

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK



CITY OF PORTLAND BUILDING PERMIT

This is to certify that WHARF LLC SOLEY

Located At 189 COMMERCIAL

Job ID: 2011-05-1030-ALTCOMM

CBL: 030 - - C - 001 - 001 - - - -

has permission to Change of use from Office to Retail

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 the buildings and structures, and of the application on file in the department.

Notification of inspection and written permission procured before this building or part thereof is laid or otherwise closed-in. 48 HOUR NOTICE IS REQUIRED.

A final inspection must be completed by owner before this building or part thereof is occupied. If a certificate of occupancy is required, it must be

Fire Prevention Officer

Code Enforcement Officer / Plan Reviewer

THIS CARD MUST BE POSTED ON THE STREET SIDE OF THE PROPERTY
PENALTY FOR REMOVING THIS CARD



PORTLAND MAINE

Strengthening a Remarkable City, Building a Community for Life • www.portlandmaine.gov

Director of Planning and Urban Development
Penny St. Louis

Job ID: 2011-05-1030-ALTCOMM

Located At: 100 COMMERCIAL

CBL: 030 - - C - 001 - 001 - - - -

Conditions of Approval:

Fire

1. This permit is for change of use only; any construction shall require additional permits. The occupancy shall comply with City Code Chapter 10 upon inspection.

Building

1. Separate permits, reviews, and approval are required for "hot work" - electrically arcing, heat or flame producing tools or similar equipment, etc. within the Jewelry Store. Note: Owner stated all "hot work" is done off site.
2. This is a Change of Use ONLY permit. It does NOT authorize any construction activities.
3. Separate permits are required for any electrical, plumbing, sprinkler, fire alarm HVAC systems, heating appliances, commercial hood exhaust systems and fuel tanks. Separate plans may need to be submitted for approval as a part of this process.

City of Portland, Maine - Building or Use Permit Application

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

Job No: 2011-05-1030-ALTCOMM	Date Applied: 5/5/2011	CBL: 030 - - C - 001 - 001 - - - -	
Location of Construction: 100 COMMERCIAL ST- Suite 112	Owner Name: SOLEY WHARF LLC	Owner Address: 100 COMMERCIAL ST PORTLAND, ME - MAINE 04101	Phone:
Business Name: The Diamond & Gold Mine Outlet LLC -	Contractor Name:	Contractor Address:	Phone:
Lessee/Buyer's Name: Mark Dube - 9 Center ST Bangor, ME 04401	Phone: 631-6444	Permit Type: CHUSE-COMM - Change of Use Commercial	Zone: B-3
Past Use: Real Estate Office	Proposed Use: To Change the Use from Real Estate Office (portion of offices) to Retail Jewelry Store	Cost of Work: 1000.00	CEO District:
		Fire Dept: <input checked="" type="checkbox"/> Approved w/conditions <input type="checkbox"/> Denied <input type="checkbox"/> N/A Signature: <i>Gandolf</i> (58)	Inspection: Use Group: B/M Type: Signature: <i>SR</i>
Proposed Project Description: 100 Commercial Suite #112 1st floor - change of use		Pedestrian Activities District (P.A.D.)	
Permit Taken By:Lannie		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 informatin may invalidate a building permit and stop all work.

Special Zone or Reviews	Zoning Appeal	Historic Preservation
<input type="checkbox"/> Shoreland	<input type="checkbox"/> Variance	<i>w/other</i> <input type="checkbox"/> Not in Dist or Landmark
<input type="checkbox"/> Wetlands	<input type="checkbox"/> Miscellaneous	<input type="checkbox"/> Does not Require Review
<input type="checkbox"/> Flood Zone	<input type="checkbox"/> Conditional Use	<input type="checkbox"/> Requires Review
<input type="checkbox"/> Subdivision	<input type="checkbox"/> Interpretation	<input type="checkbox"/> Approved
<input type="checkbox"/> Site Plan	<input type="checkbox"/> Approved	<input type="checkbox"/> Approved w/Conditions
<input type="checkbox"/> Maj <input type="checkbox"/> Min <input type="checkbox"/> MM	<input type="checkbox"/> Denied	<input type="checkbox"/> Denied
Date: <i>OK</i> <i>5/13/11</i>	Date:	Date: <i>Any extension work requires separate review & approval</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



General 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>100 Commercial St, Suite 112</u>			
Total Square Footage of Proposed Structure/Area <u>375'</u>		Square Footage of Lot <u>N/A</u>	Number of Stories <u>1st Floor</u>
Tax Assessor's Chart, Block & Lot Chart# Block# Lot#	Applicant *must be owner, Lessee or Buyer* Name <u>Mark Dubé</u> Address <u>96 Center St</u> City, State & Zip <u>Bangor, ME 04401</u>		Telephone: <u>207-631-6444</u>
Lessee/DBA (If Applicable) <u>The Diamond & Gold Mine Outlet, LLC.</u>	Owner (if different from Applicant) Name <u>same</u> Address <u>as</u> City, State & Zip <u>above</u>	Cost Of Work: \$ <u>30⁰⁰</u> C of O Fee: \$ <u>75⁰⁰</u> Total Fee: \$ <u>105⁰⁰</u>	
Current legal use (i.e. single family) <u>Real Estate Office</u> Number of Residential Units _____ If vacant, what was the previous use? <u>Occupied by Wachert Realtors (Subleasing Space)</u> Proposed Specific use: <u>Jewelry Store</u> Is property part of a subdivision? <u>No</u> If yes, please name _____ Project description: _____			
Contractor's name: <u>Using Existing Space No changes to building.</u>			
Address: <u>N/A</u>			
City, State & Zip _____		Telephone: _____	
Who should we contact when the permit is ready: _____		Telephone: _____	
Mailing address: _____			

Please submit all of the information outlined on the applicable Checklist. Failure to do so will result in the automatic denial of your permit.

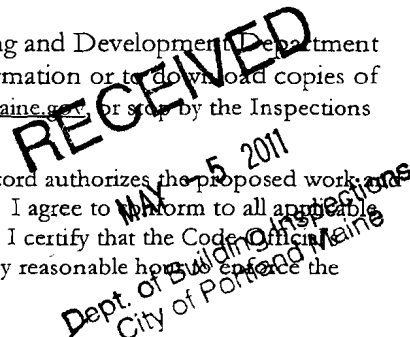
In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information or to download copies of this form and other applications visit the Inspections Division on-line at www.portlandmaine.gov or stop by the Inspections Division 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, that I have been authorized by the owner to make this application as his/her authorized agent. I agree to inform 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 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: Mark Dubé

Date: 4/29/11

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



5/8/11

Job Summary Report
Job ID: 2011-05-1030-ALTCOMM

Report generated on May 12, 2011 2:14:55 PM

Page 1

Job Type:	Alter/Adds to Commercial	Job Description:	100 Commercial Suite #112 1st floor	Job Year:	2011
Building Job Status Code:	In Review	Pin Value:	1399	Tenant Name:	
Job Application Date:		Public Building Flag:	N	Tenant Number:	
Estimated Value:	1,000	Square Footage:			
Related Parties:		WHARF SOLEY		<i>Property Owner</i>	

Job Charges

Fee Code Description	Charge Amount	Permit Charge Adjustment	Net Charge Amount	Payment Date	Receipt Number	Payment Amount	Payment Adjustment Amount	Net Payment Amount	Outstanding Balance
----------------------	---------------	--------------------------	-------------------	--------------	----------------	----------------	---------------------------	--------------------	---------------------

Location ID: 4288

Location Details

Alternate Id	Parcel Number	Census Tract	GIS X	GIS Y	GIS Z	GIS Reference	Longitude	Latitude
S37230	030 C 001 001		M				-70.251279	43.656266

Location Type	Subdivision Code	Subdivision Sub Code	Related Persons	Address(es)
1				100 COMMERCIAL STREET WEST

Location Use Code	Variance Code	Use Zone Code	Fire Zone Code	Inside Outside Code	District Code	General Location Code	Inspection Area Code	Jurisdiction Code
MULTI-USE COMMERCIAL		DOWNTOWN BUSINESS			Historic District		DISTRICT 2	CENTRAL BUSINESS DISTRICT

Structure Details

Structure: Office area 2nd floor

Occupancy Type Code:

Structure Type Code	Structure Status Type	Square Footage	Estimated Value	Address
Office & Professional Buildings	6	15246		100 COMMERCIAL STREET WEST

Longitude	Latitude	GIS X	GIS Y	GIS Z	GIS Reference	User Defined Property	Value
-----------	----------	-------	-------	-------	---------------	-----------------------	-------

Structure: Suite112 The Diamond & Gold Mine Outlets

Occupancy Type Code:

Job Summary Report
Job ID: 2011-05-1030-ALTCOMM

Report generated on May 12, 2011 2:14:55 PM

Page 2

Structure Type Code		Structure Status Type	Square Footage	Estimated Value	Address	
Stores & Customer Services (Mercantile)		0			100 COMMERCIAL STREET WEST	
Longitude	Latitude	GIS X	GIS Y	GIS Z	GIS Reference	User Defined Property Value

Permit #: 20113438

Permit Data								
Location Id	Structure Description	Permit Status	Permit Description	Issue Date	Reissue Date	Expiration Date		
4288	Suite112 The Diamond & Gold Mine Outlets	Initialized	Change of use from Office to Retail					
Inspection Details								
Inspection Id	Inspection Type	Inspection Result Status	Inspection Status Date	Scheduled Start Timestamp	Result Status Date	Final Inspection Flag		
Fees Details								
Fee Code Description	Charge Amount	Permit Charge Adjustment	Permit Charge Adj Remark	Payment Date	Receipt Number	Payment Amount	Payment Adjustment Amount	Payment Adj Comment
Certificate of Occupancy Fee	\$75.00							
Job Valuation Fees	\$30.00							

**The Diamond and Gold Mine Outlet
96 Center St
Bangor Me 04401
www.diamondmineonline.com**

Hello

**Here is the change of use information to start the process for a permit for
100 Commercial St, Suite 112 in Portland. I enclosed a copy of The Second Hand
Dealers application that the City Clerks office said I needed along with a proposed
use of existing space subleased from Soley Wharf LLC, in same office space as
Weichert Realtors. I can be reach at 207-631-6444**

Thank you

Mark A Dube

A handwritten signature in black ink, appearing to read "Mark A Dube", with a long horizontal flourish extending to the right.



Commercial Interior & Change of Use Permit Application Checklist

All of the following information is required and must be submitted. Checking off each item as you prepare your application package will ensure your package is complete and will help to expedite the permitting process.

One (1) complete set of construction drawings must include: *Note: No construction Change.*

Note: Construction documents for costs in excess of \$50,000.00 must be prepared by a Design Professional and bear their seal.

- ☒ Cross sections w/ framing details
 - ☒ Detail of any new walls or permanent partitions –
 - ☒ Floor plans and elevations
 - ☒ Window and door schedules
 - ☒ Complete electrical and plumbing layout.
 - ☒ Mechanical drawings for any specialized equipment such as furnaces, chimneys, gas equipment, HVAC equipment or other types of work that may require special review
 - ☒ Insulation R-factors of walls, ceilings, floors & U-factors of windows as per the IECC 2003
 - ☒ Proof of ownership is required if it is inconsistent with the assessors records.
 - ☒ Reduced plans or electronic files in PDF format are required if originals are larger than 11" x 17".
 - ☒ Per State Fire Marshall, all new bathrooms must be ADA compliant.
- Using Existing Space.*

Separate permits are required for internal and external plumbing, HVAC & electrical installations.

For additions less than 500 sq. ft. or that does not affect parking or traffic, a site plan exemption should be filed including:

- ☒ The shape and dimension of the lot, footprint of the existing and proposed structure and the distance from the actual property lines.
- ☒ Location and dimensions of parking areas and driveways, street spaces and building frontage.
- ☒ Dimensional floor plan of existing space and dimensional floor plan of proposed space.

A Minor Site Plan Review is required for any change of use between 5,000 and 10,000 sq. ft. (cumulatively within a 3-year period)

Using Existing Space.

Fire Department requirements.

The following shall be submitted on a separate sheet:

- ☒ Name, address and phone number of applicant and the project architect.
- ☒ Proposed use of structure (NFPA and IBC classification)
- ☒ Square footage of proposed structure (total and per story)
- ☒ Existing and proposed fire protection of structure.
- ☒ Separate plans shall be submitted for
 - a) Suppression system
 - b) Detection System (separate permit is required)
- ☒ A separate Life Safety Plan must include:
 - a) Fire resistance ratings of all means of egress
 - b) Travel distance from most remote point to exit discharge
 - c) Location of any required fire extinguishers
 - d) Location of emergency lighting
 - e) Location of exit signs
 - f) NFPA 101 code summary
- ☒ Elevators shall be sized to fit an 80" x 24" stretcher.

Note: Using existing equipment. Will be adding additional security system.

For questions on Fire Department requirements call the Fire Prevention Officer at (207) 874-8405.

Please submit all of the information outlined in this application checklist. If the application is incomplete, the application may be refused.

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 or to download copies of this form and other applications visit the Inspections Division on-line at www.portlandmaine.gov, or stop by the Inspections Division office, room 315 City Hall or call 874-8703.

Permit Fee \$30.00 for the first \$1000.00 construction cost, \$10.00 per additional \$1000.00 cost

This is not a Permit; you may not commence any work until the Permit is issued.

Copy mailed 4/16/11 to clerk's office.

City Code Chapter 23

SBI _____ # _____
PPD _____
Zone _____
Fire _____
Taxes _____

City Clerk's Office
389 Congress Street
Portland, Maine 04101
(207) 874-8557

New/Renewal fee ~~\$35.00~~ \$25.00
License fee ~~\$140.00~~
SBI fee \$21.00 (per principle officer/owner)
Total Due _____

Junk Collector/Dealer, Second Hand Dealer, Pawn Dealer Application
(Annual License expires December 31)

Please check one: (Corporation) LLC / Non-profit org. ☒ (Sole Proprietor ☐ (Partnership ☐

Business Name: The Diamond & Goldmine Outlet Phone: 207-631-6444

Location Address: 100 Commercial St, Suite 112, Portland Zip 04101

Mailing Address: 96 Center St, Bangor ME Zip 04401

Contact Person: Mark A Dube Phone: 207-631-6444

Manager of Business Mark A Dube Home Phone # 207-825-3798

Owner of Premises (landlord): Soley Wharf LLC.

Address of Premises Owner: 100 Commercial St, Portland Zip 04101

Does the issuance of this license benefit any City employee? ☐ Yes ☒ No

If yes, please list name(s) of employee(s) and City Department(s):

Have applicant, partners, associates, or corporate officers ever been arrested, indicted, convicted or court martialled for any violation of law? NO If yes, please explain: _____

Have any of the applicants, including the corporation if applicable, ever held a business license with the City of Portland?
☐ Yes ☒ No. If yes, please list business name(s) and location(s):

Is any principal officer under the age of 18? ☐ Yes ☒ No

Please list items or general type of items for sale: Jewelry

SOLE PROPRIETOR/PARTNERSHIP INFORMATION: (if corporation, leave blank)

Name of Owner N/A Date of Birth _____

Resident address _____

Name of Owner N/A Date of Birth _____

Resident address _____

CORPORATE/LLC/NON-PROFIT ORGANIZATION APPLICANTS: (if sole proprietor, leave blank)

Corporation Name: The Diamond & Gold Mine Outlet LLC.

Corporation Mailing Address: 96 Center St, Bangor ME ZIP 04401

Contact Person: Mark A Dube Phone Number: 207-631-6444

PRINCIPAL OFFICERS:

Name Mark A Dube Title President Date of Birth 3/18/64

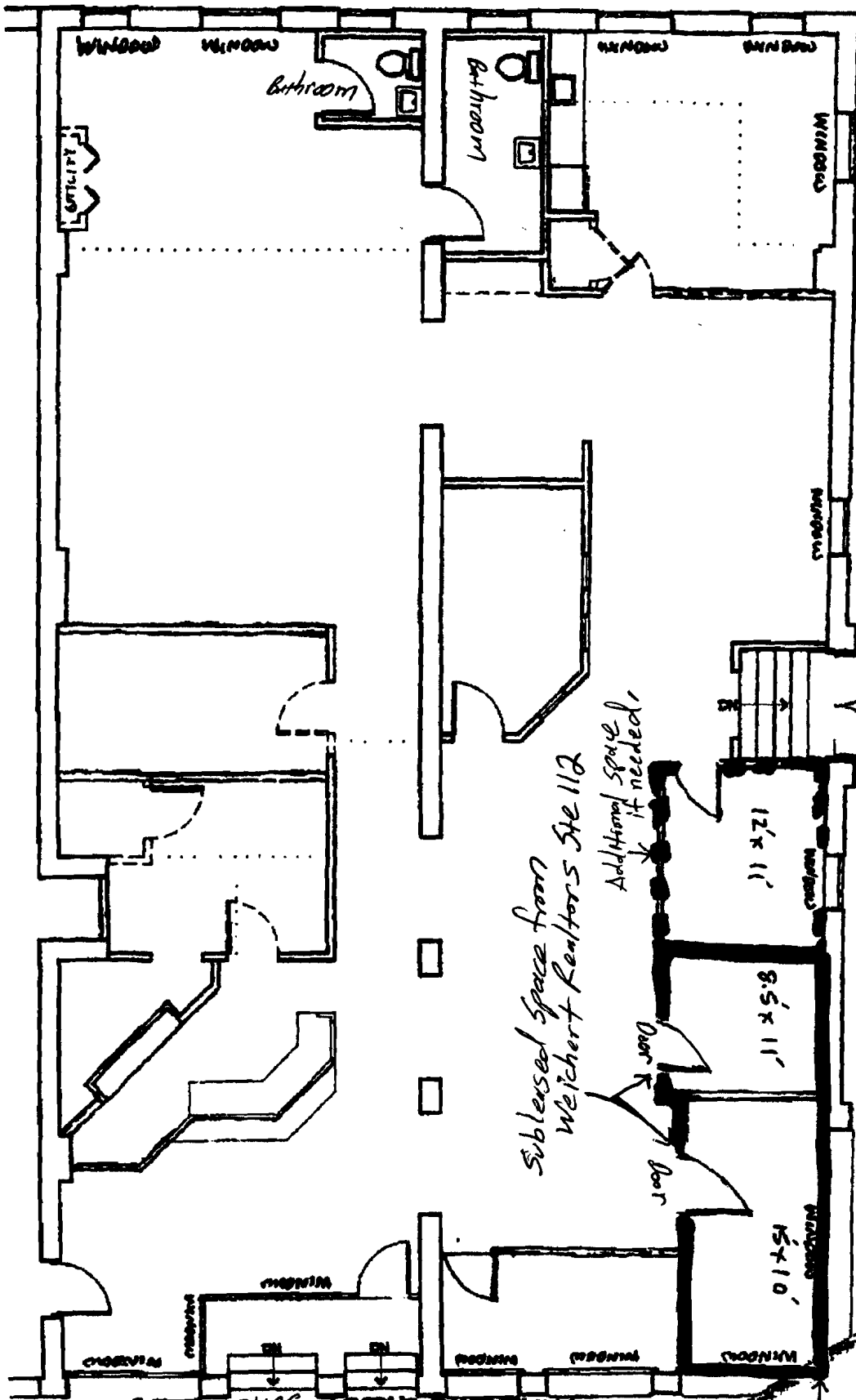
Resident address 900 Brewer Lake Rd, Orrington ME 04474

Name Jamie R. Dube Title VP Date of Birth 5/23/

Resident address 26 Wild Irish Rd, Orrington ME 04474

Name N/A Title N/A Date of Birth N/A

Resident address N/A



Backyard Pier
Side Entrance

Subleased space from
Weichert Realtors Ste 112

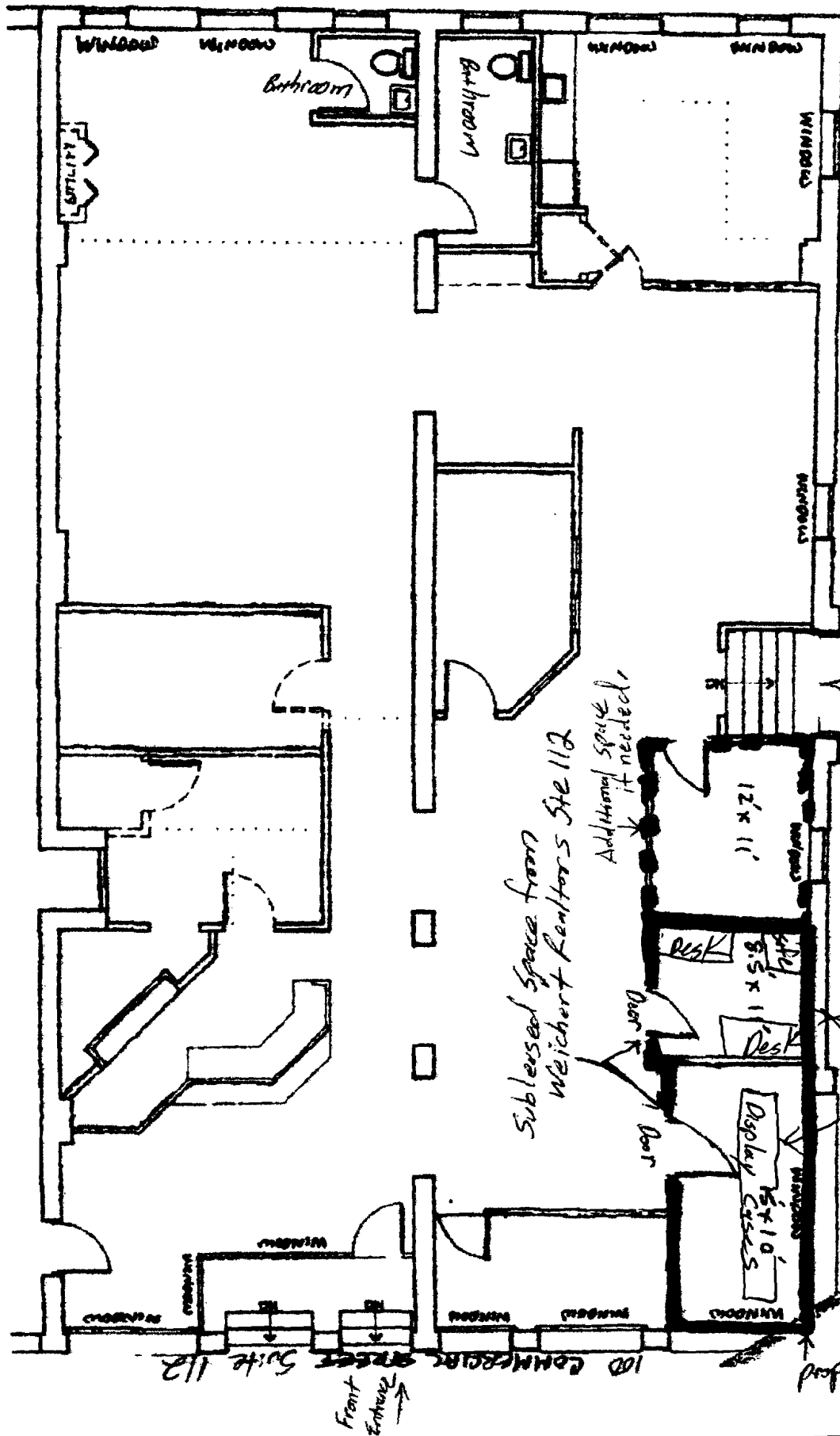
Additional space
if needed

Door

Door

100 COMMERCIAL STREET Suite 112
Front Entrance

Proposed sign using
4 existing bolts
in building



Subleased space from
Weichert Rentals Ste 112

Additional space
if needed

Rear and Pier
Side Entrance

Alter

proposed sign using
4 existing bolts
in building

Front
Entrance

100 COMMERCE STREET Suite 112

COMMERCIAL SUBLEASE

1. PARTIES	Waterglen Realty, LLC, a Maine limited liability company with a mailing address 100 Commercial St., Suite 112, Portland, Maine 04101 ("LANDLORD"), hereby subleases to The Diamond and Gold Mine Outlet, LLC, with a mailing address of 96 Center Street, Bangor, ME 04401, ("TENANT"), and the TENANT hereby sub leases from LANDLORD the below-described leased premises.														
2. LEASED PREMISES	The subleased premises include the left front corner office as well as other office space at 100 Commercial St., Suite 112, Portland, Maine together with the right to use, in common with others entitled thereto, reception area, kitchen facilities, conference rooms, and rest rooms on the leased premises. TENANT will also be permitted to display advertising in the front windows provided advertising conforms to LANDLORD's standards and is at TENANT's expense. The subleased premises are accepted in "as is" condition except if specifically set forth to the contrary in this lease.														
3. TERM	The term of this sublease shall be for six (5) months commencing on May 1, 2011 and ending on on September 30, 2011.														
4. RENT	<p>TENANT shall pay to LANDLORD the following base rent, commencing on May 1, 2011:</p> <table> <tr> <th><u>Sublease Month</u></th><th><u>Monthly Rent</u></th></tr> <tr> <td>1</td><td>\$1,200.00</td></tr> <tr> <td>2</td><td>\$1,200.00</td></tr> <tr> <td>3</td><td>\$1,200.00</td></tr> <tr> <td>4</td><td>\$1,200.00</td></tr> <tr> <td>5</td><td>\$1,200.00</td></tr> </table> <p>payable in advance in equal monthly installments, without any offset or deduction whatsoever, on the first day of each month during the term of this Sublease, said rent to be prorated for portions of a calendar month at the beginning or end of said term, all payments to be made to LANDLORD's agent, Downeast Properties Management, at 100 Commercial St., Suite 112, Portland, Maine. If TENANT does not pay base rent, supplemental and additional rents, or other fees and charges when due pursuant to the term of this Sublease, then LANDLORD, in its sole discretion, may charge, in addition to any other remedies it may have, a late charge for each month or part thereof that TENANT fails to pay the amount due within 7 days of the due date. The late charge shall be equal to five percent (5.0%) of the amount due LANDLORD each month in addition to the rent then due.</p>	<u>Sublease Month</u>	<u>Monthly Rent</u>	1	\$1,200.00	2	\$1,200.00	3	\$1,200.00	4	\$1,200.00	5	\$1,200.00		
<u>Sublease Month</u>	<u>Monthly Rent</u>														
1	\$1,200.00														
2	\$1,200.00														
3	\$1,200.00														
4	\$1,200.00														
5	\$1,200.00														
5. RENEWAL OPTION	<p>In the event that LANDLORD renews the current lease on the space at 100 Commercial St., and so long as TENANT has not been in default of this sublease during the term hereof, TENANT shall have the option to renew this sublease for one renewal term of six (6) months duration. In order to exercise TENANT'S option, TENANT shall notify LANDLORD in writing of its intention to exercise its option on or before thirty (30) days prior to the end of the then current term, said renewal to be upon the same terms and conditions set forth in this Lease except for base rent which shall be determined as follows:</p> <table> <tr> <th><u>Sublease month</u></th><th><u>Monthly Rent</u></th></tr> <tr> <td>1</td><td>\$1,200.00</td></tr> <tr> <td>2</td><td>\$1,200.00</td></tr> <tr> <td>3</td><td>\$1,200.00</td></tr> <tr> <td>4</td><td>\$1,200.00</td></tr> <tr> <td>5</td><td>\$1,200.00</td></tr> <tr> <td>6</td><td>\$1,200.00</td></tr> </table> <p>In the event that TENANT fails to perform its obligations under this Article, time being of the essence, the option shall be deemed not to have been exercised.</p>	<u>Sublease month</u>	<u>Monthly Rent</u>	1	\$1,200.00	2	\$1,200.00	3	\$1,200.00	4	\$1,200.00	5	\$1,200.00	6	\$1,200.00
<u>Sublease month</u>	<u>Monthly Rent</u>														
1	\$1,200.00														
2	\$1,200.00														
3	\$1,200.00														
4	\$1,200.00														
5	\$1,200.00														
6	\$1,200.00														
6. SECURITY DEPOSIT	Upon the execution of this Sublease, TENANT shall pay to LANDLORD the amount of \$1,200.00, which shall be held as the security deposit.														
7. PROPERTY TAXES	LANDLORD shall pay the property taxes assessed by the City of Portland for the leased property located at 100 Commercial St., Suite 112, Portland, Maine 04101.														

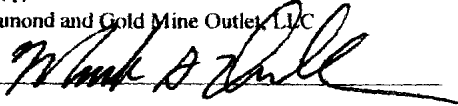
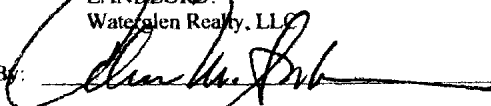
Commercial Sublease: 100 Commercial St.
 Tenant: MRP, Inc.

Page 1 of 6



Downeast Properties Management, A division of Weichert, Realtors - Waterglen Group
 100 Commercial Street, Suite 112, Portland, ME 04101
 Phone: 207.773.2425 Fax: 207.773.9425

Soley Wharf LLC

28. MISCELLANEOUS	If TENANT is more than one person or party, TENANT'S obligations shall be joint and several. Unless repugnant to the context, "LANDLORD" and "TENANT" mean the person or persons, natural or corporate, named above as LANDLORD and TENANT respectively, and their respective heirs, executors, administrators, successors and assigns. LANDLORD and TENANT agree that this Lease shall not be recordable but each party hereto agrees, on request of the other, to execute a Memorandum of Lease in recordable form and mutually satisfactory to the parties. If any provision of this Lease or its application to any person or circumstances shall to any extent be invalid or unenforceable, the remainder of this Lease and the application of such provision to persons or circumstances other than those as to which it is invalid or unenforceable, shall not be affected thereby and each provision of this Lease shall be valid and enforceable to the fullest extent permitted by law. The reservation of or option for the premises or an offer to lease said premises, and this document shall become effective and binding only upon the execution and delivery hereof by both LANDLORD and TENANT. Employees or agents of LANDLORD have no authority to make or agree to make a lease or any other agreement or undertaking in connection herewith. All negotiations, considerations, representations and understandings between LANDLORD and TENANT are incorporated herein and no prior agreements or understandings, written or oral, shall be effective for any purpose. No provision of this Lease may be modified or altered except by agreement in writing between LANDLORD and TENANT, and no act or omission of any employee or agent of LANDLORD shall alter, change, or modify any of the provisions hereof. This Lease shall be governed exclusively by the provisions hereof and by the laws of the State of Maine. The headings herein contained are for convenience only, and shall not be considered a part of this Lease.
29. BROKERAGE	TENANT warrants and represents to LANDLORD that it has not dealt with any broker, finder or similar person concerning the leasing of the leased premises. In the event of any brokerage claims against LANDLORD by brokers contacted by TENANT, TENANT agrees to defend the same and indemnify LANDLORD against any such claim. LANDLORD warrants and represents to TENANT that it has not dealt with any broker, finder or similar person concerning the leasing of the leased premises other than Andrew Snyder of Weichert, Realtors [®] - Waterglen Group ("LANDLORD'S BROKER"). LANDLORD agrees to pay LANDLORD'S BROKER any commission due upon execution of this Lease, and in the event of any brokerage claim against TENANT by LANDLORD'S BROKER, LANDLORD agrees to defend same and indemnify TENANT against any such claim.
30. JURY TRIAL WAIVER	NOTWITHSTANDING ANYTHING IN THIS LEASE TO THE CONTRARY, TENANT, FOR ITSELF AND ITS SUCCESSORS, AND ASSIGNS HEREBY KNOWINGLY, WILLINGLY, AND VOLUNTARILY WAIVES ANY AND ALL RIGHTS TENANT MAY HAVE TO A TRIAL BY JURY IN ANY FORCIBLE ENTRY AND DETAINER ("FED") ACTION OR PROCEEDING BROUGHT BY LANDLORD, OR LANDLORD'S SUCCESSORS AND/OR ASSIGNS BASED UPON OR RELATED TO THE PROVISIONS OF THIS LEASE. LANDLORD AND TENANT HEREBY AGREE THAT ANY SUCH FED ACTION OR PROCEEDING SHALL BE HEARD BEFORE A SINGLE JUDGE OF THE APPROPRIATE DISTRICT COURT OR A SINGLE JUSTICE OF THE APPROPRIATE SUPERIOR COURT, OR A FEDERAL DISTRICT COURT JUDGE SITTING IN THE DISTRICT OF MAINE.
31. ESTOPPEL CERTIFICATE	At any time, and from time to time, upon the written request of LANDLORD or any mortgagee, TENANT within ten (10) days of the date of such written request agrees to execute and deliver to LANDLORD and/or such mortgagee, without charge and in a form satisfactory to LANDLORD and/or such mortgagee, a written statement: (i) ratifying this lease; (ii) confirming the commencement and expiration dates of the term of this lease; (iii) certifying that TENANT is in occupancy of the leased premises, and that the lease is in full force and effect and has not been modified, assigned, supplemented or amended except by such writings as shall be stated, and agreeing not to amend, modify or cancel this lease without mortgagee's written consent; (iv) certifying that all conditions and agreements under this lease to be satisfied or performed by LANDLORD have been satisfied and performed except as shall be stated; (v) certifying that LANDLORD is not in default under this lease and there are no defenses or offsets against the enforcement of this lease by LANDLORD, or stating the defaults and/or defenses claimed by TENANT; (vi) reciting the amount of advance rent, if any, paid by TENANT and the date to which such rent has been paid, and agreeing not to prepay rent more than thirty (30) days in advance; (vii) reciting the amount of security deposited with LANDLORD, if any; and (viii) any other information which LANDLORD or the mortgagee shall reasonably require. The failure of TENANT to execute, acknowledge and deliver to LANDLORD and/or any mortgagee a statement in accordance with the provisions of this Paragraph within the period set forth herein shall LANDLORD shall be, at LANDLORD'S option, an Event of Default.
IN WITNESS WHEREOF, the said parties hereunto set their hands and seals this <u>14</u> day of <u>APRIL</u> , 20 <u>11</u> .	
TENANT: The Diamond and Gold Mine Outlets, LLC By:  Mark Dube Its: President	LANDLORD: Waterglen Realty, LLC By:  Andrew Snyder Its: Designated Broker