August 8, 2014

44 Oak Street, LLC

c/o Andre G. Duchette

30 Milk Street, 5th floor

Portland, Maine 04101

RE: 44 Oak Street/ 116 Free Street, Portland, Maine – Parcel ID: 39-B-11 (the “Property”)– Owner: Frye Associates

Dear Attorney Duchette,

I am the Zoning Administrator for the City of Portland and have the authority to issue this certification/determination. Please be advised that our records show the following information for the Property:

1. The Property currently is zoned B-3 with a Historic Overly Zone and a Downtown Entertainment Overlay Zone and within a Pedestrian Activities District (PAD). The present known use of the Property is a hair salon and spa on the first floor and basement with offices above which are permitted uses by right in the underlying zone. The improvements on the Property may be rebuilt in their current size and density if they are damaged.
2. To the best of my knowledge there are no current or uncured violations of zoning, land use, building code or certificate of occupancy requirements that are reported or pending against the Property.
3. No applications for zoning or land use approval, or variances with any building codes, currently are pending.
4. To the best of my knowledge, the proposed description and corresponding access and parking easements are not in violation of zoning, land use, building code or certificate of occupancy requirements.
5. To the best of my knowledge there are no current permit violations on the Property.
6. To the best of my knowledge there are no current environmental problems concerning the Property.
7. The Property is accessed by both Oak Street and Free Street.

[ X ] A copy of the most recent certificate of occupancy for the basement and first floor Property is attached.

[ X ] A copy of the certificate of occupancy for the upper offices has not been located. Because of the age of the Property and the continued use of the upper floors as offices, the absence of any occupancy permit is not a violation of the Ordinances. Copies of issued permits are attached that validate the upper floor office use.

Sincerely,

Marge Schmuckal

Zoning Administrator

City of Portland, Maine