

Hopkinson & Abbondanza

A T T O R N E Y S

- James A. Hopkinson
- Richard J. Abbondanza
- Gerald B. Schofield, Jr.
- Elizabeth A. Reardon

Please respond to our Portland office

RECEIVED

SEP 10 2015

September 10, 2015

Dept. of Building Inspections
City of Portland Maine

Ann Machado, Zoning Administrator
City of Portland
389 Congress Street
Portland, Maine 04101

B-3, DE02, hildara

Re: Six City Center, LLC
Property: 6-8 City Center, Portland, Maine
Tax Map and Lot No.: 32-P-4

*Called 6 City Center
Middle 236-240
Cross - 75-79
Spring St*

Dear Ann:

Our office is counsel for H & A Property Group, LLC, which is purchasing a condominium unit in the commercial building located at 6-8 City Center, Portland, Maine. Our client is financing its purchase and its lender's attorneys have requested confirmation from the City of Portland concerning certain zoning information.

The current owner is declaring a 2-unit condominium with the fourth floor being a single unit that will be conveyed to H & A Property Group, LLC and the remaining unit being the remainder of the building but with a reservation to further divide the condominium into separate condominium units with no greater increase in the number of floors or rental units at the property. We seek confirmation that nothing else is necessary as a condition to creating the condominium.

*4th floor - H&A Prop
- rest of building*

This letter requests zoning information for the above-referenced property in order to process this request. Specifically, we need the following information:

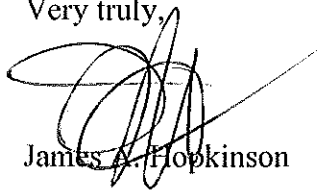
1. Copies of current zoning ordinances pertaining to the subject property for both density and parking. Please include sections of the ordinances regarding non-conforming buildings.
2. Copies of zoning variances, bonus density agreements, or other applicable zoning information for this property (if any).

Ann Machado, Zoning Administrator
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3. Please provide, on city letterhead, a "damage restoration statement," indicating that the project may be rebuilt to its current size and density. (In general, if the project is non-conforming, what restrictions apply?)
4. A completed zoning certificate, a copy of which is attached.

I have enclosed our firm check in the amount of \$150.00 for this service. With the proposed loan closing scheduled for next week, your written response as soon as possible will be appreciated. Should you have any questions, please contact me or my assistant, Mamie Martin, immediately. Please forward your correspondence to my office.

Very truly,



James A. Hopkinson

JAH/mjm

Email: jhopkinson@hablaw.com

G:\CLIENTS\HH & A Property Group\6CityCtr\Purchase\ZoningLtr.docx

1st floor - retail

2nd floor left - architectural hair salon; Above Rapp 2013-2015

5th floor - office - port to medical

2nd floor right side office

3 Spruce St - Styxx restaurant bar - lounge with bar

ZONING CERTIFICATE

To: Hopkinson & Abbondanza, as Attorney for H & A Property Group, LLC.

Re: Zoning certificate for the property located at Six City Center, Portland, Maine (the "Property")

Gentlemen:

We are the authority responsible for the enforcement of zoning matters and the issuance of certificates of occupancy in the geographic area in which the Property is located. Please be advised as follows:

- i. Certificates of occupancy have been issued without condition or variance and are in effect for all buildings and, if required, all units at the Property. We are not aware of any circumstances that would render such certificates of occupancy invalid or cause them to be revoked.
- ii. The Property is zoned _____ under the applicable zoning laws and ordinances. **(Please check (a) or (b), as applicable, and complete all blanks)**

_____ (a) This zoning classification allows the existing use of the Property, which constitutes a conforming use.

_____ (b) Although this zoning classification does not permit the current use/density/height/parking/lot coverage/setbacks/yard requirements _____ (circle applicable non-conformity), the Property is a legal non-conforming use. Restoration of the Property as it currently exists is permitted [following a casualty not exceeding _____% of the Property's _____] [provided that such restoration is completed within _____ months after a casualty].

- iii. Attached hereto are true copies of the applicable ordinances, resolutions or regulations relating to the zoning and use of the Property.
- iv. As far as we are aware, the Property is in compliance with all applicable building codes, fire codes, other health and safety rules and regulations, parking, density and height requirements and other building and zoning laws.

Sincerely,

Dated:

Name:

Title:

CITY OF PORTLAND
DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

389 Congress Street
 Portland, Maine 04101

INVOICE OF FEES

Application No: 0000-2486	Applicant: SIX CITY CENTER LLC
Project Name: 6 CITY CTR	Location: 6 CITY CTR
CBL: 032 P004001	Application Type: Determination Letter
Invoice Date: 09/10/2015	

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
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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:		\$0.00

CBL 032 P004001
Bill To: SIX CITY CENTER LLC
 2 MARKET ST STE 500
 PORTLAND, ME 04101

Application No: 0000-2486
Invoice Date: 09/10/2015
Invoice No: 50754
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](#)