

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND

BUILDING DEPARTMENT

PERMIT

Please Read Application And Notes, If Any, Attached

Permit Number: 090114
PERMIT ISSUED
APR - 1 2009
CITY OF PORTLAND

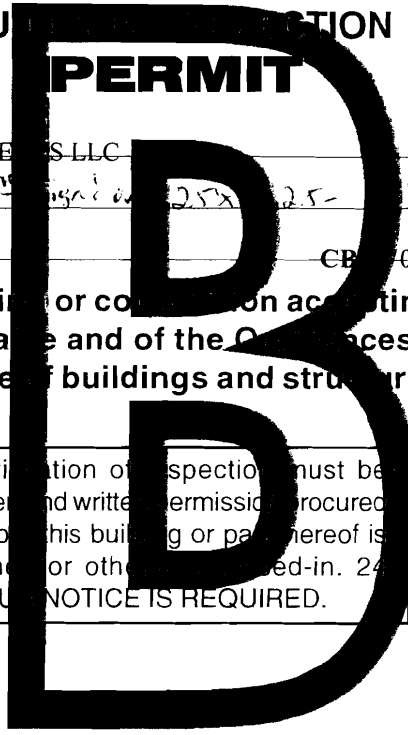
This is to certify that METROPOLITAN APARTMENTS LLC

has permission to install one 3.5' x 11' building sign and one 2.5' x 2.5' hanging sign

AT 439 CONGRESS ST

CB# 027 B004001

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 written permission procured before this building or part thereof is lathed or otherwise red-in. 24 HOUR NOTICE IS REQUIRED.

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

OTHER REQUIRED APPROVALS

- Fire Dept. _____
- Health Dept. _____
- Appeal Board _____
- Other _____
Department Name

Thomas Malley 5/2/09
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: 09-0114	Issue Date:	CBL: 027 B004001
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Location of Construction: 439 CONGRESS ST	Owner Name: METROPOLITAN APARTMENTS	Owner Address: 104 GRANT ST	Phone:
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Business Name: Grass Roots Organic Juice Bar/ Cafe	Contractor Name:	Contractor Address:	Phone:
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Lessee/Buyer's Name Igor Rakuz	Phone: 617-216-1661	Permit Type: Signs - Permanent	Zone: B-3
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Past Use: Commercial / Retail	Proposed Use: Commerical /Restaurant /Juice Bar - install 7'x2.5' hanging Sign Change of use permit 08-12-07 install one 11'x3.5' building sign one 2.5'x2.5' hanging sign	Permit Fee: \$65.00	Cost of Work: \$65.00	CEO District: 1
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Proposed Project Description: install 7'x2.5' hanging Sign one 2.5'x2.5' hanging sign. install one 11'x3.5' building sign!	FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: Type:
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Signature:	Signature:
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PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) yes
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Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied
Signature: Date:

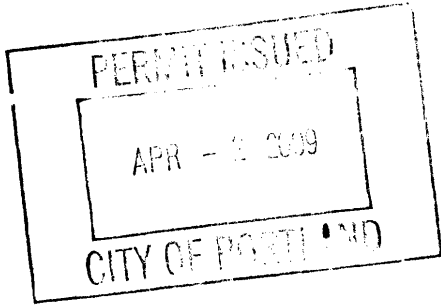
Permit Taken By: Ldobson	Date Applied For: 02/13/2009	Zoning Approval	
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1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.
2. Building permits do not include plumbing, septic or electrical work.
3. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..

Special Zone or Reviews <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input checked="" type="checkbox"/> Site Plan Exemption 3/27/09 <i>STH</i> Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/> OK w/condition Date: 2/25/09 <i>STH</i>

Zoning Appeal <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied Date:

Historic Preservation <input checked="" type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input checked="" type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied XPM Date: 3/29/09 <i>STH</i>



CERTIFICATION

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

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

Signage/Awning 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>437 Congress St</u>		
Tax Assessor's Chart, Block & Lot Chart# <u>27</u> Block# <u>B</u> Lot# <u>4</u>	Owner: <u>Vacant Property Mary</u> <u>104 Grant St Portland ME</u>	Telephone: <u>Ross 207 252 0356</u> <u>207-761-9740</u>
Lessee/Buyer's Name (If Applicable) <u>Igor Rakuz</u> <u>OVER GROW LLC</u> <u>DBA G-RO</u>	Contractor name, address & telephone: <u>Igor Rakuz</u>	Total s.f. of signage x \$2.00 Per s.f. plus \$30.00/\$65.00 For H.D. signage= Total Fee: \$ _____ Awning Fee= cost of work _____ Total Fee: \$ _____
Who should we contact when the permit is ready: <u>Igor Rakuz</u> phone: <u>617-216-1661</u>		
Tenant/allocated building space frontage (feet): Length: <u>12.75'</u> Height: _____ Lot Frontage (feet) _____ Single Tenant or Multi Tenant Lot: <u>Multi</u>		
Current Specific use: <u>Vacant</u> If vacant, what was prior use: <u>Gallery Retail</u> Proposed Use: <u>Juice Bar-restaurant</u>		
Information on proposed sign(s): Freestanding (e.g., pole) sign? Yes ___ No ___ Dimensions proposed: _____ Height from grade: _____ Bldg. wall sign? (attached to bldg) Yes <u>/</u> No ___ Dimensions proposed: <u>7' x 2 1/2'</u>		
Proposed awning? Yes ___ No <u>/</u> Is awning backlit? Yes ___ No ___ Height of awning: _____ Length of awning: _____ Depth: _____ Is there any communication, message, trademark or symbol on it? Yes ___ No ___ If yes, total s.f. of panels w/communications, message, trademark or symbol: _____ s.f.		
Information on existing and previously permitted sign(s): Freestanding (e.g., pole) sign? Yes ___ No <u>/</u> Dimensions: _____ Bldg. wall sign? (attached to bldg) Yes ___ No <u>/</u> Dimensions: _____ Awning? Yes ___ No ___ Sq. ft. area of awning w/communication: _____		
A site sketch and building sketch showing exactly where existing and new signage is located must be provided. Sketches and/or pictures of proposed signage and existing building are also required.		

revised 3/27/09
 $7 \times 2.5 = 17.5 \times 2$
 $+ 30$
 $\hline 65$
two signs
building sign 11' x 3 1/2"
hanging sign - 2.5' x 2.5'

Please submit all of the information outlined in the Sign/Awning Application Checklist.
Failure to do so may result in the automatic denial of your permit.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information visit us on-line at www.portlandmaine.gov, stop by the Building Inspections office, room 315 City Hall or call 874-8703.

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: Igor Rakuz Date: 2/13/09

This is not a permit; you may not commence ANY work until the permit is issued.

B-3 - multi tenant individual storefront
 $2 \times 12.75' = 25.5'$

~~proposed sign 7' x 2.5' = 17.5'~~ OK.

revised
 $11 \times 3.5 = 38.5'$
 $2.5 \times 2.5 = 6.25'$

doesn't meet it - appeal to planning 44.75'

City of Portland, Maine - Building or Use Permit

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

Permit No: 09-0114	Date Applied For: 02/13/2009	CBL: 027 B004001
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Location of Construction: 439 CONGRESS ST	Owner Name: METROPOLITAN APARTMENTS	Owner Address: 104 GRANT ST	Phone:
Business Name: Grass Roots Organic Juice Bar/ Cafe	Contractor Name:	Contractor Address:	Phone:
Lessee/Buyer's Name: Igor Rakuz	Phone: 617-216-1661	Permit Type: Signs - Permanent	

Proposed Use: Commerical /Restaurant /Juice Bar - "Grass Roots Organic Juicebar/Cafe" - install one 11' x 3.5' building sign & one 2.5'x2.5' hanging sign (Change of use permit #08-1257.)	Proposed Project Description: install one 11' x 3.5' building sign & one 2.5'x2.5' hanging sign - "Grass Roots Organic Juicebar/Cafe"
--	---

Dept: PAD **Status:** Approved with Conditions **Reviewer:** Scott Hanson **Approval Date:** 03/27/2009

Note: **Ok to Issue:**

- 1) The hanging sign is approved in concept, but a more detailed drawing of the bracket for the sign must be submitted to PAD Staff for review PRIOR to fabrication and installation.
- 2) For the wall mounted sign, the distance between the painted sign board and the stone is to match the space around the sign next door at Antoine's tailor shop.
- 3) Approval is for revised design as submitted 3-27-09.

Dept: Zoning **Status:** Approved with Conditions **Reviewer:** Ann Machado **Approval Date:** 02/25/2009

Note: Change of use permit #08-1257 **Ok to Issue:**

3/27/09 Received revised sign proposal after Scott Hanson worked with Igor Rakuz to fit the PAD District design guidelines. The new proposal does not meet the requirements of section 14-369.5. Gave permit to planning under section 14-368.5(g). Scott Hanson approved it.

- 1) This sign is in the Pedestrian Activities District (PAD) overlay zone and shall be subject to the standards set forth in the Downtown Urban Design Guidelines.

Dept: Building **Status:** Approved with Conditions **Reviewer:** Tom Markley **Approval Date:** 04/02/2009

Note: **Ok to Issue:**

- 1) Signage Installation to comply with Chapter 31 of the IBC 2003 building code.
- 2) Application approval based upon information provided by applicant. Any deviation from approved plans requires separate review and approval prior to work.

Dept: Planning **Status:** Approved with Conditions **Reviewer:** Scott Hanson **Approval Date:** 03/27/2009

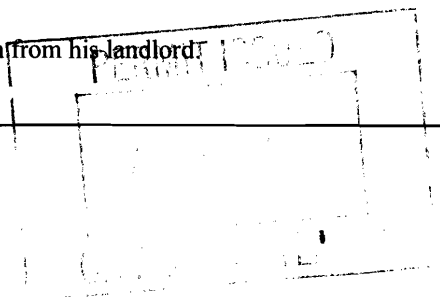
Note: **Ok to Issue:**

- 1) See conditions under PAD.

Comments:

2/17/2009-amachado: Spoke to Igor Ralauz at the counter 2/13/09. Need letter of permission from his landlord.

2/25/2009-amachado: Received letter of permission from landlord.



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BUILDING PERMIT INSPECTION PROCEDURES

Please call 874-8703 or 874-8693 (ONLY)

to schedule your inspections as agreed upon

Permits expire in 6 months, if the project is not started or ceases for 6 months.

The Owner or their designee is required to notify the inspections office for the following inspections and provide adequate notice. Notice must be called in 48-72 hours in advance in order to schedule an inspection:

By initializing at each inspection time, you are agreeing that you understand the inspection procedure and additional fees from a "Stop Work Order" and "Stop Work Order Release" will be incurred if the procedure is not followed as stated below.

A Pre-construction Meeting will take place upon receipt of your building permit.

 X **Final inspection required at completion of work.**

Certificate of Occupancy is not required for certain projects. Your inspector can advise you if your project requires a Certificate of Occupancy. All projects DO require a final inspection.

If any of the inspections do not occur, the project cannot go on to the next phase, REGARDLESS OF THE NOTICE OR CIRCUMSTANCES.

CERIFICATE OF OCCUPANICES MUST BE ISSUED AND PAID FOR, BEFORE THE SPACE MAY BE OCCUPIED.

Signature of Applicant/Designee

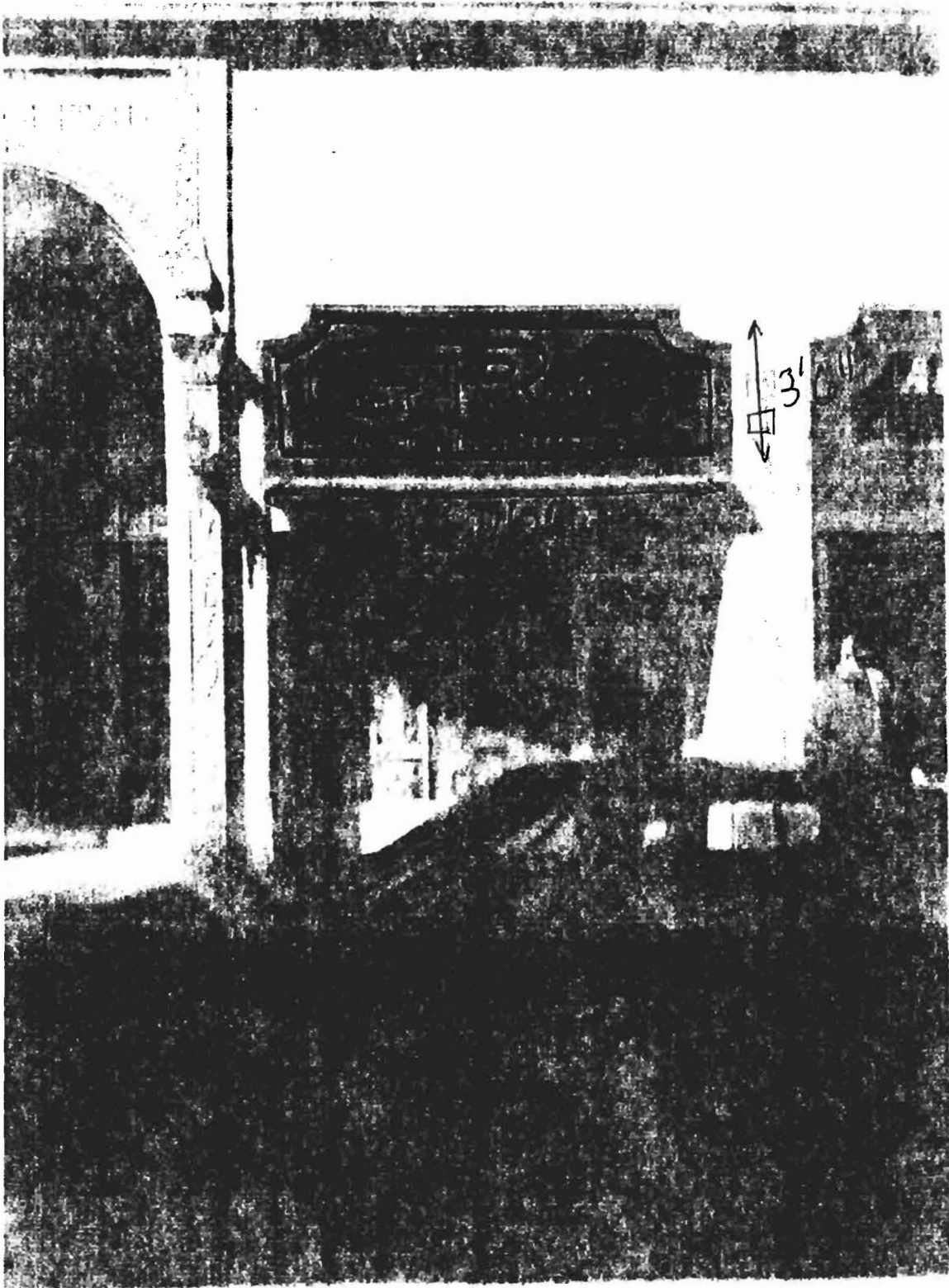
Thomas W. Mackley

Signature of Inspections Official

Date

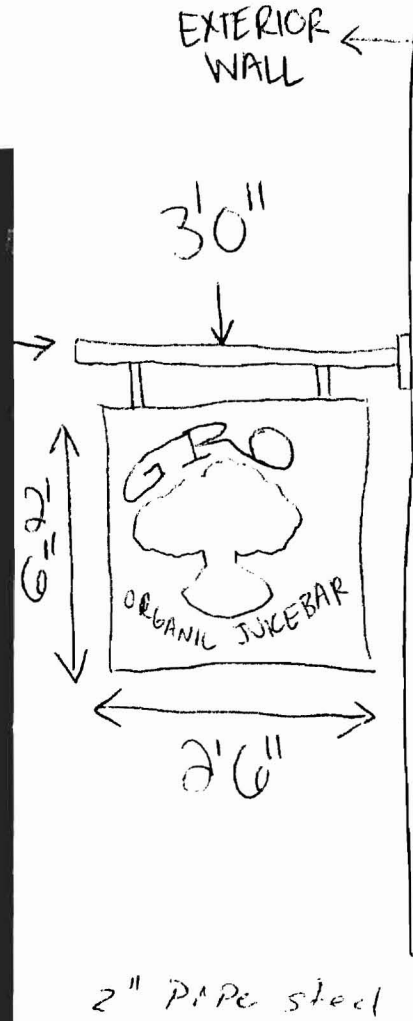
4/2/09

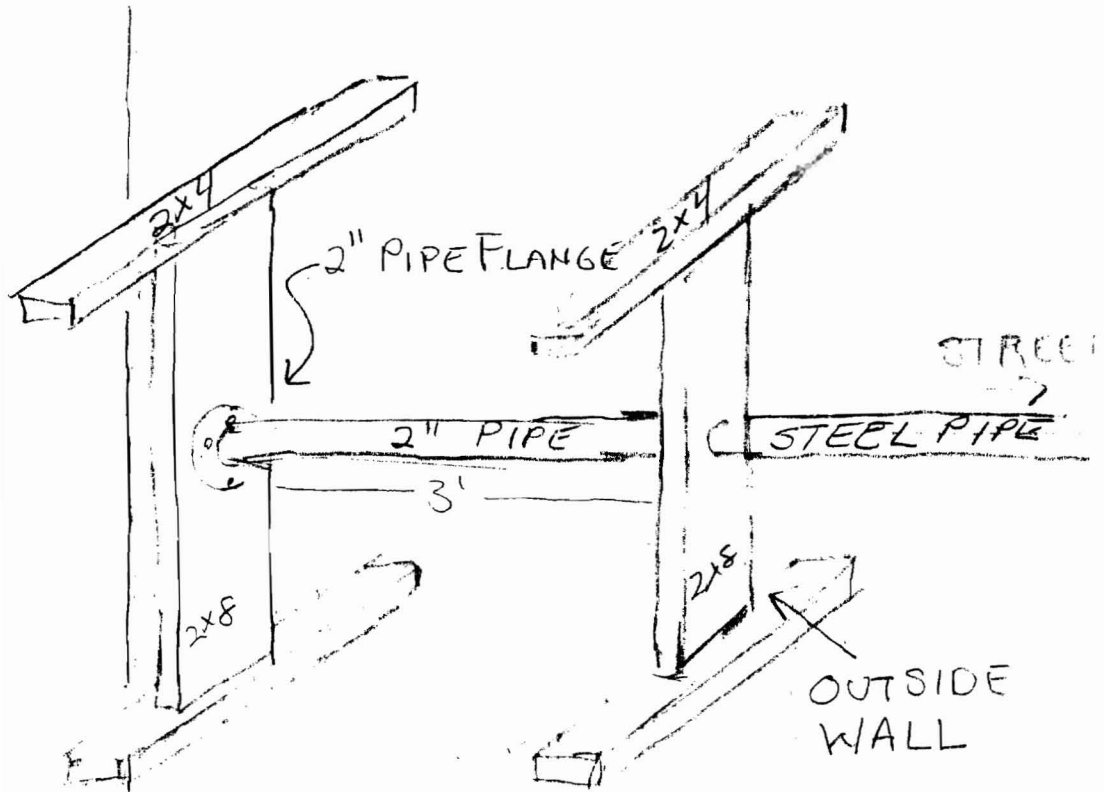
Date



REVISED DESIGN
SUBMITTED 3/29/09

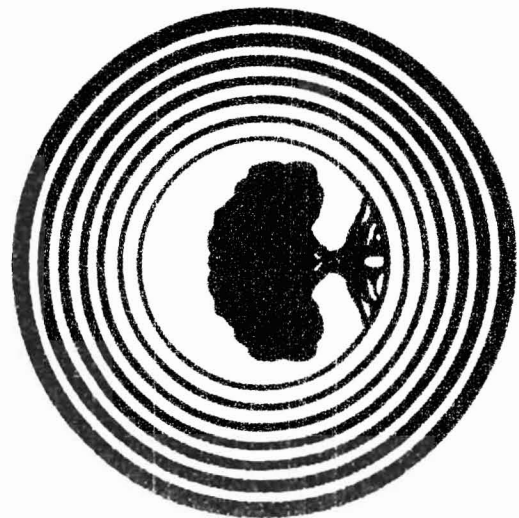
STH



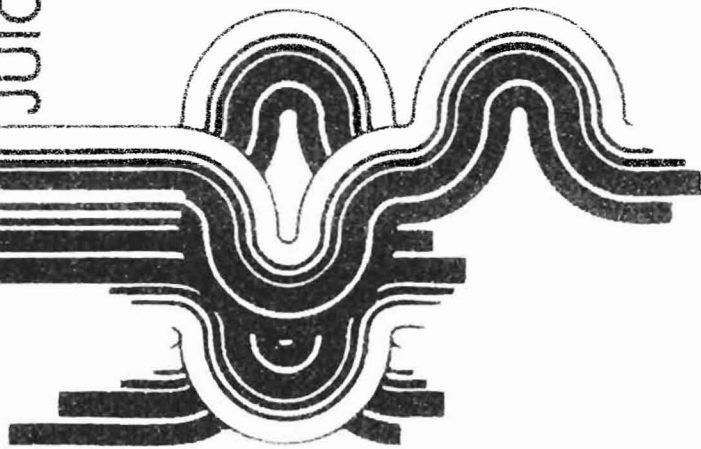


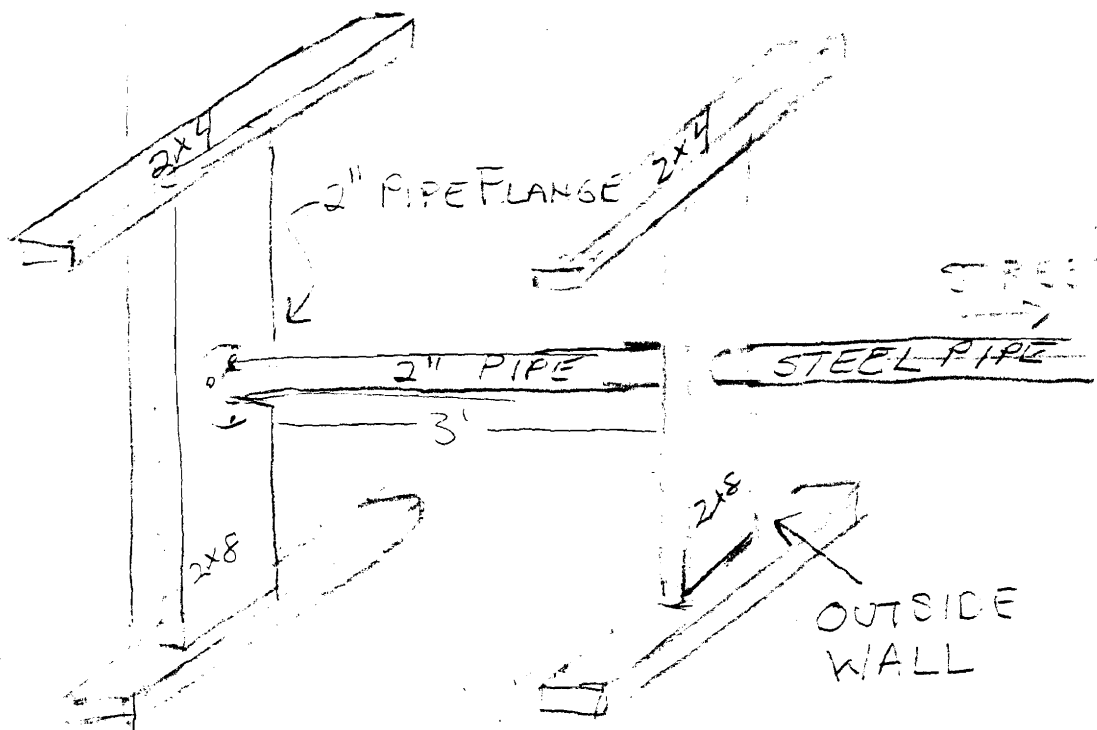
ATTACHED TO
EXISTING WALL
& SUPPORTED
TOP & BOTTOM
TO EXISTING
FRAMING

Colors
of
sign.
plywood.



GRASS ROOTS ORGANIC
JUICE BAR / CAFE





INSIDE WALL

OUTSIDE WALL

ATTACHED TO
EXISTING WALL
& SUPPORTED
TOP & BOTTOM
TO EXISTING
FRAMING







12.75



LEASE

This Lease Agreement made this 25th day of September 2008, by and between Metropolitan Apartments, LLC, a Limited Liability Corporation with a place of business at 104 Grant St., Portland, ME 04101 (hereinafter called "Landlord") and Igor Rakuz, D/B/A Overgrow, a sole proprietorship with a mailing address of 437 Congress Street, Portland, Maine, 04101 (hereinafter called "Tenant").

WITNESSETH

Article 1 Premises: Landlord hereby leases unto Tenant, and Tenant hereby leases from Landlord the premises of the first floor retail space located at 437 Congress Street, Portland, ME 04101 consisting of approximately 1000 square feet of retail space (the "Premises"). The premises shall include the basement area directly beneath said retail space, provided that the Landlord and its duly authorized agents shall have access to and the right to enter said basement for purposes of reading, maintaining and services utility meters and other mechanical systems, and in the event of an emergency.

Article 2 Term: The Premises are leased for a term commencing on December 1, 2008 and terminating 1 year after on November 30, 2009. Tenant shall have the right to renew based on the terms defined in Article 3.1 below.

In the event Tenant shall continue in occupancy of the demised premises after the expiration of the term, such occupancy shall not be deemed to extend or renew the terms of the lease, but occupancy shall, at the option of the landlord, continue as a tenancy at will from month to month upon covenants, provisions, and conditions herein contained, and at the rent in effect during the last year of the term, increased by twenty (20%) percent prorated and payable month to month on the first of each month for the period of such hold-over occupancy. This paragraph shall not be deemed or construed as giving the Tenant any right to hold over after the expiration of the term thereof.

Article 3 Rent: The annual base rent for year 1, December 1, 2008 through November 30, 2009 shall be \$13,200 (\$1,100 monthly). Said rent shall be made payable in advance the first day of each and every calendar month during the term of the lease and rent payments should be made to Port Property Management, 104 Grant Street, Portland, ME., 04101. The first month's rent shall be due in full at lease signing. Any rent payment received by the Landlord after the 10th of the month shall be subject to a 5% surcharge.

Article 3.1 Renewal: Tenant shall have the right to renew this lease for 1 (one) 2 (two) year term at a new "market rate" monthly rent at as determined by Landlord at its reasonable discretion. The renewal term shall commence the day following the expiration of the initial term of the lease. In order to exercise its right to renew, Tenant must give Landlord written notice of its intent to renew minimum of 4 (four) months prior to the expiration of the initial term, provided, however, that the Tenant may not exercise its right to renew the Lease if Tenant is in default of any of its obligations under the lease. If the Tenant exercises its option to renew the term of this lease Tenant agrees

IN WITNESS THEREOF, the parties have hereunder set their hands and seals all on the day and year first written above.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

Paula J. Mains
Witness

LANDLORD
Metropolitan Apartments, LLC
By: Russell Pierce
Russell Pierce, Vice President
Port Property Management, Inc.
Its Property Manager

Paula J. Mains
Witness

TENANT
Igor Rakuz, D/B/A Overgrow
By: Igor Rakuz
Its: Igor Rakuz
9/25/08
Date

STATE OF MAINE CUMBERLAND, SS.

Personally appears the above-named, Russell Pierce, Manager of Metropolitan Apartments, LLC., and acknowledged the execution of the foregoing instrument to be his/her free and deed and the free act and deed of said Metropolitan Apartments, LLC.

PAULA J. MAINS
Notary Public, Maine
My Commission Expires July 16, 2010

Before me.
Paula J. Mains
Notary public/Attorney at Law

Paula J. Mains
Printed Name

STATE OF MAINE CUMBERLAND, SS.

09-25-08
Date

Personally appeared the above-named, Igor Rakuz, _____ of Overgrow and acknowledges the execution of the foregoing instrument to be his free act and deed.

Before me.
Paula J. Mains
Notary public/Attorney at Law

Paula J. Mains
Printed Name

PAULA J. MAINS
Notary Public, Maine
My Commission Expires July 16, 2010

I, Igor Rakuz, hereby personally guaranty any and all obligations of Overgrow under the foregoing lease, and without limiting the general nature of the foregoing, I guaranty timely payment of all amounts due to Landlord under the lease. I understand that landlord is relying on my guaranty in entering into this lease agreement. I hereby assent to the terms of the lease.

Paula J. Mains
Witness

Igor Rakuz
Igor Rakuz

21 Cook RD Winslow, ME
Address 04062

SS # 134-60-9307

STATE OF MAINE
CUMBERLAND, ss.

Personally appeared the above-named Igor Rakuz and acknowledged the foregoing instrument to be his free act and deed

Before me,

Paula J. Mains
Notary Public

Print Name: Paula J. Mains

My Commission Expires: 07-16-2010

PAULA J. MAINS
Notary Public, Maine
My Commission Expires July 16, 2010

FEB 17 2009

ACORD CERTIFICATE OF LIABILITY INSURANCE DATE (MM/DD/YYYY)
02/02/2009

PRODUCER (207) 885-5522 INNOVA INSURANCE SERVICES 25 PLAZA DRIVE, SUITE 1 SCARBOROUGH ME 04074-6900 INSURED OVER GROW 21 COOK RD WINDHAM ME 04062-	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. INSURERS AFFORDING COVERAGE NAIC # INSURER A: ONE BEACON INSURANCE INSURER B: INSURER C: INSURER D: INSURER E:
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COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR	ADD'L	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	X	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	FM2105766	09/24/2008	09/24/2009	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
		AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS		/ /	/ /	COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
		GARAGE LIABILITY <input type="checkbox"/> ANY AUTO		/ /	/ /	AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EA ACC \$ AGG \$
		EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE <input type="checkbox"/> RETENTION \$		/ /	/ /	EACH OCCURRENCE \$ AGGREGATE \$ \$ \$ \$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below OTHER		/ /	/ /	<input type="checkbox"/> WC'S ALI-TORY LIMITS <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS
 CITY OF PORTLAND, ME IS ADDED AS ADDITIONAL INSURED AS RESPECTS TO SIGN

CERTIFICATE HOLDER () - () - CITY OF PORTLAND, MAINE 389 CONGRESS ST PORTLAND ME 04101-	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL <u>010</u> DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE
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Port Property

M A N A G E M E N T

February 23, 2009

Ann Machado
Zoning Specialist
City of Portland

I am sending you this to approve for sign that Igor Rakuz would like to mount on the front of the premises he rents from Port Property Management \ at 437 Congress Street. Please call me if you need anything further.

Sincerely,



Russ Pierce
Vice President
Port Property Management

FEB 25 2009