

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND

BUILDING INSPECTION

PERMIT

Permit Number: 080050

Please Read Application And Notes, If Any, Attached

PERMIT ISSUED

FEB 27 2008

CITY OF PORTLAND

This is to certify that CLARK ALEXANDER S
has permission to 2 dwelling units - Legalization of 2 non-conforming dwelling units

AT 188 SPRING ST 045 F001001

provided that the person or persons performing or causing to be performed in accepting this permit shall comply with all of the provisions of the Statutes of the State 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 when permission is procured before this building or part thereof is occupied or service is rendered. 4 HOUR 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. _____
Health Dept. _____
Appeal Board _____
Other _____
Department Name

[Signature] 2/25/08
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: 08-0050	Issue Date:	CBL: 045 F001001
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Location of Construction: 188 SPRING ST	Owner Name: CLARK ALEXANDER S	Owner Address: 188 SPRING ST # 3	Phone:
Business Name:	Contractor Name:	Contractor Address:	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Legalization of Non-Conforming Units	Zone: R-6

Past Use: Residential- lodging house	Proposed Use: Residential - 2 dwelling units - Legalization of 2 non-conforming dwelling units	Permit Fee: \$750.00	Cost of Work: \$750.00	CEO District: 2
		FIRE DEPT: <input type="checkbox"/> Approved <input checked="" type="checkbox"/> Denied <i>N/A</i>	INSPECTION: Use Group: <i>R-3</i> Type: <i>STB</i> <i>IRC 2003</i>	

Proposed Project Description:
2 dwelling units - Legalization of 2 non-conforming dwelling units
for a total of two dwelling units

Signature: *[Signature]*
Signature: *[Signature]*
PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)
Action: Approved Approved w/Conditions Denied
Signature: _____ Date: _____

Permit Taken By: Idobson	Date Applied For: 01/18/2008	Zoning Approval	
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- 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

Shoreland
 Wetland
 Flood Zone
 Subdivision
 Site Plan

Maj Minor MM

OK w/conditions
Date: *02/04/08* *ABM*

Zoning Appeal

Variance
 Miscellaneous
 Conditional Use
 Interpretation
 Approved
 Denied

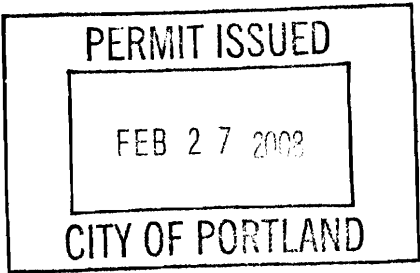
Date: _____

Historic Preservation
YES

Not in District or Landmark
 Does Not Require Review
 Requires Review
 Approved
 Approved w/Conditions
 Denied

Any exterior work requires a separate review: approval thru Historic Preservation.

Date: _____



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: 08-0050	Date Applied For: 01/18/2008	CBL: 045 F001001
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Location of Construction: 188 SPRING ST	Owner Name: CLARK ALEXANDER S	Owner Address: 188 SPRING ST # 3	Phone:
Business Name:	Contractor Name:	Contractor Address:	Phone
Lessee/Buyer's Name	Phone:	Permit Type: Legalization of Non-Conforming Units	

Proposed Use: Residential - 2 dwelling units only- Legalization of 2 non-conforming dwelling units	Proposed Project Description: Legalization of 2 non-conforming dwelling units
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Dept: Zoning	Status: Approved with Conditions	Reviewer: Ann Machado	Approval Date: 02/08/2008
Note: The original application was to legalize three nonconforming dwelling units. The fire and housing inspection found that the basement apartment did not meet the minimum standards for NFPA Life Safety Code or the City Housing Code. As a result the basement apartment cannot be legalized and must be removed. The application is now to legalize two illegal units for a total of two.			Ok to Issue: <input checked="" type="checkbox"/>
1) This permit is being approved with the condition that the basement apartment will be vacated and removed before the certificate of occupancy is issued.			
2) ANY exterior work requires a separate review and approval thru Historic Preservation. This property is located within an Historic District.			
3) With the issuance of this permit and the certificate of occupancy, this property shall be a two family dwelling. Apartment #1 occupies the first and second floor of the front of the building and apartment #2 occupies the first and second floor in the rear of the building. Any change of use shall require a separate permit application for review and approval.			
4) This permit is being approved with the condition that the third floor will only be used for storage.			
Dept: Building	Status: Approved with Conditions	Reviewer: Tammy Munson	Approval Date: 02/25/2008
Note:			Ok to Issue: <input checked="" type="checkbox"/>
1) This is a Change of Use ONLY permit. It does NOT authorize any construction activities.			

Comments:
1/22/2008-amachado: Called Alexander Clark. Told him that the legal use was a lodging house so he needs to legalize three illegal units not just two. Asked him to bring in a copy of his deed showing the year that he purchased the building.
1/24/2008-amachado: Application is complete. Gave inspection forms to Jeanie. Gave notice form to Gayle.
1/24/2008-jmb: Routed inspection form to Mike M. And Greg C.



CITY OF PORTLAND

**APPLICATION FOR
LEGALIZATION OF NONCONFORMING DWELLING UNITS
Section 14-391 – In effect March 24, 2004**

Location/Address of Legalization: <u>188 Spring St -</u>	
Tax Assessor's Chart, Block & Lot Chart# <u>045</u> Block# <u>F-W1</u> Lot# <u>001</u>	Owner: <u>ALEXANDER CLARK</u> Telephone: <u>233-9980</u> Address: <u>188 SPRING ST.</u>
Contact name, address & telephone if different than above: <u>same 300 x 2</u> <u>75 x 2 c/o</u>	Cost of Work: \$ <u>0.00</u> Fee: \$ <u>750.00</u> \$300 per legalized unit & \$75 per C of O
Current # of legal D.U. <u>0</u>	Requested # of units To be legalized: <u>3</u> Total bldg. units: <u>3</u>
Attach evidence that each requested unit to be legalized existed as of 4/1/95: List evidence that you are submitting: <u>ATTACHMENT 1 - PERMITS PRE-1995</u> <u>ATTACHMENT 2 - HISTORIC SURVEY 1990</u> <u>ATTACHMENT 3 - ASSESSORS RECORD</u>	
Attach evidence that the current owner/applicant neither constructed nor established the non-conforming dwelling units to be legalized: List evidence that you are submitting: <u>SEE ATTACHMENT 3 - ASSESSORS RECORD</u> <u>ATTACHMENT 4 - ELECTRICAL + PLUMBING PERMITS - BY PREVIOUS</u>	
I hereby certify that I am the Owner of record of the above 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 of applicant: <u>Alexander Clark</u>	Date: <u>1/17/2008</u>
This is NOT a permit, you may not commence ANY work until the permit is issued.	



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*Lee Urban- Director of Planning and Development
Marge Schmuckal, Zoning Administrator*

February 8, 2008

Alexander Clark
188 Spring Street
Portland, ME 04101

RE: 188 Spring Street – 045 F001 - R-6 – legalization of illegal units – permit # 08-0050

Dear Mr. Clark,

On January 18, 2008, you applied to legalize three illegal dwelling units at 188 Spring Street. Section 14-391(c) of the ordinance lists the criteria you must meet to be eligible to legalize the illegal units. Number three of this section states that the nonconforming units must comply or be made to comply with the current standards of the National Fire Protection Association Life Safety Code and Fire Prevention Code. Number four of this section states that the nonconforming units must comply or be made to comply with the provisions of the City's Housing Code.

Captain Greg Cass from the Fire Department and Mike Menario of the Inspections Division inspected 188 Spring Street February 5, 2008. They found that the basement apartment did not meet the National Fire Protection Association Life Safety Code- Fire Prevention Code, and it did not meet the Portland Housing Code. Both of them also stated that the basement apartment could not be made to comply with either code. Since the basement apartment does not meet NFPA Life-Safety Code – Fire Prevention Code and the City of Portland Housing Code, it must be vacated and the unit removed within thirty days. The building will be re-inspected March 6, 2008 to make sure that it is in compliance. I have enclosed copies of their inspection sheets.

The February 5, 2008 inspection did find that the other two-nonconforming units in the building meet the two codes, but the third floor for each unit may only be used for storage. Since apartment one and apartment two meet the eligibility requirements under section 14-391(c) of the ordinance, you can continue with the process of legalizing these two units. Since you cannot legalize the basement apartment, you are entitled to get back the fee you paid to legalize the third unit if you bring your original receipt in.

Please feel free to call me at 874-8709 if you have any questions.

Yours truly,

A handwritten signature in black ink, appearing to read "Ann B. Machado". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Ann B. Machado
Zoning Specialist
(207) 874-8709



PORTLAND MAINE

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Lee Urban- Director of Planning and Development
Marge Schmuckal, Zoning Administrator

LEGALIZATION OF NONCONFORMING DWELLING UNITS FOR OFFICE USE ONLY

Address & CBL: 188 Spring St. 45-F-001

Notices to owners of properties situated within 300 feet sent on: given b Bayle 1/24/08 1/25/08 *sent out*

City Housing Ordinance compliance given on: 1/24/08 received: 2/5/08 *only legalize 2 units. basement ~~do~~ not meet code. must be removed.*

City NFPA compliance given on: 1/24/08 received: 2/5/08 *only legalize 2 units 1st & second floor*

Received any letters within 10 days from notices sent? _____

Unit(s) existed prior to April 1, 1995? letter March 9, 1993 - 6 units (microfiche)

Unit(s) shown to be established by different owner? deed of current owner - purchased April 21, 2002

Site plan included: yes

Floor plans included? yes

Is ZBA action required? no



CITY OF PORTLAND

**CITY OF PORTLAND HOUSING CODE
DWELLING UNIT COMPLIANCE**

Section 14-391 of the Land Use Ordinance allows illegal nonconforming dwelling units to become legalized thru a given process. Part of this process is that the dwelling unit(s) that are requested to be legalized must comply or be able to comply with the City of Portland's Housing Code PRIOR to issuing the requested permit.

Please return this form to the Zoning Administrator (Marge Schmuckal) as to compliance or the ability to comply with these codes.

Location: 188 Spring St 45-F-001

Owner: Alexander Clark

Address of Owner: 188 Spring St, Portland ME **Telephone:** 233-9980

Applicant information if different than above: _____

Current number of legal units: zero (0)

Number of units to be legalized: three (3)
total three (3)

DENIED

Comments of approval or disapproval (list any and all conditions):

Apartment #1 front is fine Note 3RD floor rooms to be used for storage only!
Apartment #2 rear, laundry room vent pipe to to be corrected and 3RD floor room storage only.
Basement apt. has many issues needs to be removed and vacated 30 days. Permit 3-6-08

Signature: [Signature] **Date:** 2-5-08



CITY OF PORTLAND

**NFPA LIFE SAFETY CODE – FIRE PREVENTION CODE
DWELLING UNIT COMPLIANCE**

Section 14-391 of the Land Use Ordinance allows illegal nonconforming dwelling units to become legalized thru a given process. Part of this process is that the dwelling unit(s) that are requested to be legalized must comply or be able to comply with the NFPA Life Safety Code – Fire Prevention Code PRIOR to issuing the requested permit.

Please return this form to the Zoning Administrator (Marge Schmuckal) as to compliance or the ability to comply with these codes.

Location: 188 Spring St 45-F-001

Owner: Alexander Clark

Address of Owner: 188 Spring St, Portland **Telephone:** 233-9980

Applicant information if different than above: _____

Current number of legal units: zero (0)

Number of units to be legalized: three (3)

three (3)

Comments of approval or disapproval (list any and all conditions):

Basement Apt. not legal

Apt.'s Front + Back ok 1st + 2nd Floor only. 3rd floor for storage only. no egress

Signature: Greg Cuss **Date:** 2-5-08

From: Gayle Guertin
To: Jeanie Bourke
Date: 1/25/2008 11:13:34 AM
Subject: 188 Spring Street, non conforming units

188 Spring Street
CBL: 045 F001
OWNER: Alexander Clark

Sent out abutters notice as of 1/25/2008

Gayle

CC: Ann Machado; Gayle Guertin; Marge Schmuckal

PURCHASE AND SALE AGREEMENT

7/18/02

July 20, 2002 Effective Date
Effective Date is defined in Paragraph 24 of this Agreement.

1. PARTIES: This Agreement is made between Alexander S. Clark (hereinafter called "Buyer") of 1 Bradford Lane New Boston NH and Marcus Associates LLC (hereinafter called "Seller") of Scarborough

2. DESCRIPTION: Subject to the terms and conditions hereinafter set forth, Seller agrees to sell and Buyer agrees to buy (all [X] part of []) the premises situated in municipality of Portland County of Cumberland State of Maine, located at 188 Spring St and described in deed(s) recorded at said County's Registry of Deeds Book(s) 17232 Page(s) 176. If "part of" see Other Conditions (paragraph 26) for explanation.

3. FIXTURES: The Buyer and Seller agree that all fixtures, including but not limited to existing storm and screen windows, shades and/or blinds, shutters, curtain rods, built-in appliances and electrical fixtures are included with the sale except for the following: nothing. Seller represents that all mechanical components of fixtures will be operational at the time of closing except: nothing.

4. PERSONAL PROPERTY: The following items of personal property are included with the sale at no additional cost, in "as is" condition with no warranties: gas fireplace. Seller represents that such items shall be operational at the time of closing, except: nothing.

5. CONSIDERATION: For such Deed and conveyance Buyer is to pay the sum of PRICE \$ 304,000 of which DEPOSIT \$ 5,000 is included herewith as an earnest money deposit, and an additional amount of DEPOSIT \$ 5,000 will be paid by (date) 7 days. The balance due amount of BALANCE DUE \$ 294,000 is to be paid by certified or bank check, upon delivery of the Deed.

This Purchase and Sale Agreement is subject to the following conditions:

6. EARNEST MONEY/ACCEPTANCE: Coldwell Banker Harnden Beecher ("Agency") shall hold said earnest money and act as escrow agent until closing; this offer shall be valid until 7/20/02 (date) 12 noon AM/PM; and, in the event of Seller's non-acceptance, this earnest money shall be returned promptly to Buyer. In the event that the Agency is made a party to any lawsuit by virtue of acting as escrow agent, Agency shall be entitled to recover reasonable attorney's fees and costs which shall be assessed as court costs in favor of the prevailing party.

7. TITLE AND CLOSING: A deed, conveying good and merchantable title in accordance with the Standards of Title adopted by the Maine Bar Association shall be delivered to Buyer and this transaction shall be closed and Buyer shall pay the balance due and execute all necessary papers on August 16, 2002 (closing date) or before, if agreed in writing by both parties. If Seller is unable to convey in accordance with the provisions of this paragraph, then Seller shall have a reasonable time period, not to exceed 30 days, from the time Seller is notified of the defect, unless otherwise agreed to by both Buyer and Seller, to remedy the title, after which time, if such defect is not corrected so that there is a merchantable title, Buyer may, at Buyer's option, withdraw said earnest money and be relieved from all obligations. Seller hereby agrees to make a good-faith effort to cure any title defect during such period.

8. DEED: The property shall be conveyed by a warranty deed, and shall be free and clear of all encumbrances except covenants, conditions, easements and restrictions of record which do not materially and adversely affect the continued current use of the property.

9. POSSESSION, OCCUPANCY, AND CONDITION: Unless otherwise agreed in writing, possession and occupancy of premises, free of tenants and occupants, shall be given to Buyer immediately at closing. Said premises shall then be broom clean, free of all possessions and debris, and in substantially the same condition as at present, excepting reasonable use and wear. Buyer shall have the right to view the property within 24 hours prior to closing for the purpose of determining that the premises are in substantially the same condition as on the date of this Agreement.

Rev. 2002

Page 1 of 4 - P.&S

Buyer(s) Initials ASC

Seller(s) Initials [Signature]

Phone:

Fax:

Produced with ZipForm™ by RE FormsNet, LLC 13025 Fireen Mile Road, Clinton Township, Michigan 48035, (800) 282-2825

24 2008

LEAD PAINT ADDENDUM

TO CONTRACT DATED BETWEEN Macciso d/ba Mascis Assoc LLC ("Seller") AND Alexander S Clark (hereinafter "Buyer") FOR PROPERTY LOCATED AT 188 Spring Street, Portland

Said contract is further subject to the following terms:

Lead Warning Statement

Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and unpaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to purchase.

Seller's Disclosure (check one)

(a) Presence of lead-based paint and/or lead-based paint hazards (check one below):

Known lead-based paint and/or lead-based paint hazards are present in the housing (explain).

Seller has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.

(b) Records and reports available to the Seller (check one below):

Seller has provided the Buyer with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (list documents below).

Seller has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.

Buyer's Acknowledgment

(c) Buyer has received copies of all information listed above.

(d) Buyer has received the pamphlet Protect Your Family from Lead in Your Home.

(e) Buyer has (check one below):

Received a 10-day opportunity (or mutually agreed upon period) to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards; or

Waived the opportunity to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards.

Agent's Acknowledgment

(f) Agent has informed the Seller of the Seller's obligations under 42 U.S.C. 4852(d) and is aware of his/her responsibility to ensure compliance.

Certification of Accuracy

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information provided by the signatory is true and accurate.

Seller [Signature] Date 6/20/02

Buyer X Alexander S. Clark Date 7/19/02

Seller [Signature] Date 6/20/02

Buyer KeeKee Bailey Date 7/19/02

Agent [Signature] Date

Agent [Signature] Date

Warranty Deed

(Maine Statutory Short Form)

Mascis Associates, LLC, a Maine limited liability company with a place of business at Scarborough, Maine, for valuable consideration, grants to **Alexander S. Clark**, with a mailing address of 1 Bradford Lane, New Boston, New Hampshire 03070 with **WARRANTY COVENANTS**, the following described real property situated at **188 Spring Street, Portland, Cumberland County, Maine**


A certain lot or parcel of land with the buildings thereon, situated in said Portland, and being more particularly described on Exhibit A attached hereto and made a part hereof.

Meaning and intending to convey the same premises described in a deed from Mercy Hospital, dated January 14, 2002, and recorded in the Cumberland County Registry of Deeds in Book 17232, Page 176.

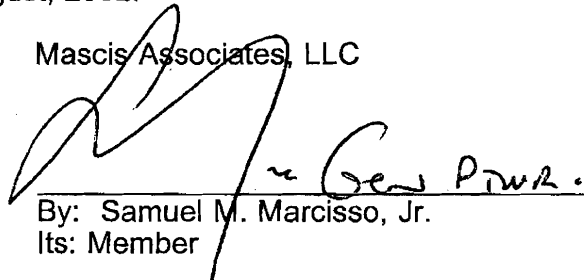
MAINE REAL ESTATE TAX PAID

IN WITNESS WHEREOF Mascis Associates, LLC has caused this instrument to be signed by its duly authorized member this 19th day of August, 2002.

Mascis Associates, LLC



Witness



By: Samuel M. Marcisso, Jr.
Its: Member

State of Maine
County of Cumberland, ss

August 19, 2002

Personally appeared the above named Samuel M. Marcisso, Jr., Member of Mascis Associates, LLC, and acknowledged the foregoing instrument to be his free act and deed in said capacity, and the free act and deed of said Limited Liability Company.

Before me,



Notary Public/Attorney at Law

Printed Name:

Theresa L. Pinkham
Notary Public

Comm. Exp:

My Commission Expires October 5, 2003

JAN 24 2008

SEAL

EXHIBIT A

A certain lot or parcel of land, with the buildings thereon, situated on the southerly side of Spring Street in the City of Portland, Cumberland County, Maine, bounded and described as follows:

BEGINNING at the southerly corner of Spring and Winter Streets in said Portland;

Thence southeasterly by the westerly side of said Winter Street 48 feet and 6 inches, more or less, to land of Elizabeth S. Robinson;

Thence southwesterly by land of said Robinson 55 feet and 7 inches to a point;

Thence northwesterly 48 feet and 6 inches, more or less, to a point in the southerly sideline of said Spring Street 55 feet and 7 inches from the point of beginning;

Thence northeasterly by said sideline of Spring Street 55 feet and 7 inches to the point of beginning; including any and all easements in the property of said Elizabeth S. Robinson.

Received
Recorded Register of Deeds
Aug 21, 2002 01:57P
Cumberland County
Jack O'Brien

Inspection Service



Planning and Urban Development

September 22, 1996

Michael Roman and
Janis Bon
11 Downing Street
Portland, Maine 04101

RE: 188 Spring Street
CBL 045-R-0015

Dear Sir:

This letter is to follow-up on the correspondence we sent you last year regarding the illegal use of the above mentioned property. We have not heard from you as of this date. It is necessary that you apply for a change of use permit and variance prior to October 27th at noon or the matter will be referred for legal action.

A copy of the previous letter is attached for your info.

Sincerely,

William D. Giroux
Zoning Administrator

cc: Joseph E. Gray, Jr. - Director of Planning & Urban Development
Sam Hoffses - Chief of Inspection Services
Marge Schmuckal - Asst. Chief of Inspections
Amy Powers - Code Enforcement Officer
Attachment

Inspection Services
Samuel P. Hoffses
Chief



CITY OF PORTLAND

Planning and Urban Development
Joseph E. Gray Jr.
Director

March 9, 1993

SECOND NOTIFICATION

Michael Bonica
Jaime Ben
188 Spring St
Cape Elizabeth, ME 04107

Re: 188 Spring St
CBL: 045-F-001

Dear Sir,

Recent inspection of the dwelling at the above location revealed a six unit apartment house. Our records show this building to be a lodging house.

Please come to this office within ten days to file for a change of use permit so that we may straighten out this matter.

If you have any questions please contact William Giroux, Zoning Administrator, at 874-8300 X8695.

Sincerely,

Kathleen A. Lowe

Kathleen A. Lowe
Code Enforcement Officer

cc: P. Samuel Hoffses, Chief of Inspection Services
William Giroux, Zoning Administrator



(A) APARTMENT HOUSE ZONE
APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class

Portland, Maine August 31, 1955

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect alter repair demolish install the following building structure equipment in accordance with the Laws of the State of Maine, the Building Code and Zoning Ordinance of the City of Portland, plans and specifications, if any, submitted herewith and the following specifications:

Location 188 Spring Street Within Fire Limits? Dist. No.

Owner's name and address Allie H. White, Jr. 18 Summer St. Telephone

Lessee's name and address Telephone

Contractor's name and address owner Telephone

Architect Specifications Plans yes No. of sheets

Proposed use of building Lodging house No. families

Last use Dwelling No. families 1

Material frame No. stories 2 1/2 Heat Style of roof Roofing

Other building on same lot

Estimated cost \$ Fee \$ 1.00

General Description of New Work

To change use of building from 1-family dwelling to lodging house accommodating 7 lodgers, 1st and 2nd floor only.
To close up existing archway between two rooms, 1st floor.

It is understood that this permit does not include installation of heating apparatus which is to be taken out separately by and in the name of the heating contractor. PERMIT TO BE ISSUED TO

Details of New Work

Is any plumbing involved in this work? no Is any electrical work involved in this work? no

Is connection to be made to public sewer? If not, what is proposed for sewage?

Has septic tank notice been sent? Form notice sent?

Height average grade to top of plate Height average grade to highest point of roof

Size, front depth No. stories solid or filled land? earth or rock?

Material of foundation Thickness, top bottom cellar

Material of underpinning Height Thickness

Kind of roof Rise per foot Roof covering

No. of chimneys Material of chimneys of lining Kind of heat fuel

Framing lumber—Kind Dressed or full size?

Corner posts Sills Girt or ledger board? Size

Girders Size Columns under girders Size Max. on centers

Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.

Joists and rafters: 1st floor , 2nd , 3rd , roof

On centers: 1st floor , 2nd , 3rd , roof

Maximum span: 1st floor , 2nd , 3rd , roof

If one story build. with masonry walls, thickness of walls? height?

If a Garage

No. cars now accommodated on same lot to be accommodated number commercial cars to be accommodated

Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building?

AFFIDAVIT OF ALEXANDER CLARK

Alexander Clark, having been duly sworn, states as follows:

1. My name is Alexander Clark.
2. The statements below are true and of my own personal knowledge.
3. I reside at 188 Spring Street Apt.1, Portland ME 04102 (“the Property.”)
4. I purchased the Property in August 2002.
5. The Seller was Marcis Associates, LLC.
6. At the time of purchase, the property contained three (3) dwelling units (one in the basement with a separate entrance directly to the street, and two townhouse units.)
7. At the time of purchase, the Seller represented to me that the three units were legal. I paid cash. Only later did I later learn that the only City Inspections Division approval (other than plumbing permits for a “multi-family” reflects a change from as a single family residence to a seven-unit rooming house. (See attached record from Inspections Division.)
8. I paid to replace the 27 vinyl windows in the structure and received a certificate of appropriateness from the City’s Historic Preservation Officer. At the time I believed that the Property was then in compliance with all City codes.
9. In connection with the proposed sale of the Property, I became aware from Inspections Division records that the Property was converted to six illegal dwelling units sometime before 1993.
10. It is my understanding that the Property was purchased by Mercy Hospital at foreclosure in the mid 1990's. Mercy wanted it for parking but was unable to

demolish the historic structure. It therefore sold the Property at auction while retaining most of the parking.

11. The purchaser, ^{MASCIS ASSOCIATES} apparently combined the upper floors into the two townhouse units (apparently without permits) and later sold it to me as a three-unit.
12. I have continued to operate the property as a 3-unit at all times since acquiring it, except that the basement unit required some additional work prior to occupancy.
13. I discovered the illegal unit situation when I contracted to sell the Property as a 3-unit structure.
14. I and my prospective purchaser intend to continue the use as a three (3) structure if approved by the City.

Dated: 1/17/08

Alexander Clark
Alexander Clark

State of Maine
Cumberland, ss

January 17, 2008

Personally appeared the above named Alexander Clark and acknowledged the above to be his free act and deed and that the statements made are true and correct to the best of his knowledge and belief.

Before me,

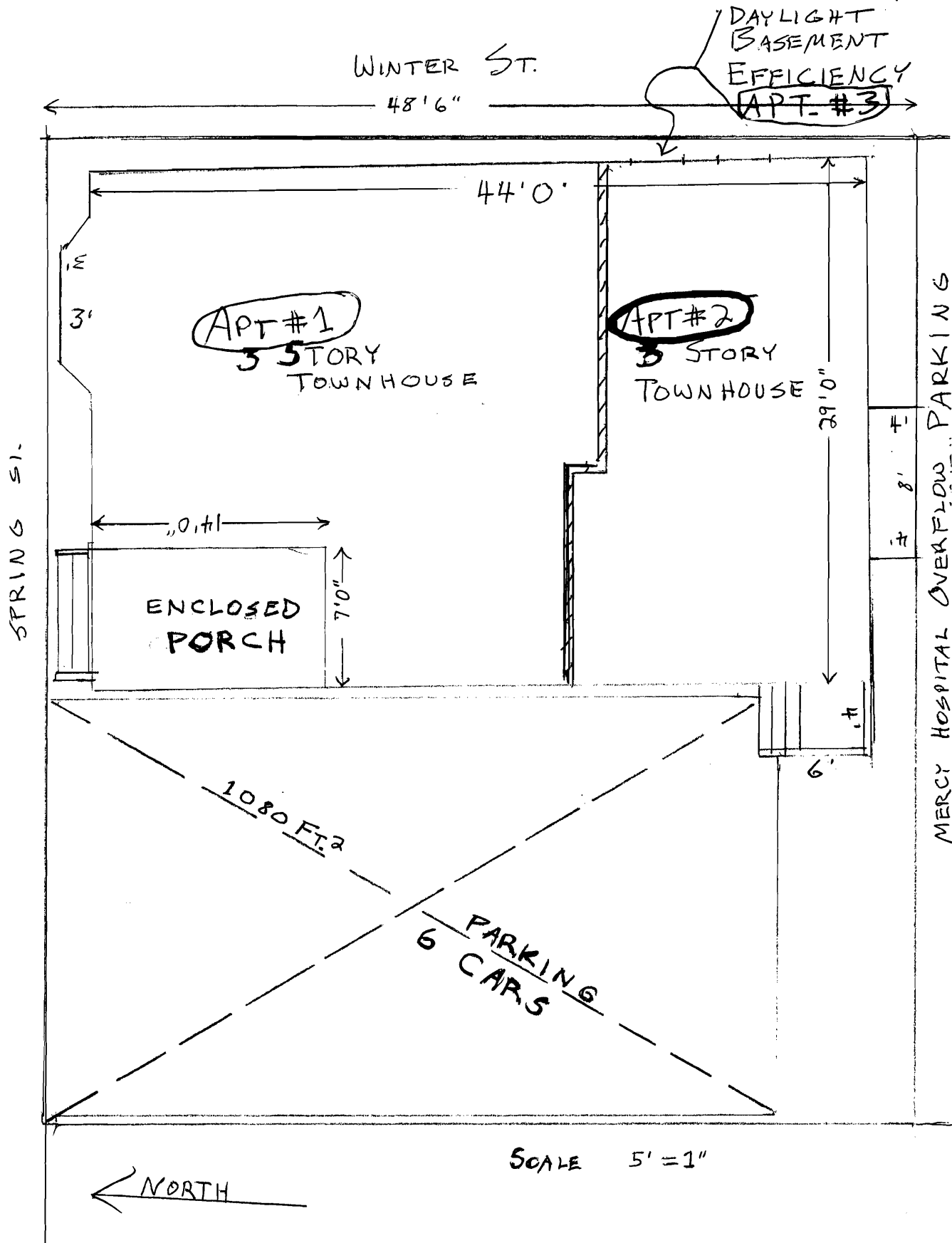
David A. Lourié
Notary Public/Attorney at Law Bar #1041
Print name: David A. Lourié

188 SPRING ST.

I.D.#045-F001-001

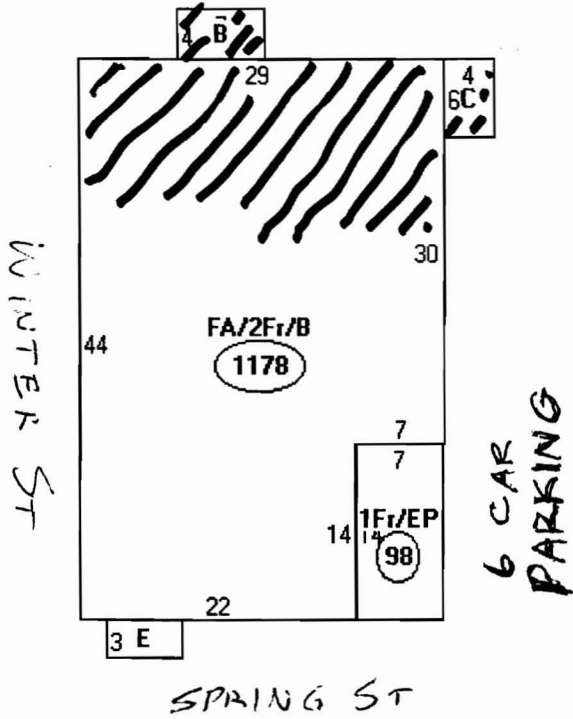
2701 FT.² LOT SIZE = .062 AC.

3818 FT.² ASSESSORS BUILDING SIZE



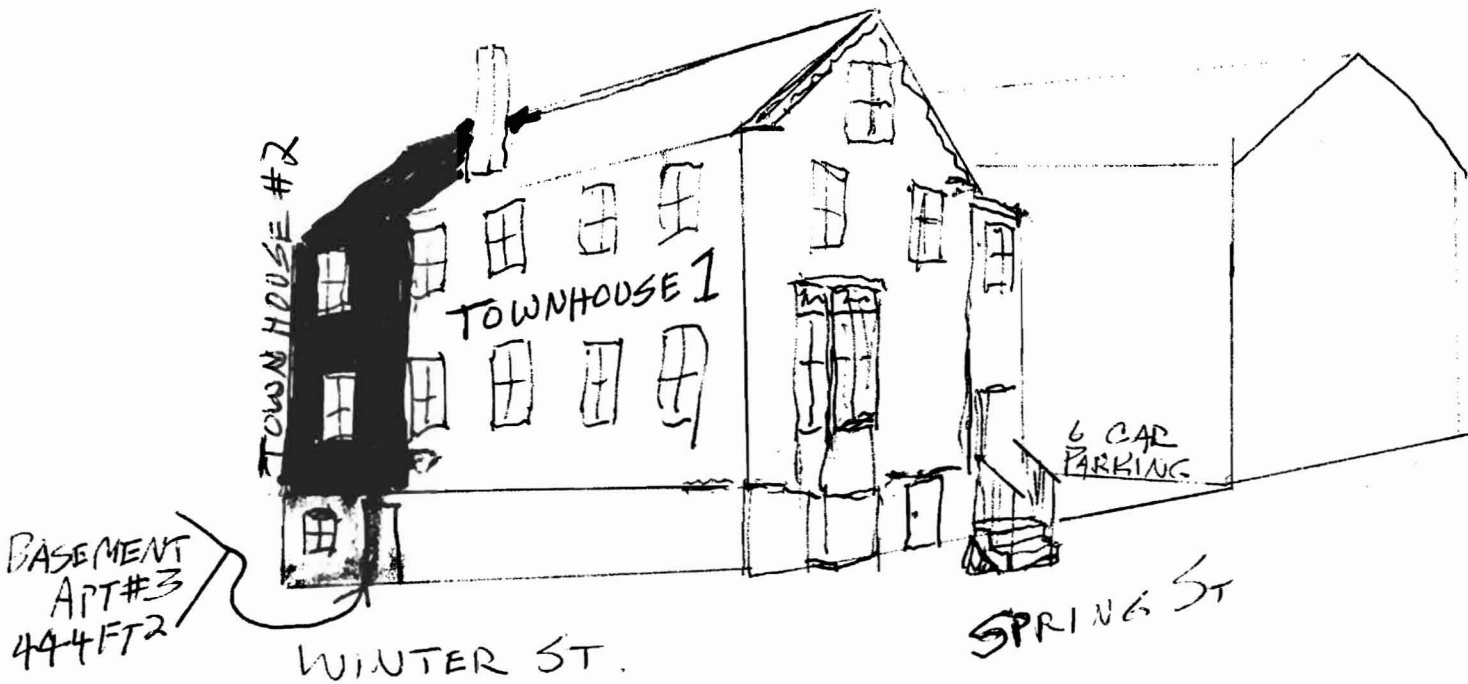


2002 VIEW
27 NEW WOODEN
THERMOPANES
INSTALLED



Descriptor/Area

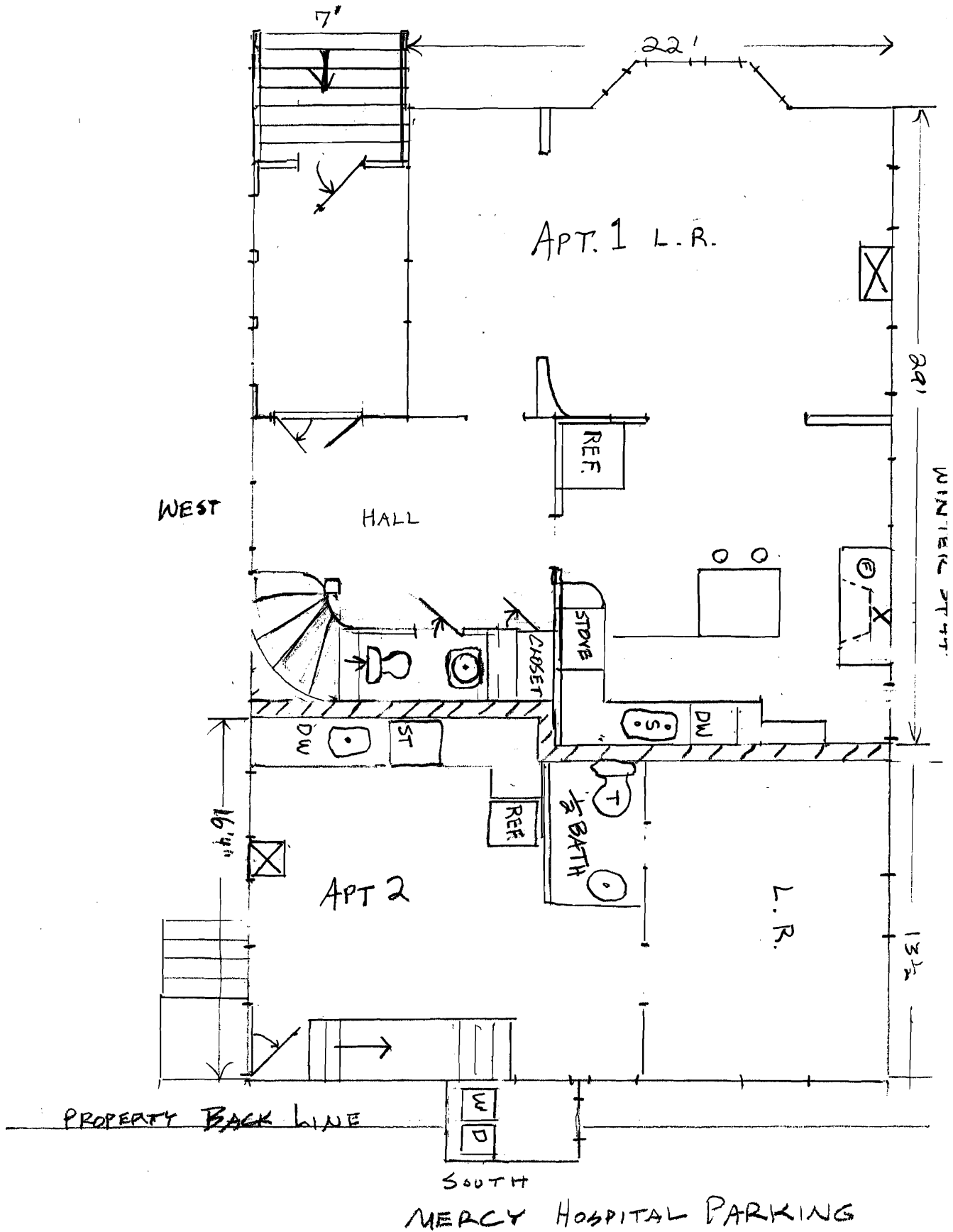
- A: FA/2Fr/B
1178 sqft
- B: 1Fr
28 sqft
- C: FBAY/OP
24 sqft
- D: 1Fr/EP
98 sqft
- E: FBAY/B
18 sqft



APT #2 APT #1
1100 FT² 2200 FT²

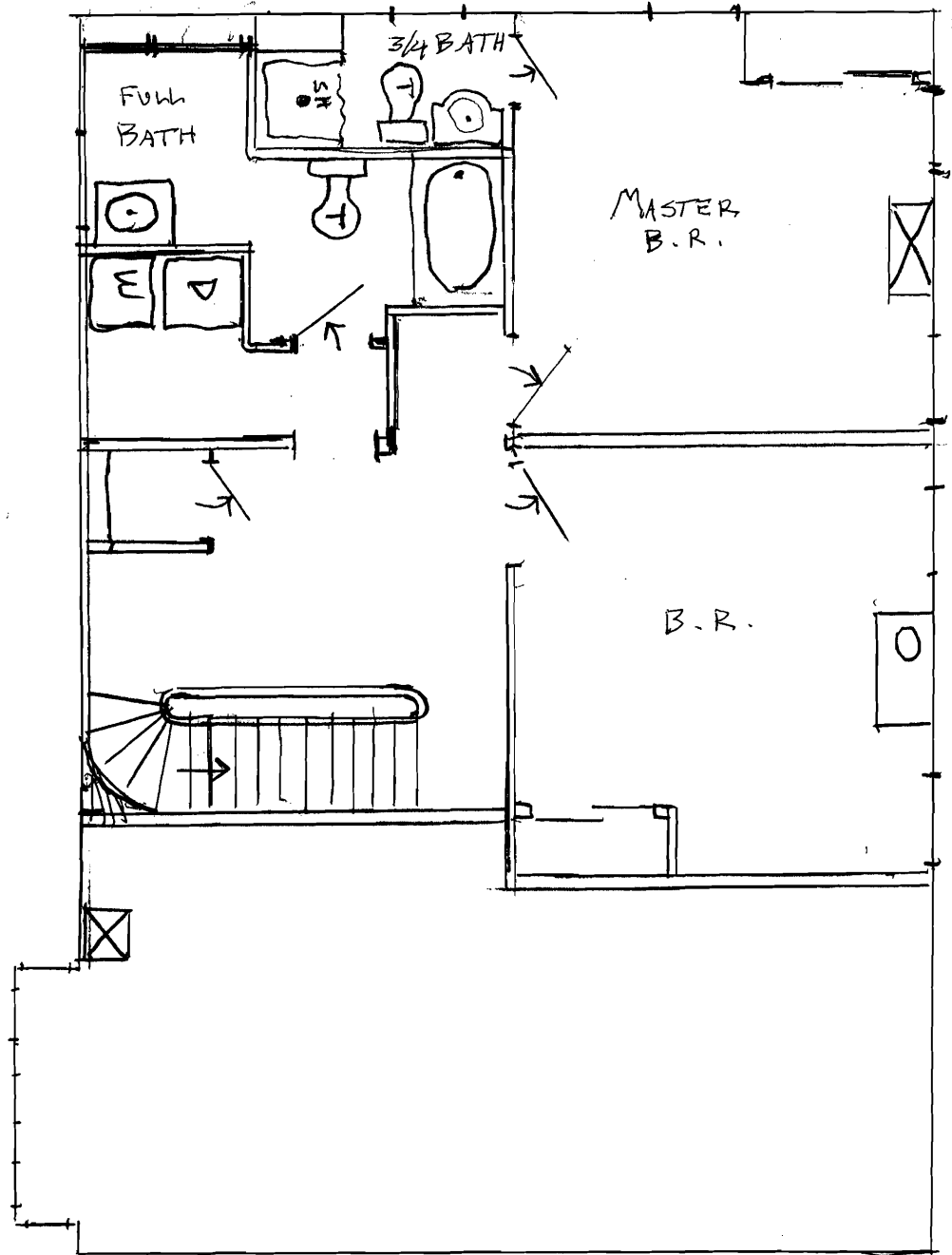
APT 1 - 1ST FLOOR - APT 1 - 188 SPRING ST.

NORTH



APT 1 - 2ND FLOOR - 188 SPRING ST -

NORTH



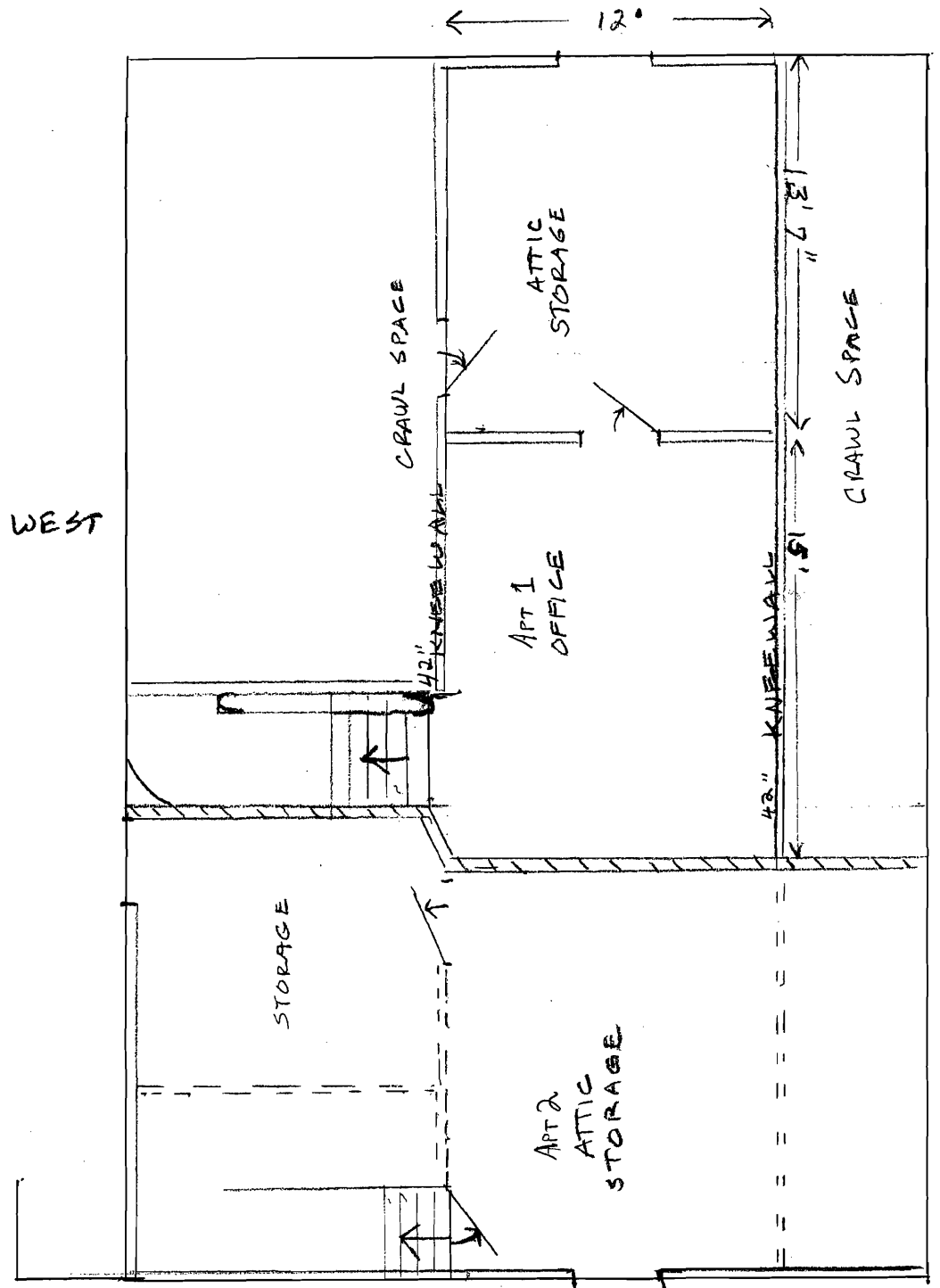
PROPERTY BACK LINE

SOUTH

MERCY HOSPITAL OVERFLOW PARKING LOT

APT. 1 3RD FLOOR - APT 1 - 188 SPRING ST

NORTH



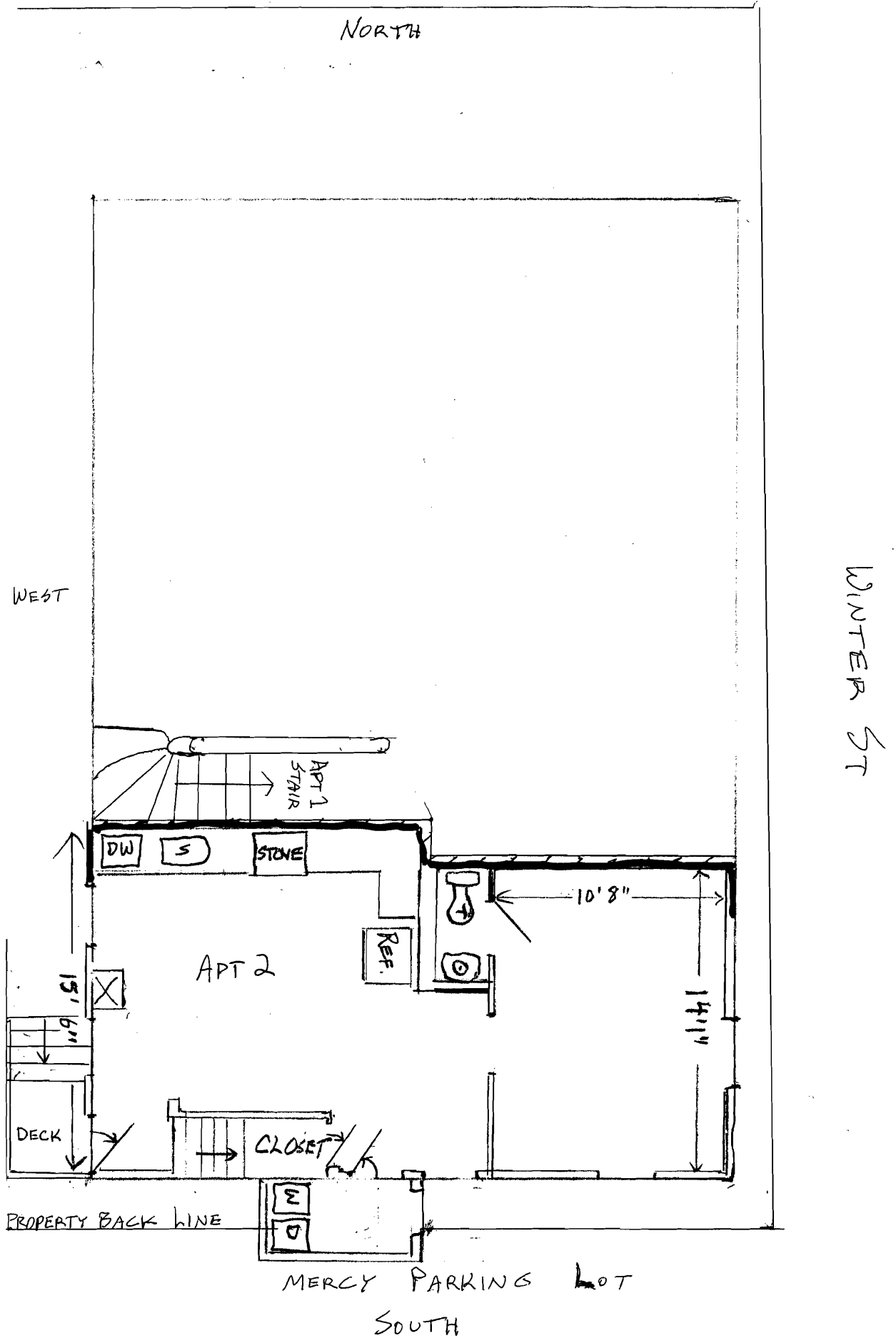
WEST

EAST
WINTER ST.

PROPERTY BACK LINE

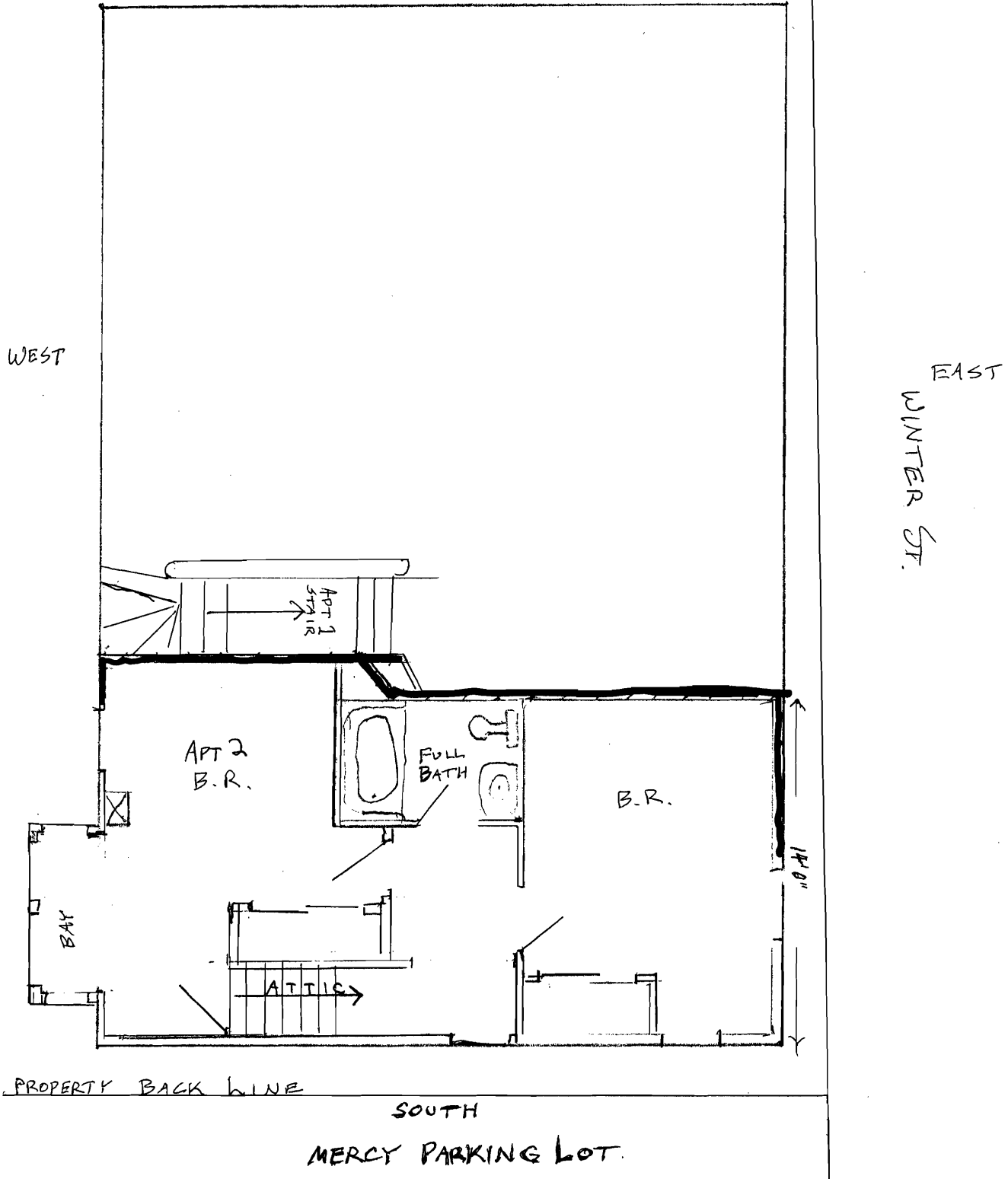
SOUTH
MERCY PARKING

APT. 2 - 1ST. FLOOR - 188 SPRING ST.



APT. 2 - 2ND FLOOR - 188 SPRING ST.

NORTH

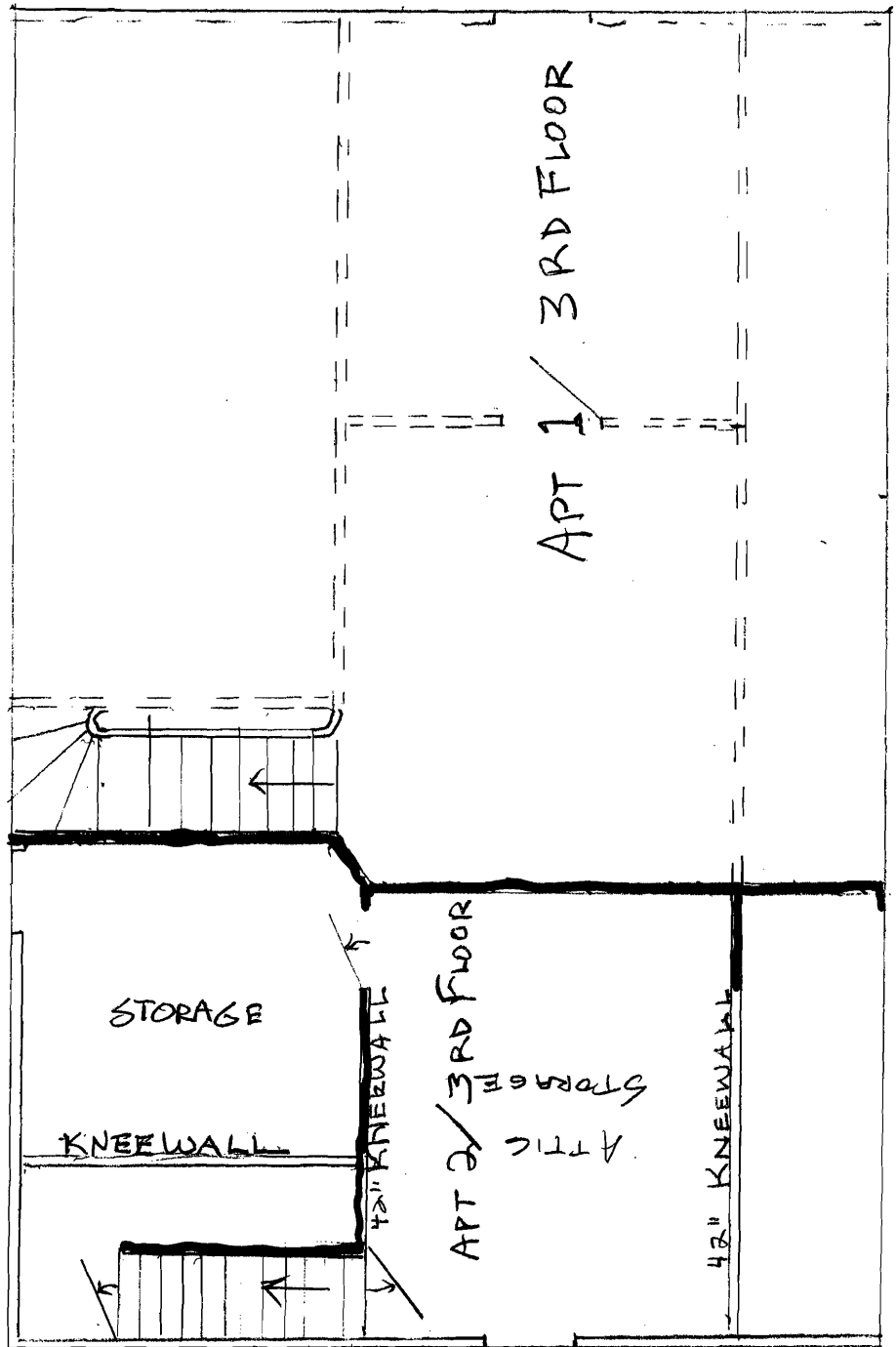


APT 2 - 3RD FLOOR STORAGE - APT 2
188 SPRING ST

NORTH

WEST

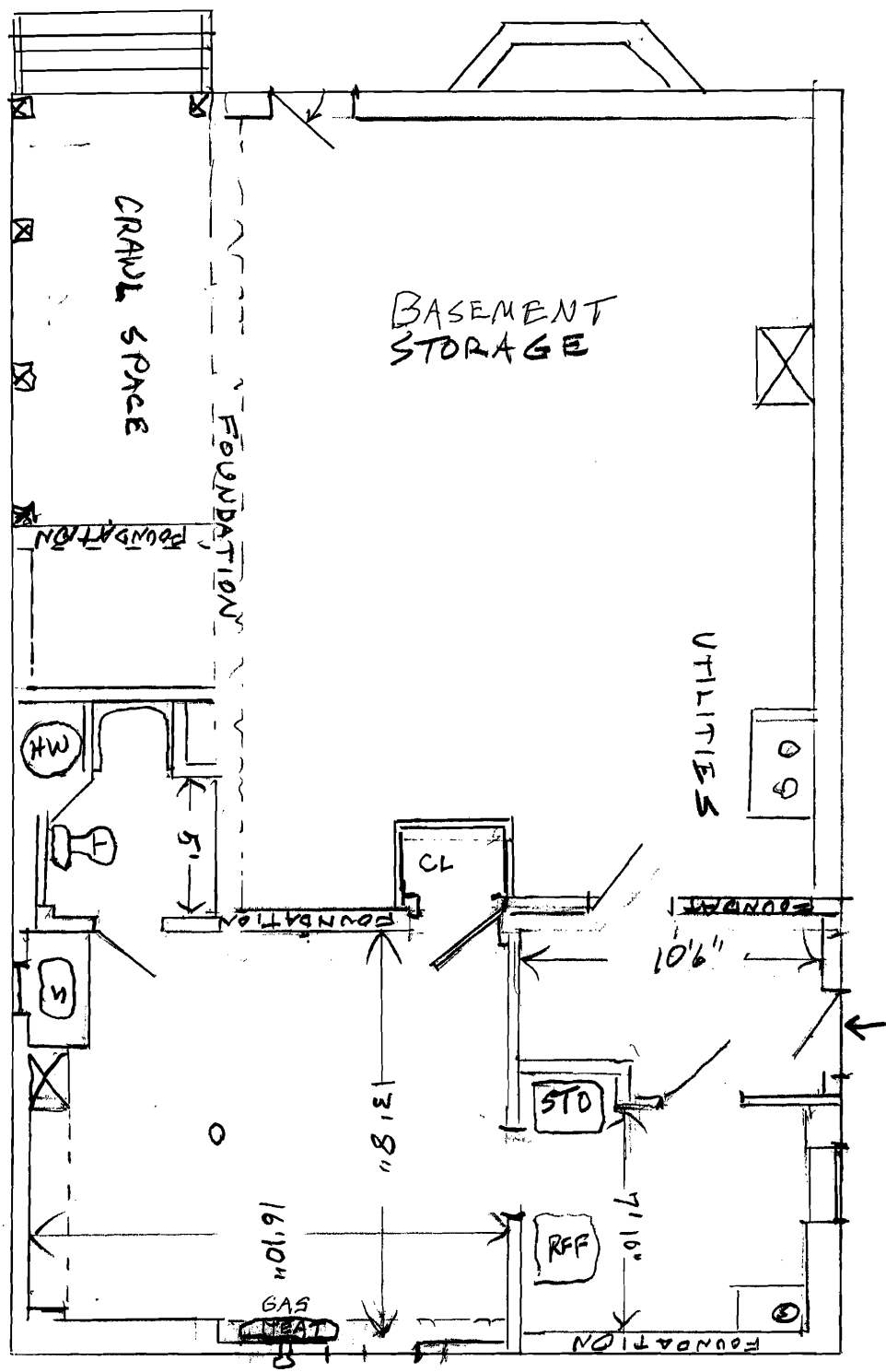
EAST
WINTER ST.



PROPERTY BACK LINE

SOUTH
MERCY PARKING

APT 3 BASEMENT - 188 SPRING ST - APT 3 +/- 444 ft²



188 SPRING ST

045-F-001-001

ATTACHMENT 1

PERMITS PRE-1995

MULTIPE FAMILY

PERMIT TO INSTALL PLUMBING

Address 188 Spring Street PERMIT NUMBER 4364

Installation for: multiple family dwelling

Owner of Bldg: Al White

Owner's Address: Bar D Motel, No. Windham, ME

Plumber: Donald Stanley Date: Nov. 13, 1975

NEW REPL 150 N.Y. Avenue So. F. NO. TEL.

SINKS

LAVATORIES

TOILETS

BATH TUBS

SHOWERS

DRAINS FLOOR SURFACE

HOT WATER TANKS

TANKLESS WATER HEATERS

GARBAGE DISPOSALS

SEPTIC TANKS

HOUSE SEWERS

ROOF LEADERS

AUTOMATIC WASHERS

DISHWASHERS

OTHER

replace lead under floor \$2.00

base fee 3.00

TOTAL

\$5.00

Date Issued

Portland Plumbing Inspector

By ERNOLD R. GOODWIN

App. First Insp.

Date

By

App. First Insp.

Date

By

Type of Bldg.

- Commercial
- Residential
- Single
- Multi Family
- New Construction
- Remodeling

NOV 13 1975

← 1975

Building and Inspection Services Dept.: Plumbing Inspection

" MULTI "

5/22/72

PERMIT TO INSTALL PLUMBING

Address **188 Spring St.**

PERMIT NUMBER **419**

Installation For: **Multi**

Owner of Bldg.: **Allie White, Jr.**

Owner's Address: **6 Bonica St.**

Plumber: **William F. Blake, Inc.**

Date: **5-22-72**

Date Issued **5-22-72**
Portland Plumbing Inspector
By **ERNOLD R. GOODWIN**

App. First Insp.
Date
By

App. Final Insp.
Date
By

- Type of Bldg.
- Commercial
 - Residential
 - Single
 - Multi Family
 - New Construction
 - Remodeling

ERNOLD R. GOODWIN
Portland Plumbing Inspector

NEW	REPL	NO.	FEE
		SINKS	
1		LAVATORIES	2.00
		TOILETS	
		BATH TUBS	
		SHOWERS	
		DRAINS FLOOR SURFACE	
		HOT WATER TANKS	
		TANKLESS WATER HEATERS	
		GARBAGE DISPOSALS	
		SEPTIC TANKS	
		HOUSE SEWERS	
		ROOF LEADERS	
		AUTOMATIC WASHERS	
		DISHWASHERS	
		OTHER	
TOTAL			2.00

188 SPRING ST 045-F-001-001

ATTACHMENT (2)
1990 SURVEY OF MULTI-FAMILY

Property Name: Stephen M. Richards House

Property Name(Other):

Street Address: 188 Spring Street

Town: Portland County: Cumberland

Date Surveyed: 06/1990 Surveyor: Rick Redlon

Updated: by

(date)

(surveyor)

by

by

Owner Name: Andre Bellucci

Owner Address: 39 Oakley Street

Primary Use (Present): MULTI FAMILY

Condition: FAIR

ARCHITECTURAL DATA

Primary Stylistic Category: ITALIANATE

Other Stylistic Category:

Height: 2 1/2 STORY

Primary Facade Width (Main Block; Use Ground Floor): 2 Bay

Appendages: PORCH

Porch: ENGAGED

ONE STORY

LESS FULL WIDTH

Plan: SIDE HALL

Portland Historic Resources Inventory

Property Address: 168 Spring Street

Inventory #: 8P-223

Assessor's C/B/L: 45-F-1

District: Spring Street

Map #: 223

Rating:

Local Code: CONTRIBUTING

National Register: Ind. Listing N/A

District Spring Street

Date of Placement: Local 08/01/1990 National 04/03/1970

Description of Significant Features and Subsequent Alterations:

This cross gabled dwelling is characterized by steeply pitched gables ornamented beneath the eaves with a denticulated and bracketed cornice. The trim motif is repeated on the bay window of the facade and the 2nd story oriel window of the western elevation. The addition of vinyl siding obscured the cornerboards and completely altered the engaged side porch. Formerly the open porch had a denticulated and bracketed cornice that matched the trim of the bay windows and the roofline. The three windows that light this porch are not original. The 2/2 window sash and wide surrounds are original features. 20th century alterations include a skylight on the western slope, contemporary steps and railings, the paving of the side yard, and the covering up of a ground floor window where the air conditioner is now inserted. The bay window was added between 1882-1914, the entry porch was enclosed after 1969. Further research may be needed to determine if this building was constructed as a gable end to the street, 5 bay Greek Revival dwelling that had a cross gable added to its facade and the attachment of bay windows and all of the Italianate wooden trim.

City Review of Certificates:

Date	Action	Type	Summary of Work
------	--------	------	-----------------

188 SPRING ST 045-F-001-001

ATTACHMENT (3)

ASSESSORS RECORD-BASEMENT APT.
PRE-1995?

*owner
as of 1/8/03*

This page contains a detailed description of the Parcel ID you selected. Press the **New Search** button at the bottom of the screen to submit a new query.

Current Owner Information

Card Number	1 of 1
Parcel ID	045 F001001
Location	188 SPRING ST
Land Use	FIVE TO TEN FAMILY →
Owner Address	CLARK ALEXANDER S 1 BRADFORD LN NEW BOSTON NH 03070
Book/Page	17978/294
Legal	45-F-1 SPRING ST 188-190 WINTER ST 54-56 2701 SF

Valuation Information

Land	Building	Total
\$31,190	\$121,900	\$153,090

Building Information

Bldg #	Year Built	# Units	Bldg Sq. Ft.	Identical Units
1	1910	6	4414	1
Total Acres	Total Buildings Sq. Ft.	Structure Type	Building Name	
0.062	4414	MIXED RES/COMM		
	<i>3818 FT²</i>	<i>2007</i>		

Exterior/Interior Information

Section	Levels	Size	Use
1	B1/B1	484	UNFINISHED RES BSMT
1	B1/B1	712	MULTI-USE APARTMENT
1	01/01	1224	MULTI-USE APARTMENT
1	02/02	1300	MULTI-USE APARTMENT
1	A1/A1	1178	MULTI-USE APARTMENT
Height	Walls	Heating	A/C
8			
8		HOT AIR	
9	FRAME	HOT AIR	
9	FRAME	HOT AIR	
6	FRAME	HOT AIR	

Building Other Features

Line	Structure Type	Identical Units
2	PORCH - COVERED	1
2	PORCH - ENCL	1

Yard Improvements

Year Built	Structure Type	Length or Sq. Ft.	# Units
1974	ASPHALT PARKING	1080	1

188 SPRING ST 045-F-001-001

ATTACHMENT (4)

APPLICATIONS FOR ELECTRICAL
AND PLUMBING WORK BY
PREVIOUS OWNERS - 2002

PROPERTY ADDRESS

Town or Plantation: PORTLAND

Street Subdivision Lot #: 188 SPRING ST.

PROPERTY OWNERS NAME

Last: MASCIS First: ASSOC. LLC

Applicant Name: PINE STATE P&H INC.

Mailing Address of Owner/Applicant (If Different): P.O. BOX 6307 SCARBOROUGH, ME.

Date Permit Issued: 7-30-02 FEE 150.00 Double Fee Charged

Local Plumbing Inspector Signature: [Signature] L.P.I. # 3691

THE WORK SPECIFIED IN THIS APPLICATION IS HEREBY AUTHORIZED TO BE INSTALLED IN ACCORDANCE WITH THE RULES. THIS PERMIT EXPIRES AFTER TWO YEARS FROM DATE ISSUED UNLESS WORK HAS COMMENCED.

Owner/Applicant Statement

I certify that the information submitted is correct to the best of my knowledge and understand that any falsification is reason for the Local Plumbing Inspectors to deny a Permit.

Signature of Owner/Applicant: [Signature] Date: 7-30-02

Caution: Inspection Required

I have inspected the installation authorized above and found it to be in compliance with the Maine Plumbing Rules.

Local Plumbing Inspector Signature: _____ Date Approved: _____

PERMIT INFORMATION

This Application is for:

1. NEW PLUMBING

2. RELOCATED PLUMBING

Type of Structure To Be Served:

1. SINGLE FAMILY DWELLING

2. MODULAR OR MOBILE HOME

3. MULTIPLE FAMILY DWELLING

4. OTHER - SPECIFY _____

Plumbing To Be Installed By:

1. MASTER PLUMBER

2. OIL BURNERMAN

3. MFG'D. HOUSING DEALER/MECHANIC

4. PUBLIC UTILITY EMPLOYEE

5. PROPERTY OWNER

LICENSE # 025011

Hook-Up & Piping Relocation Maximum of 1 Hook-Up	Column 2 Type of Fixture		Column 1 Type of Fixture	
	Number	Type of Fixture	Number	Type of Fixture
<input type="checkbox"/> HOOK-UP: to public sewer in those cases where the connection is not regulated and inspected by the local Sanitary District. OR <input type="checkbox"/> HOOK-UP: to an existing subsurface wastewater disposal system.	0, 1	Hosebibb / Sillcock	0, 2	Bathtub (and Shower)
		Floor Drain	0, 1	Shower (Separate)
<input type="checkbox"/> PIPING RELOCATION: of sanitary lines, drains, and piping without new fixtures.		Urinal	0, 2	Sink
		Drinking Fountain	0, 5	Wash Basin
OR <input type="checkbox"/> TRANSFER FEE [\$6.00]		Indirect Waste	0, 5	Water Closet (Toilet)
		Water Treatment Softener, Filter, etc.	0, 2	Clothes Washer
		Grease / Oil Separator	0, 2	Dish Washer
		Dental Cuspidor	0, 2	Garbage Disposal
		Bidet		Laundry Tub
		Other: _____	0, 2	Water Heater
	0, 1	Fixtures (Subtotal) Column 2	2, 3	Fixtures (Subtotal) Column 1
			0, 1	Fixtures (Subtotal) Column 1
			2, 4	Total Fixtures
			150	Permit Fee (Total)

SEE PERMIT FEE SCHEDULE FOR CALCULATING FEE

150
150
150

Form # P01

ELECTRICAL PERMIT

City of Portland, Me.



To the Chief Electrical Inspector, Portland Maine:
 The undersigned hereby applies for a permit to make electrical installations
 in accordance with the laws of Maine, the City of Portland Electrical Ordinance,
 National Electrical Code and the following specifications:

Date 1/14/02
 Permit # _____
 CBL# 045-1010

LOCATION: 155 Spring St METER MAKE & # _____
 CMP ACCOUNT # 441-635-577 OWNER Sam Maricasso
 TENANT _____ PHONE # _____

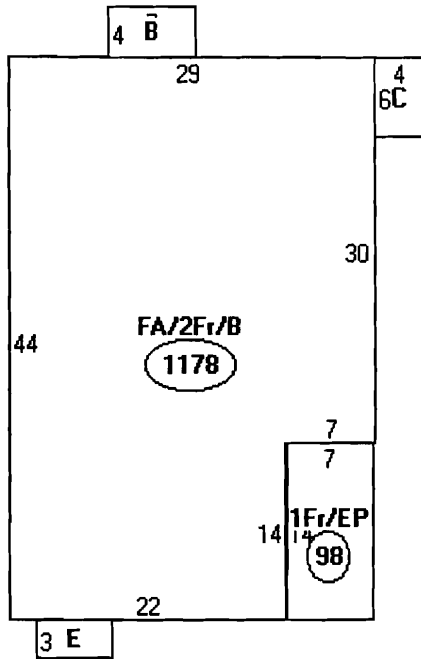
						TOTAL EACH FEE	
OUTLETS	Receptacles	Switches	Smoke Detector				.20
FIXTURES	Incandescent	Fluorescent	Strips				.20
SERVICES	Overhead	Underground	TTL AMPS	<800			15.00
	Overhead	Underground		>800			25.00
Temporary Service	/ Overhead	Underground	TTL AMPS				25.00
							25.00
METERS	(number of)						1.00
MOTORS	(number of)						2.00
RESID/COM	Electric units						1.00
HEATING	oil/gas units	Interior	Exterior				5.00
	APPLIANCES	Ranges	Cook Tops	Wall Ovens			
Insta-Hot		Water heaters	Fans				2.00
	Dryers	Disposals	Dishwasher				2.00
	Compactors	Spa	Washing Machine				2.00
	Others (denote)						2.00
MISC. (number of)	Air Cond/win						3.00
	Air Cond/cent			Pools			10.00
	HVAC	EMS	Thermostat				5.00
	Signs						10.00
	Alarms/res						5.00
	Alarms/com						15.00
	Heavy Duty(CRKT)						2.00
	Circus/Carnv						25.00
	Alterations						5.00
	Fire Repairs						15.00
	E Lights						1.00
	E Generators						20.00
PANELS	Service	Remote	Main				4.00
TRANSFORMER	0-25 Kva						5.00
	25-200 Kva						8.00
	Over 200 Kva						10.00
TOTAL AMOUNT DUE							
MINIMUM FEE/COMMERCIAL 45.00						MINIMUM FEE	35.00
							45.00

INSPECTION: Will be ready _____ or will call _____

CONTRACTORS NAME Folks Electric MASTER LIC. # _____
 ADDRESS 24 Sunset St Portland, ME LIMITED LIC. # _____
 TELEPHONE 671-5325

SIGNATURE OF CONTRACTOR [Signature]

PICTURES, ETC.



Descriptor/Area

A: FA/2Fr/B
1178 sqft

B: 1Fr
28 sqft

C: FBAY/OP
24 sqft

D: 1Fr/EP
98 sqft

E: FBAY/B
18 sqft



Surveyed by Loof Brown, Hazier
APR 21 1924
(Remarks on other Side) 18/4/24

