101 North St**

Approval Date: **07/10/2002**

Issue Date: **04/29/2002**

OK to Issue Permit Name: **Marge Schmuckal** Date: **07/10/2002**

This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.

This property shall remain a five (5) family dwelling. Any change of use shall require a separate permit application for review and approval.

This is NOT an approval for an additional dwelling unit. You SHALL NOT add any additional kitchen equipment including, but not limited to items such as stoves, microwaves, refrigerators, or kitchen sinks, etc. Without special approvals.

PLEASE NOTE: Under the City's Condominium conversion regulations, A) BEFORE a developer offers to convey a converted unit, a conversion permit shall be obtained. B) Rent may not be altered during the official noticing period unless expressly provided in a preexisting written lease. C) For a sixty (60) day period following the notice of intent to convert, the tenant has an exclusive and irrevocable option to purchase during which time the developer may not convey or offer to convey the unit to any other person. D) The developer shall post a copy of the permit in a conspicuous place in each unit, and shall make copies available to prospective purchasers upon request. E) If a tenant is eligible for tenant relocation payments, they SHALL be paid a CASH PAYMENT BEFORE the tenant is required to vacate.

Issue Date: **04/29/2002** By: **jodinea** Approval Date: **07/10/2002** By: **mes**

Zoning Division  
Marge Schmuckal  
Zoning Administrator

Department of Urban Development  
Lee Urban, Director



## CITY OF PORTLAND

April 23, 2002

Edmund S. Gardner III  
377 Brighton Avenue  
Portland, ME 04102

RE: Stop Order for Condo Conversion without a permit -101 North Street – 015-E-014 - R-6

Dear Ed,

As I mentioned to you at our front counter today, I believe that you are in violation of the Condominium Conversion regulations of the City of Portland Land Use Ordinance (Article VII). Section 14-570 states: "Before conveying or offering to convey a converted unit, the developer shall obtain a conversion permit from the Building Inspection division ..." It has come to our attention that you are already offering and conveying units within this building. Our office has no record of an application. The vacated third floor unit is being renovated at this time as witnessed by our Code Enforcement Officer, Arthur Rowe on April 23, 2002.

This is a **STOP WORK ORDER** . All work shall cease in this building until a valid Condominium Conversion permit has been applied for and issued as required by ordinance. You will be liable for all Stop Work Order fees and those relating to doing work without a valid permit along with the regular fees.

This office is especially concerned that existing tenants were not afforded their legal rights under this ordinance. As soon as we have a proper application, I will be contacting the tenants to be sure that their rights under this ordinance were legally maintained.

You have the right to appeal my interpretation under section 14-472. If you wish to exercise your right to appeal, you have 30 days from the date of this letter in which to do so. Please contact this office for all the necessary paperwork that you will require for an appeal.

Very truly yours,

Marge Schmuckal, Zoning Administrator

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. If, within one hundred twenty (120) days after a tenant is required by a developer to vacate, the developer records a declaration of condominium without having given notice as required herein, the developer shall be presumed to have converted in violation of this article.

(b) *Option to purchase.* 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. This subsection shall not apply to any rental unit that, when converted, will be restricted exclusively to nonresidential use. If, within two (2) years after a developer records a declaration of condominium, the use of any such unit is changed such that but for the preceding sentence, this subsection would have applied, the developer shall be presumed to have converted in violation of this article.

(Ord. No. 213-81, § 608.4, 11-16-81)

#### Sec. 14-569. Relocation payments.

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 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.

(Ord. No. 213-81, § 608.5, 11-16-81)

#### Sec. 14-570. Conversion permit.

Before conveying or offering to convey a converted unit, the developer shall obtain a conversion permit from the building inspection division of the department of planning and urban development. The permit shall issue only upon receipt of a completed application therefor in a form to be devised for that purpose, payment of a fee of twenty-five dollars (\$25.00) per unit, and a finding, upon inspection, that each unit, together with any common areas and facilities appurtenant thereto, is in full compliance with all applicable provisions of article II

*Marge*

### **101 North Street Tenants' Concerns**

- He has not informed us of our full rights under the law.
- He tried to force us out by raising our rents. He raised our rents severely on April 1st, knowing he was going to convert to a condominium project, yet stating he planned to own the building for a while.
- He forced the tenants on the third floor to move out under false pretenses, saying he was moving in sometime in April or early May ...when, in fact, he never intended to move in but wanted to show the third floor to potential condominium or building buyers.
- He started showing the building and all apartments to potential building buyers and potential condominium buyers the first and second week in March while the third floor tenants were still under the impression he was moving in on April or early May.
- He does not have a condominium permit nor is one posted in our apartments, yet buyers to whom we have spoken are under the impression that the building is either currently a condominium project or has already been approved to be one.
- He had surveyors in the second weekend in March to determine lot size, etc., and in early April had contractors in to measure each apartment. All of them said they were doing work to set up a condo project.
- He has offered one tenant's ramp to a potential condominium buyer (who uses a wheelchair as well); stating it was his property. He has had Pine State Elevator in to determine where to put an elevator in the building to the third floor -- without approaching city inspection regarding zoning and fire evacuation requirements, etc.
- He has made it clear he plans to raise our rents again in July if we do not decide to buy the condominiums (our apartments) -- clearly in violation of our rights to have our rents stay the same during the conversion period.
- He has given us written offers to buy the "condominiums" and time frames to move out all without a permit to convert.
- He has also not informed tenants of his duty to pay two months rent and to help us relocate if we met HUD income standards.
- He is playing on tenants' affection or concerns for each other by saying this or that one is moving and will be "O.K." or that one is "thinking of buying," etc.
- He is trying to intimidate us by saying how many "reservations" or "offers" he has on our respective apartments, the amounts that the prospective buyers are willing to pay, and has urged us to buy or begin looking for a new place to live.

### 101 North Street Tenants' Questions

1. If Edmund Gardner III knew he was going to convert to condominiums when he bought the building, did he have the right to raise our rent? It appears to us he was trying to force us out. He continues to say that if we stay and do not buy, then he will raise our rents during the conversion. Ellen Lebeda and Bob Poirier have leases/agreements that Ed had first appeared reluctant to honor. Ed has now verbally agreed to honor Bob's agreement through December 2002. He has told Ellen that he will not continue her section 8 lease after it expires and will raise her rent if she stays until August. Kathy & Brett's McInnis-Misenor's rent went up -- Ed wanted raise the rent from \$550 to \$850 but Kathy negotiated a \$100 increase. Susan Burns, Sue Quirk, and Mary Lee had their rent raised \$300, from \$950 to \$1250.
2. If you find he was offering this building for sale as a condominium during the first month he raised our rent, then is that a violation of our rights under fair housing laws? Can we get our rent rolled back to its original level and get our money back from Ed?
3. Explain the Stop Work Order. What renovation work can he do and can he not do pending the condominium conversion permit? What are the different fines and the different levels of fines on a daily basis? When did they start?
4. Can you have him remove the Dumpster until he gets the proper permits done? (It is unsafe for Kathy and Brett's 2 and 1/2-year-old baby, Sara -- There might be lead paint air borne. It is also blocking the sidewalk, limiting parking and there is garbage in there and it is starting to smell.
5. What does he need to do to apply for a condominium conversion permit? Explain it all: plans, specs, permits, inspections, etc. How long will that take?
6. After he has the permit, does he have to post it in our apartments?
7. Explain our rights during the Condominium Conversion period.
8. After the permit is posted in our apartments does he need to give us a new written notice of intent to convert and a new letter explaining our rights and our individual notice periods? Does it start when he gets the permit or does it start from his date of April 17, 2002? (He says April 17, 2002) Ed only gave the tenants on the second floor one letter not three separate letters.
9. If it is not valid, then can Ed force us to sign the receipt of his letter if he was not supposed to give us the letter at that time? Should we wait to sign until there is correct intention to convert letters?

10. Can he show the apartments to potential condominium buyers without having the condominium conversion permit? Or during the period we have to decide to buy it? He is planning on showing the apartments on Saturday at 11 am.
11. Explain our rights to relocation expenses.
12. Explain HUD income guidelines and Portland SMSA. What are the limits and is it adjusted gross income (what the IRS considers our income) or gross salary? (Ed is asking for gross income).
13. Why are the HUD income guidelines for couples and family so low?
14. Does Ed fill out the Condominium Conversion Tenant Forms or do we fill them out and give them to the city directly? Giving specific personal financial data to an owner who is offering us the chance to purchase the condominium seems problematic -- as is trusting that he will fill it in correctly. Ed left a message on Susan, Sue and Mary's voice mail that all he needed was their combined "ballpark" income.
15. Ed wants to combine the income of all three individual tenants (roommates) on the second floor as one tenant request for relocation monies? Can he do that or is he discriminating? Isn't he to handle it per person unless the tenants are families or couples?

### What We Want

- 1) To know what are rights are exactly. The timeframe of when we need to move if we do not choose to buy, etc.
- 2) We want inspections done of each of our apartments for health and safety violations. There are mice on the second floor and the basement and first floor have ants and centipedes. (See lists of wanted repairs to the building).
- 3) We want a copy of the permit in each unit.
- 4) To know what Ed can and can not do now and after he has the permit. We do not want to be forced to show the apartments if he has no permit.
- 5) We want to limit the number of visits per week that he shows the apartments (sometimes it has been ten or more people at a time and several times a week. Most times with less than 24 hour notice). We want to set convenient times to show apartments; Ed has had people here at 9 am on a Sunday or wants to come in when Brett and Kathy's babysitter is there with their baby, etc.
- 6) We want our leases and agreements honored. We want our new notice period to begin when he has a permit; when it is posted in each apartment, after he has given us valid notice to convert, and he has honored each agreement or lease provision.
- 7) We want our rent to go back to its original amount if he is found to have been planning a condominium conversion at the time he raised our rents.
- 8) We want relocation monies (if eligible) before we move -- not after we move as Ed has told us.
- 9) We want new notice paperwork and we do not want to sign the one dated April 17, 2002.
- 10) We want no telephone calls after 8 p.m. from Ed and to limit the number of calls in a week. Sometimes it has been several calls a day over three or four days.
- 11) We want changes to the Portland City Code of Ordinances to require that the city send a copy of the Condominium Conversion Section 14-565 and that the city update the incorrect contact information telephone.

## Time Line

February 28, 2002: All tenants get a call and /or a letter from Ed Gardner III saying he bought the building and was raising our rents. Ed tells Kathy and Ellen that he is only raising the rents because he had no idea that the rents were "so low" and told Norway Savings Bank that they were higher so he needs to raise them to "keep his mortgage". Shawn Carter and Marie Carey from the third floor also get an eviction notice from Ed stating he is moving into the apartment up stairs and wants to renovate it. Kathy informs Ed all the work she and Bob have put into their respective apartments. Kathy informs Ed that she owns the ramp and all the bathroom and kitchen fixtures. She also explains that she has put in ceilings and built a closet, etc. Kathy also informs Ed of various problems with the apartment, leaking pipes, exposed plaster that might have lead paint, centipedes, and ants, and problems with tenants paying for external electricity. Ed says he will fix all of those things and that a plumber would be there within a couple of days. Kathy negotiates with Ed \$650 in rent. Ellen informs Ed of her lease with Portland Housing Authority. Sometime later that weekend Bob tells Ed that he will hold him to the agreement that is written into the seller's contract to allow him to live here until December.

March 1, 2002: Ed visits Kathy McInnis-Misenor to drop off the letter but Kathy notices that the letter says \$725 and has Susan, Sue and Mary's names on it. Kathy makes him change the names and cross out \$725 and put in the agreed upon amount of \$650. Ed asks if we plan to stay in this small apartment or get a new apartment or house soon. Kathy says that given the housing market right now she and Brett can not afford to move.

March 2-10, 2002: Different contractors come and go throughout the first few weeks. On or about March 10, 2002 Ellen speaks with surveyors who say they are measuring the building because it is going condo. Ellen calls Ed and he says it might not be feasible for him but Joe (Peirgrossi, the old landlord and Crandell Toothaker, who bought the other building owned by our old landlords are thinking about it). He said he would decide in a few weeks. Shawn and Marie are still here but Ed is informing Kathy and Ellen he is now selling or going Condo. Shawn and Marie leave in early April.

April 7 or so: Ed shows Bob's unit twice. April 11, 12, & 13: Ed shows most of the apartments to a large group of people (ten or more). Kathy informs Ed she and Brett will be working most of the weekend and would prefer he not show her apartment as she does not allow the babysitter to have others in the apartment while she is taking care of the baby. Ed agrees. Kathy says they can arrange for Monday or Tuesday when Brett and Kathy are home. April 15 or so: Kathy speaks with a potential buyer who is visiting the building. He uses a wheelchair and Ed has offered her ramp to the man and the man says it is up to him if Ed goes condo or sells. He says he wants to buy if he can put an elevator in and have the ramp.

Now: Ed is still showing the building to potential buyers and condominium customers.



### **Wanted Repairs to the Building**

- Inspect and exterminate mice and insects.
- Cover exposed rock and earth in basement to cut down on insect and mice infestations.
- Test building for lead paint.
- Fix loose handrails on front porch.
- Repair walls that have broken and damaged plaster and exposed old paint and horsehair plaster that might have lead paint.
- Fix broken or missing window locks in apartments.
- Fix broken lights and replace missing light fixtures and globes/covers.
- Install lights as needed in hallways for safety.
- There are no light switches in certain 2<sup>nd</sup> floor apartment rooms. Switches should be installed if there is a violation.
- Straighten out electrical set-up. Currently, tenants feel we are paying for common areas for which the landlord should be responsible or for each other's electricity.
- Clarify what apartments are on the water heater installed by Kathy for her apartment and her tub.

MARK  
ED - Penny  
Marge

5/29/02

- 101 North St.

April 17, 2002 - Notice -

relocation assistance -

101 North St

120 DAY NOTICE

April 17<sup>th</sup>  
Condo permit

March 1<sup>st</sup> first mentioned

Middle of March Showed for Condo units

A Beginning of April

60 day exclusive right —

May 31, 2002

Edmund S. Gardner, III  
377 Brighton Avenue  
Portland, Me 04102

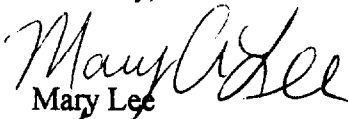
Dear Mr. Gardner,

We are writing to inform you that, as of June 30, 2002, we will vacate the second floor apartment at 101 North Street.

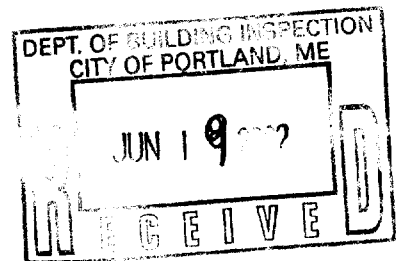
Please apply our security deposit and the enclosed check for \$350.00 to the rent for the month of June.

Thank you for your time.

Sincerely,

  
Mary Lee

  
Susan Burns





CITY OF PORTLAND

Condominium Conversion Tenant Forms

BUILDING ADDRESS: 101 North St

NUMBER OF UNITS: 5

TENANT NAME: Bob Poirier

TENANT'S UNIT #: 1

TENANT'S TEL. #: 761-7236

TENANT'S PRESENT ANNUAL INCOME: \$ 10,267.00

NUMBER OF YEARS TENANT HAS CONSECUTIVE LIVED IN BLDG: 1 year

ATTACH COPY OF TENANT NOTICE

OWNER'S NAME/ADDRESS/TEL. #: Ed Gardner - 415-4493

DEVELOPER'S INFO IF DIFFERENT THAN OWNER: Same

TYPE OF ALTERATIONS EXPECTED FOR THE CONVERSION - PLEASE DETAIL

None needed

CONDOMINIUM CONVERSION PERMIT  
CITY OF PORTLAND, MAINE  
PART I

To the Chief of Building and Inspection Services, Portland, Maine, the undersigned hereby applies for a Condominium Conversion Permit.

Location of Project: 101 North St Assessor's chart: 15  
Portland, ME Block: E  
Lot: 14

Name of Owner: Ed Gardner III

Address: 377 Brighton Ave Portland, ME

Telephone No.: 715-4493

Name of Project: 101 North St Condominium Association

No of Units to be Converted: 5

No. of Units applying for: 5

No. of Units in structure 5

Date on which Declaration of Condominiums was filed in Cumberland County Registry of Deeds not as of yet

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_

ZONING: \_\_\_\_\_ Date: \_\_\_\_\_

No. of units approved (circle)

Fire Dept: 1 3 3 4 5 6 7 8 9 10 Date: \_\_\_\_\_  
others

Plumbing: 1 2 3 4 5 6 7 8 9 10 Date: \_\_\_\_\_  
others

Elec: 1 2 3 4 5 6 7 8 9 10 Date: \_\_\_\_\_  
others

Bldg. & Housing: 1 2 3 4 5 6 7 8 9 10 Date: \_\_\_\_\_

Comments: \_\_\_\_\_

CONDOMINIUM CONVERSION APPLICATION  
PART II

CODE COMPLIANCE:

1. Please attach copy of Notice of Intent to this application. ✓
2. Attach also a list of names of tenants or occupants to whom letters were sent. ✓
3. Please include addresses of those receiving notices of intent and dates such notice was received. (Please give apt. number wherever possible) ✓
4. Have notices of intent been given to tenants in accordance with Chapter 608.4 of the Municipal Code entitled "Condominium Conversion Ordinance"?  
 yes       no
5. Have relocation payments been made to eligible tenants in accordance with Chapter 608.5 of the Municipal Code?    yes       no
6. Have relocation referrals and assistance been provided to tenants on demand?  
 yes       no

Condominium Conversion Permit Application, continued

PART III

PROJECT DATA

1. Assessor's reference, Chart, Block; Lot: 15-E-14

2. Number of units before conversion:  
1 units with 1 bedroom;  
2 units with 2 bedrooms;  
2 units with 3 or more bedrooms;

3. Monthly rent (range)  
(specify with or without util.)  
650.00 unit #3  
Unit 1      Unit 2  
500.00      750.00  
1250.00      1250.00  
Unit 4      Unit 5

4. Number of units after conversion:  
1 units with 1 bedroom;  
2 units with 2 bedrooms;  
2 units with 3 or more bedrooms;

5. Purchase Price (range)  
#1  
1,100,000.  
#1      #2  
1,119,000. + 130,000.  
#4 + #5  
1,200,000.

6. Length of time building owned by applicant? 1 1/2 months

7. Are any building improvements, renovations, or modifications being made associated with this conversion that require a Building, Plumbing, Electrical, or Heating Permit

Yes  No  (Please circle applicable permit type.)

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

- \$10,000. exterior walls, windows, doors, roof
- \$ 0 insulation
- \$70,000. interior cosmetic (wall/floor/refinishing, etc.)
- \$6,000 other (specify) PAINT
- none



9. For each converted rental unit supply the following information on last tenants prior to conversion:

Unit Number:      ①      ②      ③      ④      ⑤      6      7      8      9      10

- a) Length of occupancy-      on tenant info sheet
- b) Age of head of household-      38    43    42    30    30
- c) Number of children-      0    0    1    0    0
- d) Number of persons ages 60 or over-      0    0    0    0    0
- e) Will tenant purchase unit?      MAYBE    NO    MAYBE    MAYBE    NO
- f) If not, was (or will) relocation payment (be) made?      YES    MAYBE    NO    MAYBE    NO
- g) If moving, check destination below:
  - i) Same Neighborhood-      \_\_\_\_\_
  - ii) Elsewhere in Portland-      \_\_\_\_\_ ✓
  - iii) Out of Portland-      \_\_\_\_\_
  - iv) Unknown-      ✓    ✓    ✓    ✓

**EDMUND S. GARDNER, III**  
**377 BRIGHTON AVE**  
**PORTLAND, MAINE 04102**  
**PHONE (207) 780-6538**

---

**NOTICE OF CONVERSION OF RESIDENTIAL APARTMENT UNIT TO A  
CONDOMINIUM UNIT PURSUANT TO 33 M.R.S.A. §1604-111  
(Portland Code Article VII)**

April 17, 2002

Robert Poirier  
101 North Street, Unit 1  
Portland ME 04101

**Re: 95-101 North Street, Portland, Maine**  
**101 North Street Condominium**

Dear Mr. Poirier:

Pursuant to 33 M.R.S.A. §1604-111, this letter is given to notify you that my building at 95-101 North Street, Portland, Maine is being converted into condominiums. Pursuant to §1604-111 and Article VII of the Land Use Ordinance for the City of Portland, you, as the tenant, have the right for 60 days after delivery or mailing of this notice to you to purchase the condominium unit that is being created that will include your apartment, for a purchase price of \$119,000.00. During the following 180 days, I cannot offer to dispose my interest in the unit at a price or terms more favorable than the price or terms offered to you.

If you do not buy the unit being created to include your apartment, the developer of this project is 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: 775-5451).

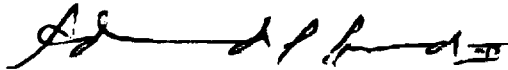
Robert Poirier  
April 17, 2002  
Page 2

The Maine Condominium Act does not permit a landlord to terminate an existing lease except on terms already provided for within the lease. However, you are a tenant at will without a written lease. Accordingly, your tenancy will terminate at midnight on August 19, 2002, and you must vacate your unit by August 20, 2002.

As required by law, I have enclosed for your review the Declaration of Condominium and the Bylaws of the Condominium Association.

If you are interested in pursuing the purchase of the condominium or if you have any further questions, please do not hesitate to contact me.


Very truly,



Edmund S. Gardner III

**NOTICE BY TENANT OF ACCEPTANCE OR NON-ACCEPTANCE:**

I, Robert Poirier hereby given Edmund S. Gardner III notice that I received this Notice of Conversion on April 18, 2002.



Robert Poirier  
Bobby R. Poirier (Legal Name)


I hereby state that I:

accept

decline

the offer to purchase the unit as contained in the above Notice.

Dated: \_\_\_\_\_, 2002



Robert Poirier

EDMUND S. GARDNER, III  
377 BRIGHTON AVE  
PORTLAND, MAINE 04102  
PHONE (207) 780-6538

FAX 772-4715

**NOTICE OF CONVERSION OF RESIDENTIAL APARTMENT UNIT TO A  
CONDOMINIUM UNIT PURSUANT TO 33 M.R.S.A. §1604-111  
(Portland Code Article VII)**

April 17, 2002

Robert Poirier  
101 North Street, Unit 1  
Portland ME 04101

**Re: 95-101 North Street, Portland, Maine  
101 North Street Condominium**

Dear Mr. Poirier:

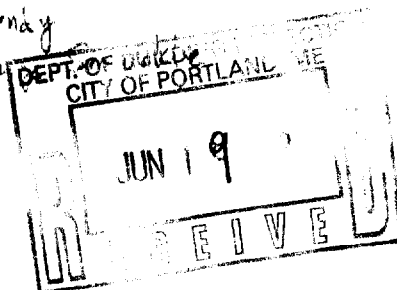
Pursuant to 33 M.R.S.A. §1604-111, this letter is given to notify you that my building at 95-101 North Street, Portland, Maine is being converted into condominiums. Pursuant to §1604-111 and Article VII of the Land Use Ordinance for the City of Portland, you, as the tenant, have the right for 60 days after delivery or mailing of this notice to you to purchase the condominium unit that is being created that will include your apartment, for a purchase price of \$119,000.00. During the following 180 days, I cannot offer to dispose my interest in the unit at a price or terms more favorable than the price or terms offered to you.

If you do not buy the unit being created to include your apartment, the developer of this project is 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: 775-5451).

877-4300 C.H.

775-5451

Jacob  
Wendy  
Max



Robert Poirier  
April 17, 2002  
Page 2

The Maine Condominium Act does not permit a landlord to terminate an existing lease except on terms already provided for within the lease. However, you are a tenant at will without a written lease. Accordingly, your tenancy will terminate at midnight on August 19, 2002, and you must vacate your unit by August 20, 2002.

As required by law, I have enclosed for your review the Declaration of Condominium and the Bylaws of the Condominium Association.

If you are interested in pursuing the purchase of the condominium or if you have any further questions, please do not hesitate to contact me.


Very truly,



Edmund S. Gardner III

**NOTICE BY TENANT OF ACCEPTANCE OR NON-ACCEPTANCE:**

I, Robert Poirier hereby given Edmund S. Gardner III notice that I received this Notice of Conversion on April 18, 2002.



Robert Poirier  
*Bobby R. Poirier (Legal Name)*


I hereby state that I:

accept

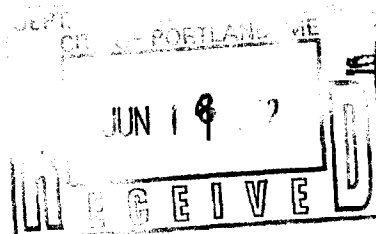
decline

the offer to purchase the unit as contained in the above Notice.

Dated: June 1, 2002



Robert Poirier





CITY OF PORTLAND

Condominium Conversion Tenant Forms

BUILDING ADDRESS: 101 North St.

NUMBER OF UNITS: 5

TENANT NAME: Ellen Lebeda

TENANT'S UNIT #: 2

TENANT'S TEL. #: 772-7119

TENANT'S PRESENT ANNUAL INCOME: \_\_\_\_\_

NUMBER OF YEARS TENANT HAS CONSECUTIVE LIVED IN BLDG: 2 years  
~~1 year~~

ATTACH COPY OF TENANT NOTICE

OWNER'S NAME/ADDRESS/TEL. #: Ed Gardner - 715-4483

DEVELOPER'S INFO IF DIFFERENT THAN OWNER: Same

TYPE OF ALTERATIONS EXPECTED FOR THE CONVERSION - PLEASE DETAIL

None needed

**EDMUND S. GARDNER, III**  
377 BRIGHTON AVE  
PORTLAND, MAINE 04102  
PHONE (207) 780-6538

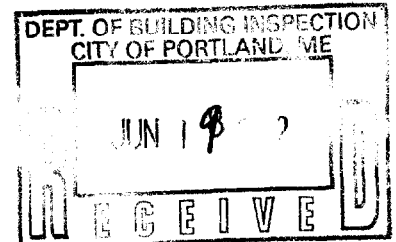
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**NOTICE OF CONVERSION OF RESIDENTIAL APARTMENT UNIT TO A  
CONDOMINIUM UNIT PURSUANT TO 33 M.R.S.A. §1604-111  
(Portland Code Article VII)**

April 17, 2002

Ellen Lebeda  
101 North Street, Unit 2  
Portland ME 04101

**Re: 95-101 North Street, Portland, Maine  
101 North Street Condominium**



Dear Ms. Lebeda:

Pursuant to 33 M.R.S.A. §1604-111, this letter is given to notify you that my building at 95-101 North Street, Portland, Maine is being converted into condominiums. Pursuant to §1604-111 and Article VII of the Land Use Ordinance for the City of Portland, you, as the tenant, have the right for 60 days after delivery or mailing of this notice to you to purchase the condominium unit that is being created that will include your apartment, for a purchase price of \$130,000.00. During the following 180 days, I cannot offer to dispose my interest in the unit at a price or terms more favorable than the price or terms offered to you.

If you do not buy the unit being created to include your apartment, the developer of this project is 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: 775-5451).

Ellen Lebeda  
April 17, 2002  
Page 2

The Maine Condominium Act does not permit a landlord to terminate an existing lease except on terms already provided for within the lease. However, because the apartment which you are now leasing will be converted into a condominium, your lease will not be renewed. Accordingly, your lease will terminate at midnight on ~~June 30, 2002~~, and you must vacate your unit, pursuant to the terms of the lease, by ~~July 1, 2002~~ <sup>July 31, 2002</sup> ~~AS. EJ~~

<sup>August 31, 2002</sup> ~~AS. EJ~~

As required by law, I have enclosed for your review the Declaration of Condominium and the Bylaws of the Condominium Association.

If you are interested in pursuing the purchase of the condominium or if you have any further questions, please do not hesitate to contact me.

Very truly,

Edmund S. Gardner III

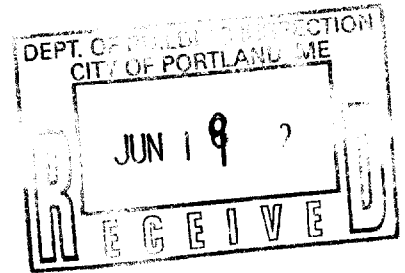
**NOTICE BY TENANT OF ACCEPTANCE OR NON-ACCEPTANCE:**

I, Ellen Lebeda, hereby given Edmund S. Gardner III notice that I received this Notice of Conversion on April 17, 2002.

Ellen Lebeda  
Ellen Lebeda

I hereby state that I:

accept  
 decline



the offer to purchase the unit as contained in the above Notice.

Dated: 6-19-02, 2002

Ellen Lebeda  
Ellen Lebeda



**EDMUND S. GARDNER, III**  
**377 BRIGHTON AVE**  
**PORTLAND, MAINE 04102**  
**PHONE (207) 780-6538**

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**NOTICE OF CONVERSION OF RESIDENTIAL APARTMENT UNIT TO A  
CONDOMINIUM UNIT PURSUANT TO 33 M.R.S.A. §1604-111  
(Portland Code Article VII)**

April 17, 2002

Ellen Lebeda  
101 North Street, Unit 2  
Portland ME 04101

**Re: 95-101 North Street, Portland, Maine  
101 North Street Condominium**

Dear Ms. Lebeda:

Pursuant to 33 M.R.S.A. §1604-111, this letter is given to notify you that my building at 95-101 North Street, Portland, Maine is being converted into condominiums. Pursuant to §1604-111 and Article VII of the Land Use Ordinance for the City of Portland, you, as the tenant, have the right for 60 days after delivery or mailing of this notice to you to purchase the condominium unit that is being created that will include your apartment, for a purchase price of \$130,000.00. During the following 180 days, I cannot offer to dispose my interest in the unit at a price or terms more favorable than the price or terms offered to you.

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Ellen Lebeda  
April 17, 2002  
Page 2

The Maine Condominium Act does not permit a landlord to terminate an existing lease except on terms already provided for within the lease. However, because the apartment which you are now leasing will be converted into a condominium, your lease will not be renewed. Accordingly, your lease will terminate at midnight on June 30, 2002, and you must vacate your unit, pursuant to the terms of the lease, by July 1, 2002.

As required by law, I have enclosed for your review the Declaration of Condominium and the Bylaws of the Condominium Association.

If you are interested in pursuing the purchase of the condominium or if you have any further questions, please do not hesitate to contact me.

Very truly,



Edmund S. Gardner III

**NOTICE BY TENANT OF ACCEPTANCE OR NON-ACCEPTANCE:**

I, Ellen Lebeda, hereby given Edmund S. Gardner III notice that I received this Notice of Conversion on April 17, 2002.

\_\_\_\_\_  
Ellen Lebeda

I hereby state that I:

\_\_\_\_\_ accept

\_\_\_\_\_ decline

the offer to purchase the unit as contained in the above Notice.

Dated: \_\_\_\_\_, 2002

\_\_\_\_\_  
Ellen Lebeda

Marge - FY1

Rec 5/30/02

May 28, 2002

Portland City Hall  
Attn: Mr. Mark Adelson-Housing Director  
389 Congress Street  
Portland, Maine 04101

Dear Mr. Adelson:

Ellen Lebeda of 101 North Street has been a long-term tenant of mine. Previous to living at 101 North Street Ellen had lived at 63 Montreal Street for many years. In March of 2002 Jim Estes and myself sold 101 North Street. Ed Gardner purchased the building.

Last Summer Ellen agreed to move over to 101 North Street due to the fact that my parents were moving to Maine from Connecticut. My parents are elderly and it made sense that they be closer to me. I live on the 3<sup>rd</sup> floor of 61 Montreal Street and my parents moved into the 1<sup>st</sup> floor, (63 Montreal), by October, 2002. Due to a series of personal issues we sold 101 North Street in March, 2002. I was very grateful to Ellen when she agreed to move to my other building and at the time had no intention of selling 101 North Street. In the Spring of 2002 Ed Gardner announced that he was starting the process to make 101 North Street into condos. I am not totally familiar with the process but I understand that the length of time a tenant is in the building determines the length of time that tenant has the option of either purchasing the unit or finding housing elsewhere. Technically Ellen lived at 101 North Street since July, 2001. However she moved over to 101 North Street when the properties were all part of one complex, which also included 105 North Street.

I am sending this letter to you today to urge you to consider Ellen as a long-term tenant of 101 North Street. Ellen and her daughter had lived at 63 Montreal Street for over 15 years and has always been an excellent tenant. I believe it is fair and just to make an exception in this case and allow Ellen to be treated fairly with regards to the length of time she may be allowed to stay at 101 North Street.

Please feel free to contact me if you need further information or have any questions or concerns.

Best regards.



Joe Piergrossi  
(w) 846-2599 (h) 771-0287

Zoning Division  
Marge Schmuckal  
Zoning Administrator



Department of Urban Development  
Joseph E. Gray, Jr.  
Director

CITY OF PORTLAND

Condominium Conversion Tenant Forms

BUILDING ADDRESS: 101 North St.

NUMBER OF UNITS: 5

TENANT NAME: Brett Misener + Kathryn McInnis-Misener

TENANT'S UNIT #: 3

TENANT'S TEL. #: 773-0682

TENANT'S PRESENT ANNUAL INCOME: \_\_\_\_\_

NUMBER OF YEARS TENANT HAS CONSECUTIVE LIVED IN BLDG: 12 years

ATTACH COPY OF TENANT NOTICE

OWNER'S NAME/ADDRESS/TEL. #: Ed Gardner 415-4493

DEVELOPER'S INFO IF DIFFERENT THAN OWNER: same

TYPE OF ALTERATIONS EXPECTED FOR THE CONVERSION - PLEASE DETAIL

re-sheetrock walls

**EDMUND S. GARDNER, III**  
**377 BRIGHTON AVE**  
**PORTLAND, MAINE 04102**  
**PHONE (207) 780-6538**

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**NOTICE OF CONVERSION OF RESIDENTIAL APARTMENT UNIT TO A  
CONDOMINIUM UNIT PURSUANT TO 33 M.R.S.A. §1604-111  
(Portland Code Article VII)**

April 17, 2002

Brett Misenor  
Kathryn McInnis-Misenor  
101 North Street, Unit 3  
Portland ME 04101

**Re: 95-101 North Street, Portland, Maine**  
**101 North Street Condominium**

Dear Mr. and Mrs. Misenor:

Pursuant to 33 M.R.S.A. §1604-111, this letter is given to notify you that my building at 95-101 North Street, Portland, Maine is being converted into condominiums. Pursuant to §1604-111 and Article VII of the Land Use Ordinance for the City of Portland, you, as the tenant, have the right for 60 days after delivery or mailing of this notice to you to purchase the condominium unit that is being created that will include your apartment, for a purchase price of \$100,000.00. During the following 180 days, I cannot offer to dispose my interest in the unit at a price or terms more favorable than the price or terms offered to you.

If you do not buy the unit being created to include your apartment, the developer of this project is 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: 775-5451).

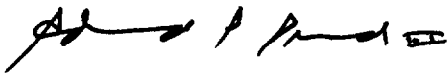
Brett Misenor  
Kathryn McInnis-Misenor  
April 17, 2002  
Page 2

The Maine Condominium Act does not permit a landlord to terminate an existing lease except on terms already provided for within the lease. However, you are a tenant at will without a written lease. Accordingly, your tenancy will terminate at midnight on April 17, 2003, and you must vacate your unit by April 18, 2003.

As required by law, I have enclosed for your review the Declaration of Condominium and the Bylaws of the Condominium Association.

If you are interested in pursuing the purchase of the condominium or if you have any further questions, please do not hesitate to contact me.

Very truly,



Edmund S. Gardner III

**NOTICE BY TENANT OF ACCEPTANCE OR NON-ACCEPTANCE:**

We, Brett Misenor and Kathryn McInnis-Misenor hereby given Edmund S. Gardner III notice that we have received this Notice of Conversion on April 17, 2002.

\_\_\_\_\_  
Brett Misenor

\_\_\_\_\_  
Kathryn McInnis-Misenor

We hereby state that we: \_\_\_\_\_ accept  
as contained in the above Notice.

\_\_\_\_\_ decline the offer to purchase the unit

Dated: \_\_\_\_\_, 2002

\_\_\_\_\_  
Brett Misenor

\_\_\_\_\_  
Kathryn McInnis-Misenor



CITY OF PORTLAND

**Condominium Conversion Tenant Forms**

BUILDING ADDRESS: 101 North St

NUMBER OF UNITS: 5

TENANT NAME: Sue Burns, Susan Quick, Mary Lee

TENANT'S UNIT #: 4

TENANT'S TEL. #: 541-3936

TENANT'S PRESENT ANNUAL INCOME: \_\_\_\_\_

NUMBER OF YEARS TENANT HAS CONSECUTIVE LIVED IN BLDG: 2 years

ATTACH COPY OF TENANT NOTICE

OWNER'S NAME/ADDRESS/TEL. #: Ed Gardner - 415-4493

DEVELOPER'S INFO IF DIFFERENT THAN OWNER: Same

TYPE OF ALTERATIONS EXPECTED FOR THE CONVERSION - PLEASE DETAIL

fire doors

**EDMUND S. GARDNER, III**  
377 BRIGHTON AVE  
PORTLAND, MAINE 04102  
PHONE (207) 780-6538

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**NOTICE OF CONVERSION OF RESIDENTIAL APARTMENT UNIT TO A  
CONDOMINIUM UNIT PURSUANT TO 33 M.R.S.A. §1604-111  
(Portland Code Article VII)**

April 17, 2002

Sue Burns  
Mary Lee  
Susan Quirk  
101 North Street, Unit 4  
Portland ME 04101

**Re: 95-101 North Street, Portland, Maine  
101 North Street Condominium**

Dear Ms. Burns, Ms. Lee and Ms. Quirk:

Pursuant to 33 M.R.S.A. §1604-111, this letter is given to notify you that my building at 95-101 North Street, Portland, Maine is being converted into condominiums. Pursuant to §1604-111 and Article VII of the Land Use Ordinance for the City of Portland, you, as the tenant, have the right for 60 days after delivery or mailing of this notice to you to purchase the condominium unit that is being created that will include your apartment, for a purchase price of \$200,000.00. During the following 180 days, I cannot offer to dispose my interest in the unit at a price or terms more favorable than the price or terms offered to you.

If you do not buy the unit being created to include your apartment, the developer of this project is 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: 775-5451).

The Maine Condominium Act does not permit a landlord to terminate an existing lease except on terms already provided for within the lease. However, you are a tenant at will without a written lease. Accordingly, your tenancy will terminate at midnight on August 19, 2002, and you must vacate your unit by August 20, 2002.

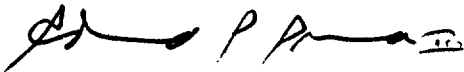


Sue Burns  
Mary Lee  
Susan Quirk  
April 17, 2002  
Page 2

As required by law, I have enclosed for your review the Declaration of Condominium and the Bylaws of the Condominium Association.

If you are interested in pursuing the purchase of the condominium or if you have any further questions, please do not hesitate to contact me.

Very truly,



Edmund S. Gardner III

**NOTICE BY TENANT OF ACCEPTANCE OR NON-ACCEPTANCE:**

We, Sue Burns, Mary Lee, Susan Quirk hereby given Edmund S. Gardner III notice that we have received this Notice of Conversion on April 17, 2002.

\_\_\_\_\_  
Sue Burns

\_\_\_\_\_  
Mary Lee

\_\_\_\_\_  
Susan Quirk

We hereby state that we: \_\_\_\_\_ accept  
as contained in the above Notice.

\_\_\_\_\_ decline the offer to purchase the unit

Dated: \_\_\_\_\_, 2002

\_\_\_\_\_  
Sue Burns

\_\_\_\_\_  
Mary Lee

\_\_\_\_\_  
Susan Quirk



CITY OF PORTLAND

Condominium Conversion Tenant Forms

BUILDING ADDRESS: 101 North St.

NUMBER OF UNITS: 5

TENANT NAME: Sam Carter + Marie Carey

TENANT'S UNIT #: 5

TENANT'S TEL. #: 774-4533

TENANT'S PRESENT ANNUAL INCOME: over 65,000.00

NUMBER OF YEARS TENANT HAS CONSECUTIVE LIVED IN BLDG: 2 years

ATTACH COPY OF TENANT NOTICE

OWNER'S NAME/ADDRESS/TEL. #: Ed Gardner - 415-4493

DEVELOPER'S INFO IF DIFFERENT THAN OWNER: Same

TYPE OF ALTERATIONS EXPECTED FOR THE CONVERSION - PLEASE DETAIL  
fire doors to be installed, new kitchen, close off 2  
entry doors.

**EDMUND S. GARDNER, III**  
**377 BRIGHTON AVE**  
**PORTLAND, MAINE 04102**  
**PHONE (207) 780-6538**

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**NOTICE OF CONVERSION OF RESIDENTIAL APARTMENT UNIT TO A  
CONDOMINIUM UNIT PURSUANT TO 33 M.R.S.A. §1604-111  
(Portland Code Article VII)**

April 23, 2002

Sean Carter  
Marie Carey  
101 North Street, Unit 5  
Portland ME 04101

**Re: 95-101 North Street, Portland, Maine  
101 North Street Condominium**

Dear Mr. Carter and Ms. Carey:

Pursuant to 33 M.R.S.A. §1604-111, this letter is given to notify you that my building at 95-101 North Street, Portland, Maine is being converted into condominiums. Pursuant to §1604-111 and Article VII of the Land Use Ordinance for the City of Portland, you, as a prior tenant, have the right for 60 days after delivery or mailing of this notice to you, to purchase the condominium unit that is being created that will include your apartment, for a purchase price of \$200,000.00. During the following 180 days, I cannot offer to dispose my interest in the unit at a price or terms more favorable than the price or terms offered to you.

If you do not buy the unit being created to include your apartment, the developer of this project is 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: 775-5451).

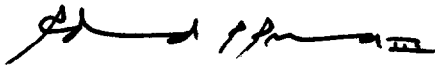
The Maine Condominium Act does not permit a landlord to terminate an existing lease except on terms already provided for within the lease. However, you have already terminated your tenancy and vacated the premises.

Sean Carter  
Marie Carey  
April 23, 2002  
Page 2

As required by law, I have enclosed for your review the Declaration of Condominium and the Bylaws of the Condominium Association.

If you are interested in pursuing the purchase of the condominium or if you have any further questions, please do not hesitate to contact me.

Very truly,



Edmund S. Gardner III

**NOTICE BY TENANT OF ACCEPTANCE OR NON-ACCEPTANCE:**

We, Sean Carter and Marie Carey hereby give Edmund S. Gardner III notice that we have received this Notice of Conversion on April 24, 2002.



Sean Carter

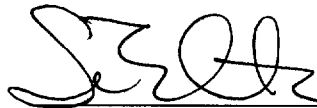


Marie Carey

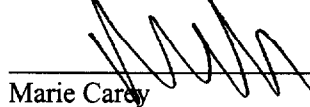
We hereby state that we:

**accept** the offer to purchase the unit as contained in the above Notice  
 **decline** the offer to purchase the unit as contained in the above Notice.

Dated: April 24, 2002



Sean Carter



Marie Carey

Sent  
6-13-02

**EDMUND S. GARDNER III**

377 BRIGHTON AVE.  
PORTLAND, MAINE 04102  
Home Phone (207)780-6538

June 13, 2002

Bob Poirier  
101 North St. #1  
Portland, Maine 04102

Dear Bob,

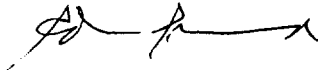
This letter is to let you know of your eligibility of relocation money available to you should you choose not to purchase your unit located at 101 North St., Portland.

It has been determined that you are eligible for the equivalent of two months rent or \$1,000.00 at the time of receipt of the letter sent to you offering your unit to you for sale. As soon as I receive the fully executed letter back to me declining your option to purchase, I will send the above amount out to you.

As we discussed previously, should you decide to vacate you apartment prior to December 2002, I will need a written notice 30 days prior to your move.

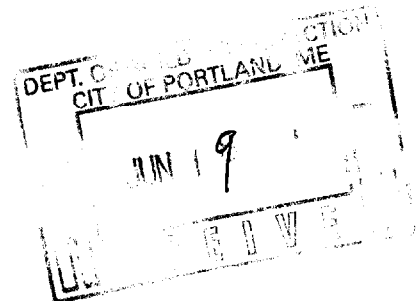
Thank-you for your cooperation!

Sincerely yours,



Ed Gardner

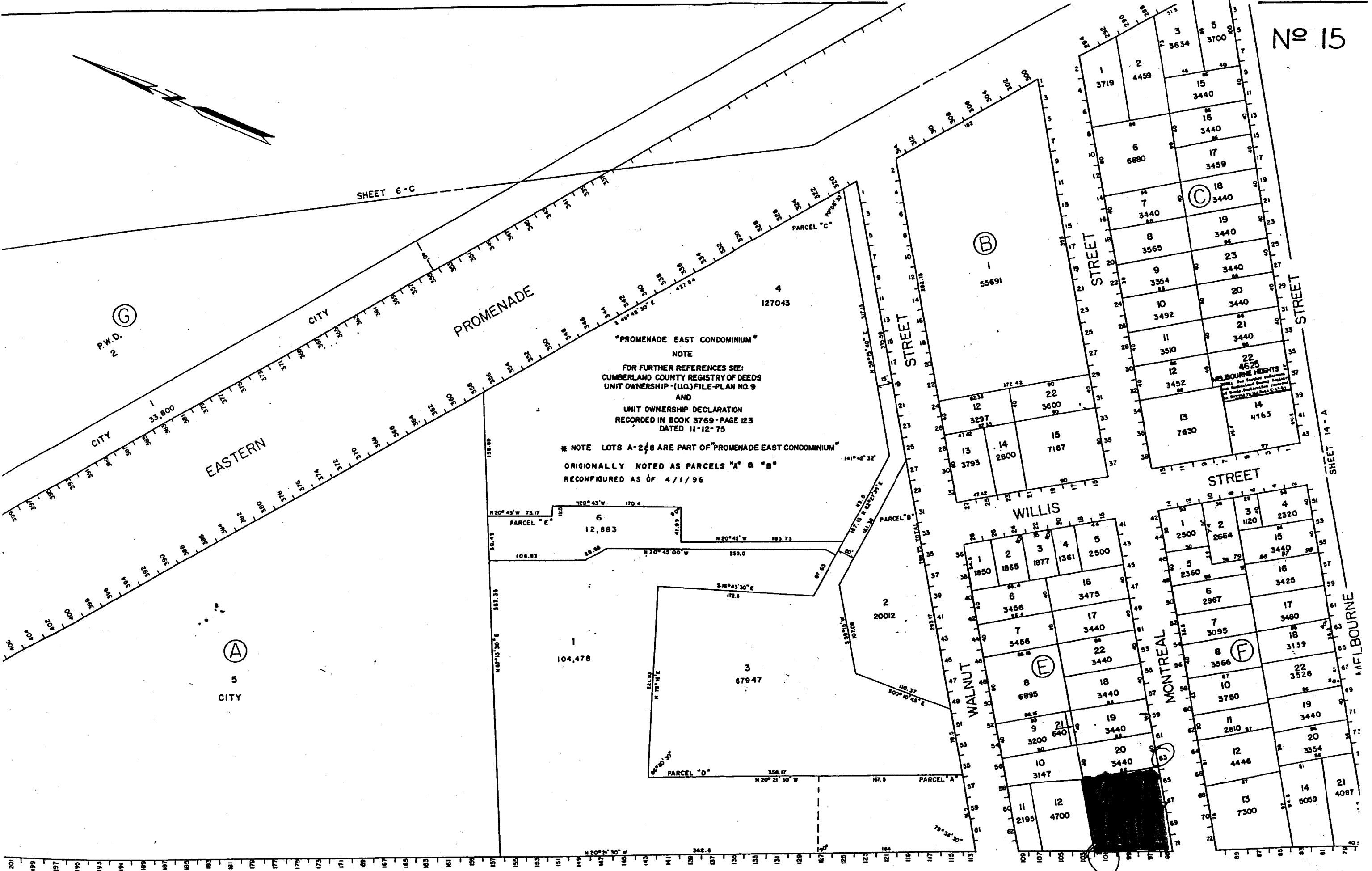
cc: Marge Schmuckel / Zoning Administrator



SHEET 6-C

\*PROMENADE EAST CONDOMINIUM\*  
 NOTE  
 FOR FURTHER REFERENCES SEE:  
 CUMBERLAND COUNTY REGISTRY OF DEEDS  
 UNIT OWNERSHIP (U.O.) FILE-PLAN NO. 9  
 AND  
 UNIT OWNERSHIP DECLARATION  
 RECORDED IN BOOK 3769 - PAGE 123  
 DATED 11-12-75

\* NOTE LOTS A-2/8 ARE PART OF "PROMENADE EAST CONDOMINIUM"  
 ORIGINALLY NOTED AS PARCELS "A" & "B"  
 RECONFIGURED AS OF 4/1/96

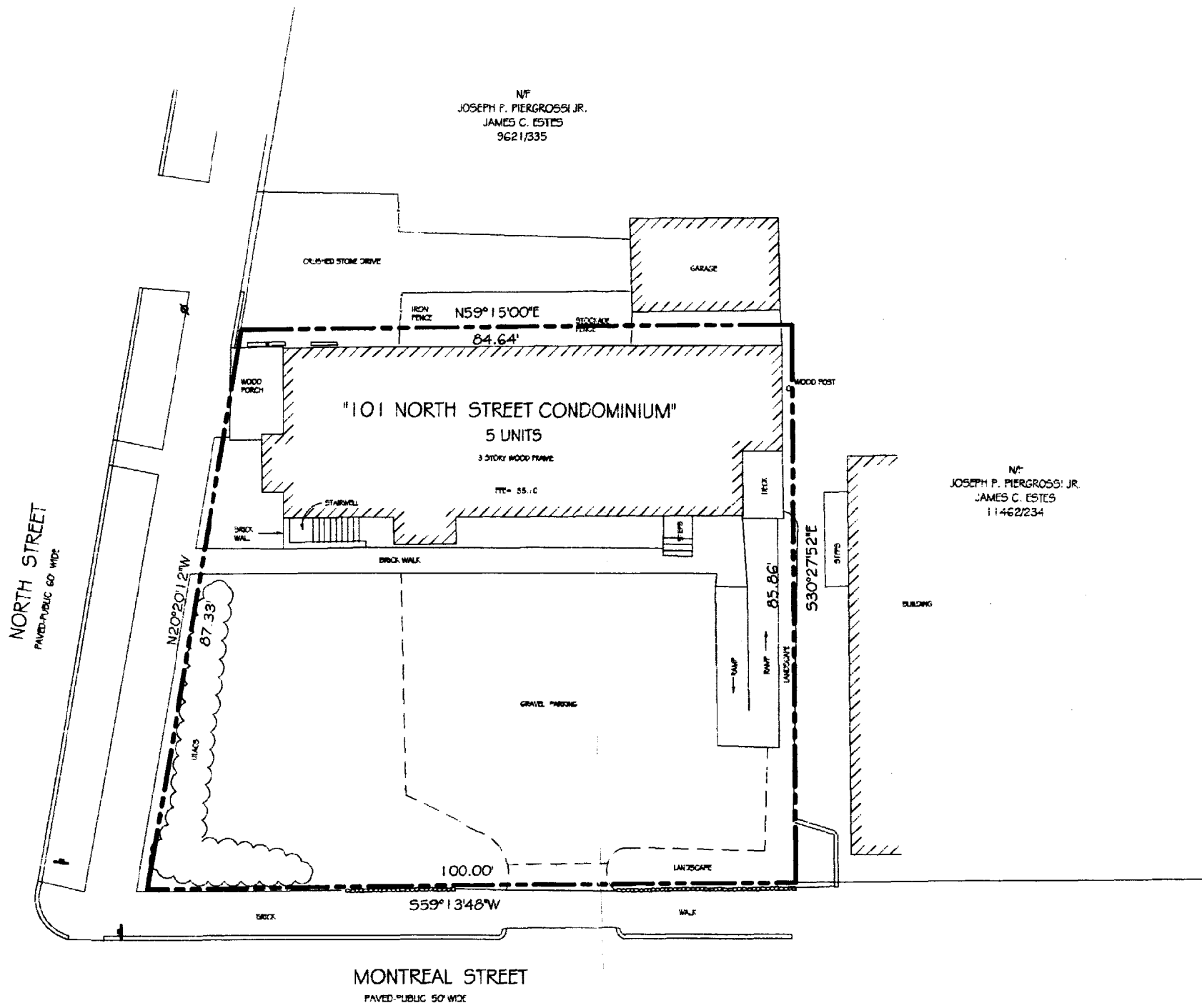
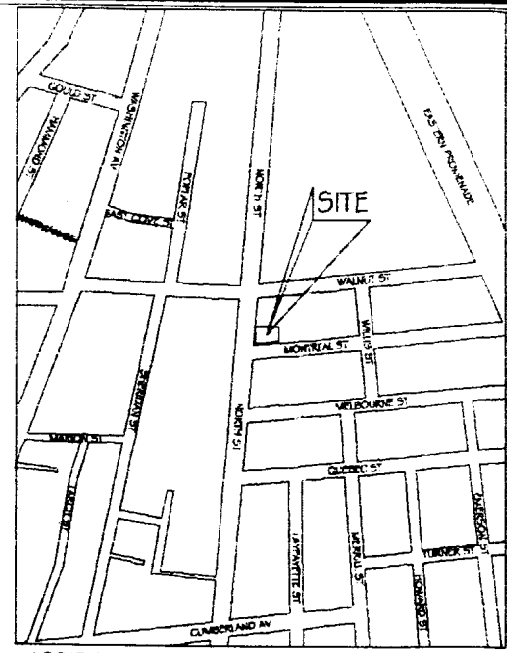
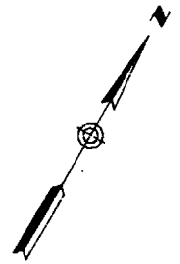


NORTH

SHEET 12 - B

STREET

CITY OF POI  
 ASSESSORS  
 SCALE 1" =



Nº  
JOSEPH P. PIERGROSSI JR.  
JAMES C. ESTES  
11462/234

- LEGEND
- UTILITY POLE
  - MANHOLE
  - WATER VALVE
  - SIGN
  - DECIDUOUS TREE
  - FENCE
  - CURB

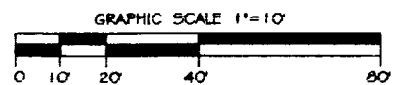
- NOTES:
1. OWNER OF RECORD: JOSEPH P. PIERGROSSI, JR.  
JAMES C. ESTES  
BOOK 12849 PAGE 66
  2. PARCEL IS SHOWN AS LOT 14, BLOCK E, ON THE CITY OF PORTLAND  
ASSESSORS MAP 15.
  3. BEARINGS ARE BASED ON MARKERS FOUND AS SHOWN ON PLAN REFERENCE 2.
  4. ELEVATIONS ARE BASED ON MAINE DEPARTMENT OF TRANSPORTATION CONTROL  
STATION TBM 1965' ELEV. 93.32

- PLAN REFERENCES:
1. PLAN MADE BY A.P. MARSHALL (PER DEEDS) RECORDED  
IN PLAN BOOK 1 PAGE 41.
  2. EXISTING CONDITIONS PLAN AT JACA ELEMENTARY SCHOOL,  
BY OWEN HASKELL, INC. DATED MAY 11, 1999.

CERTIFICATION:

OWEN HASKELL, INC. HEREBY CERTIFIES THAT THIS PLAN IS BASED ON,  
AND THE RESULT OF, AN ON THE GROUND FIELD SURVEY AND THAT TO  
THE BEST OF OUR KNOWLEDGE, INFORMATION AND BELIEF, IT CONFORMS  
TO THE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS  
CURRENT STANDARDS OF PRACTICE.

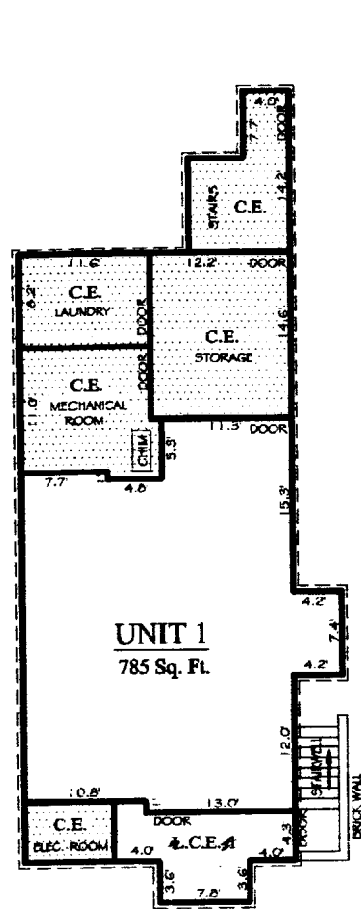
DATE: \_\_\_\_\_ WILLIAM C. SHIPPEN, PLS NO. 2118  
PROFESSIONAL LAND SURVEYORS



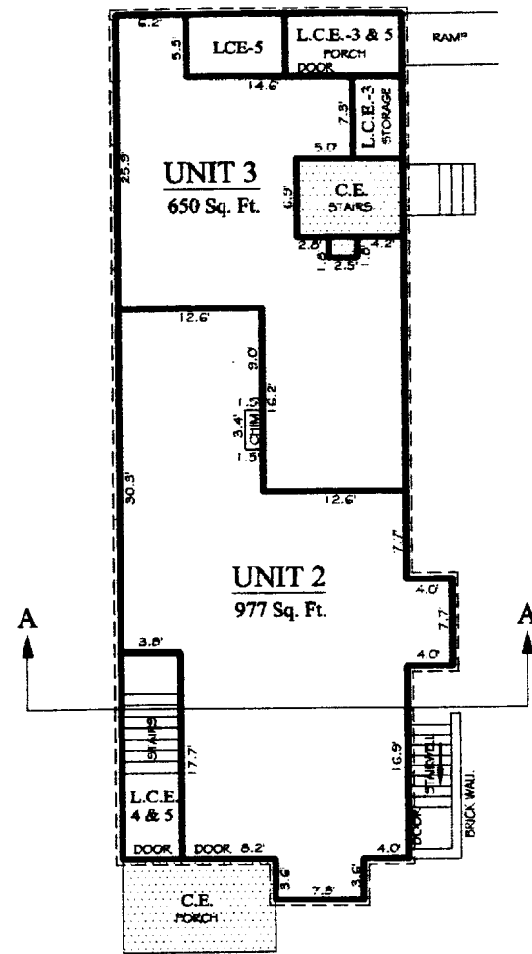
CONDOMINIUM PLAT  
"101 NORTH STREET CONDOMINIUM"  
101 NORTH STREET, PORTLAND, MAINE  
MADE FOR  
ED GARDNER  
377 BRIGHTON AVE., PORTLAND, MAINE 04102

**OWEN HASKELL, INC.**  
16 CAROO ST., PORTLAND, ME 04101 (207)774-0484  
PROFESSIONAL LAND SURVEYORS

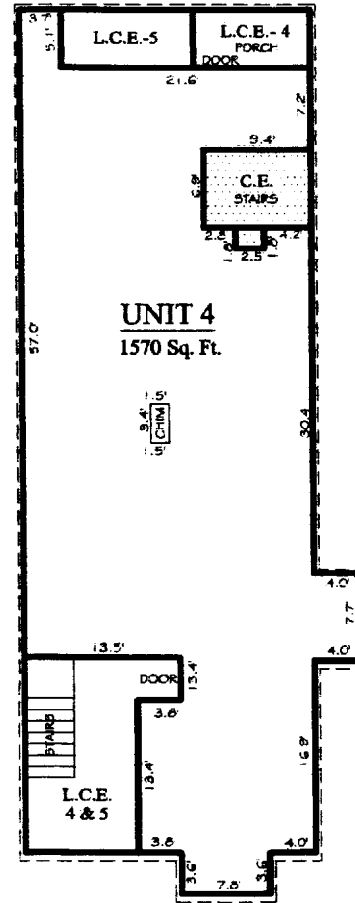
Drawn By: WCS	Date: MARCH 19, 2002	Job No.: 2002-048P
Trace By: RWC	Scale: 1" = 10'	Drawn No.: 1 OF 2
Check By: WCS		
Book No.: -		



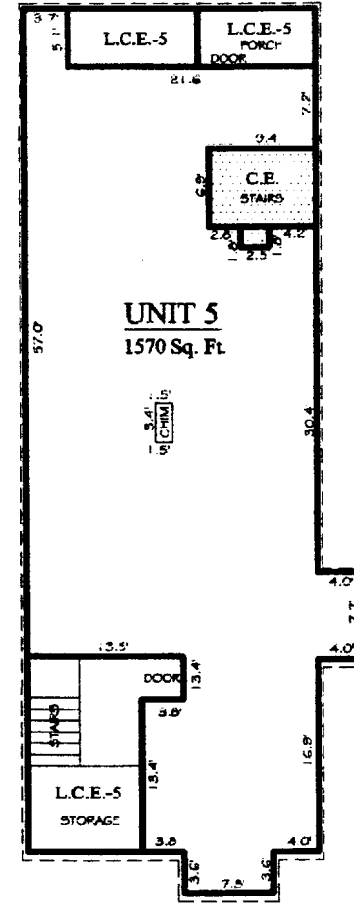
**BASEMENT**



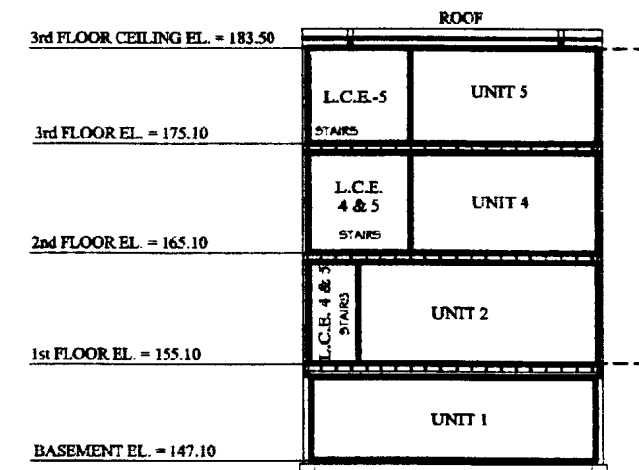
**FIRST FLOOR**



**SECOND FLOOR**



**THIRD FLOOR**



**SECTION A-A  
FRONT VIEW**

**HORIZONTAL BOUNDARY**

NOTE: LIMITED COMMON ROOF TOP AREA  
OVER UNIT: 1/2 UNIT-4 1/2 UNIT-5  
REFERENCE: CONDOMINIUM DECLARATION

← NORTH STREET →

**VERTICAL BOUNDARY**

- LEGEND**
- UNIT BOUNDARY
  - COMMON ELEMENT
  - L.C.E.-1 LIMITED COMMON ELEMENT UNIT 1

NOTE: ALL ELEVATIONS BASED ON OFFICIAL CITY OF PORTLAND DATUM ON FILE AT PORTLAND ENGINEERING DEPARTMENT

**HORIZONTAL & VERTICAL BOUNDARIES**  
**"101 NORTH STREET CONDOMINIUM"**  
 101 NORTH STREET, PORTLAND, MAINE  
 MADE FOR  
**ED GARDNER**  
 377 BRIGHTON AVE., PORTLAND, MAINE 04102

**OWEN HASKELL, INC.**  
 18 CASCO ST., PORTLAND, ME 04101 (207) 774-0484  
 PROFESSIONAL LAND SURVEYORS

Drawn By: EB	Date: APRIL 11, 2002	Job No.: 2002-048P
Trace By: JLW	Scale: 1/8" = 1'	Draw. No.: 2 OF 2
Check By: WCS		
Book No.:		