

## 2. TECHNICAL AND FINANCIAL CAPACITY

### 2.1 TITLE, RIGHT AND INTEREST

The applicant currently owns the site as evidenced by the accompanying deed contained in Attachment A to this section.

### 2.2 TECHNICAL CAPACITY

The applicant has assembled a highly qualified team of professionals to plan, permit, and develop construction documents for the project. The Team is working under the direction of Mr. Malcolm Poole, Proprietors of Union Wharf/Poole Group Companies.

The Team services will be provided by the following companies and their respective team leaders.

### 2.3 CONSULTANT TEAM

<i>Civil Engineer</i>	Stephen R. Bushey, P.E. Stantec Consulting Services, Inc. (207) 887-3478 – Work (207) 887-3376– Fax (207) 756-9359 – Cell stephen.bushey@stantec.com
<i>Surveyor</i>	Elwood Ellis, PLS #1176 Downeast Surveying & Development P.O. Box 6234 China Village, ME 04926 (207) 668-2507 – Work
<i>Architect</i>	David Lloyd Archetype P.A. 48 Union Wharf Portland, ME 04101 (207) 772-6022 Fax (207) 772-4056 lloyd@archetypepa.com
<i>Geotechnical</i>	William Peterlein, PE Summit Geoengineering Services, Inc. PO Box 7216 Lewiston, ME 04243 (207) 576-3313 bpeterlein@summitgeoeng.com
<i>Traffic Engineering</i>	Bill Bray, P.E. Traffic Solutions 235 Bancroft Street Portland, ME 04102 (207) 774-3603 trafficsolutions@maine.rr.com

## **2.4 EXPERIENCE OF PROJECT TEAM**

The team of consultants retained by developer has expertise and experience in the design of similar commercial projects. Resumes of key personnel for the development team can be provided upon request.

The applicant also has significant experience in the development as they have managed the property for many years.

## **2.5 FINANCIAL CAPACITY**

The applicant has the means at its disposal for financing the proposed project as evidenced by the accompanying letter from Gorham Savings Bank contained in Attachment B.

## **2.6 CONSTRUCTION COST ESTIMATE**

The anticipated project costs for Phase 1 is approximately \$1.5 to \$2.0 million dollars. The future phases may involve an additional \$3 million to \$4 million dollars.

These values are considered preliminary and approximate and are subject to change as building design and project layout is refined.

## **2.7 ATTACHMENTS**

Attachment A – Deed

Attachment B – Letter from Gorham Savings Bank

**ATTACHMENT A**

**Deed**

QUITCLAIM DEED WITHOUT COVENANT  
(Maine Statutory Short Form)

MAINE REAL ESTATE TAX PAID

KNOW ALL PERSONS BY THESE PRESENTS that THOMAS E. CARR, SR., an individual resident at Bridgton, Maine, THOMAS E. CARR, II, an individual resident at Brunswick, Maine, DANIEL J. DESMOND, an individual resident at Portland, Maine, ALICE D. HARRIS, an individual resident at Beverly, Massachusetts, ELLEN D. STONE, an individual resident at Boston, Massachusetts, and FLEET BANK OF MAINE, as Trustee of Trust B (The "Residual Trust") under Trust Agreement dated February 27, 1964, between Edward J. Carr and First National Bank of Portland (now Fleet Bank of Maine) and HARRIS REALTY ASSOCIATES, a Maine limited partnership with its principal place of business in South Portland, Maine (collectively, "Grantors"), for consideration paid, RELEASES to PROPRIETORS OF UNION WHARF, a Maine corporation having its place of business and mailing address at 36 Union Wharf, P.O. Box 7467 DTS, Portland, ME 04112, the real estate, together with any buildings and improvements thereon, located on the southerly side of Commercial Street in the City of Portland, County of Cumberland and State of Maine, all as more particularly described on Schedule A attached hereto.

IN WITNESS WHEREOF, the Grantors have caused this instrument to be executed this 28<sup>th</sup> day of December, 1993.

[Signature]  
Witness

Thomas E. Carr, II  
Thomas E. Carr, II

[Signature]  
Witness

Thomas E. Carr Sr  
Thomas E. Carr, Sr., by Thomas E. Carr, II, attorney in fact

[Signature]  
Witness

Daniel J. Desmond  
Daniel J. Desmond

[Signature]  
Witness

Alice D. Harris  
Alice D. Harris, by Daniel J. Desmond, attorney in fact

[Signature]  
Witness

Ellen D. Stone  
Ellen D. Stone, by Daniel J. Desmond, attorney in fact

Fleet Bank of Maine, as  
Trustee under the Residual  
Trust

Vicki R. Jorke  
Witness

By: Jan T. Wilkinson  
Its Vice President  
Jan T. Wilkinson

Harris Realty Associates  
By: Mortier D. Harris, Jr.  
General Partner

Vicki R. Jorke  
Witness

Vicki R. Jorke  
Witness

By: Ronnell F. Harris  
Ronnell F. Harris  
General Partner

Vicki R. Jorke  
Witness

By: Austin F. Harris  
Austin F. Harris  
General Partner

State of Maine  
County of Cumberland, ss.

December 28, 1993

Personally appeared the above-named Thomas E. Carr, II and  
acknowledged the foregoing instrument to be his free act and  
deed.

Before me, [Signature]  
Michael L. Sheehan,  
Attorney at Law

DAR05D79

## SCHEDULE A

Those certain parcels or lots of land with the buildings thereon situated on the southerly side of Commercial Street in Portland, Cumberland County, Maine being the premises described in the following deeds.

- 1) Deed from Harbor Realty Company to Carr Realty Co. dated August 13, 1946 and recorded in the Cumberland County Registry of Deeds in Book 1833, Page 254;
- 2) Deed from Harbor Realty Company to Carr Realty Co. dated August 19, 1958 and recorded in said Registry of Deeds in Book 2428, Page 335;
- 3) Deed from Harbor Realty Company to Carr Realty Co. dated August 19, 1958 and recorded in said Registry of Deeds in Book 2428, Page 337;
- 4) Deed from Harris Realty Co. to Carr Realty Co. dated April 10, 1950 and recorded in said Registry of Deeds in Book 2226, Page 378;
- 5) Deed from Proprietors of Union Wharf to Carr Realty Co. dated September 21, 1971 and recorded in said Registry of Deeds in Book 3192, Page 381; and
- 6) Deed from Proprietors of Union Wharf to Carr Realty Co. dated October 19, 1972 and recorded in said Registry of Deeds in Book 3315, Page 183.

Excluding from the above premises so much thereof as was conveyed by the following deeds:

- 1) Deed from Carr Realty Co. to Harris Realty Co. dated July 19, 1983 recorded in said Registry of Deeds in Book 6224, Page 223.
- 2) Deed from Carr Realty Co. to Proprietors of Union Wharf dated September 20, 1971 recorded in said Registry of Deeds in Book 3192, Page 379.
- 3) Deed from Carr Realty Co. to Proprietors of Union Wharf dated October 19, 1972 recorded in said Registry of Deeds in Book 3315, Page 185.

Any portion of the premises that may be between high and low water mark is subject to the rights of the public under the Colonial Ordinance of 1641-1647.

Any portion of the premises that may be below low water mark is subject to rights of navigation and any rights of the federal and state governments.

Meaning and intending to convey and hereby conveying the same premises described in a deed from Carr Realty Co. to Harris Realty Associates, et al., dated December 28, 1988 and recorded in said Registry of Deeds in Book 8611, Page 208.

Also hereby conveying all right, title and interest in an easement for all purposes of a common passageway in common with others in, on, over and under the twenty (20) foot wide strip of land extending southerly from Commercial Street to land now or formerly of Widgery's Wharf, Inc. and used as a passageway, a portion of which is described as "Access Easement" in an Easement Deed from Harris Realty Associates to Fisherman's Wharf Associates II dated March 20, 1987 and recorded in said Registry of Deeds in Book 7688, Page 213, subject to rights of others in common to use said twenty (20) foot wide strip of land for all purposes of a common passageway and specifically subject to the easement granted by Harris Realty Associates to Fisherman's Wharf Associates II by said Easement Deed referred to above.

DAR05A76

Recorded  
Cumberland County  
Registry of Deeds  
12/30/93 02:46:01PM  
John B. O'Brien  
Register

**ATTACHMENT B**

**Letter from Gorham Savings Bank**





May 12, 2016

City of Portland  
389 Congress Street  
Portland, ME 04101

RE: Poole Group and Proprietors of Union Wharf

To Whom It May Concern:

The Poole Group and Proprietors of Union Wharf are valued customers of Gorham Savings Bank. Please be advised they have the cash resources and financial capacity to complete the building project on Union Wharf.

Please feel free to contact me with any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Matthew W. Early", is written over a faint, light blue circular stamp or watermark.

Matthew W. Early  
Senior Vice President

MWE/ckb