

# DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND BUILDING PERMIT

Please Read Application And Notes, if Any, Attached

Permit Number: 091198

This is to certify that BILL SIMMONS has permission to Change of use from 4 to 5 units AT 363 CUMBERLAND AVE

provided that the person or persons, firm or corporation applying this permit shall comply with the provisions of the Statutes of Maine and of the Ordinances of the City of Portland relating to the construction, maintenance and use of buildings and structures, and of the application or

Apply to Public Works for street line and grade if nature of work requires such information.

Notation of inspection must be given and written permission procured before this building or other structure is occupied. 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. NOT

Health Dept. NOT

Appeal Board NOT

Other NOT

*James Burke* 11/24  
Director - Building & Inspection Services

PENALTY FOR REMOVING THIS CARD

## PERMIT ISSUED

NOV 24 2009

City of Portland

# City of Portland, Maine - Building or Use Permit Application

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

Permit No: 09-1198	Issue Date:	CBL: 033 J018001
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Location of Construction: 363 CUMBERLAND AVE	Owner Name: PARKSIDE PROPERTIES LLC	Owner Address: PO BOX 641	Phone: 207 874-0700
Business Name:	Contractor Name: Bill Simpson	Contractor Address: P.O. Box 641 Freeport	Phone: 2078656678
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use - Commercial	Zone: B-3

Past Use: Multi-Family 4 Unit	Proposed Use: Multi-Family 5 Unit - Change of use from 4 to 5 units	Permit Fee: \$105.00	Cost of Work: \$105.00	CEO District: 1
		FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: R2 Type: SB	
		* See Conditions		IBL-2003

Proposed Project Description: Change of use from 4 to 5 units	Signature: <i>(KG)</i>	Signature: <i>JMB 11/24/09</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: Ldobson	Date Applied For: 10/28/2009	<b>Zoning Approval</b>
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<ol style="list-style-type: none"> <li>This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.</li> <li>Building permits do not include plumbing, septic or electrical work.</li> <li>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..</li> </ol>	<b>Special Zone or Reviews</b> <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"/> <i>OK w/ conditions</i> Date: 11/3/09 <i>ABM</i>	<b>Zoning Appeal</b> <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: _____	<b>Historic Preservation</b> <input checked="" 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 <i>ABM</i> 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.

PERMIT ISSUED

SIGNATURE OF APPLICANT \_\_\_\_\_ ADDRESS \_\_\_\_\_ DATE NOV 24 2009 PHONE \_\_\_\_\_

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE \_\_\_\_\_ DATE \_\_\_\_\_ City of Portland PHONE \_\_\_\_\_

**City of Portland, Maine - Building or Use Permit**

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

Permit No: 09-1198	Date Applied For: 10/28/2009	CBL: 033 J018001
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Location of Construction: 363 CUMBERLAND AVE	Owner Name: PARKSIDE PROPERTIES LLC	Owner Address: PO BOX 641	Phone: 207 874-0700
Business Name:	Contractor Name: Bill Simpson	Contractor Address: P.O. Box 641 Freeport	Phone: (207) 865-6678
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use - Commercial	

Proposed Use: Multi-Family 5 Unit - Change of use from 4 to 5 units	Proposed Project Description: Change of use from 4 to 5 units
--	--

Dept: Zoning      Status: Approved with Conditions      Reviewer: Ann Machado      Approval Date: 11/03/2009

Note: The purpose of this permit is to legalize an existing apartment in the basement.      Ok to Issue:

- 1) With the issuance of this permit and the certificate of occupancy, this property shall remain a five family dwelling. Any change of use shall require a separate permit application for review and approval.

Dept: Building      Status: Approved with Conditions      Reviewer: Jeanine Bourke      Approval Date: 11/24/2009

Note:      Ok to Issue:

- 1) An emergency escape and rescue window meeting 5.7 Sq Ft per code dimensions is required in all sleeping rooms. The window is not required if there is a door with direct access to the outside.
- 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 or HVAC or exhaust systems. Separate plans may need to be submitted for approval as a part of this process.
- 4) Application approval based upon information provided by applicant. Any deviation from approved plans requires separate review and approval prior to work.

Dept: Fire      Status: Approved with Conditions      Reviewer: Capt Keith Gautreau      Approval Date: 11/03/2009

Note:      Ok to Issue:

- 1) Ben Wallace has made a condition of repairing concrete steps and adding railings.
- 2) The entire structure shall comply with NFPA 101 "Existing Apartments" Compliance shall be insured prior to the issuance of a Certificate of Occupancy.
- 3) All smoke detectors and smoke alarms shall be photoelectric. Carbon Monoxide detectors are required in the dwelling units by State law.

**PERMIT ISSUED**

NOV 24 2009

**Comments:**

11/3/2009-amachado: Gave application for exemption from site plan review to planning.

City of Portland

11/19/2009-jmb: Left vcmgs for Bill S., he called back and I left another vcmgs. Questions on what part of the building this unit is in, egress window, smoke an CO detectors.

11/20/2009-jmb: Bill S. Left vcmgs., I left another msg w/admn. With specific details

11/24/2009-gg: received granted site exemption on 11/24/09. Filed with permit (Jeannie). /gg

11/20/2009-jmb: Bill S. Left a vcmgs with information, the unit is stacked under the footprint of the building, the CO detector will be installed and he claims that there is an egress size window in the unit. The floor space is like an efficiency, all one room, except the bathroom. Ok to issue with conditions.

**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   **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.**

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  
  
\_\_\_\_\_  
Signature of Inspections Official

\_\_\_\_\_  
Date  
  
\_\_\_\_\_  
Date 11/24/09

**PERMIT ISSUED**

NOV 24 2009  
City of Portland

RECEIVED

# General Building Permit Application

OCT 28 2009



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. Dept. of Building Inspections  
City of Portland Maine

Location/Address of Construction: <u>363 CUMBERLAND AVE</u>		
Total Square Footage of Proposed Structure/Area	Square Footage of Lot	Number of Stories
Tax Assessor's Chart, Block & Lot Chart#      Block#      Lot#  <u>33      J      018</u>	Applicant * <u>must</u> be owner, Lessee or Buyer* Name <u>PARKSIDE PROPERTIES LLC.</u> Address <u>P.O. BOX 10250</u> City, State & Zip <u>PORTLAND, ME 04104</u>	Telephone:  <u>207-874-0700</u>
Lessee/DBA (If Applicable)	Owner (if different from Applicant) Name Address City, State & Zip	Cost Of Work: \$ <u>8500</u> / C of O Fee: \$ _____ Total Fee: \$ _____
Current legal use (i.e. single family) <u>MULTY FAMILY</u> Number of Residential Units <u>4</u> If vacant, what was the previous use? <u>Was 5th unit in building.</u> Proposed Specific use: <u>Add back 5th unit.</u> Is property part of a subdivision? <u>NO</u> If yes, please name _____ Project description: <u>Change of use permit, add the 5th unit back to the building.</u>		
Contractor's name: <u>BILL SIMPSON</u>		
Address: <u>PO. BOX 10250</u>		
City, State & Zip: <u>PORTLAND, ME 04104</u>		Telephone: <u>207-874-0700</u>
Who should we contact when the permit is ready: <u>Bill Simpson</u>		Telephone: _____
Mailing address: <u>SAME</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](http://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: William P. Simpson      Date: 10-23-09

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



# 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: 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 IEBC 2003
  - Proof of ownership is required if it is inconsistent with the assessors records.
  - Reduced plans or electronic files in PDF format are also required if original plans are larger than 11" x 17".
  - Per State Fire Marshall, all new bathrooms must be ADA compliant.
- N/A

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)

## 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.

*BEN WALLACE  
HAS INSPECTED -  
SEE E-mail  
attached*

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](http://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.**

**From:** Benjamin Wallace  
**To:** Ann Machado  
**Date:** 10/21/2009 11:30:30 AM  
**Subject:** Re: 363 Cumberland Ave.

Good morning,  
That is correct. The unit has an its own direct exit directly outside. I have told him to fix the concrete steps and add railings on the outside stair though. By the way, a new requirement for all new legalizations is the requirement for a CO detector in every dwelling unit. That would apply to Bill also.  
Thanks,

Benjamin A. Wallace Jr.  
Fire Prevention Officer  
Portland Fire Department  
380 Congress Street  
Portland, Maine 04101  
(207)756-8096  
wallaceb@portlandmaine.gov

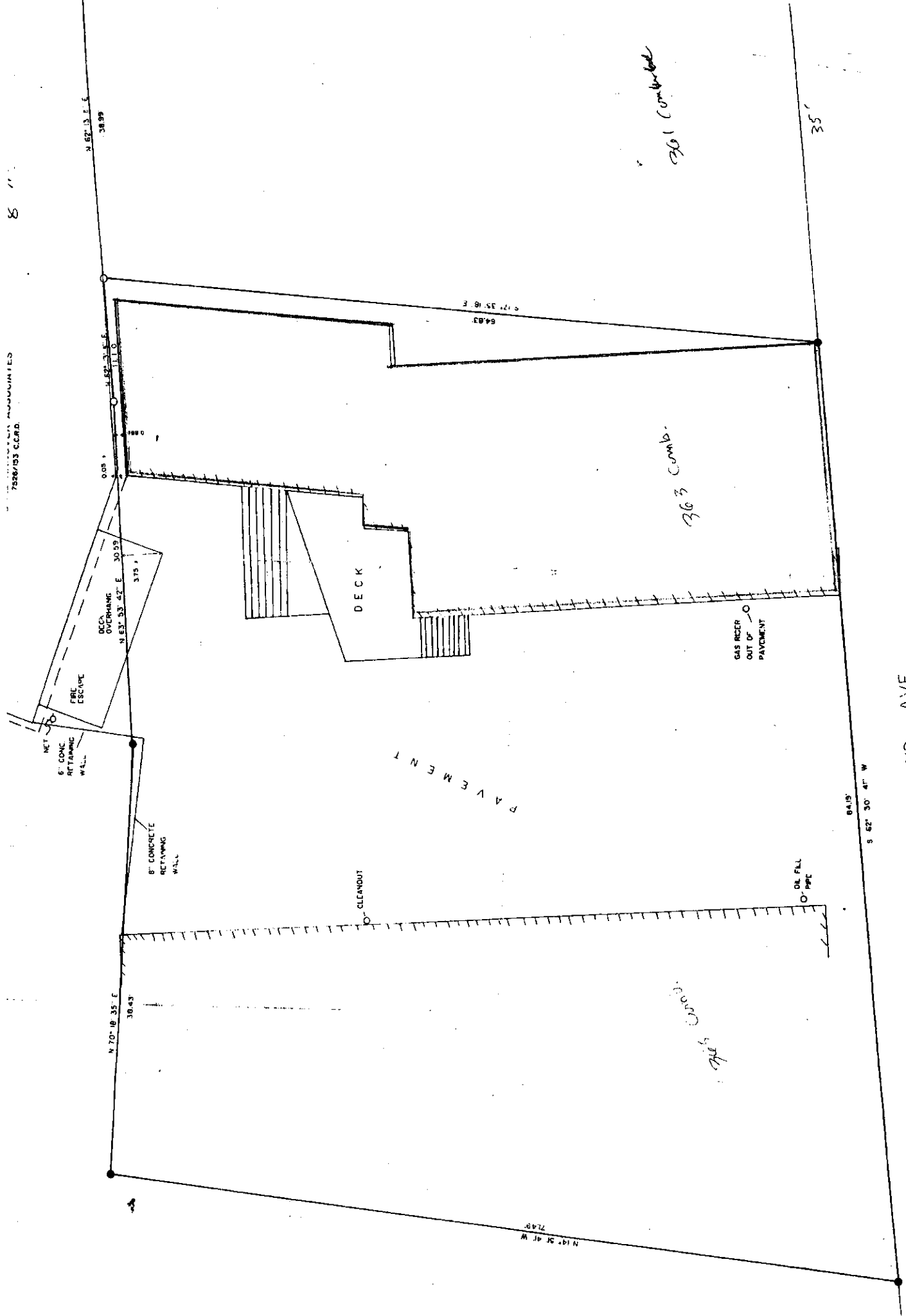
>>> Ann Machado 10/20 1:59 PM >>>  
Ben -

Bill Simpson is trying to legalize the basement apartment of this property. The previous owner applied for a change of use to legalize the basement apartment, but thought that he had to build a new means of egress to meet fire code. Bill Simpson says that you have inspected the basement unit and said that the existing egress meets life safety code. I'm just following up with you to see if this is true and he can just apply for a change of use without having to build a new means of egress.

Thanks,

Ann Machado





8

7220/103 CLMB.

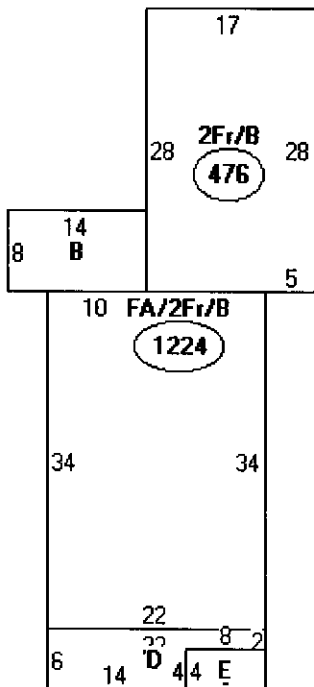
361 Comb.

363 Comb.

35'

CUMBERLAND AVE.

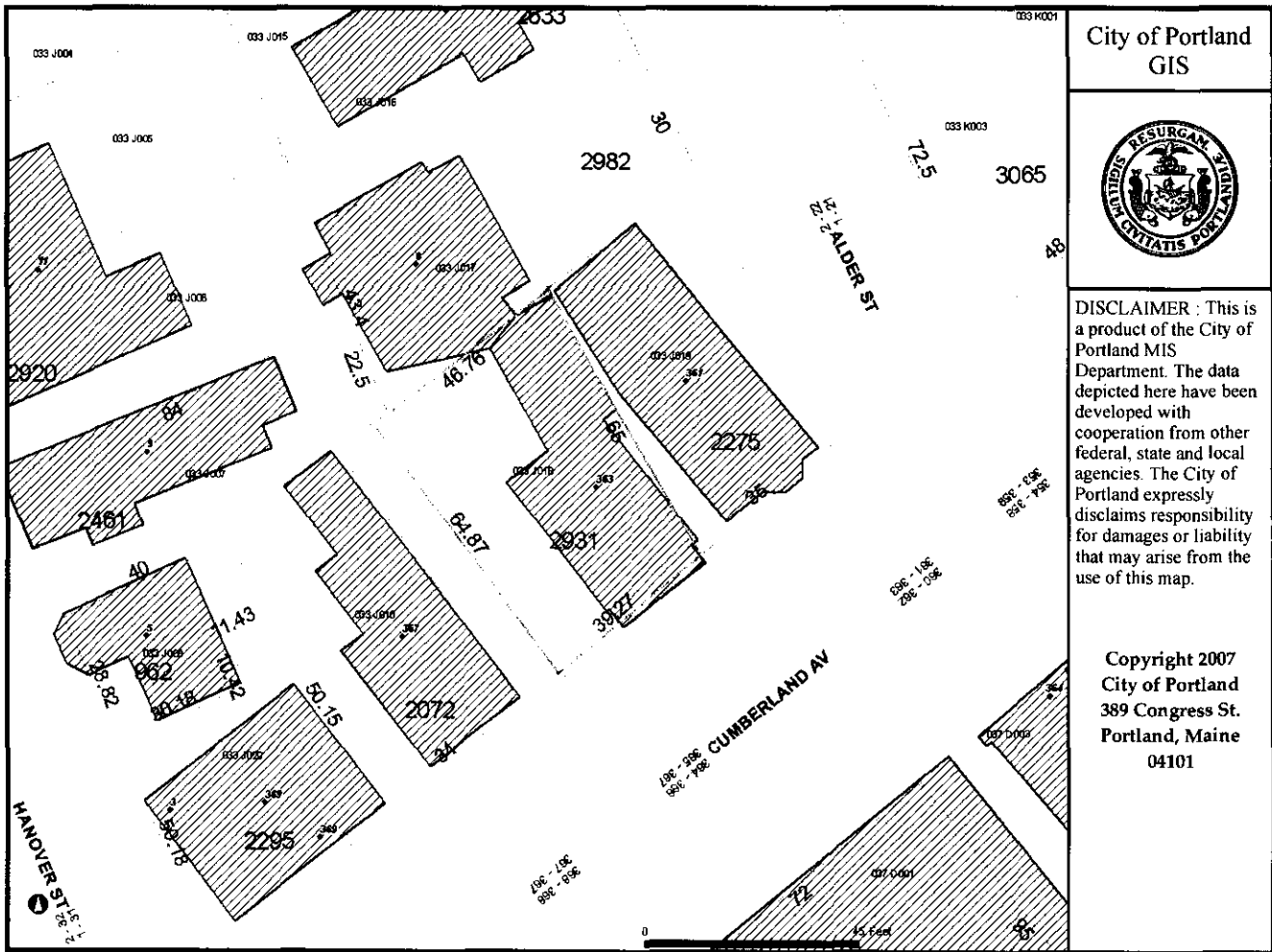
GENERAL NOTES:



Descriptor/Area

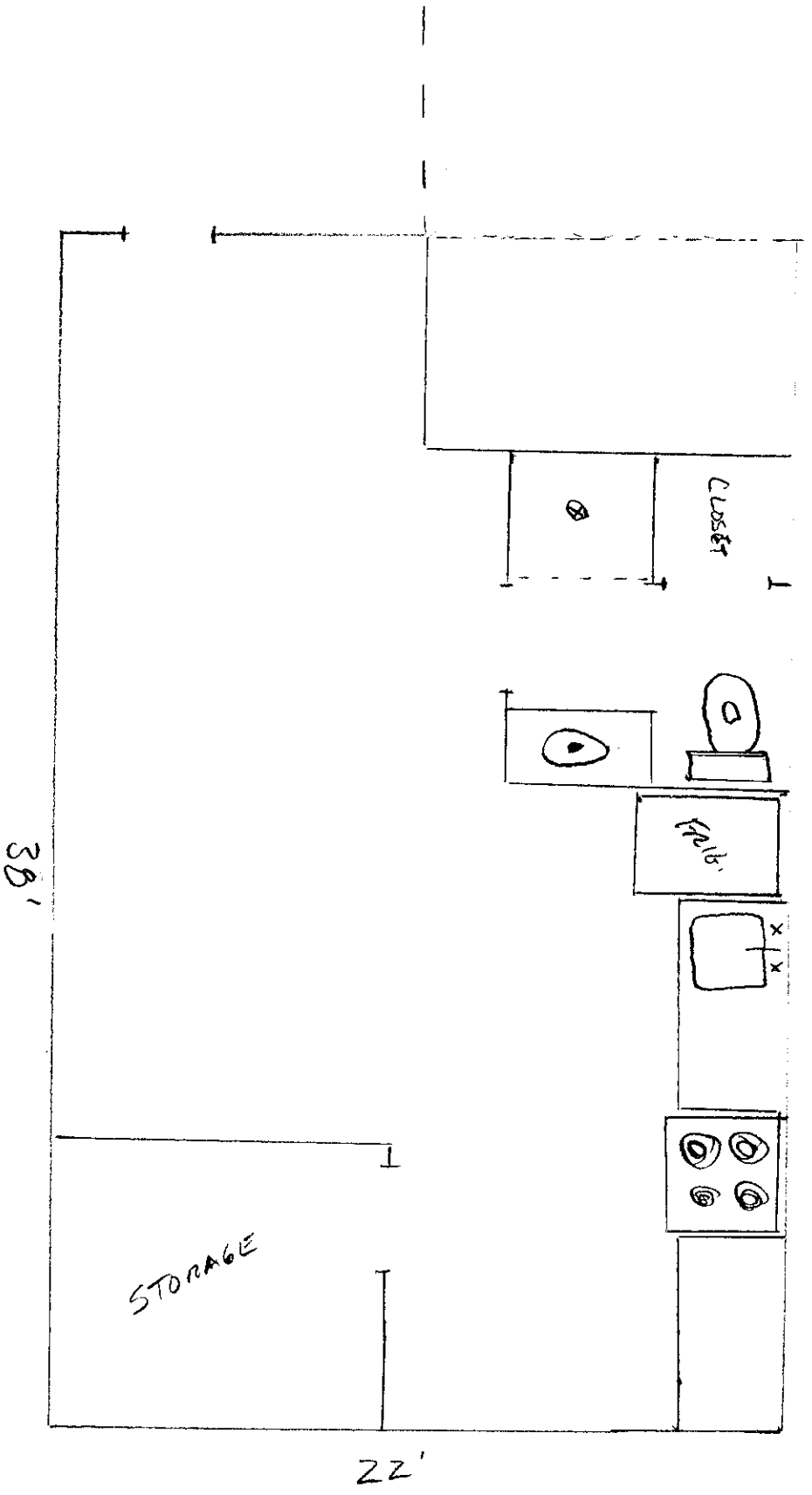
- A: FA/2Fr/B  
1224 sqft
- B: WD  
112 sqft
- C: 2Fr/B  
476 sqft
- D: 1Ms  
100 sqft
- E: OFP  
32 sqft



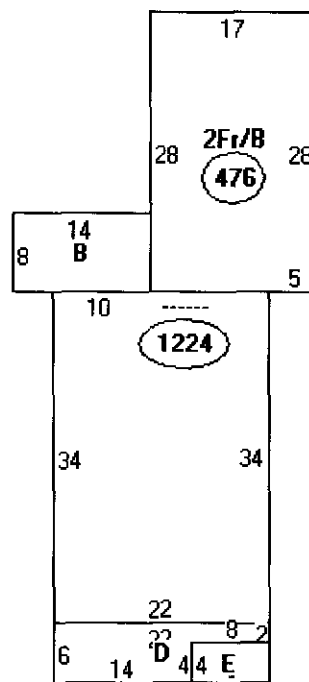


363 CUMBERLAND AVE. B-1

EXISTING UNIT.....



Cumberland ave.





# Application for Exemption from Site Plan Review

Portland, Maine

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

PROJECT NAME: 363 CUMBERLAND AVENUE UNIT B1

PROJECT ADDRESS: 363 CUMBERLAND AVENUE

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

Change of use - add 5 unit (already exists)  
existing 4 legal unit - legalize existing unit in driveway  
for 5 legal units.

CHART/BLOCK/LOT: 33-J-018

**RECEIVED**

NOV 24 2009

CONTACT INFORMATION:

OWNER/APPLICANT

CONSULTANT/AGENT

Dept. of Building Inspections  
City of Portland Maine

Name: Bill Simpson  
PARADISE PROPERTIES LLC

Name: \_\_\_\_\_

Address: P.O. BOX 10250  
PORTLAND, ME 04109

Address: \_\_\_\_\_

Zip Code: 04104

Zip Code: \_\_\_\_\_

Work #: 207-874-0700

Work #: \_\_\_\_\_

Cell #: 207-450-0370

Cell #: \_\_\_\_\_

Fax #: 207-874-6550

Fax #: \_\_\_\_\_

Home #: 207-450-0370

Home #: \_\_\_\_\_

E-mail: clara@paradiseproperties.com e.yahood.com

E-mail: \_\_\_\_\_

**RECEIVED**

NOV - 3 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

Planning Division  
Use Only

Applicant's Assessment	Planning Division Use Only
Y	Yes
N	No
N/A	No
N	No
Y	Yes
Y	Yes
N	No
N	No
N	No
N/A	N/A
Y	Yes

Planning Division Use Only

Exemption Granted  Partial Exemption \_\_\_\_\_ Exemption Denied \_\_\_\_\_

The applicant must obtain all applicable building permits.

Planner's Signature [Signature]

Date Nov. 19, 2009

**Planning Shukria Wiar**

November 19, 2009

Conditional of approval:

*The applicant must obtain all applicable building permits.*



**Fire Prevention Captain Keith Gautreau**

November 19, 2009

Ben Wallace did a site visit and found the fire egress to acceptable.

RECEIVED

# General Building Permit Application

OCT 28 2009



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 are issued. Dept. of Building Inspections, City of Portland, Maine

Location/Address of Construction: <u>363 CUMBERLAND AVE</u>		
Total Square Footage of Proposed Structure/Area	Square Footage of Lot	Number of Stories
Tax Assessor's Chart, Block & Lot Chart#      Block#      Lot# <u>33            J            018</u>	Applicant <u>must</u> be owner, Lessee or Buyer* Name <u>PARKSIDE PROPERTIES LLC.</u> Address <u>P.O. BOX 10250</u> City, State & Zip <u>PORTLAND, ME 04104</u>	Telephone: <u>207-874-0700</u>
Lessee/DBA (If Applicable)	Owner (if different from Applicant) Name Address City, State & Zip	Cost Of Work: \$ <u>8500</u> C of O Fee: \$ _____ Total Fee: \$ _____
Current legal use (i.e. single family) <u>MULTI FAMILY</u> Number of Residential Units <u>4</u> If vacant, what was the previous use? <u>Was 5th unit in building.</u> Proposed Specific use: <u>Add back 5th unit.</u> Is property part of a subdivision? <u>NO</u> If yes, please name _____ Project description: <u>Change of use permit, add the 5th unit back to the building.</u>		
Contractor's name: <u>BILL SIMPSON</u>		
Address: <u>P.O. BOX 10250</u>		
City, State & Zip: <u>PORTLAND, ME 04104</u>		Telephone: <u>207-874-0700</u>
Who should we contact when the permit is ready: <u>Bill Simpson</u>		Telephone: _____
Mailing address: <u>SAME</u>		

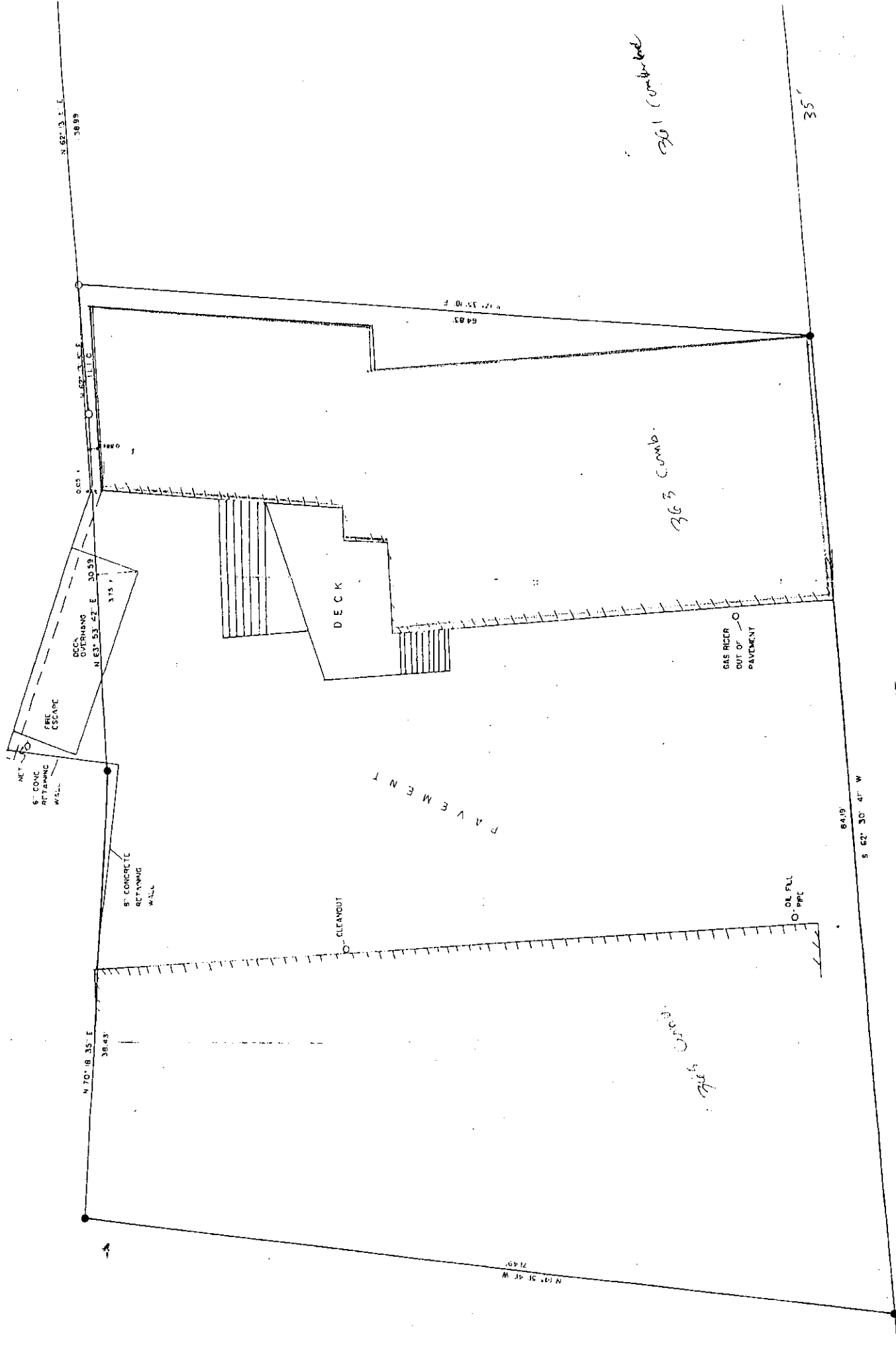
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Signature: William P. Simpson      Date: 10-23-09

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N 62° 13' 1" E  
38.99

N 62° 13' 1" E  
38.99

DCCA OVERHANG  
N 63° 53' 42" E 30.53

37.5

64.83  
N 77° 35' 10" E

35'

*261 Combined*

*263 Comb.*

DECK

GAS METER  
OUT OF  
PAVEMENT

PAVEMENT

64.19

S 62° 30' 41" W

CUMBERLAND AVE.

NET  
6" CONC  
RETAINING  
WALL

FIRE  
ESCAPE

6" CONCRETE  
RETAINING  
WALL

CLEANOUT

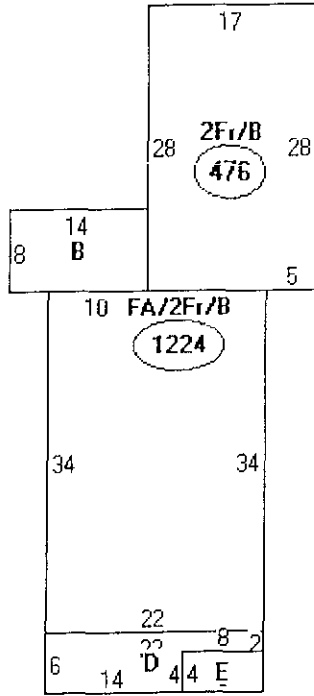
OIL FILL  
PIPE

N 70° 18' 35" E  
38.43

N 104° 31' 41" W  
27.49

*7165*

GENERAL NOTES:

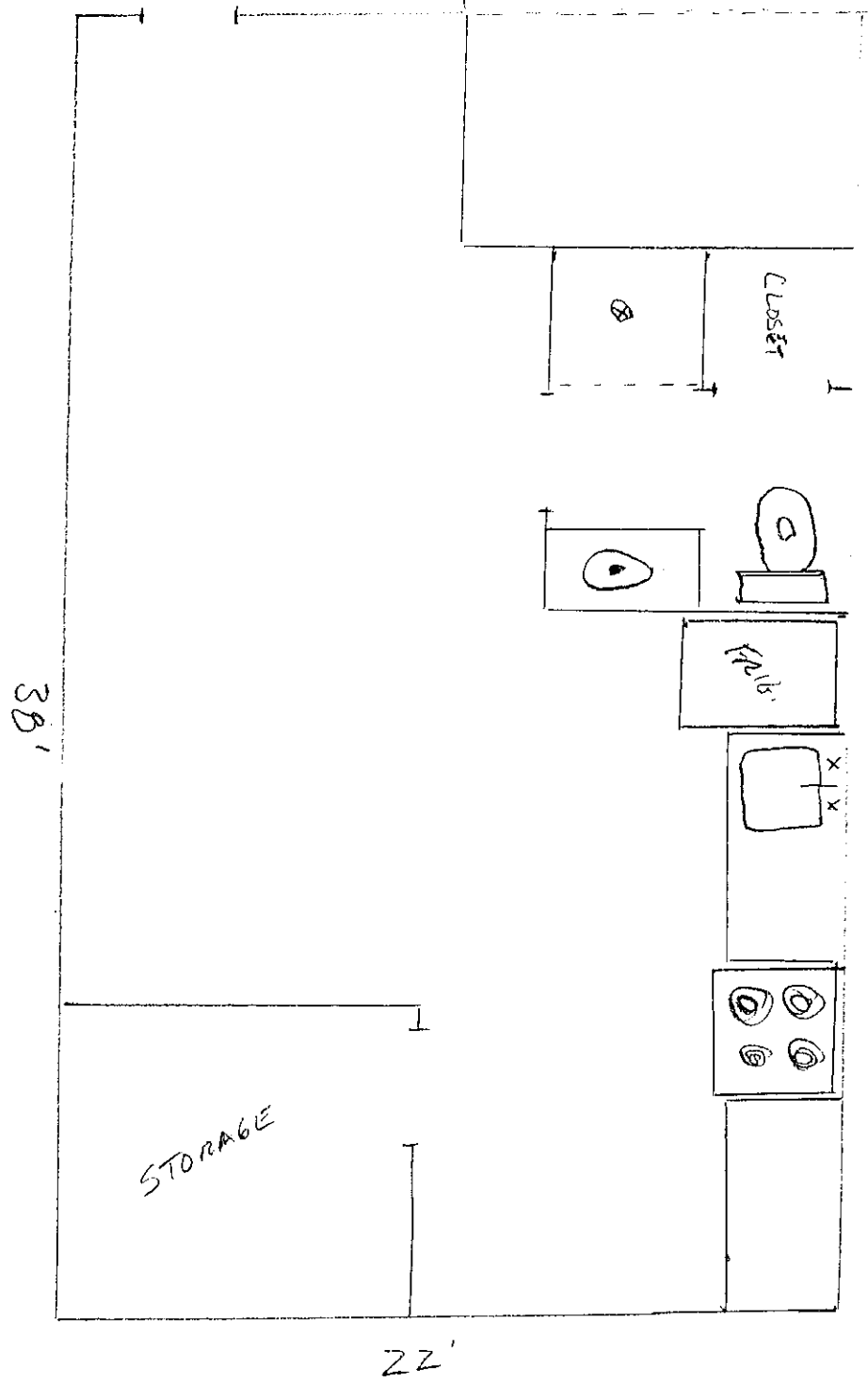


Descriptor/Area

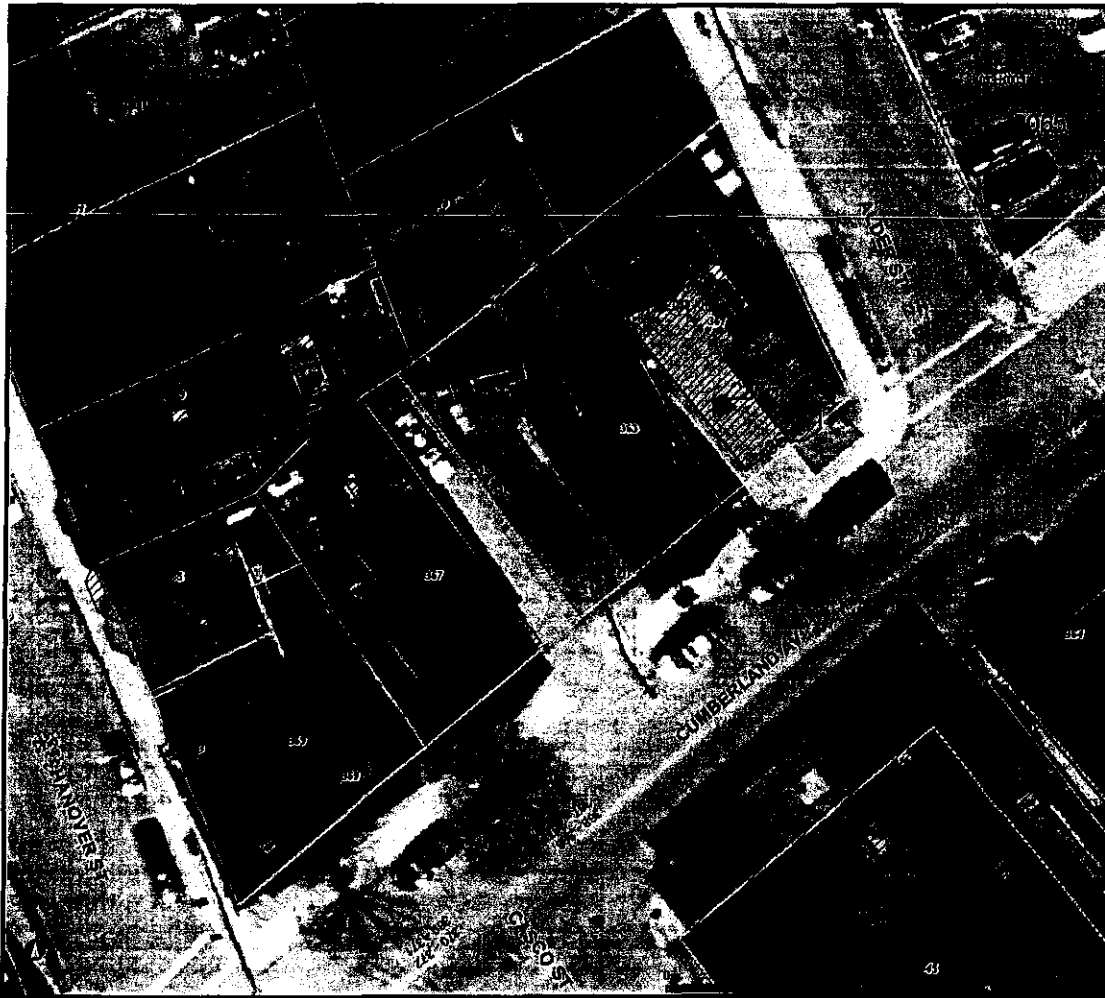
- A: FA/2Fr/B  
1224 sqft
- B: WD  
112 sqft
- C: 2Fr/B  
476 sqft
- D: 1Ms  
100 sqft
- E: OFP  
32 sqft

363 CUMBERLAND AVE. B-1

EXISTING UNIT.....



Cumberland Ave.



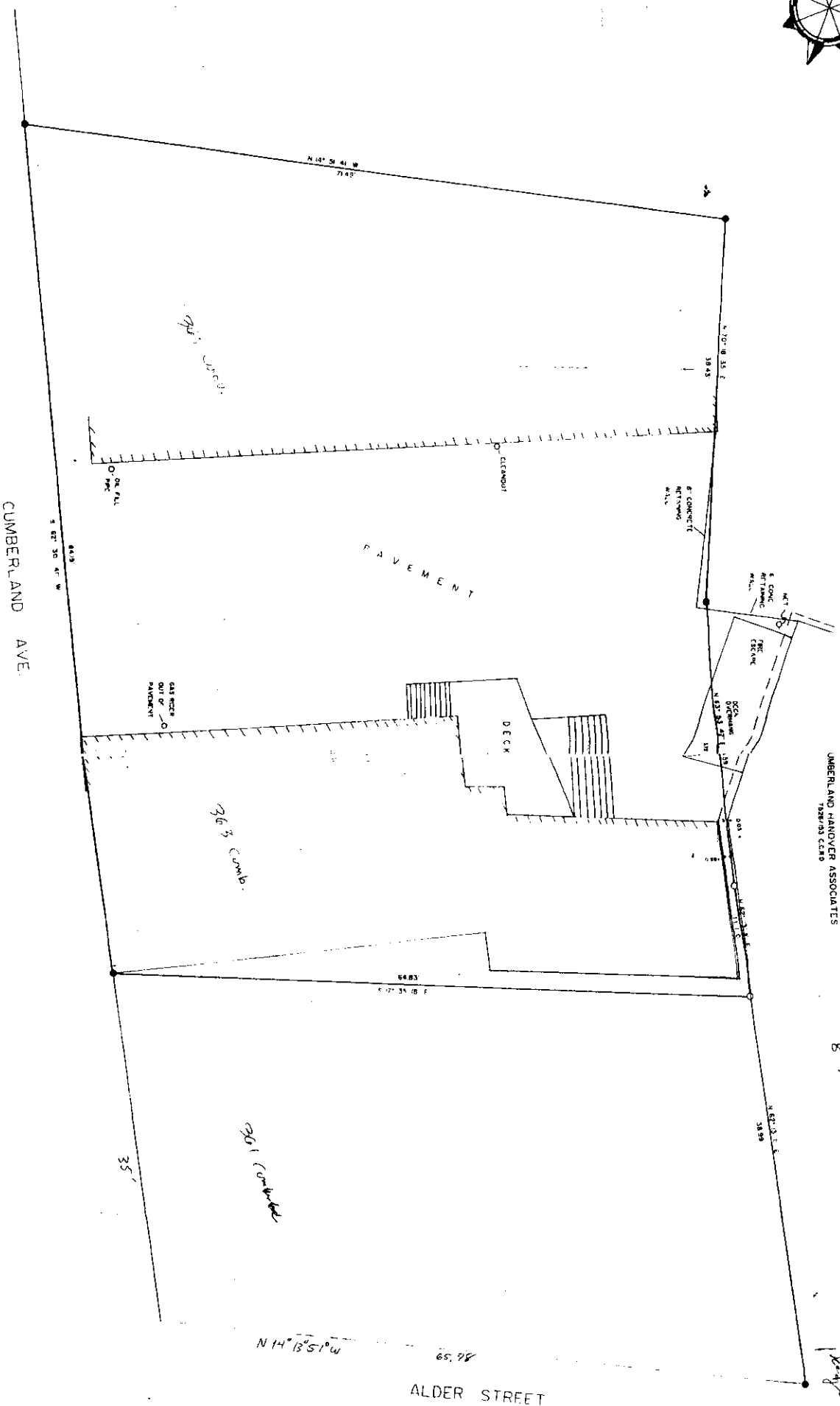
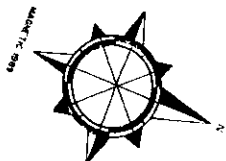
City of Portland  
GIS



DISCLAIMER : This is a product of the City of Portland MIS Department. The data depicted here have been developed with cooperation from other federal, state and local agencies. The City of Portland expressly disclaims responsibility for damages or liability that may arise from the use of this map.

Copyright 2007  
City of Portland  
389 Congress St.  
Portland, Maine  
04101

363 Cumberland Ave - addition of a fifth unit  
zoned B-3 - doesn't need new parking.



UMERLAND HANOVER ASSOCIATES  
728 W 135 C&D

8/11/89

*Revised this  
1/24/89*

**LEGEND:**

- 1/4\"/>

**GENERAL NOTES:**

1. ALL DIMENSIONS ARE PERMANENT UNLESS OTHERWISE SHOWN.
2. DIMENSIONS AND BEARINGS LOCATE THE CORNER POINTS OF THE ALLIANCE AND THE CORNER POINTS OF THE DECK AND PAVEMENT. THE TOTAL AREA OF THE DECK AND PAVEMENT IS 3,613 SQ. FT.
3. SUBJECT PARCEL REFERENCE BY 1987 PL 82 (PART OF) AND IS TO BE CONSIDERED AN INTEGRAL PART OF SAID PLAN.
4. TAX MAP - 1986 VOL. 107

1 OF 1

PLAN PREPARED FOR  
**ROGER PASSMORE**  
CUMBERLAND AVE. PORTLAND, ME

**REED SURVEYING, INC.**  
I CERTIFY TO HIGHER INFORMATION THAT THIS PLAN IS A REPRESENTATION OF FIELD AND RECORD INFORMATION AS FOUND AND MONUMENTED WHEN SURVEYED ON 26 MARCH 1989. THIS SURVEY IS IN ACCORDANCE WITH THE STANDARDS OF PRACTICE OF THE MAINE STATE BOARD OF REGISTRATION FOR LAND SURVEYORS. (SEE REPORT OF SURVEY.)  
EVERY ASPECT OF THIS PLAN IS BASED ON MY BEST KNOWLEDGE AND OPINION THEREOF AS OF THE DATE OF THE SURVEY.

DATE	3 MARCH 26, 1989
SCALE	1" = 5 FEET
DRAWN BY	B. CLARK
CHECKED BY	P. REED
DATE	8/11/89
BY	M. BROWN
DATE	3/26/89
BY	P. REED
DATE	3/26/89
BY	B. CLARK

