

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK
CITY OF PORTLAND

Please Read
 Application And
 Notes, If Any,
 Attached

BUILDING DEPARTMENT

PERMIT

Permit Number: 091346

PERMIT ISSUED

This is to certify that OLD PORT RETAIL HOLDINGS LLC / P
 has permission to Renovation and alteration of existing vacant restaurant to new restaurant FEB 16 2010
 AT 50 WHARF ST CE 032 V014001

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 worked-in. 24 HOURS 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. [Signature]

Health Dept. _____

Appeal Board _____

Other _____
 Department Name

[Signature]
 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: 09-1346	Issue Date:	CBL: 032 V014001
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Location of Construction: 50 WHARF ST	Owner Name: OLD PORT RETAIL HOLDINGS	Owner Address: 101 RICHARDSON ST	Phone:
Business Name:	Contractor Name: Peter Kells	Contractor Address: 1 Main Street Bar Harbor	Phone: 2072885829
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use - Commercial	Zone: B-3

Past Use: Commercial - Vacant Space Connected w/ permit# 091291	Proposed Use: Commercial - Restaurant - Renovation and alteration of existing vacant restaurant to new restaurant w/ Addition of 12' X 5' 7" office	Permit Fee: \$485.00	Cost of Work: \$38,760.00	CEO District: 1
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FIRE DEPT: w/conditions 12/8/09	<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: A-2 Type: 3B DOB-2003
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Proposed Project Description: Renovation and alteration of existing vacant restaurant to new restaurant Adding 12' X 5' 7" office Footprint	Signature: B. Wallace per JMB	Signature: [Signature]
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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: Ldobson	Date Applied For: 11/24/2009	Zoning Approval
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<ol style="list-style-type: none"> This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules. Building permits do not include plumbing, septic or electrical work. 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 Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input checked="" type="checkbox"/> Date: 2/4/10	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 checked="" type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Any Exterior work requires a separate review & approval D. Andrews 2/12/10
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PERMIT ISSUED

FEB 16 2010

City of Portland

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 - Building or Use Permit

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

Permit No: 09-1346	Date Applied For: 11/24/2009	CBL: 032 V014001
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Location of Construction: 50 WHARF ST	Owner Name: OLD PORT RETAIL HOLDINGS	Owner Address: 101 RICHARDSON ST	Phone:
Business Name:	Contractor Name: Peter Kells	Contractor Address: 1 Main Street Bar Harbor	Phone: (207) 288-5829
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use - Commercial	

Proposed Use: Commercial - Restaurant - Renovation and alteration of existing vacant restaurant to new restaurant with addition of 12'x5'-7" office footprint	Proposed Project Description: Renovation and alteration of existing vacant restaurant to new restaurant with addition of 12'x5'-7" office footprint
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Dept: Historic **Status:** Approved with Conditions **Reviewer:** Deborah Andrews **Approval Date:** 02/12/2010

Note:**Ok to Issue:**

- 1) * Rear addition not visible from public way; no HP review required.
- * All exterior alterations shall conform with Historic Preservation Board approval.
- * Any exterior signage, lighting, canopy to be reviewed and approved separately.

Dept: Zoning **Status:** Approved with Conditions **Reviewer:** Marge Schmuckal **Approval Date:** 02/04/2010

Note:**Ok to Issue:**

- 1) It is understood that a separate permit is required for any future additions to the building when the owner receives the required written approvals from abutters concerning the easements existing at the rear of the property.
- 2) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work. It is understood that all additions have been removed from this application.
- 3) Separate permits shall be required for any new signage.
- 4) ANY exterior work requires a separate review and approval thru Historic Preservation. This property is located within an Historic District.

Dept: Building **Status:** Approved with Conditions **Reviewer:** Jeanine Bourke **Approval Date:**

Note:**Ok to Issue:**

- 1) Separate permits are required for any electrical, plumbing, sprinkler, fire alarm or HVAC or exhaust systems. Separate plans may need to be submitted for approval as a part of this process.
- 2) Application approval based upon information provided by applicant based on the 2nd revision dated 2/9/10. Any deviation from approved plans requires separate review and approval prior to work.
- 3) All penetrations through rated assemblies must be protected by an approved firestop system installed in accordance with ASTM 814 or UL 1479, per IBC 2003 Section 712.
- 4) Equipment must be installed in compliance per the manufacturer's specifications
- 5) New cafe, restaurant, lounge, bar or retail establishment where food or drink is sold and/or prepared shall meet the requirements of the City and State Food Codes
- 6) Approval of City license is subject to health inspections per the Food Code.

Dept: Fire **Status:** Approved with Conditions **Reviewer:** Ben Wallace Jr. **Approval Date:** 12/08/2009

Note:**Ok to Issue:**

- 1) All construction shall comply with NFPA 101
- 2) In addition to supervising the sprinkler system, the hood suppression system and pull stations shall activate the fire alarm system. No Master box is required, but the system shall be supervised by an approved central station.

Location of Construction: 50 WHARF ST	Owner Name: OLD PORT RETAIL HOLDINGS	Owner Address: 101 RICHARDSON ST	Phone:
Business Name:	Contractor Name: Peter Kells	Contractor Address: 1 Main Street Bar Harbor	Phone (207) 288-5829
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use - Commercial	

- 3) Installation of a Fire Alarm system requires a Knox Box to be installed per city ordinance
- 4) A single source supplier should be used for all through penetrations.
- 5) The Fire alarm and Sprinkler systems shall be reviewed by a licensed contractor[s] for code compliance. Compliance letters are required.
- 6) Occupancies with an occupant load of 100 persons or more require panic hardware on all doors serving as a means of egress.
- 7) Emergency lights and exit signs are required. Emergency lights and exit signs are required to be labeled in relation to the panel and circuit.
- 8) Fire extinguishers required. Installation per NFPA 10
- 9) Emergency lights are required to be tested at the electrical panel on the same circuit as the lighting for the area they serve.
- 10) Sprinkler protection shall be maintained.
Where the system is to be shut down for maintenance or repair, the system shall be checked at the end of each day to insure the system has been placed back in service.
- 11) A separate Fire Alarm and Electrical Permit is required.
- 12) A separate hood permit is required.
- 13) Application requires State Fire Marshal approval.

Comments:

1/22/2010-gg: received revised plans as requested along with the pdf file that has been entered as of 01/22/2010. /gg
Filed with permit, in building review. /gg

2/5/2010-jmb: Spoke to Cassidy about discrepancy of site plan with building plans and other deficiencies in the plans including legend for kitchen equipment, new stair detail, bar setup, bathroom fixture requirement, what is in the 2nd story above, where does the right side interior stair go, steel specs on the new window/door installation. He advised to speak with David Llyod, left vcmmsg for David.

2/8/2010-jmb: David L. Called to inform can speak with Barry U. About the plans. Spoke with Barry about all the items, he will submit revised plans and site plan.

2/9/2010-jmb: Received plans for 2nd revision

2/10/2010-jmb: Reviewed plans, brought copies of the new site plan to planning (Jenn D) for exemption review. Routed permit application to historic. Ok to issue when planning/historic approve.

2/16/2010-gg: received granted site exemption as of 02/16/10. Filed with permit (Tammy) /gg

2/16/2010-gg: received permit from historic on 02/12/10. Gave permit to Building (Tammy). /gg

2/3/2010-mes: Supposedly the revised plans take off the addition so there should not be a hold up on the permit (they are having trouble getting oks from abutters. There is still a small office addition that meets B-4 zoning- Just check with planning before issuing.

2/4/2010-mes: Submitted plans showing that they removed the addition in the easement, but not the small office within the property lines from the application - the owner (cassidy Pappas) is having trouble gaining the required sign-offs from abutters. Will get a new permit for that work in the future.

12/4/2009-mes: There is a new addition on the rear - this permit needs a site plan review and Historic review - showing addition on an easement. Permit given to Fire - Give back to zoning for a final sign-off. This needs a site plan review. Need a letter or something from Cyrus Hage about the encroachment of the easement in the rear. I spoke to David Lloyd about these issues. WAIT for site plan sign-off --

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 Footing/Building Location Inspection: Prior to pouring concrete or setting precast piers

 X Re-Bar Schedule Inspection: Prior to pouring concrete

 X Foundation Inspection: Prior to placing ANY backfill for below grade occupiable space

 X Framing/Rough Plumbing/Electrical: Prior to Any Insulating or drywalling

 X Final/Certificate of Occupancy: Prior to any occupancy of the structure or use.
NOTE: There is a \$75.00 fee per inspection at this point.

 X The final report of Special Inspections shall be submitted prior to the final inspection or the issuance of the Certificate of Occupancy

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

Date

Signature of Inspections Official

Date



Application for Exemption from Site Plan Review

Portland, Maine

Department of Planning and Urban Development, Planning Division and Planning Board

PROJECT NAME: Havana South

PROJECT ADDRESS: 50 Wharf Street

PROJECT DESCRIPTION: (Please Attach Sketch/Plan of Proposal/Development)

Renovation and alterations of existing restaurant to new restaurant

RECEIVED

CHART/BLOCK/LOT: 32-V-14

CONTACT INFORMATION:

OWNER/APPLICANT

Name: MCDC, LLC
Address: PO Box 10
Bar Harbor, ME
Zip Code: 04609
Work #: (207) 288-5829
Home #: _____
Fax #: _____
E-mail: _____

CONSULTANT/AGENT

Name: Archetype/David Lloyd
Address: 48 Union Wharf
Portland, ME
Zip Code: 04101
Work #: (207) 772-6022
Home #: _____
Fax #: (207) 772-4056
E-mail: archetype@archetypepa.com

*No problem with interest
is it what you're proposing?*

DEC - 4 2009

City of Portland
Planning Division

Criteria for Exemptions:
(See Section 14-523 (4) on page 2 of this application)

- a) Is the proposal within existing structures?
- b) Are there any new buildings, additions, or demolitions?
- c) Is the footprint increase less than 500 sq. ft.?
- d) Are there any new curb cuts, driveways or parking areas?
- e) Are the curbs and sidewalks in sound condition?
- f) Do the curbs and sidewalks comply with ADA?
- g) Is there any additional parking?
- h) Is there an increase in traffic?
- i) Are there any known stormwater problems?
- j) Does sufficient property screening exist?
- k) Are there adequate utilities?

Applicant's Assessment
Y(yes), N(no), N/A
N - Attached to side of structure

Planning Division
Use Only

Applicant's Assessment	Planning Division Use Only
<u>N - Attached to side of structure</u>	<u>N</u>
<u>Y</u>	<u>Y</u>
<u>Y</u>	<u>Y</u>
<u>N</u>	<u>N</u>
<u>Y</u>	<u>Y</u>
<u>Y</u>	<u>n/a</u>
<u>N</u>	<u>N</u>
<u>N</u>	<u>N</u>
<u>N</u>	<u>N</u>
<u>N/A</u>	<u>n/a</u>
<u>Y</u>	<u>Y</u>

changed to be within property line

RECEIVED

FEB 16 2010

Dept. of Building Inspections
City of Portland Maine

Planning Division Use Only

Exemption Granted w/ conditions Partial Exemption _____ Exemption Denied _____

- ① The applicant must obtain all applicable building permits.
- ② The addition shall conform with the 02.10.10 site plan.

Planner's Signature

Date 02.12.10

~ Original - Planning Division ~

~ Copy - Inspections Division and Applicant ~

Planning Shukria Wiar

02/12/10

Exemption granted with the following conditions;

1. The applicant must obtain all applicable building permits.
2. The addition shall conform with the 02.10.10 site plan.



General Building Permit Application

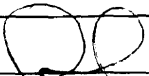
In view of the property owner's real estate or personal property taxes and user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Location/Address of Construction: <u>Havana - 50 Wharf Street, Portland, Maine</u>		
Total Square Footage of Proposed Structure/Area <u>7693 sq. ft.</u>		Square Footage of Lot <u>.185 acres</u>
Tax Assessor's Chart, Block & Lot Chart# <u>32</u> Block# <u>V</u> Lot# <u>14</u>	Applicant * must be owner, Lessee or Buyer Name <u>MCDC, LLC</u> Address <u>PO Box 10</u> <u>Bar Harbor, ME 04609</u> City, State & Zip _____	Telephone: <u>(207) 288-5829</u> <u>(207) 664-8839</u>
Lessee/DBA (If Applicable)	Owner (if different from Applicant) Name <u>Old Port Retail Holdings</u> Address <u>101 Richardson St.</u> <u>Brooklyn, NY 11211</u> City, State & Zip _____	Cost Of Work: \$ <u>38,760</u> C of O Fee: \$ _____ Total Fee: \$ <u>407.60</u>
Current legal use (i.e. single family) <u>Vacant</u>		
If vacant, what was the previous use? <u>Restaurant</u>		
Proposed Specific use: <u>Assembly (Restaurant)</u>		
Is property part of a subdivision? <u>No</u> If yes, please name _____		
Project description: <u>Renovation and alteration of existing restaurant to new restaurant</u>		
RECEIVED NOV 24 2009 Dept. of Building Inspections City of Portland Maine		
Contractor's name: <u>Peter Kells</u>		
Address: <u>1 Main St.</u>		
City, State & Zip <u>Bar Harbor, ME 04609</u>		Telephone: <u>(207) 288-5829</u>
Who should we contact when the permit is ready: <u>Archetype Architects</u>		Telephone: <u>(207) 772-6022</u>
Mailing address: <u>48 Union Wharf, Portland, ME 04101</u>		

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 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: 

Date: 11-24-09

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

Tammy Munson - Re: 50 Wharf St. permit #09-1346

From: Shukria Wiar
To: Barbara Barhydt; Deb Andrews; Jeanie Bourke; Tammy Munson
Date: 2/16/2010 9:18 AM
Subject: Re: 50 Wharf St. permit #09-1346
CC: Gayle Guertin; Lannie Dobson

Yes, I signed off on it on Friday, so we are all set.

Thanks.

>>> Tammy Munson 2/16/2010 8:35 AM >>>
Please let me know if this is signed off on so I can issue the permit for Jeanie. Thanks.

>>> Barbara Barhydt 2/16/2010 8:26 AM >>>
I gave this to Shukria on Friday for her to sign off as I was running out the door. I will check with her this morning to find out the status of it.

Thanks

Barbara

>>> Jeanie Bourke Friday, February 12, 2010 10:52 AM >>>
Just wanted to follow up on this for historic and site plan exemption status. I am ok on my end to issue when you guys are all set. I am tentatively off until Thursday next week, my approvals are entered in UI, just not signed off on the permit.

Just don't want this to be held up if approvals are a go before I get back.
Thanks



General Building Permit Application

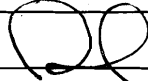
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Is property part of a subdivision? <u>No</u> If yes, please name _____		
Project description: <u>Renovation and alteration of existing restaurant to new restaurant</u>		
<i>Adding 12' x 5.7" office</i> <i>not in easement</i>		
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Contractor's name: <u>Peter Kells</u>		
Address: <u>1 Main St.</u>		
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Signature: 

Date: 11-24-09

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

From: "David Lloyd" <lloyd@archetypepa.com>
To: "Michael Boland" <mboland@prexar.com>
Date: 12/4/2009 2:22:44 PM
Subject: Bldg permit

Michael

I just received a phone call from Marge Schmuckal. We need to do the following

1 Need letter saying you have rights from C. Hagge to build additions .

2 Architect to review rear additions with Deb Andrews

3 Architect will get site plan review exemption form , fill out and submit[Sue]

David

David Lloyd
Archetype, P.A.
48 Union Wharf
Portland, ME 04101
Phone: (207) 772-6022
Fax: (207) 772-4056
lloyd@archetypepa.com
<<http://www.archetype-architects.com/>> <http://www.archetype-architects.com>

CC: "Susan McEwen" <suemcewen@archetypepa.com>, "Marge Schmuckal" <MES@portlandmaine.gov>

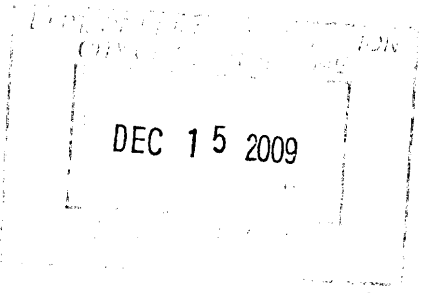
and deed of said Proprietors - Before me
Frederick J. J. Jus. Peace -

Received Nov. 22, 1857 at 3.15 P.M. Recorded from the original
By William Ross Regr

Know all Men by these presents,
That we the Proprietors of Union Wharf in Portland, by their
Committee, Alpheus Sharr, Rufus Horton and Edward Fry
in consideration of the sum of ten hundred and forty dollars
paid by Alval Conant, of Portland, the receipt, whereof we do
hereby acknowledge, do hereby give, grant, bargain, sell and
convey unto the said Alval Conant, his heirs and assigns
forever, a certain piece or parcel of flats in Portland on
the northwesterly side of Commercial Street, and adjoining
flats of Noble and Herrick and bounds as follows: viz: com-
mencing at a stake on the line of said Noble & Herrick
flats at a point twenty feet distance from Commercial Street
thence south twenty one and a half degrees east adjoining
said Noble and Herrick flats, seventy feet to a stake on
said Commercial Street; thence southwesterly on said
Street twenty six feet to a stake; thence northwesterly parallel
with said first line, seventy one feet and three inches to a
stake, and thence to the point of beginning -

Also a right in common, forever, with the owners
of the three lots, adjoining westerly the one above described
in and to a passage way back of said lot, which passage
way includes all the land and flats of said Proprietors
lying northwesterly of a line drawn as follows: viz: commence
ing on the main passage way down the wharf from
the wharf to Commercial Street, at a point seventy five feet
northwesterly from Commercial Street and from thence
running northeasterly to a point on the flats of said Noble
and Herrick, seventy feet from Commercial Street, which passage
way thus bounded, is forever to be kept open, as a free & common
passage way to and from the lots lying between the same and
Commercial Street, and is not to be used or improved, by the
owners or occupants of any other lots without the consent of
all the owners of the lots between said passage way and
Commercial Street

Almon M. [unclear]
to
Alval Conant



received
12/15/09
Must be used in
Common w/ owners
OR get consent
of all owners of
the lots to be
improved.

On condition, that said Grantee or his assigns shall within two years from the thirtieth day of August last past commence the erection upon said premises, of a brick or stone store.

To Have and to Hold the aforegranted and bargained premises, on the condition aforesaid, with all the privileges and appurtenances thereof to the said Grantor, his heirs and assigns to their use, and behoof forever. And we the Proprietors aforesaid, do covenant with the said Grantor, his heirs and assigns that we are lawfully seized in fee of the premises, that they are free of all incumbrances; that we have good right to sell and convey the same to the said Grantor, to hold as aforesaid and that we the said Proprietors, shall and will warrant and defend the same to the said Grantor his heirs and assigns forever, against the lawful claims and demands of all persons.

In Witness Whereof, the said Proprietors of Union Wharf by their said Committee, have hereunto set our hands and seals this the twenty ninth day of October A.D. 1857.

In Presence of
Frederick Fox

The Proprietors of Union Wharf
by their Committee (S.S.),
Alpheus Starr
Rufus H. Corbin } Committee
Edmund Fox }

Cumberland Co - Nov. 20, 1857. Appeared the Proprietors of Union Wharf by Alpheus Starr, Rufus H. Corbin and Edmund Fox and acknowledged the above as the free and true deed of said Proprietors.

Before me Frederick Fox Jus. Peace

Received Nov. 22, 1857 at 3.15 P.M. & recorded from the original - W.M.
William Ross. Clerk

Know all men by these presents, I have Almira Dering, widow, Harriet Dering and Mary L. Dering all of Westbrook in the County of Cumberland, Nathaniel Dering, Thomas H. Deblois and Dorcas Deblois, wife of said Thomas in her right, Henry Merrill and Almira Merrill wife of said Henry in her right, William P. Fessenden and Ellen M. Fessenden wife

Almira Dering
to
Mary Noble
J. C.

QUITCLAIM DEED WITH COVENANT
(CORRECTIVE)

3549

KNOW ALL MEN BY THESE PRESENTS, that THOMAS E. CARR, SR., an individual resident at Bridgton, Maine and THOMAS E. CARR, II, an individual resident at Brunswick, Maine, (hereinafter referred to collectively as "Grantors"), in consideration of ONE DOLLAR and for other good and valuable consideration paid by GLJ, INC., a Maine corporation with its principal place of business in Portland, Maine, having a mailing address of c/o Roderick R. Rovzar, Esquire, Norman, Hanson & DeTroy, 415 Congress Street, P.O. Box 4600, Portland, Maine 04112 (hereinafter referred to as "Grantee"), the receipt of which is hereby acknowledged, do hereby give, grant, bargain, sell and convey unto the said Grantee, its successors and assigns forever, with QUITCLAIM COVENANTS, certain lots or parcels of land, with the buildings thereon, situated on the northwesterly side of Commercial Street, in Portland, Maine and being three stores numbered respectively 223, 225, 227, 229 and 231 on said street, as shown on Assessors' Reevaluation Plan of 1882 No. 31 (Parcel 1) and being a parcel to the rear thereof (Parcel 2), bounded and described as follows:

Parcel 1:

Beginning at a point on the northwesterly side of Commercial Street opposite the center of the partition wall between the premises hereby conveyed and the premises No. 221 Commercial Street, formerly owned by R. M. Richardson and now owned by Lawrence Adlerstein by deeds recorded in the Cumberland County Registry of Deeds in Book 10403, Page 299 and Book 10403, Page 314; thence northwesterly by the center of said partition wall seventy (70) feet, more or less, to the exterior face of said brick store, thence southwesterly by the exterior face of said brick buildings seventy (70) feet, more or less, to the center of the partition wall between the store formerly owned by R. O. Conant and Store No. 233 Commercial Street, formerly the property of H. F. Furbish and more recently the property of 237 Associates by deed recorded in the Cumberland County Registry of Deeds in Book 6823, Page 244 (said premises being shown on a plan recorded in said Registry in Plan Book 154, Page 32); thence southeasterly by the center of said partition wall seventy (70) feet, more or less, to Commercial Street; thence northeasterly by said Commercial Street seventy (70) feet, more or less, to the point begun at.

DEC 15 2009

Also granting to Grantee, its successors and assigns forever, without any covenant as to title, express or implied, all of Grantors' rights, title and interest in and to the passageway adjacent and northwesterly thereto and with rights to use an eight (8) foot wide right-of-way in the rear of property at 221-217 Commercial Street, in common with the said Lawrence Adlerstein and others.

passageway
rights

Parcel 2: (Quitclaim only).

Beginning at a point on the northwesterly exterior surface of that certain building located on Parcel 1 above, said point being distant 54.01 feet from the westerly corner of said building; thence N 31° 56' 35" W a distance of 17.92 feet to a point on the corner of a building described in deeds recorded in said Registry of Deeds in Book 2067, Page 40 and 2094, Page 192; thence N 56° 49' 55" E a distance of 12.00 feet to a point; thence S 31° 56' 35" E a distance of 17.00 feet, more or less, to the said northwesterly exterior surface of the said building located on Parcel 1 above; thence S 51° 08' 40" W along the northwesterly exterior surface of said building a distance of 12.00 feet, more or less, to the point of beginning. This Parcel 2 is conveyed by quitclaim without covenant.

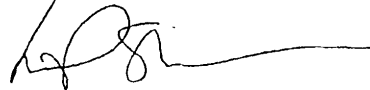
Also granting to Grantee, its successors and assigns forever, without any covenant as to title, express or implied, the perpetual right and easement, to be appurtenant thereto, for pedestrian ingress and egress and to install, maintain, repair and replace underground utilities, such right of way and easement to be located (a) within the easement area described in Exhibit B to the deeds to Lawrence Adlerstein recorded in said Registry of Deeds in Book 10403, Page 299 and in Book 10403, Page 314 and (b) the portion of the property of Grantors which is within eight (8) feet of the northwesterly boundary line of the said deed of Maine National Bank recorded in said Registry of Deeds in Book 6530, Page 229. Each time the holder of the easement hereby granted shall disturb the surface of the ground within the easement

ped. easement/
underground
utilities
easement

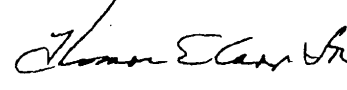
area in connection with the installation, maintenance, repair or replacement of underground utilities, such surface shall be promptly restored to its previous condition.

For source of title, reference is made to the Trustee's Deed of Maine National Bank dated August 8, 1984 and recorded in the Cumberland County Registry of Deeds in Book 6530, Page 229 (Parcel 1) and reference is further made to the said deed of Thomas E. Carr, Sr., et al. to Grantors of near or even date to be recorded herewith (Parcel 2).

IN WITNESS WHEREOF, the Grantors have hereunto set their hands and seals this ___ day of January, 1994.



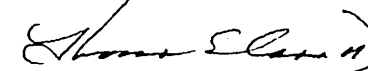
Witness



Thomas E. Carr, Sr., by Thomas E. Carr, II his Attorney-in-Fact under Power of Attorney recorded in the Cumberland County Registry of Deeds in Book 10403, Page 248



Witness



Thomas E. Carr, II

STATE OF MAINE
Cumberland, ss.

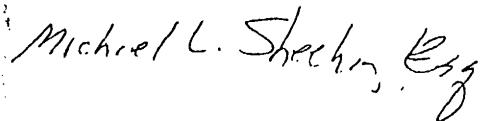
January 14, 1994

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

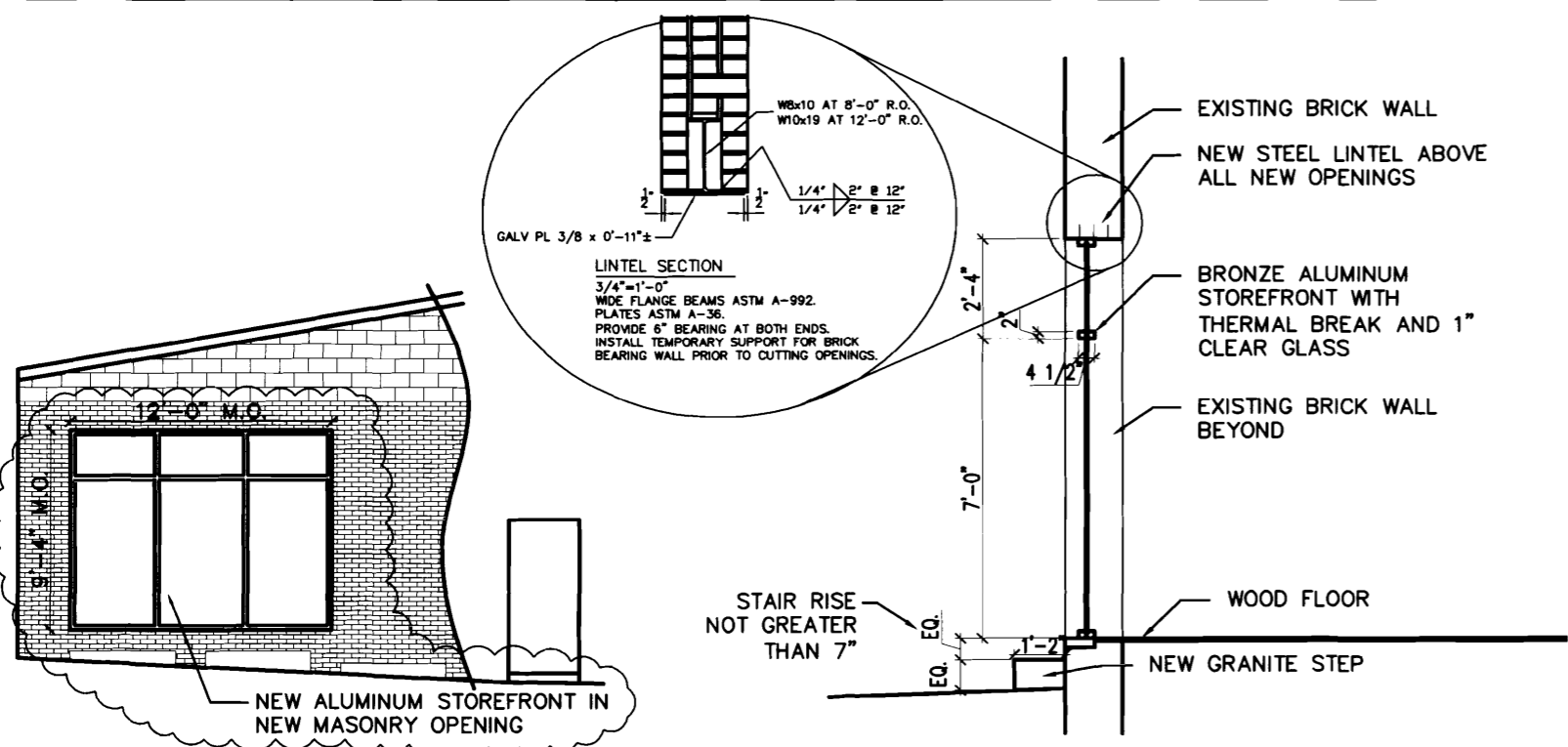
Before me,



~~Notary Public~~
Attorney-at-law

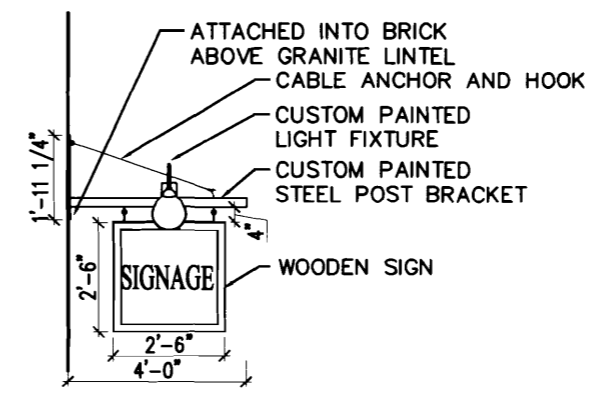


Recorded
Cumberland County
Registry of Deeds
01/14/94 03:34:00PM
John B. O'Brien
Register

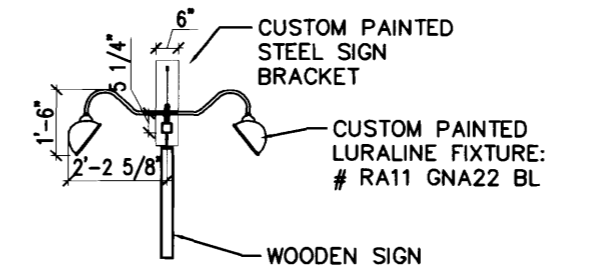


3 | NEW SIDE ELEVATION
SCALE: 1/4" = 1'-0"

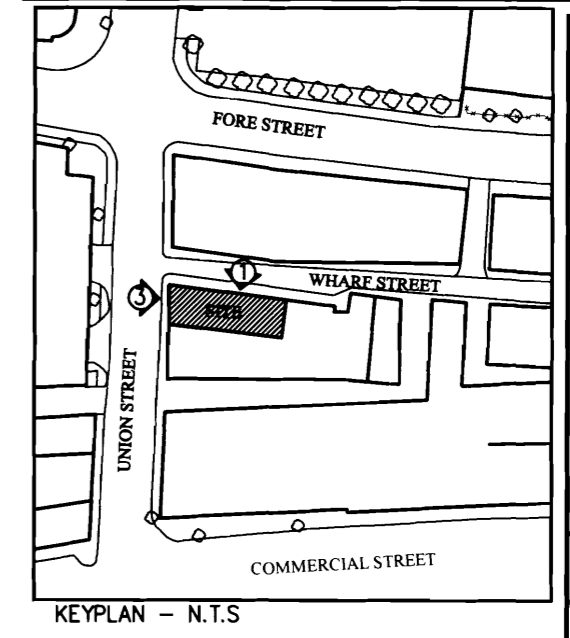
4 | NEW SIDE ELEVATION
SCALE: 1/2" = 1'-0"



5 | SIGNAGE SIDE ELEVATION DETAIL
SCALE: 1/2" = 1'-0"



6 | SIGNAGE FRONT ELEVATION DETAIL
SCALE: 1/2" = 1'-0"



NOTE: CONTRACTOR TO CONTACT SCOTT HANSON AT CITY OF PORTLAND BEFORE ANY REPOINTING OF BRICK WORK

OWNER:

ARCHETYPE, P.A.
ARCHITECTS
48 Union Wharf Portland, Maine 04101
(207) 772-6022 Fax (207) 772-4056

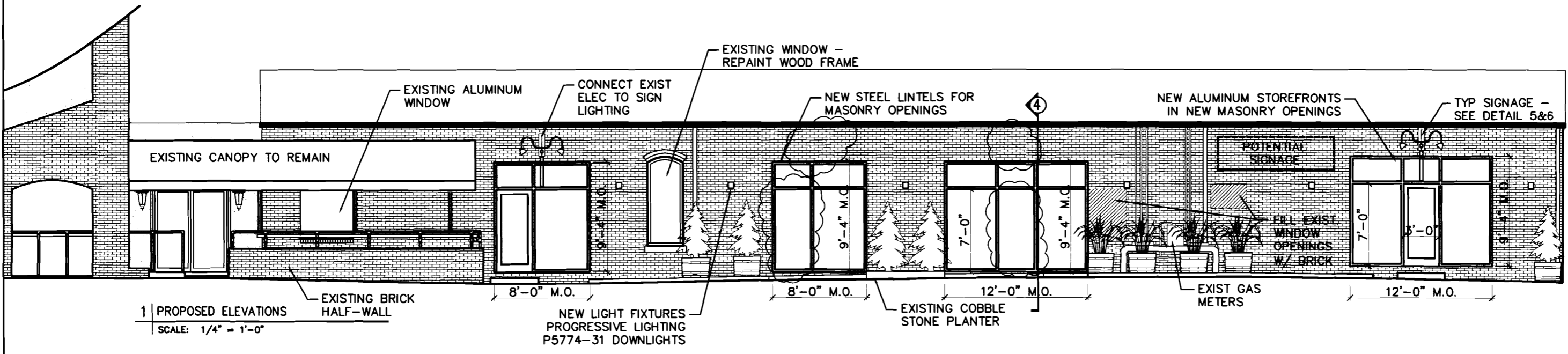
PROJECT:
HAVANASOUTH
52 WHARF ST
PORTLAND, ME

Scale AS NOTED

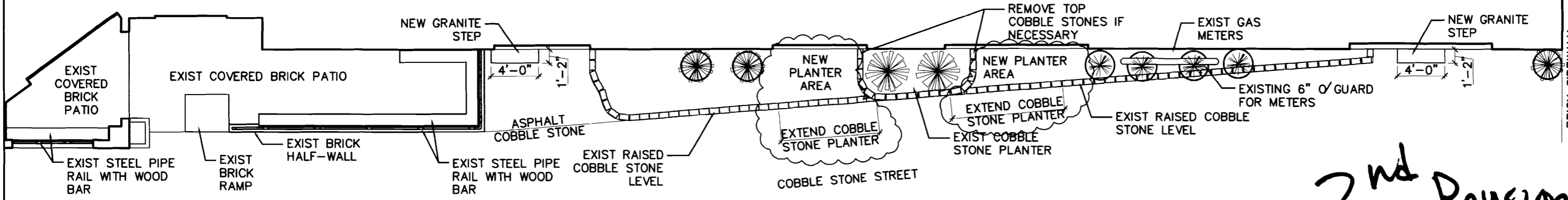
Date 7 JANUARY, 2009

Revisions:
10-28-09
Revised 9 February 2010

ELEVATIONS



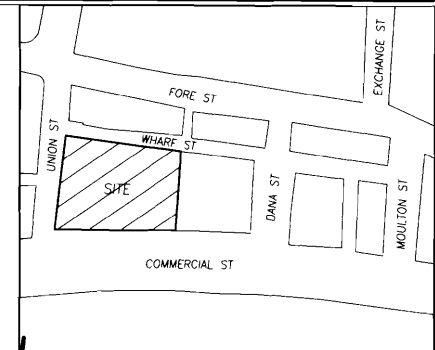
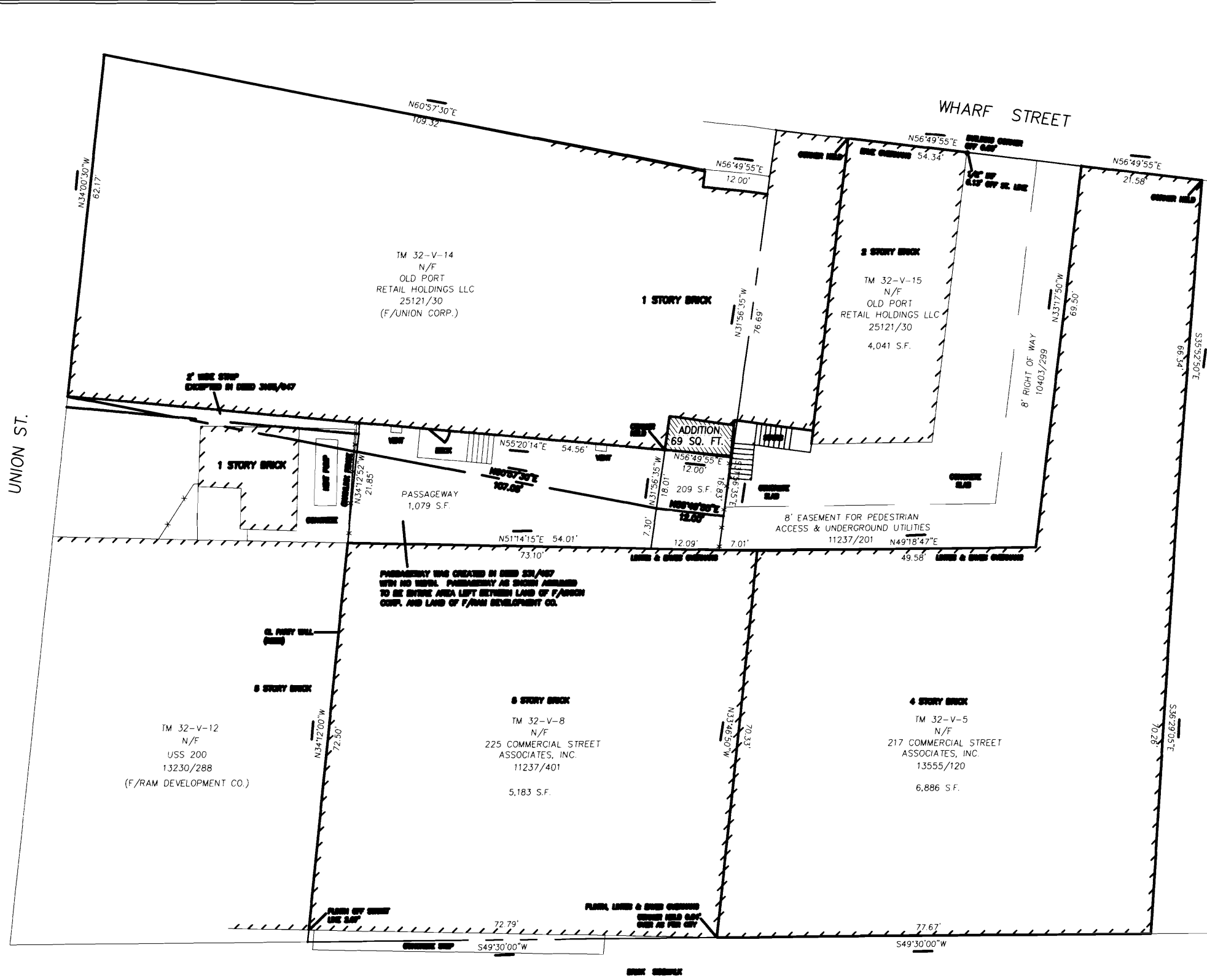
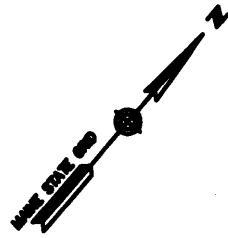
1 | PROPOSED ELEVATIONS
SCALE: 1/4" = 1'-0"



2 | PROPOSED PLAN
SCALE: 1/4" = 1'-0"

2nd Revision

A-3



LOCATION MAP

RECEIVED
FEB 9 2010
Dept. of Building Inspections
City of Portland Maine

2nd
Revision

RECEIVED COMMERCIAL STREET
PAVED - PUBLIC 100' WIDE

PLAN REFERENCES

- 1. PLAN OF PROPERTY IN PORTLAND, MAINE MADE FOR OWEN BROWNE CO. DATED JUL. 14, 1898 RECORDED NOV. 2, 1898 BY H.L. & E.C. JOHNSON SURVEYORS.
- 2. PLAN OF LAND SURVEYING BOUNDARY SURVEY, ON WILSON STREET, PORTLAND, MAINE FOR THE MOVEMENT COMPANY DATED JULY 31, 1898, REC. 2 11/4/98 BY OWEN HASKELL, INC.
- 3. SITE PLAN AT 38 WHARF STREET, PORTLAND, MAINE FOR JOSEPH L. SOLEY DATED JUNE 8, 1894 BY OWEN HASKELL, INC.
- 4. SITE PLAN OF WAREHOUSE BLOCK, COMMERCIAL AND WHARF STREETS, PORTLAND, MAINE FOR G.L. INC. DATED FEB. 22, 1894, REC. 6/22/97 BY OWEN HASKELL, INC.

Dept. of Building Inspection
City of Portland Maine

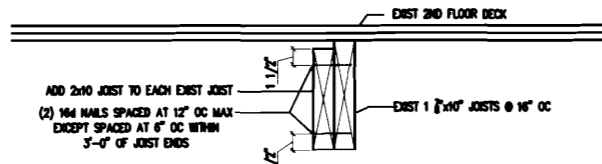
NOTE: NOT ALL IMPROVEMENTS SHOWN.



PRELIMINARY

PLAN OF LAND
AT
42-50 WHARF STREET
PORTLAND, MAINE
MADE FOR
MICHAEL BOLAND

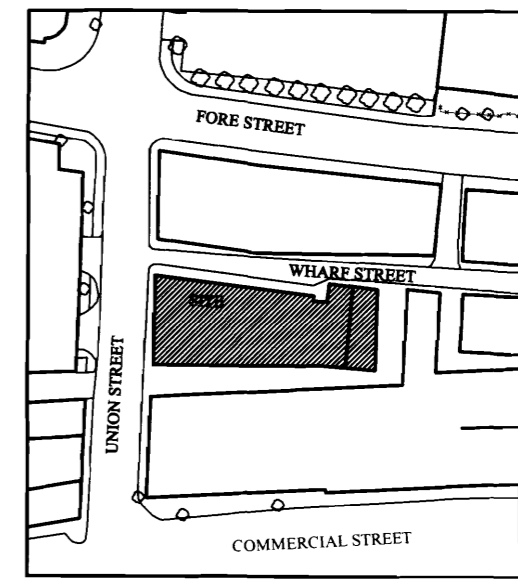
OWEN HASKELL, INC. 280 U.S. DOWN CEN. BUILDING, 2ND FLOOR (207) 774-0400		
Drawn By	Date	Job No.
Trace By	NOVEMBER 04, 2009	2009-139
Check By	Scale	Draw. No.
Book No.	1" = 10'	1



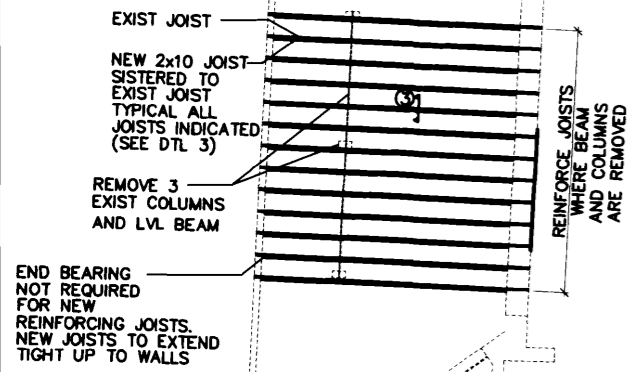
3 | 2ND FLOOR FRAMING REINFORCING DETAIL
SCALE: 1 1/2" = 1'-0"

EQUIPMENT LIST

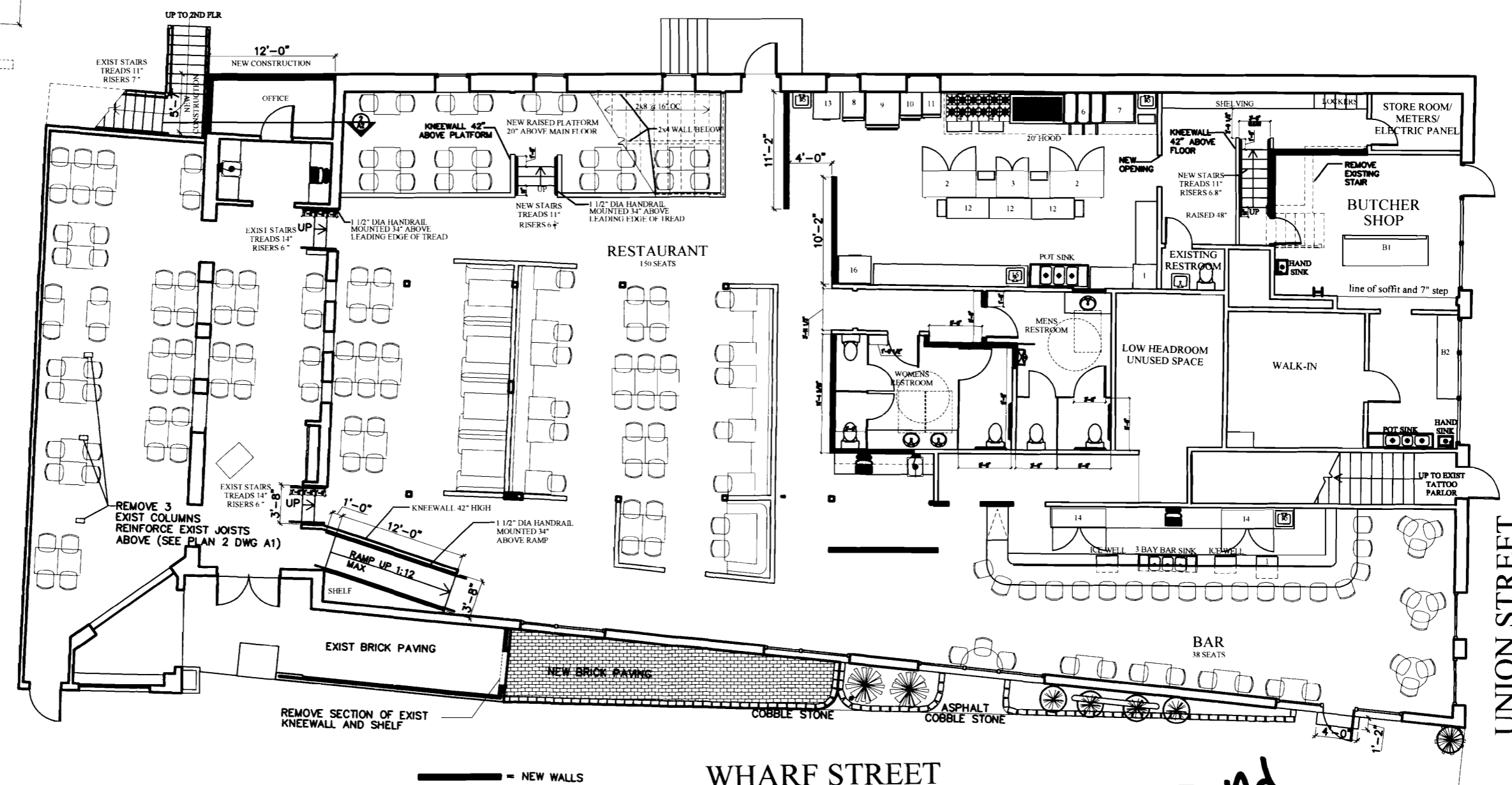
- 1 DISH WASH MACHINE
 - 2 60 x 31 UNDERCOUNTER REFRIGERATOR (x 2)
 - 3 36 x 31 UNDERCOUNTER REFRIGERATOR
 - 4 36 x 34-4 RANGE (x 2)
 - 5 60 x 35 GRILL
 - 6 15 x 31-4 FRYERS (x 3)
 - 7 36 x 33 GRIDDLE
 - 8 24 x 33 STEAMER
 - 9 38 x 43 CONVECTION OVEN
 - 10 24 x 32 HOLDING CABINET
 - 11 29 X 21 BREADWARMER
 - 12 24 x 48 PREP TABLE
 - 13 31 x 30 CHEST FREEZER
 - 14 UNDERCOUNTER BAR REFRIGERATOR
 - 15 HAND WASH SINK
 - 16 ICE MACHINE
- B1 96 x 35 DISPLAY CASE
B2 96 x 24 PREP COUNTER



LOCATION PLAN - N.T.S.



2 | 2ND FLOOR FRAMING PLAN
SCALE: 3/16" = 1'-0"



1 | FIRST FLOOR PLAN
SCALE: 3/16" = 1'-0"

OWNER:

ARCHETYPE ARCHITECTS, P.A.
48 Union Wharf Portland, Maine 04101
(207) 772-6022 Fax (207) 772-4056

Project
HAVANA SOUTH

Scale
1/4" = 1'-0"

Date
05 November, 2009

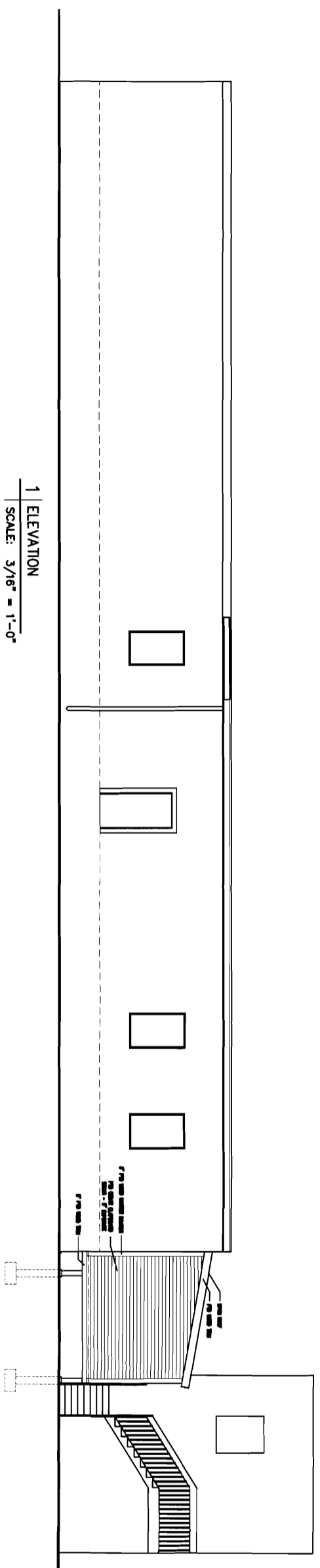
Revisions
Revised 9 February 2010

Project
FIRST FLOOR PLAN
SECOND FLOOR FRAMING

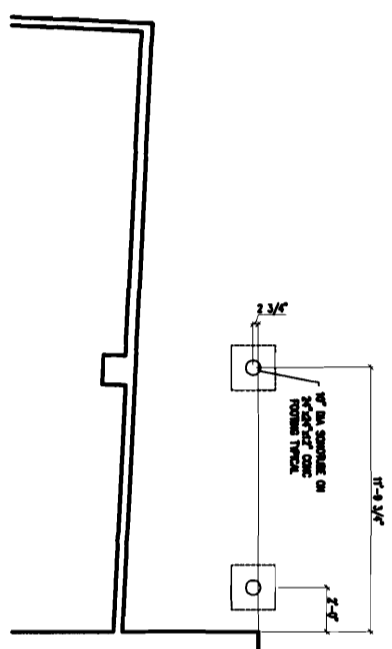
52 WHARF ST
PORTLAND, ME

A-1

2nd Revision



1 | ELEVATION
SCALE: 3/16" = 1'-0"

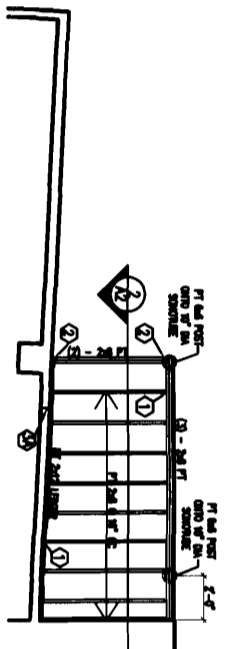


3 | FOUNDATION PLAN
SCALE: 1/4" = 1'-0"

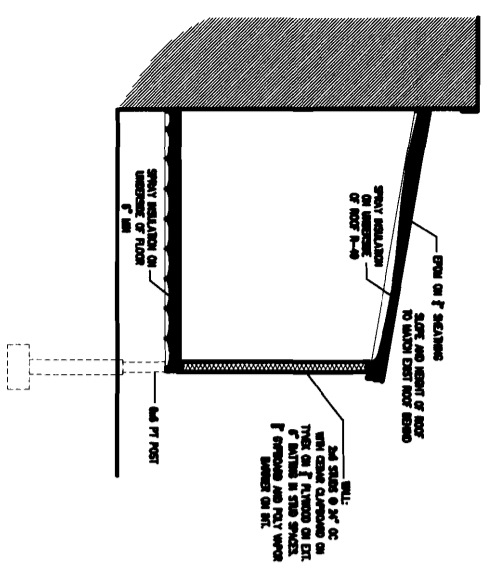
HARDWARE SCHEDULE
(SAMPLE SYMBOLS UNLESS NOTED)

POST BASE: ALUMINUM WITH 1" EXPANSION ANCHOR
POST CAPS - (2) ALUM.
WINDSTOPPER - ACS

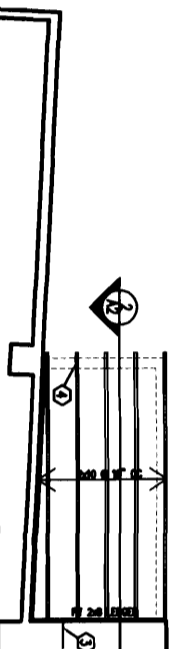
1 TYPICAL JOIST - LUSIB
2 TYPICAL DOUBLE JOIST - HANCO-2
3 1" DIA. x 8' FINISHED SLEEVE BY THE PARQUET/MEDEAD SPACED AT 12" STAGGERED 1" FROM TOP & BOTTOM
4 1" DIA. x 8' FINISHED SLEEVE BY THE PARQUET/MEDEAD AT BOTTOM HALF OF LEDGER (AND CONC.) SPACED AT 12" LOCATED 1" FROM BOTTOM AND (2) 1/4" WALLS AT TOP HALF OF LEDGER INTO EACH SIDO
5 RAFTERS - H25A



4 | FLOOR FRAMING PLAN
SCALE: 1/4" = 1'-0"



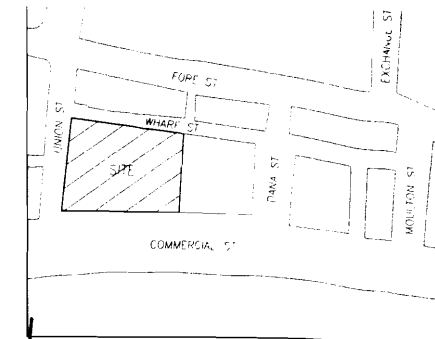
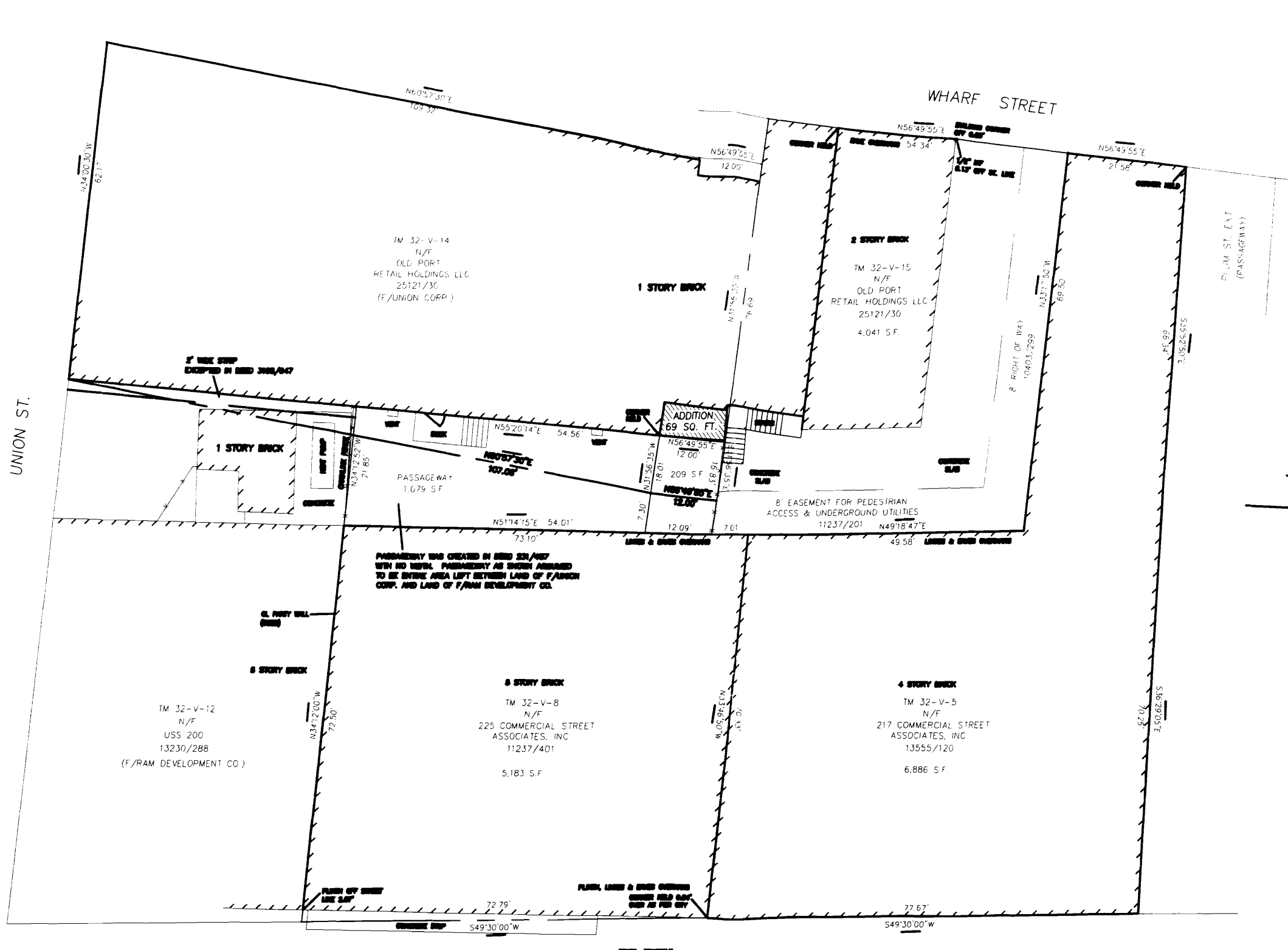
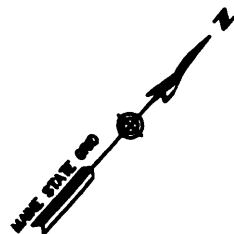
2 | SECTION
SCALE: 1/4" = 1'-0"



5 | ROOF FRAMING PLAN
SCALE: 1/4" = 1'-0"

2nd Revision

A-2	ELEVATIONS, SECTIONS AND FRAMING PLANS	Date 05 November, 2009	Scale 1/4" = 1'-0"	Project HAVANASOUTH	ARCHETYPE ARCHITECTS, P.A. 48 Union Wharf Portland, Maine 04101 (207) 772-6022 Fax (207) 772-4056	OWNER:
		Revisions Revised 9 February 2010		52 WHARF ST PORTLAND, ME		



LOCATION MAP
N.E.A.

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FEB 10 2010
Dept. of Building Inspections
City of Portland Maine

50 Wharf St

RECEIVED
COMMERCIAL STREET
PAVED - PUBLIC 100' WIDE

- PLAN REFERENCES**
1. PLAN OF PROPERTY IN PORTLAND, MAINE MADE FOR OWEN BROWNE CO. DATED JUN. 14, 1899 REHEARD NOV. 2, 1899 BY M.L. & E.C. JOHNSON SURVEYORS.
 2. PLAN OF LAND, STANDARD BOUNDARY SURVEY, ON UNION STREET, PORTLAND, MAINE FOR RAM DEVELOPMENT COMPANY DATED JULY 31, 1988, REV. 2 11/8/88 BY OWEN HASKELL, INC.
 3. SITE PLAN AT 30 WHARF STREET, PORTLAND, MAINE FOR JOSEPH L. SOLEY DATED JUNE 8, 1904 BY OWEN HASKELL, INC.
 4. SITE PLAN OF WHARF BLOCK, COMMERCIAL AND WHARF STREETS, PORTLAND, MAINE FOR C.A. INC. DATED FEB. 22, 1904, REV. 8/28/07 BY OWEN HASKELL, INC.



032-V-014

Dept. of Building Inspections
City of Portland Maine

PRELIMINARY

PLAN OF LAND
AT
42-50 WHARF STREET
PORTLAND, MAINE
MADE FOR
MICHAEL BOLAND

OWEN HASKELL, INC.
500 U.S. Street One, Portland, ME 04108 (207) 774-0404
PROFESSIONAL LAND SURVEYORS

Drawn By	CH	Date		Job No.
Trace By	JLW	NOVEMBER 04, 2009		2009-138
Check By	JOB	Scale		Dwg. No.
Book No.	FILE	1" = 10'		1

WHARF STREET

TM 32-V-14
N/F
OLD PORT
RETAIL HOLDINGS LLC
25121/30
(F/UNION CORP.)

1 STORY BRICK

2 STORY BRICK

TM 32-V-15
N/F
OLD PORT
RETAIL HOLDINGS LLC
25121/30
4,041 S.F.

ADDITION
69 SQ. FT.

STAIRS

CONCRETE
SLAB

8' EASEMENT FOR PEDESTRIAN
ACCESS & UNDERGROUND UTILITIES
11237/201

8' RIGHT OF WAY
10403/299

PLUM ST. EXT.

RECEIVED

FEB 10 2010

Dept. of Building Inspections
City of Portland Maine

Scale 1" = 10'

N50°57'30"E
109.32'

N56°49'55"E
12.00'

N56°49'55"E
BUILDING CORNER
OFF 0.05'

N56°49'55"E
21.58'

1/2" IRF
0.13' OFF ST. LINE

CORNER HELD

EAVE OVERHANG 54.34'

CORNER HELD

N31°56'35"W
76.69'

N33°17'50"W
69.50'

S35°52'50"E
66.34'

N55°20'14"E
54.56'

CORNER HELD

N56°49'55"E
12.00'

CONCRETE
SLAB

N60°57'30"E
107.08'

N31°56'35"W
18.01'

N56°49'55"E
12.00'

HEAT PUMP
CHAINLINK FENCE
N34°12'52"W
21.85'

PASSAGEWAY
1,079 S.F.

N51°14'15"E
54.01'

LINTES & EAVES OVERHANG

N31°56'35"W
7.30'

12.09'

7.01'

N49°18'47"E

LINTES & EAVES OVERHANG

49.58'

PASSAGEWAY WAS CREATED IN DEED 231/457
WITH NO WIDTH. PASSAGEWAY AS SHOWN ASSUMED
TO BE ENTIRE AREA LEFT BETWEEN LAND OF F/UNION
CORP. AND LAND OF F/RAM DEVELOPMENT CO.



State of Maine
 Department of Public Safety
Construction Permit



Reviewed
 for Barrier
 Free

18939

Sprinkled
 Sprinkler Supervised

HAVANA SOUTH

Located at: 50 WHARF STREET

PORTLAND

Occupancy/Use: ASSEMBLY CLASS C

032 Vol 4

Permission is hereby given to:
 MDCD, LLC

PO BOX 10
 BAR HARBOR, ME 04609

to construct or alter the afore referenced building according to the plans hitherto filed with the Commissioner and now approved.
 No departure from application form/plans shall be made without prior approval in writing. This permit is issued under the provision of Title 25, Chapter 317, Section 2448 and the provisions of Title 5, Section 4594 - F.
 Nothing herein shall excuse the holder of this permit for failure to comply with local ordinances, zoning laws, or other pertinent legal restrictions. Each permit issued shall be displayed/available at the site of construction.

This permit will expire at midnight on the 24 th of September 2010

Dated the 25 th day of March A.D. 2010

Commissioner

Copy-3 Code Enforcement Officer

Comments:

Code Enforcement Officer
 PORTLAND, ME