

REBECCA W. GREENFIELD

Merrill's Wharf
254 Commercial Street
Portland, ME 04101

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November 13, 2014

VIA REGULAR MAIL & E-MAIL

Acting Ms. ~~Marge Schmuckal~~ *Ann Machado*
Zoning Administrator/City of Portland
Portland City Hall
389 Congress Street
Portland, Maine 04101

Re: Hilton Garden Inn, 57 Commercial Street, Portland, Maine (Tax Map 29, Block K, Lot 3)

Dear Ms. Schmuckal:

Olympia Equity Investors V, LLC, a Delaware limited liability company, is refinancing its hotel property situated at 57 Commercial Street in the City of Portland, more particularly identified on Tax Map 29, Block K, Lot 3 ("Property"). The Property, presently operated as a Hilton Garden Inn, is located in the B3 Downtown Business Zone. In the B3 Downtown Business Zone certain commercial uses are permitted, including hotels, restaurants and general business offices.

We would appreciate your confirmation that the Property, as developed, conforms with all land use and development restrictions contained in all City's ordinances, including applicable building, land use and subdivision regulations, and that all appropriate and required City permits, certificates, licenses, and approvals have been provided for the current use and development of the Property. We also ask for your confirmation that you are unaware of any pending or contemplated land use or zoning actions with respect to the Property.

We ask that you confirm the above by signing at the bottom of this letter and returning it to us via facsimile at (207) 791-1350. Please send us the original by regular mail. Of course, if you have any questions, or require additional information, please do not hesitate to call me. Thank you in advance for your time and assistance.

Sincerely,

Rebecca W. Greenfield
Rebecca W. Greenfield

Seen and agreed to:

Acting *Ann Bell*
Zoning Administrator for
The City Of Portland

12/11/14
Date

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

Location of Construction: 65 Commercial Street, Portland ME 04102		Owner: Olympia Equity Partners IV		Phone: 945-3160		Permit No: 000525	
Owner Address: C/O Erin Company 500 Main St, Bangor ME 04401		Lessee/Buyer's Name:		Phone:		BusinessName:	
Contractor Name: Alliance Construction, Inc.		Address: *160 Pleasant Hill Rd, ME		Phone: 885-0855		Permit Issued: ??	
Past Use: VACANT		Proposed Use: Cleared Site		COST OF WORK: \$ 22,500.00		PERMIT FEE: \$ 159.00	
Proposed Project Description: Demolition of all existing structures and removal from site.		FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied		INSPECTION: Use Group: BOC BPP Type: Signature: <i>[Signature]</i>		Zone: B-3 CBL: 029-K-003	
				PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) Action: Approved <input type="checkbox"/> Approved with Conditions: <input type="checkbox"/> Denied <input type="checkbox"/>		Zoning Approval: <i>[Signature]</i>	
Signature:		Date:		Special Zone or Reviews: <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan maj <input type="checkbox"/> minor <input type="checkbox"/> mm <input type="checkbox"/>		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	
Permit Taken By: KA		Date Applied For: NC 5/19/00		Historic Preservation <input type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review		Action: <input type="checkbox"/> Appoved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied	

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..

MAIL TO: Alliance Construction, Inc.
160 Pleasant Hill Road
Scarborough ME 04074

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 provisions of the code(s) applicable to such permit

SIGNATURE OF APPLICANT _____ ADDRESS: _____ DATE: 5/19/00 PHONE: _____

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE _____ PHONE: _____

White-Permit Desk Green-Assessor's Canary-D.P.W. Pink-Public File Ivory Card-Inspector

PERMIT ISSUED WITH REQUIREMENTS

PERMIT ISSUED WITH REQUIREMENTS
1

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

PERMIT ISSUED

Location of Construction: 65 Commercial St		Owner Name: Olympia Equity Investors V Llc		Owner Address: 50 Monument St and Flood		Permit No: 02-062		Issue Date: OCT 3 2002		CBL: 029 K003001	
Business Name: n/a		Contractor Name: Allied/Cook Construction Corp.		Contractor Address: PO Box 1396 Portland		Phone: (207) 874-9990		CITY OF PORTLAND		Phone: (207) 874-9990	
Lessee/Buyer's Name n/a		Phone: n/a		Permit Type: Commercial				Zone: B-3			
Past Use: Commercial / Gravel Parking Lot		Proposed Use: Commercial / Build 79,180 sq. ft. Hilton Garden Inn Hotel 120 rooms, six stories.		Permit Fee: \$43,997.00		Cost of Work: \$6,282,000.00		CEO District: 1			
Proposed Project Description: Build 79,180 sq. ft. Hilton Garden Inn Hotel				FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied		INSPECTION: Use Group: R-1 A/B Type: 2A 10/3/02					
				Signature: <i>[Signature]</i>		Signature: <i>[Signature]</i>					
PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)											
Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied											
				Signature:		Date:					

Permit Taken By: gg		Date Applied For: 06/07/2002		Zoning Approval							
1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules. 2. Building permits do not include plumbing, septic or electrical work. 3. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..				Special Zone or Reviews <input type="checkbox"/> Shoreland <input type="checkbox"/> Welland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input checked="" type="checkbox"/> Site Plan 2002-0069 Maj <input checked="" type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/> Date: <i>6/18/02</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		Historic Preservation <input type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied			
				Not with parking req established by Planning Dept Panel 14 Zone C		Date:		Date:			

CERTIFICATION

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

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

PERMIT ISSUED

JUN 7 9 2002

Location of Construction: 65 Commercial St		Owner Name: Olympia Equity Investors V Llc	Owner Address: 50 Monument Sq 2nd Floor	Phone: 874-9990	
Business Name:		Contractor Name: Allied/Cook Construction	Contractor Address: PO Box 1396 Portland	Phone: 2077722882	
Lessee/Buyer's Name		Phone:	Permit Type: Foundation Only/Commercial	Zone:	
Past Use: Vacant Lot	Proposed Use: Foundation Only for the Hilton Garden Inn	Permit Fee:	Cost of Work: \$0.00	CEO District: 1	
Proposed Project Description: Foundation Only for the Hilton Garden Inn		FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: R-1 Type: 2A		
		Signature: Jay Kelley	Signature: [Signature]		
PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)					
Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied					
Permit Taken By: mjn		Date Applied For: 06/28/2002	Zoning Approval		

1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules. 2. Building permits do not include plumbing, septic or electrical work. 3. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..	Special Zone or Reviews <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/> Date:	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 type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Date:
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CERTIFICATION

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

SIGNATURE OF APPLICANT _____ ADDRESS _____ DATE _____ PHONE _____

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE _____ DATE _____ PHONE _____



CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION 65 Commercial St

CBL 029 K003001

Issued to Olympia Equity Investors V Llc /Allied/Cook Construction Co Date of Issue 07/15/2003

This is to certify that the building, premises, or part thereof, at the above location, built — altered — changed as to use under Building Permit No. 02-0626, has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

Entire

APPROVED OCCUPANCY

Hotel
Use Group R-1
Type 2A
BOCA 1999

Limiting Conditions:

Permanent CofO
Supercedes all prior CofOs

This certificate supersedes
certificate issued

Approved:

7/16/03

(Date)

Janine Bonke
Inspector

Janine Bonke
Inspector of Buildings

7/16/03

Notice: This certificate identifies lawful use of building or premises, and ought to be transferred from owner to owner when property changes hands. Copy will be furnished to owner or lessee for one dollar.

This page contains a detailed description of the Parcel ID you selected. Press the **New Search** button at the bottom of the screen to submit a new query.

Current Owner Information:

CBL 029 K003001
Land Use Type HOTEL & MOTEL
 Verify legal use with Inspections Division
Property Location 57 COMMERCIAL ST
Owner Information OLYMPIA EQUITY INVESTORS V LLC
 PO BOX 508
 PORTLAND ME 04112
Book and Page 18241/083
Legal Description 29-K-3
 COMMERCIAL ST 57-59
 FRANKLIN ST ART
 16841 SF
Acres 0.3866

- B-3
 - Downtown Entertainment overlay zone.
 - historic.

Current Assessed Valuation:

TAX ACCT NO.	4110	OWNER OF RECORD AS OF APRIL 2014
LAND VALUE	\$1,396,000.00	OLYMPIA EQUITY INVESTORS V LLC
BUILDING VALUE	\$9,321,000.00	PO BOX 508
NET TAXABLE - REAL ESTATE	\$10,717,000.00	PORTLAND ME 04112
TAX AMOUNT	\$214,340.00	

Any information concerning tax payments should be directed to the Treasury office at 874-8490 or [e-mailed](mailto:).

Building Information:

Building 1
Year Built 2003
Style/Structure Type HOTEL/MOTEL HIGH RISE
Units 120
Building Num/Name 1 - HILTON GARDEN HOTEL
Square Feet 76957



[View Sketch](#) [View Map](#) [View Picture](#)

Exterior/Interior Information:

Building 1
Levels 01/01
Size 10532
Use HOTEL
Height 12

Heating NONE
 A/C NONE

Building 1

Levels 02/06
 Size 13285
 Use HOTEL
 Height 10
 Walls GLASS/MASNRY
 Heating UNIT HEAT
 A/C UNIT

Other Features:

Building 1

Structure INDOOR POOL
 Size 10X30

Building 1

Structure ELEVATOR - HYD. FREIGHT
 Size 3000X150

Building 1

Structure SPRINKLER - WET
 Size 76957X1

Sales Information:

Sale Date	Type	Price	Book/Page
10/17/2002	LAND + BUILDING	\$0.00	18241/083
10/1/2002	LAND + BUILDING	\$37,841.00	18240/83
5/26/2000	LAND + BUILDING	\$0.00	15495/119

New Search!

RECEIVED

NOV 18 2014

Dept. of Building Inspections
City of Portland Maine

REBECCA W. GREENFIELD

Merrill's Wharf
254 Commercial Street
Portland, ME 04101

P 207.791.1246
F 207.791.1350
rgreenfield@pierceatwood.com
pierceatwood.com

Admitted in: MA, ME, NH

November 14, 2014

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

Re: Hilton Garden Inn, 57 Commercial Street, Portland, Maine (Tax Map 29, Block K, Lot 3)

Dear Marge:

Enclosed is a request for a Zoning Determination Letter in connection with the above-referenced property owned by Olympia Equity Investors V, LLC. I have also enclosed our check in the amount of \$150.00 for the fee. Please let me know if you have any questions or need additional information.

Thank you for your assistance.

Sincerely,



Rebecca W. Greenfield

/mtd

Enclosures

CITY OF PORTLAND
DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

389 Congress Street
 Portland, Maine 04101

INVOICE OF FEES

Application No: 0000-2080	Applicant: OLYMPIA EQUITY INVESTORS
Project Name: 57 COMMERCIAL ST	Location: 57 COMMERCIAL ST
CBL: 029 K003001	Application Type: Determination Letter
Invoice Date: 11/19/2014	

Previous Balance	-	Payment Received	+	Current Fees	-	Current Payment	=	Total Due	Payment Due Date
\$0.00		\$0.00		\$150.00		\$150.00		\$0.00	On Receipt

Previous Balance \$0.00

Fee Description	Qty	Fee/Deposit Charge
Zoning Determinations	1	\$150.00
		<u>\$150.00</u>
Total Current Fees:	+	\$150.00
Total Current Payments:	-	\$150.00
Amount Due Now:		<u>\$0.00</u>

CBL: 029 K003001
Bill To: OLYMPIA EQUITY INVESTORS V LLC
 PO BOX 508
 PORTLAND, ME 04112

Application No: 0000-2080
Invoice Date: 11/19/2014
Invoice No: 47312
Total Amt Due: \$0.00
Payment Amount:

Make checks payable to the *City of Portland*, ATTN: Inspections, 3rd Floor, 389 Congress Street, Portland, ME 04101.
 Check the status of your permit or schedule an inspection on-line at <http://www.portlandmaine.gov/792/Permit-Status>

[Click Here to Pay On Line](#)

Marge Schmuckal - Request for Zoning Letter - OEI V/Hilton Garden Inn

From: Rebecca Greenfield <RGreenfield@pierceatwood.com>
To: "mes@portlandmaine.gov" <mes@portlandmaine.gov>
Date: 11/13/2014 5:25 PM
Subject: Request for Zoning Letter - OEI V/Hilton Garden Inn
CC: Mary Downes <mdownes@PierceAtwood.com>
Attachments: 20141113170922631.pdf

No check yet

Hi Marge,

Our client Olympia Equity Investors V, LLC is in the process of refinancing the Hilton Garden Inn and the lender is requiring a zoning letter from the City. Attached is the zoning letter request. I will also send you the letter together with a check payable to the City for the request fee.

Do not hesitate to contact me with any questions.

Thanks.
Rebecca

Rebecca W. Greenfield, Esq.
PIERCE ATWOOD LLP

Merrill's Wharf
254 Commercial Street
Portland, ME 04101

PH 207.791.1246
FAX 207.791.1350

RGreenfield@pierceatwood.com

[BIO >](#)

This e-mail was sent from Pierce Atwood. It may contain information that is privileged and confidential. If you suspect that you were not intended to receive it please delete it and notify us as soon as possible.