

016-B-006

94 Atlantic st

Fiber optic switching station

Bell Atlantic

5 Davis Farm Rd, Portland, ME 04103

CITY OF PORTLAND, MAINE  
DEVELOPMENT REVIEW APPLICATION  
PLANNING DEPARTMENT PROCESSING FORM

Bell Atlantic Applicant 9/24/98

5 Davis Farm Rd, Portland, ME 04103 Applicant's Mailing Address

Troy McDonald Consultant/Agent

94 Atlantic St Address of Proposed Site

016-D-006 Assessor's Reference: Chart-Block-Lot

Applicant or Agent Daytime Telephone, Fax

Proposed Development (check all that apply):  New Building  Building Addition  Change Of Use  Residential  Office  Retail  Manufacturing  Warehouse/Distribution  Parking Lot  Other (specify) **Fiber Optic Station**

198 Proposed Building square Feet or # of Units **4480**

**B-1** Zoning

Check Review Required:  Site Plan  Subdivision # of lots  PAD Review  14-403 Streets Review

Flood Hazard  Shoreland  Historic Preservation  DEP Local Certification  Other

Zoning Conditional Use (ZBA/PB)  Zoning Variance

Fees Paid: Site Plan \$400.00 Subdivision Engineer Review \$210.00 Date 2/5/99

Planning Approval Status:  Approved  Approved w/Conditions  Denied

Approval Date 11/19/98 Approval Expiration 11/19/99 Extension to 2/24/99

OK to Issue Building Permit  Kandi Talbot signature

Performance Guarantee  Required\*  Not Required

\* No building permit may be issued until a performance guarantee has been submitted as indicated below

Performance Guarantee Accepted 2/24/99 date \$7,000.00 amount 2/24/00 expiration date

Performance Guarantee Reduced date \$376.00 amount

Temporary Certificate of Occupancy date

Final Inspection  Certificate Of Occupancy  Performance Guarantee Released  Defect Guarantee Submitted  Defect Guarantee Released  Defect Guarantee Released

Building Permit Issue  Inspection Fee Paid  2/5/99 date

Performance Guarantee Released  date

date

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CITY OF PORTLAND, MAINE  
DEVELOPMENT REVIEW APPLICATION  
PLANNING DEPARTMENT PROCESSING FORM

9/24/98 Application Date

Fiber Optic Switching Station Project Name/Description

94 Atlantic St Address of Proposed Site

016-D-006 Assessor's Reference: Chart-Block-Lot

Applicant or Agent Daytime Telephone, Fax  
Proposed Development (check all that apply):  
 Office  Retail  Manufacturing  Warehouse/Distribution  Parking Lot  Other (specify) **Fiber Optic Station**  
 Residential

198 Proposed Building square Feet or # of Units  
4480 Acreage of Site  
B-1 Zoning

**Check Review Required:**  
 Site Plan (major/minor)  
 Subdivision # of lots  
 Shoreland  
 Flood Hazard  
 Zoning Conditional Use (ZBA/PB)  
 Zoning Variance  
 PAD Review  
 14-403 Streets Review  
 DEP Local Certification  
 Other

Fees Paid: Site Plan \$400.00 Subdivision Engineer Review \$210.00 Date: 2/5/99  
**Check Review Required:**  
 Site Plan  
 Subdivision # of lots  
 Shoreland  
 Flood Hazard  
 Zoning Conditional Use (ZBA/PB)  
 Zoning Variance  
 PAD Review  
 14-403 Streets Review  
 DEP Local Certification  
 Other

**DRC Approval Status:**

Approved  
 Approved w/Conditions see attache  
 Denied

Approval Date 11/19/98 Approval Expiration 11/19/99 Extension to 2/24/99  
Additional Sheets  Attached

Performance Guarantee  Required\*  Not Required

\* No building permit may be issued until a performance guarantee has been submitted as indicated below

Performance Guarantee Accepted 2/24/99 date \$7,000.00 amount 2/24/00 expiration date  
 Inspection Fee Paid 2/5/99 date \$376.00 amount

Building Permit  
 Performance Guarantee Reduced date  
 Temporary Certificate Of Occupancy date  
 Final Inspection

Certificate Of Occupancy date  
 Performance Guarantee Released date  
 Defect Guarantee Submitted date  
 Defect Guarantee Released

Defect Guarantee Released date  
 Defect Guarantee Submitted date  
 Performance Guarantee Released date  
 Certificate Of Occupancy date  
 Final Inspection date  
 Temporary Certificate Of Occupancy date  
 Performance Guarantee Reduced date  
 Building Permit date  
 Inspection Fee Paid date  
 Performance Guarantee Accepted date  
 Performance Guarantee Released date  
 Defect Guarantee Submitted date  
 Defect Guarantee Released date

19980126

I. D. Number

CITY OF PORTLAND, MAINE  
DEVELOPMENT REVIEW APPLICATION  
PLANNING DEPARTMENT PROCESSING FORM

ADDENDUM

9/24/98

Application Date

Fiber Optic Switching Station

Project Name/Description

94 Atlantic St

Address of Proposed Site

016-D-006

Assessor's Reference: Chart-Block-Lot

Bell Atlantic

Applicant

5 Davis Farm Rd, Portland, ME 04103

Applicant's Mailing Address

Troy McDonald

Consultant/Agent

Applicant or Agent Daytime Telephone, Fax

DRC Conditions of Approval

Planning Conditions of Approval

- that the applicant install seven (7) feet long granite tipdown curb at each side of the proposed driveway

entrance.

- that the applicant reset the existing brick along the entire frontage of this property, which is approximately

64 linear feet.

- that the applicant install trees between the building and the brick sidewalk along Atlantic Street.

Inspections Conditions of Approval

Fire Conditions of Approval



**PUBLIC WORKS ENGINEERING**  
**MEMORANDUM**

**To:** Alex Jaegerman, Chief Planner

**From:** Anthony Lombardo, P.E., Project Engineer

**Date:** October 2, 1998

**Subject:** Bell Atlantic ...Fiber Optic Switching Facility...Atlantic St.

The following comments were generated during Public Works Engineering review of proposed fiber optic switching facility located on the property of George W. Lane of Atlantic Street. These comments are relative to the plans with revision date 9/24/98.

Public Works will require the applicant to install (7) seven feet long granite tipdown curb at each side of the proposed driveway entrance.  
The existing brick sidewalk along the frontage of this site is currently in poor condition. Public Works is requesting the applicant to reset the existing brick along the entire frontage of this property, approximately 64 linear feet.

Bell Atlantic - New England  
5 Davis Farm Road  
Portland, ME 04103  
207 797-1785

Troy F. McDonald  
Manager - Right of Way



September 21, 1998

City of Portland  
Planning Staff  
389 Congress Street  
Portland, Me. 04101

Re: Fiber Optic Switching Facility  
Atlantic Street

Dear Review Committee Members:

New England Telephone & Telegraph Company d/b/a Bell Atlantic is a self-insured corporation doing business in the State of Maine. Bell Atlantic has built and operates several hundred similar telephone switching facility sites throughout Maine.

Bell Atlantic finances its own projects and is responsible for completing this project to the satisfaction of the City of Portland Planning Department.

If further information is required regarding this matter, please contact me at 797-1785.

Sincerely,

A handwritten signature in black ink, appearing to read "Troy F. McDonald".

Troy F. McDonald  
Manager-Right of Way

Bell Atlantic - New England  
5 Davis Farm Road  
Portland, ME 04103  
207 797-1785

Troy F. McDonald  
Manager - Right of Way



September 21, 1998

Review Committee  
City of Portland  
389 Congress Street  
Portland, Maine 04101

Dear Review Committee Members:

Enclosed please find written materials and supporting documentation related to Bell Atlantic's request for minor site plan review and approval of a project on Atlantic Street. This project involves the location of a pre-cast, poured-concrete, fiber optic switching terminal on a private property easement.

A copy of the easement option is included, as granted to Bell Atlantic by George W. Lane, Jr. The easement site is further identified as a portion of Lot #6, Block D, of Map 16.

Photos of a similar terminal are included here, although the property owner has selected a light gray, shingle-type vinyl siding with gray shingles on the pitched roof. The structure is eleven (11) feet wide by eighteen (18) feet long by eight (8) feet high upon delivery to the site.

Also enclosed for your review are the building and site plans. The site plan was developed by Registered Professional Engineer Michael Deletetsky (No. 5023) and Registered Land Surveyor Jerome Watts (No. 1245) of Oest Associates, Inc., 343 Gorham Road, South Portland.

It is important to note that there will be no overhead electrical or telephone cables associated with this terminal. The only exterior lighting will be a single, 75-watt fixture. There will be no water or sewer requirements or hook-ups. The terminal creates no emittants, and the only noise is that of an air conditioner which runs only when the interior temperature exceeds specific limits. Following construction, telephone company craft vehicles will visit the site on an average of once or twice per week.

We hope that in reviewing this project, you will recognize that this fiber optic switching terminal is a valuable part of Bell Atlantic's ongoing effort to provide the latest in telecommunication technology to Portland's expanding residential and commercial customer network.

Thank you for your time and consideration of this project. If you have any questions, please feel free to call me at 797-1785.

Sincerely,



Troy F. McDonald  
Manager-Right of Way

## WRITTEN STATEMENT

### LOT USAGE

The lot is currently vacant. The proposed project is a fiber optic switching facility. The 11' x 18' precast concrete building houses telephone switching equipment used to enhance and expand the existing phone network throughout the area Atlantic Street and Congress Street vicinity.

### LAND AREA

The total land area being utilized by Bell Atlantic is the easement area of 1,612 square feet. The building itself is 11' x 18', and will be set onto a prepared gravel and crushed rock base that is 15' x 23'.

### EASEMENTS

New England Telephone & Telegraph Company d/b/a Bell Atlantic is being granted an easement for the 1,612 square feet needed to build this site. There are no other recorded easements on this lot.

### SOLID WASTE

There is no solid waste generated by this facility.

### OFF-SITE FACILITIES

The site will be accessed by Atlantic Street for the average of one or two visits per week required by Bell Atlantic. There is no water or sewer associated with this site.

### SURFACE DRAINAGE

The surface water that enters this site moves generally in an easterly direction. The site is being graded to allow the water to flow in the same direction with the driveway being the exception in that it will flow to Atlantic Street. The site will have silt fence erected and maintained during construction to control the quality of runoff until the site is completed.

### CONSTRUCTION PLAN

The site will be excavated for the placement of underground duct bank and for the immediate building placement area. Subject to your approval, this work is scheduled to be done in late October. Following placement of the pre-cast concrete building and the installation of telephone and electric service, a residential-type facade and pitched roof will be added. Landscaping will be added to enhance the appearance of the site. That work is scheduled for the Spring of 1999.

**REGULATORY APPROVAL**

The site is not subject to any State or Federal regulatory approvals.

**EVIDENCE OF FINANCIAL-TECHNICAL CAPACITY**

See enclosed letter.

**APPLICANT'S TITLE TO SITE**

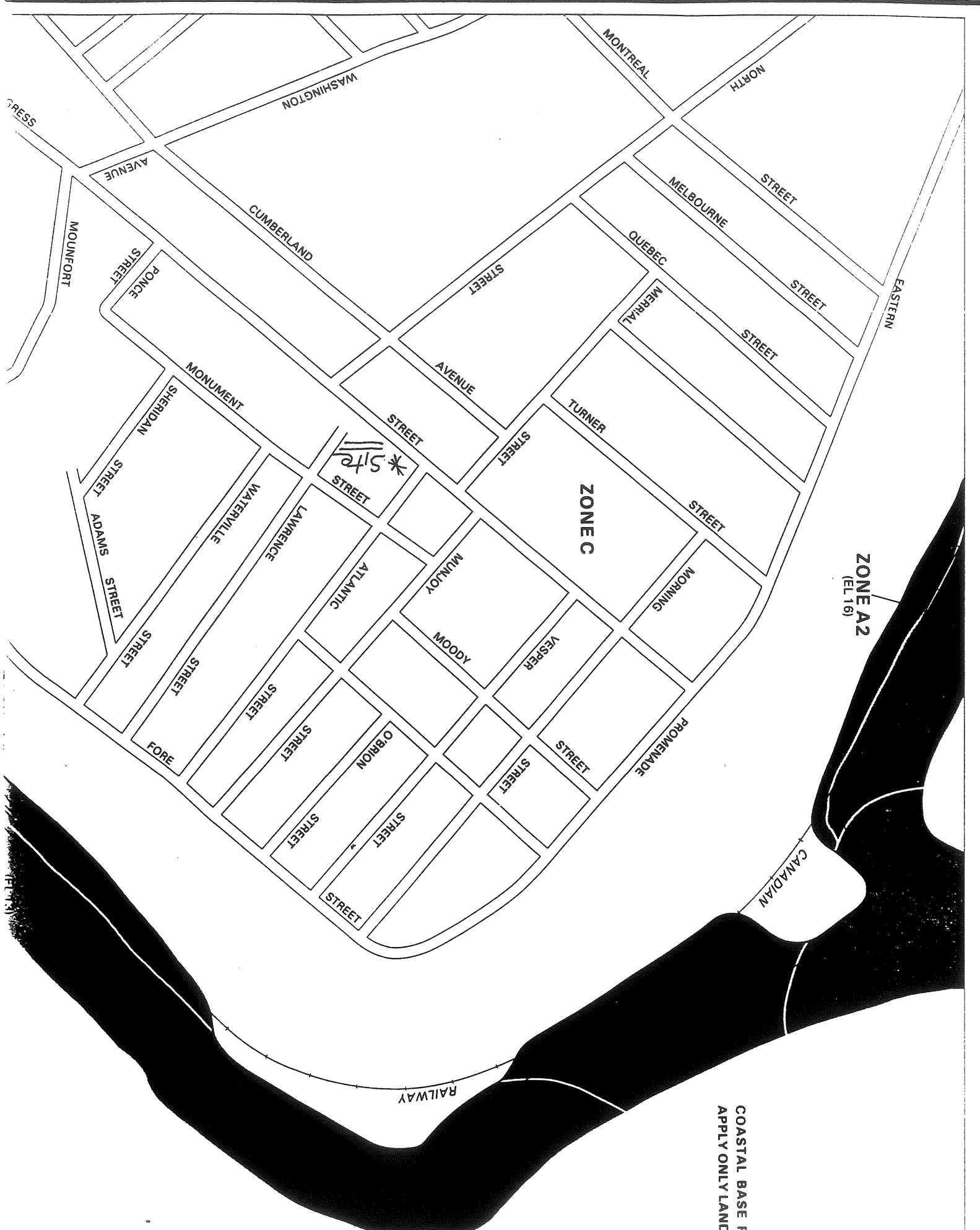
See enclosed Easement Option.

**DESCRIPTION OF NATURAL AREAS**

There are no known unusual natural areas, wildlife or fishery habitats or archeological sites on or near the project site.







ZONE A2  
(EL 16)

ZONE C

COASTAL BASE F  
APPLY ONLY LAND

\*Site

RAILWAY

CANADIAN

PROMENADE

MORNING

STREET

STREET

STREET

MOODY

MUNOY

ATLANTIC

LAWRENCE

WATERVILLE

MONUMENT

SHERIDAN

ADAMS

STREET

STREET

FORE

STREET

STREET

O'BRIEN

STREET

STREET

TURNER

STREET

AVENUE

STREET

STREET

STREET

STREET

STREET

STREET

POINCE

AVENUE

MOUNFORT

GRESS

MONTREAL

NORTH

MELBOURNE

QUEBEC

MERIAL

STREET

STREET

EASTERN

CUMBERLAND

WASHINGTON





**EASEMENT OPTION**

and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations, a non-refundable amount, to me paid by New England Telephone Company, whose address is 125 High Street, Boston, Massachusetts, 02110, New York, which is hereby acknowledged, I, George W. Lane, Jr., of Harborough, Maine, hereby agree that we shall grant unto said Company, its successors and assigns, the right and easement to place and maintain upon an underground communication cables, foot pre-cast concrete building upon an easement over a parcel of land located on the southwestern sideline and described as follows: Beginning at a point, being a 5/8-inch rebar set on the southwesternly corner of said Atlantic Street at the most easterly corner of Lee L. Staples and Irene M. Staples as described in Book 4541, Page 163; thence, S 40-26-24 E, along the southwesternly sideline of said Atlantic Street, 31.00 feet to a 5/8-inch rebar set; thence, S 49-33-36 W, through land of the Grantor, 52.00 feet to a 5/8-inch rebar set; thence, S 49-33-36 W, through land of the Grantor, 31.00 feet to a 5/8-inch rebar set; thence, N 49-33-36 E, along said land of Staples, 52.00 feet to the point of beginning. All rebars set are capped, "OEST 1245." Said easement is further described as being a portion of Map #16, Block D, Lot #6, as identified by the Assessors Maps for the City of Portland, County of Cumberland, and State of Maine, and as a portion of land owned by George W. Lane, Jr., as described in Book 3308, Page 40, of the Cumberland County Registry of Deeds, Maine, entitled, "Standard Boundary Survey - Fiber Optic Switching Facility," dated July, 1998.

Further rights are herein granted to construct, place and maintain a grounding system consisting of ground rods, mats, and/or wells for protection of said telecommunication equipment. The right to cut trees, trim brush and grade said easement area is also granted with permission to enter upon my property for the above purposes.

**EASEMENT OPTION**

For and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations, a non-refundable amount, to me paid by New England Telephone and Telegraph Company, a corporation duly organized under the laws of the State of New York, whose address is 125 High Street, Boston, Massachusetts, 02110, the receipt of which is hereby acknowledged, I, George W. Lane, Jr., of Scarborough, Maine, hereby agree that we shall grant unto said Company, its successors and assigns, the right and easement to place and maintain underground communication cables, conduits and appurtenances along with an eleven (11) foot by eighteen (18) foot pre-cast concrete building upon an easement over a parcel of land located on the southwesternly sideline of Atlantic Street, in the City of Portland, Cumberland County, Maine, bounded and described as follows: Beginning at a point, being a 5/8-inch rebar set on the southwesternly sideline of said Atlantic Street at the most northerly corner of land of the Grantor and the most easterly corner of land, now or formerly of Lee L. Staples and Irene M. Staples as described in Book 4541, Page 163; thence, S 40-26-24 E, along the southwesternly sideline of said Atlantic Street, 31.00 feet to a 5/8-inch rebar set; thence, S 49-33-36 W, through land of the Grantor, 52.00 feet to a 5/8-inch rebar set; thence, N 40-26-24 W, through land of the Grantor, 31.00 feet to a 5/8-inch rebar set on the southeasternly line of land of said Staples; thence, N 49-33-36 E, along said land of said Staples, 52.00 feet to the point of beginning. The above-described easement area contains 1,612 square feet, more or less. Bearings are based on observed magnetic north, dated July, 1998. All rebars set are capped, "OEST 1245."

Said easement is further described as being a portion of Map #16, Block D, Lot #6, as identified by the Assessors Maps for the City of Portland, County of Cumberland, and State of Maine, and as a portion of land owned by George W. Lane, Jr., as described in Book 3308, Page 40, of the Cumberland County Registry of Deeds. Further reference is made to a plan by Oest Associates Inc., of South Portland, Maine, entitled, "Standard Boundary Survey - Fiber Optic Switching Facility, Located on Property of George W. Lane, Jr., Atlantic Street, Portland, Maine," dated July, 1998.

Further rights are herein granted to construct, place and maintain a grounding system consisting of ground rods, mats, and/or wells for protection of said telecommunication equipment. The right to cut trees, trim brush and grade said easement area is also granted with permission to enter upon my property for the above purposes.

Further rights are herein granted to Central Maine Power Company, a corporation duly organized under the laws of the State of Maine, whose address is Edison Drive, Augusta, Maine, 04330, to place and maintain conduit, electrical cables, and appurtenances to provide electrical service to the above-referenced facility and to enter upon my property for the above purposes.

New England Telephone Company agrees to the following:

- 1) Assume any and all taxes associated with this terminal;
- 2) Indemnify and save harmless the Grantor, his heirs and assigns from any claim costs and liability arising from use of said premises;
- 3) Landscape said easement area and alter the external facade in accordance with the Grantor's wishes;
- 4) Upon completion of New England Telephone Company's use of and removal of its equipment from said easement area, all rights herein granted shall revert to the owner of record.

Full execution of this agreement shall occur upon successful review and approval of the City of Portland of the proposed project and upon payment, as agreed to by New England Telephone and Telegraph Company.

Witness my hand and common seal this 7th day of September, 1998.

Witnesses:

*Nancy J. Bozenhard*

*George W. Lane, Jr.*

State of Maine County of Cumberland ss., September 7, 1998

Then personally appeared the above named George W. Lane, Jr. and acknowledged the foregoing instrument to be his free act and deed

Before me,

*Nancy J. Bozenhard*  
Notary Public

My Commission expires:

NANCY BOZENHARD  
NOTARY PUBLIC, MAINE  
MY COMMISSION EXPIRES OCTOBER 21, 1998



Bell Atlantic - New England  
5 Davis Farm Road  
Portland, ME 04103

O:\PLAN\CORRESP\KANDILETTERS\ATLANT.WPD

1. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. A one year extension may be granted by this department if requested by the applicant in writing prior to the expiration date of the site plan.
2. A performance guarantee in a form acceptable to the City of Portland and an inspection fee equal to 1.7% of the performance guarantee will have to be posted before beginning any site construction or issuance of a building permit.

Please note the following provisions and requirements for all site plan approvals:

The approval is based on the submitted site plan. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.

- i. that the applicant install seven (7) feet long granite tipdown curb at each side of the proposed driveway entrance.
- ii. that the applicant reset the existing brick along the entire frontage of this property, which is approximately 64 linear feet.
- iii. that the applicant install trees between the building and the brick sidewalk along Atlantic Street.

On November 19, 1998 the Portland Planning Authority granted minor site plan approval for a Fiber Optic Switching Facility located at 94 Atlantic with the following conditions:

Dear Ms. Bozenhard:

re: 94 Atlantic Street, Fiber Optic Station

Nancy Bozenhard  
Bell Atlantic  
6 Davis Farm Road  
Portland, ME 04103

December 2, 1998

# CITY OF PORTLAND



Planning & Urban Development

Joseph E. Gray Jr.  
Director



Bell Atlantic - Maine  
5 Davis Farm Road  
Portland, ME 04103  
207 797-1785

Troy F. McDonald  
Manager - Right Of Way



February 5, 1999

Department of Planning and Urban Development  
Attn: Kandi Talbot  
389 Congress Street  
Portland, Maine 04101

RE: 94 Atlantic Street - Fiber Optic Station

Dear Ms. Talbot:

Enclosed please find the required bond information for our proposed Fiber Optic Station to be placed on Atlantic Street.

I have also enclosed a check in the amount of \$210.00 for the associated engineering fee as well as a check in the amount of \$376.00 for the inspection fee. It is my understanding that a building permit has been applied for and is waiting for your approval before being released.

If you need any additional information to close out this project, do not hesitate to call. Thank you for you help on this project.

Sincerely,

A handwritten signature in black ink, appearing to read "Troy McDonald".

Troy F. McDonald  
Manager - Right of Way

**INDEMNITY INSURANCE COMPANY OF NORTH AMERICA**

**(CIGNA)**

**BOND NO. KO 5956067**

KNOW ALL MEN BY THESE PRESENTS, That we, NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY d/b/a BELL ATLANTIC-NEW ENGLAND, as Principal, and INDEMNITY INSURANCE COMPANY OF NORTH AMERICA, a corporation organized under the laws of the Commonwealth of Pennsylvania and duly authorized to transact business in the State of Maine as Surety, are held and firmly bound unto

**THE CITY OF PORTLAND, MAINE**

as Oblige, in the sum of \*\*SEVEN THOUSAND AND NO/100\*\* Dollars (\$7,000.00) for the payment whereof well and truly made, the Principal and the Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, in conjunction with the development of 94 Atlantic Street (Fiber Optics Station), Portland, Maine said Principal shall make, and ensure the fulfillment of all site improvements required by Section 14-499 as well as the requirements of Article III of Chapter 25 of the City of Portland Land Use Code.

NOW THEREFORE, the condition of the foregoing obligation is such that if the Principal shall indemnify the Oblige for all loss that the Oblige may sustain by reason of the Principal's failure to fulfill all improvements as required by Section 14-499 and Article III of Chapter 25 of the City of Portland Land Use Code, then this obligation shall be void, otherwise, it shall remain in full force and effect.

IN WITNESS WHEREOF, the said Principal and surety have signed and sealed this instrument this 28<sup>th</sup> day of January, 1999.

**[Principal]**  
New England Telephone and Telegraph  
Company d/b/a BELL ATLANTIC-  
NEW ENGLAND

By: *[Signature]*

**[Surety]**  
INDEMNITY INSURANCE COMPANY  
OF NORTH AMERICA

By: *[Signature]*  
Michelle V. Orlando, Attorney-in-Fact

Not Valid for mortgage, note, loan, letter of credit, bank deposit, currency rate, interest rate of residual value guarantees.

THIS DOCUMENT PRINTED ON RECYCLED BACKGROUND

Power of Attorney

INDEMNITY INSURANCE COMPANY OF NORTH AMERICA



746996

Know all men by these presents: That INDEMNITY INSURANCE COMPANY OF NORTH AMERICA, a corporation of the Commonwealth of Pennsylvania, having its principal office in the City of Philadelphia, Pennsylvania, pursuant to the following Resolution, adopted by the Board of Directors of the said Company on December 5, 1983, to wit:

- (1) That the President, any Senior Vice President, any Vice President, and Assistant Vice President of the Company shall govern the execution for the Company of bonds, undertakings, recognizances, contracts and other writings in the nature thereof, the same to be attested when necessary by the Corporate Secretary, or any Assistant Corporate Secretary, and the seal of the Company affixed thereto; and that the President, any Senior Vice President, any Vice President, or any Assistant Vice President may execute for and on behalf of the Company any and all bonds, undertakings, recognizances, contracts and other writings on behalf of the Company and to affix the seal of the Company hereeto.
- (2) Any such writing executed in accordance with these Rules shall be as binding upon the Company in any case as though signed by the President and attested to by the Corporate Secretary.
- (3) The signature of the President, or a Senior Vice President, or a Vice President, and the signature of a certifying officer and the seal of the Company may be affixed by facsimile on any power of attorney granted pursuant to this Resolution, and the signature of a certifying officer and the seal of the Company may be affixed by facsimile to any certificate of any such power, and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company.
- (4) Such other Officers of the Company, and Attorneys-in-Fact shall have authority to certify or verify copies of this Resolution, the By-Laws of the Company, and any affidavit or record of the Company necessary to the discharge of their duties.
- (5) The passage of this Resolution does not revoke any earlier authority granted by Resolutions of the Board of Directors adopted on June 9, 1953, May 28, 1975, and March 23, 1977.

JANET H. GIBSON and JOLINE L. BINETTE all of the City of Auburn, State of Maine, each individually if there be more than one named, its true and lawful attorney-in-fact, to make, execute, seal and deliver on its behalf, and as its act and deed any and all bonds, undertakings, recognizances, contracts and other writings in the nature thereof in penalties not exceeding Ten Million Dollars (\$10,000,000) and the execution of such writings in pursuance of these presents shall be as binding upon said Company, as fully and amply as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its principal office.

IN WITNESS WHEREOF, the said William Jungreis, Vice-President, has hereunto subscribed his name and affixed the corporate seal of the said INDEMNITY INSURANCE COMPANY OF NORTH AMERICA this 18th day of November 1997.

*William Jungreis*  
 William Jungreis, Vice President



COMMONWEALTH OF PENNSYLVANIA  
 COUNTY OF PHILADELPHIA  
 ss  
 On this 18th day of November, A.D. 1997, before me, a Notary Public of the Commonwealth of Pennsylvania in and for the County of Philadelphia came William Jungreis, Vice-President of the INDEMNITY INSURANCE COMPANY OF NORTH AMERICA to me personally known to be the individual and officer who executed the preceding instrument, and he acknowledged that he executed the same, and that the seal affixed to the preceding instrument is the corporate seal of said Company; that the said corporate seal and signature were duly affixed by the authority and direction of the said corporation, and that Resolution, adopted by the Board of Directors of said Company, referred to in the preceding instrument, is now in force.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at the City of Philadelphia the day and year first above written.



NOTARIAL SEAL  
 MARY E. COLLINS, Notary Public  
 City of Philadelphia, Phila. County  
 My Commission Expires June 22, 1998

*Mary E. Collins*  
 Notary Public

I, the undersigned Secretary of INDEMNITY INSURANCE COMPANY OF NORTH AMERICA, do hereby certify that the original POWER OF ATTORNEY, of which the foregoing is a substantially true and correct copy, is in full force and effect.

In witness whereof, I have hereunto subscribed my name as Secretary, and affixed the corporate seal of the Corporation, this 28th day of January 19 99

To be attached to Bond No. KO 5956057

*Debra H. Pazio*  
 Debra H. Pazio, Secretary



THIS POWER OF ATTORNEY MAY NOT BE USED TO EXECUTE ANY BOND WITH AN INCEPTION DATE AFTER NOVEMBER 18, 1999



Department of Planning and Urban Development  
 SUBDIVISION/SITE DEVELOPMENT

COST ESTIMATE OF IMPROVEMENTS TO BE COVERED BY PERFORMANCE CONTRACT

Date: December 21, 1998

Name of Project: Precast Concrete Telecommunication Equipment Building  
 Address Location: Atlantic Street, Portland  
 Developer: Bell Atlantic

Form of Performance Contract:

Type of Development: Subdivision

Site Plan (Major/Minor): Major

Item	Quantity	Unit Cost	Subtotal	Quantity	Unit Cost	Subtotal	Category
STREET SIDEWALK							
Road							
Grass Cutting							
Sidewalk Brick (Reseal)	11 Lin Ft	214.82	375.48	78 Lin Ft	216.82	2091.96	
Expansions							
Manholes							
Pipes							
Conduits							
Other							
2 SANITARY SEWER							
Manholes							
Pipes							
Conduits							
Other							
5 STORAGE DRAINAGE							
Manholes							
Pipes							
Conduits							
Other							
7 SITE LIGHTING							
N/A							
8 EROSION CONTROL							
N/A							
9 RECREATION AND OPEN SPACE AMENITIES							
20 Bales							
10 T5							
215.00							
23 Sign							
21.28							
900.24							
78 Lin Ft							
216.82							
2091.96							

LANDSCAPING - (Amounts breakdown of plant materials, mulch, and soil costs)

MISCELLANEOUS

TOTAL

GRAND TOTAL

Category	Public	Private
Quantity		
Unit Cost		
Subtotal	\$ 3065.48	\$ 3807.20
	\$ 6872.68	

INSPECTION FEE (to be billed out by City)

A. 1.7% of costs

B. Alternative Assessment

Assessed by:

2/4/98

Category	Public	Private	Total
Quantity			
Unit Cost			
Subtotal	\$ 280.00	\$ 96.00	\$ 376.00

AMERICAN EXPRESS®  
CORPORATE DRAFT

281

82-40/1021

19 99 Feb 5

\$ 376 <sup>100</sup>/<sub>X</sub>

DOLLARS

Three hundred and seventy-six <sup>100</sup>/<sub>X</sub>

ORDER OF City of Portland

PAY TO THE

Issued by American Express Travel Related Services Company, Inc.  
Englewood, Colorado

Payable at United Bank of Grand Junction - Downtown  
Grand Junction, Colorado

Period Ending Inspection - 11/01/97

TROY F MCDONALD

NOT VALID FOR AMOUNT OVER \$500

⑆0102100400135⑈0156000771⑈0281

AMERICAN EXPRESS®  
CORPORATE DRAFT

280

82-40/1021

19 99 Feb 5

\$ 210 <sup>75</sup>/<sub>X</sub>

DOLLARS

Two hundred and ten <sup>75</sup>/<sub>X</sub>

ORDER OF City of Portland

PAY TO THE

Issued by American Express Travel Related Services Company, Inc.  
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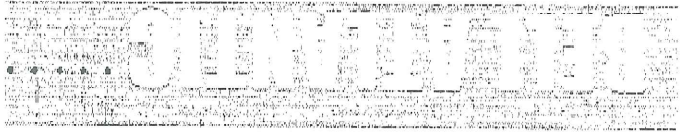
Payable at United Bank of Grand Junction - Downtown  
Grand Junction, Colorado

Period Ending Engineering Plans - 11/01/97

TROY F MCDONALD

NOT VALID FOR AMOUNT OVER \$500

⑆0102100400135⑈0156000771⑈0280



2/4/98 TW  
Engineering fee: \$10.00

Thank You - Troy

I will request a bond in the amount of \$6872.68.

If you need additional information, please let me know.

Urgent  For Review  Please Comment  Please Reply  Please Recycle

CC:

Re: Cost Estimate - Atlantic Street Pages: 2

From: Troy F. McDonald Date: 01/28/99

To: Kandi Falbot Fax: 756-8258

Facsimile transmittal

5 Davis Farm Road - Portland, Maine 04103  
Tel: (207) 799-1785

Administration  
Right-of-Way, Reimbursable Construction, Contract

**Engineer Review and Site Inspection Fee Invoice Worksheet**

Address: *Atlantic Street...Bell Atlantic Fiber Optic Switching Facility.....DATE: 10/2/98*

**Engineering Review**

To be filled out by Development Review Coordinator and Public Works at time of application.

**Planning** # of Hours Estimated: (Private Improvements) \_\_\_\_\_  
**Public Works** # of Hours Estimated: (Public Improvements) \_\_\_\_\_

Field Work \_\_\_\_\_

Memos/Corresp. \_\_\_\_\_

Review/Analysis \_\_\_\_\_

Meetings/phone calls \_\_\_\_\_

Total Hours \_\_\_\_\_ at \_\_\_\_\_ \$35 per hour

Review Fee (Private): \$ \_\_\_\_\_

Development Review Coordinator Signature \_\_\_\_\_

Public Works Engineer Signature \_\_\_\_\_

**Site Inspection**

To be filled out by DRC and Public Works at time of Performance Guarantee approval.

**Planning**

Accept 1.7% of Private Improvements P.G. \$ \_\_\_\_\_  
 (dollar amount)

# of Hours Estimated: \_\_\_\_\_

Accept 1.7% of Private Improvements P.G. \$ \_\_\_\_\_  
 (dollar amount)

Field Work \_\_\_\_\_

Memos/Corresp. \_\_\_\_\_

Review/Analysis \_\_\_\_\_

Meetings/phone calls \_\_\_\_\_

Total Hours \_\_\_\_\_ at \_\_\_\_\_ \$35 per hour

Alternate Inspection Fee (Public): \$ \_\_\_\_\_

Public Works Engineer Signature \_\_\_\_\_

Development Review Coordinator Signature \_\_\_\_\_

Alternate Inspection Fee (Private): \$ \_\_\_\_\_

Total Hours \_\_\_\_\_ at \_\_\_\_\_ per hour

Meetings/phone calls \_\_\_\_\_

Review/Analysis \_\_\_\_\_

Memos/Corresp. \_\_\_\_\_

Field Work \_\_\_\_\_

# of Hours Estimated: \_\_\_\_\_