

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK



CITY OF PORTLAND BUILDING PERMIT

This is to certify that CONGRESS PLACE WEST LLC

Located At 727 CONGRESS ST

Job ID: 2012-04-3743-CH OF USE

CBL: 047- C-025-001

has permission to Convert 8 apartments into 8 Single Family Condominiums, same use, new ownership – no construction provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statues of Maine and of the Ordinances of the City of Portland regulating the construction, maintenance and use of the buildings and structures, and of the application on file in the department.

Notification of inspection and written permission procured before this building or part thereof is lathed or otherwise closed-in. 48 HOUR NOTICE IS REQUIRED.

A final inspection must be completed by owner before this building or part thereof is occupied. If a certificate of occupancy is required, it must be

Fire Prevention Officer



Code Enforcement Officer / Plan Reviewer

5/2/12

THIS CARD MUST BE POSTED ON THE STREET SIDE OF THE PROPERTY
PENALTY FOR REMOVING THIS CARD

City of Portland, Maine - Building or Use Permit Application

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

Job No: 2012-04-3743-CH OF USE	Date Applied: 4/10/2012	CBL: 047- C-025-001	
Location of Construction: 727 CONGRESS ST	Owner Name: CONGRESS PLACE WEST LLC TOM MOULTON	Owner Address: 10 DANA ST., SUITE 400, PORTLAND, ME 04102	Phone: 450-7100
Business Name:	Contractor Name: N/A	Contractor Address:	Phone:
Lessee/Buyer's Name:	Phone:	Permit Type: CONDO CONVERSION	Zone: B-2b
Past Use: 8 Residential Dwelling Units	Proposed Use: Convert 8 rental dwelling units to 8 condominium dwelling units	Cost of Work: \$1,200.00	CEO District:
		Fire Dept: <input checked="" type="checkbox"/> Approved w/conditions <input type="checkbox"/> Denied <input type="checkbox"/> N/A Signature: <i>Capt. Perrone 4/16/12</i>	Inspection: Use Group: R-2 Type: 3B Signature: <i>[Signature]</i>
Proposed Project Description: Condo Conversion		Pedestrian Activities District (P.A.D.) <i>5/2/12</i>	
Permit Taken By: Brad		Zoning Approval	

1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules. 2. Building Permits do not include plumbing, septic or electrical work. 3. Building permits are void if work is not started within six (6) months of the date of issuance. False informatin may invalidate a building permit and stop all work.	Special Zone or Reviews <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetlands <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan Date: <i>9</i> ^{Maj} ^{Min} ^{MM} <i>4/12/12</i> Date: <i>9</i> ^{Maj} ^{Min} ^{MM} <i>4/12/12</i>	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 Within <input type="checkbox"/> Not in Dist 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 Date: <i>Any exterior work requires a separate review: Approval</i>
	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 appication 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

7-23-12 DWM/Steve Cory / Lt Wallace Tom 450-7100

All units
Provide drum traps (Not air admittance valves)
Water hammer arresters (Dishwashers)
Rated doors at all common areas
Verify dryer vent lengths

Mechanical rooms
Fire caulk all ceiling and wall penetrations
Label all panel boards

Rear deck
Provide handrail on one side

Basement Mech room
2 Dimmer switches are overloaded. Provide appropriate switches/enclosure
Label panels, ELights & signs
Remove extension cord, provide outlet to #2 boiler and show where extension cord was connected

Unit 1 - Basement:
Provide CO detection
Door swing to hall is reversed (as per plan) and blocks corridor (existing)

Basement corridor & gas meter room
Dryer vent needs rated separation
Provide:
Handrail in hall and stair to second exit
E-light in common area

Unit 8 - 4th floor Deck
Show results of close-in inspection
Guard rail to be 42" minimum with max 4" openings

8-23-12 DWM/BKL / Lt Wallace
8-24-12 DWM Final OK

TOM + NICK Fire/Elect OK
Bids Fall

BUILDING PERMIT INSPECTION PROCEDURES

Please call 874-8703 or 874-8693 (ONLY)

or email: buildinginspections@portlandmaine.gov

With the issuance of this permit, the owner, builder or their designee is required to provide adequate notice to the city of Portland Inspections Services for the following inspections. Appointments must be requested 48 to 72 hours in advance of the required inspection. The inspection date will need to be confirmed by this office.

- **Please read the conditions of approval that is attached to this permit!! Contact this office if you have any questions.**
- **Permits expire in 6 months. If the project is not started or ceases for 6 months.**
- **If the inspection requirements are not followed as stated below additional fees may be incurred due to the issuance of a "Stop Work Order" and subsequent release to continue.**

Certificate of Occupancy/Final Inspection

The project cannot move to the next phase prior to the required inspection and approval to continue, REGARDLESS OF THE NOTICE OF CIRCUMSTANCES.

IF THE PERMIT REQUIRES A CERTIFICATE OF OCCUPANCY, IT MUST BE PAID FOR AND ISSUED TO THE OWNER OR DESIGNEE BEFORE THE SPACE MAY BE OCCUPIED.



PORTLAND MAINE

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Acting Director of Planning and Urban Development
Gregory Mitchell

Job ID: 2012-04-3743-CH OF USE

Located At: 727 CONGRESS ST

CBL: 047- C-025-001

Conditions of Approval:

Zoning

1. This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.
2. This is NOT an approval for an additional dwelling unit. You SHALL NOT add any additional kitchen equipment including, but not limited to items such as stoves, microwaves, refrigerators, or kitchen sinks, etc. without special approvals.
3. This property shall remain eight residential condominiums with the issuance of this permit and subsequent issuance of certificate of occupancies. Any change of use shall require a separate permit application for review and approval.
4. ANY exterior work requires a separate review and approval thru Historic Preservation. This property is located within an Historic District.

Fire

1. Installation shall comply with City Code Chapter 10.
2. All construction shall comply with City Code Chapter 10.
3. All outstanding code violations shall be corrected prior to final inspection.
4. Any Fire alarm or Sprinkler systems shall be reviewed by a licensed contractor(s) for code compliance. Compliance letters are required.
5. A separate Fire Alarm Permit is required for new systems; or for work effecting more than 5 fire alarm devices; or replacement of a fire alarm panel with a different model. This review does not include approval of fire alarm system design or installation.
6. Fire Alarm system shall be maintained. If system is to be off line over 4 hours a fire watch shall be in place. Dispatch notification required 874-8576.
7. The fire alarm system shall comply with the City of Portland Standard for Signaling Systems for the Protection of Life and Property. All fire alarm installation and servicing companies shall have a Certificate of Fitness from the Fire Department.
8. All fire alarm records required by NFPA 72 should be stored in an approved cabinet located at the FACP labeled "FIRE ALARM RECORDS".
9. Records cabinet, FACP, annunciator(s), and pull stations shall be keyed alike.
10. Fire alarm system requires a wireless master box connection per city ordinance. Master box design and installation shall in conformance with Fire Department Regulations and approved by Fire Department Electrical Division.
11. All smoke detectors and smoke alarms shall be photoelectric.
12. Carbon Monoxide is detection required in accordance with NFPA 720, *Standard for Installation of Carbon Monoxide (CO) Detection and Warning Equipment*, 2009 edition.

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13. System acceptance and commissioning must be coordinated with alarm and suppression system contractors and the Fire Department. Call 874-8703 to schedule.
14. Notification: Two means of egress are required from every story. "MRSA Title 25 § 2453"
15. Any cutting and welding done will require a Hot Work Permit from Fire Department.

Building

1. Construction activity was not applied for or reviewed as a part of this permit. This permit authorizes a change in ownership ONLY. Construction work was approved on Permit #2012-04-3711.
2. This permit recognizes a pre-existing land use and does not require or certify compliance with the City's current building code. The inspection performed will be done pursuant to the City's Minimum Standards for Housing, The Housing Code. All violations shall be corrected prior to the final inspection and the issuance of the Certificate of Occupancy.

Condo conversion permit Application

General Building Permit Application



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 of any kind are accepted.

Entered 4/10/12 (13)

B-2b
Historic

Location/Address of Construction: 727 Congress Street		
Total Square Footage of Proposed Structure/Area	Square Footage of Lot 9,165 sq. ft.	
Tax Assessor's Chart, Block & Lot Chart# 047 Block# C Lot# 25	Applicant * must be owner, Lessee or Buyer * Name Thomas W. Moulton NAI The Dunham Group Address 10 Dana Street, Suite 400 Portland, Maine 04101 City, State & Zip	Telephone: (207) 450-7100
Lessee/DBA (If Applicable)	Owner (if different from Applicant) Name Congress Place 8x150= Address West 8x75 LLC City, State & Zip	Cost Of Work: \$ 1200.00 C of O Fee: \$ 600.00 Total Fee: \$ 1800.00
Current legal use (i.e. single family) <u>Condos</u> <u>8 residential units</u> If vacant, what was the previous use? _____ Proposed Specific use: <u>Residential Condos</u> Is property part of a subdivision? <u>No</u> If yes, please name _____ Project description: See attached letter.		
Contractor's name: _____ Address: _____ City, State & Zip _____ Telephone: _____ Who should we contact when the permit is ready: <u>Tom Moulton</u> Telephone: <u>(207) 450-7100</u> Mailing address: <u>10 Dana Street, Suite 400, Portland, Maine 04101</u>		

RECEIVED
APR 10 2012
Dept. of Building Inspections
City of Portland Maine

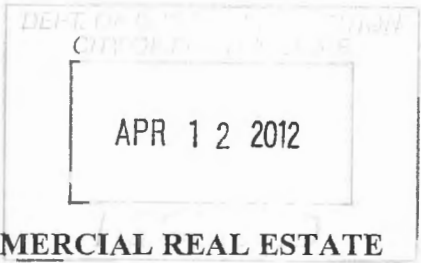
Please submit all of the information outlined on the applicable Checklist. Failure to do so will result in the automatic denial of your permit.

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: [Signature] Date: 4-10-12

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



CONTRACT FOR THE SALE OF COMMERCIAL REAL ESTATE

RECEIVED from Congress Place West, LLC or its assigns/nominees, whose mailing address is 10 Dana Street, Suite 400, Portland, Maine 04101 hereinafter called "Purchaser"), this 20th day of December, 2011, the sum of \$25,000 as earnest money deposit toward purchase of real estate located at 727 Congress Street in the City of Portland, County of Cumberland, State of Maine, described as follows: An 8 unit, residential apartment building along with .21 ± acres of land and being more fully described at said County's Registry of Deeds in Book 27822, Page 124, upon the terms and conditions indicated below.

1. PERSONAL PROPERTY: The following items of personal property are included in this sale (if applicable) NONE.

2. PURCHASE PRICE: The total Purchase Price is \$925,000 with payment to be made as follows:

Earnest money deposit received on this date: 

Due at closing, in cash or certified funds: 

Due at closing as seller financing as provided below: 

3. EARNEST MONEY/ACCEPTANCE: NAI The Dunham Group ("Escrow Agent") shall hold the earnest money in a non-interest bearing account and act as escrow agent until closing; this offer shall be valid until December 22, 2011, at 5:00 p.m. In the event of Seller's non-acceptance of this offer, the earnest money shall be returned promptly to Purchaser.

4. TITLE: That a deed, conveying the Property in fee simple with good and marketable title in accordance with Standards of Title adopted by the Maine Bar Association shall be delivered to Purchaser and this transaction shall be closed and Purchaser shall pay the Purchase Price as provided herein and both parties shall execute all necessary papers for the completion of the purchase on or before December 30, 2011. If Seller is unable to convey title to the premises in accordance with the provisions of this paragraph, then Seller shall have a reasonable time period, not to exceed thirty (30) days from the time Seller receives written notice of the defect, unless otherwise agreed to by both parties, to remedy the title, after which time, if such defect is not corrected so that there is marketable title, Purchaser may within ten days thereafter, at Purchaser's option, withdraw said earnest money and neither party shall have any further obligation hereunder. Seller hereby agrees to make a good-faith effort to cure any title defect during such period.

5. DEED: That the property shall be conveyed by a statutory quitclaim deed with covenant, and shall be free and clear of all encumbrances except covenants, conditions, easements and restrictions of record that do not materially impair Purchaser's plans to develop the property into condominiums and usual public utilities servicing the premises and shall be subject to applicable land use and building laws and regulations.

6. LEASES/TENANT SECURITY DEPOSITS: Seller agrees at closing to transfer to Purchaser, by proper assignment thereof, all Seller's rights under the current leases to the property and any and all security deposits held by Seller pursuant to said leases.

7. POSSESSION/OCCUPANCY: Possession/occupancy of premises shall be given to Purchaser free of all leases and tenancies at closing except for the first floor tenant at will, the second floor tenant under a written lease, and Patrick Gilgallon, who is a tenant at will and who will vacate within 30 days of closing.

8. RISK OF LOSS: Until transfer of title, the risk of loss or damage to said premises by fire or otherwise is assumed by Seller unless otherwise agreed in writing. Said premises shall at closing be in substantially the same condition as at present, excepting reasonable use and wear.

9. PRORATIONS: The following items shall be prorated as of the date of closing:

- a. Real Estate Taxes based on the municipality's current tax year. Seller is responsible for any unpaid taxes for prior years.
- b. Fuel.
- c. Metered utilities such as water, sewer and electricity shall be paid by the Seller through the date of closing.
- d. Purchaser and Seller shall each pay one-half of the transfer tax as required by the laws of the State of Maine.
- e. Rents, estimated monthly common area maintenance charges, estimated monthly property tax payments, and all other additional rents received by Seller pursuant to leases of the property.

10. INSPECTIONS: Purchaser is advised to seek information from professionals regarding any specific issue of concern. Purchaser acknowledges receipt of disclosure form attached hereto. The Selling Agent and Listing Agent make no warranties regarding the condition, permitted use or value of Seller's real or personal property. This contract is subject to the following inspections, with the results being satisfactory to Purchaser:

<u>TYPE OF INSPECTION</u>	<u>YES</u>	<u>NO</u>	<u>RESULTS REPORTED</u>
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NONE

The use of days is intended to mean from the Effective Date of the Contract. All inspections will be done by inspectors chosen and paid for by Purchaser. If the result of any inspection or other condition specified herein is unsatisfactory to Purchaser, Purchaser may declare the Contract null and void by notifying Seller in writing within the specified number of days set forth above, and said earnest money shall be returned to Purchaser. If Purchaser does not notify Seller that an inspection is unsatisfactory within the time period set forth above, this contingency is waived by Purchaser. In the absence of inspection(s) mentioned above, Purchaser is relying completely upon Purchaser's own opinion as to the condition of the premises.

11. REVIEW OF LEASES AND INCOME AND EXPENSE INFORMATION: NONE

12. FINANCING: Seller shall finance \$525,000.00 of the Purchase Price for a term of 12 months at 0% interest. No payment shall be due from Purchaser on said financing for 12 months, at which time said \$525,000 will be due in full. Seller's financing shall be secured by a first-position mortgage on the property. Seller financing may be prepaid at any time in part or in whole without penalty. Loan documents shall be drafted by Purchaser's counsel at Purchaser's expense and shall be based on terms and language acceptable to Seller.

13. AGENCY DISCLOSURE: Thomas W. Moulton is a licensed real estate agent with NAI The Dunham Group and is a principal/member of Purchaser. There will be no commission associated with this sale.

14. **DEFAULT:** In the event Purchaser fails to perform any of the terms of this Contract, Seller shall have the option of either retaining the earnest money as full and complete liquidated damages or employing all available legal and equitable remedies. Should Seller elect to retain the earnest money, this Contract shall terminate and neither party shall be under any further obligation hereunder. In the event of default by either party, the Escrow Agent shall not return the earnest money to Purchaser or Seller without written releases from both parties. If a dispute arises between Purchaser and Seller as to the existence of a default hereunder and said dispute is not resolved by the parties within thirty (30) days, Escrow Agent shall file an action in interpleader and deposit the earnest money in the court to resolve said dispute. Purchaser and Seller, jointly and severally, shall indemnify Escrow Agent for all costs, losses, expenses, and damages, including reasonable attorneys' fees, incurred by Escrow Agent in connection with said dispute.

15. **MEDIATION:** Any dispute or claim arising out of or relating to this Contract or the premises addressed in this Contract shall be submitted to mediation in accordance with the Maine Residential Real Estate Mediation Rules of the American Arbitration Association. This clause shall survive the closing of this transaction.

16. **PRIOR STATEMENTS:** This Contract sets forth the entire agreement between the parties, and there are no other representations, agreements or understandings with respect to the subject matter of this Contract. This Contract shall be construed according to the laws of the State of Maine.

17. **HEIRS/ASSIGNS:** This Contract shall extend to and be obligatory upon heirs, personal representatives, successors, and assigns of the respective parties. Purchaser may assign this Contract to an entity of which the principal of Purchaser is a principal.

18. **EFFECTIVE DATE:** This Contract is a binding contract when signed by both Seller and Purchaser and when that fact has been communicated to all parties or to their agents. Time is of the essence of this Contract.

19. **ADDENDA:** This Contract has addenda containing additional terms and conditions: Yes _____
No _____.

20. **EXTENSION:** Seller and Purchaser agree to extend the following date(s) set forth in this Contract to the new dates shown:

21. The parties agree that none of the above are collateral agreements. It is the intent of the parties that except as expressly set forth in this Contract, all covenants, representations, statements and obligations of both parties herein shall not survive closing.

22. **COUNTERPARTS:** This agreement may be simultaneously executed in any number of counterparts, each of which when duly executed and delivered, including delivery by facsimile, email or other electronic means, shall be an original; but such counterparts shall constitute but one and the same agreement.

A COPY OF THIS CONTRACT IS TO BE RECEIVED BY ALL PARTIES AND, BY SIGNATURE, RECEIPT OF A COPY IS HEREBY ACKNOWLEDGED. IF NOT FULLY UNDERSTOOD, CONSULT AN ATTORNEY.

Seller acknowledges that the laws of the State of Maine provide that every buyer of real property located in Maine must withhold a withholding tax equal to 2-1/2% of the consideration unless Seller furnishes to

Purchaser a certificate by the Seller stating, under penalty of perjury, that Seller is a resident of Maine or the transfer is otherwise exempt from withholding.

45 - 408 7939

Congress Place West, LLC

~~XXXXXXXXXXXX~~

Legal Name of Purchaser

Social Security # or Tax I.D. #

Thomas W. Molten

Signature

Name/Title, there unto duly authorized

Seller accepts Purchaser's offer and agrees to deliver the premises at the price and upon the terms and conditions set forth above.

Signed this 20th day of December, 2011.

Seaside Partners, LLC

20 - 1816767

~~XXXXXXXXXXXX~~

Seller

Social Security # or Tax I.D. #

Daniel E. O'Leary

Signature

Daniel E. O'Leary

Name/Title, there unto duly authorized

NAI The Dunham Group

Thomas W. Molten

Escrow Agent

Name/Title Partner / Broker

Thomas W. Molten

Signature

EFFECTIVE DATE OF CONTRACT: 20 December, 2011.



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Receipts Details:

Tender Information: Check , BusinessName: Congress Place West LLC, Check Number: 1160
Tender Amount: 1800.00

Receipt Header:

Cashier Id: bsaucier
Receipt Date: 4/10/2012
Receipt Number: 42757

Receipt Details:

Referance ID:	6046	Fee Type:	BP-Units/C of O
Receipt Number:	0	Payment Date:	
Transaction Amount:	1800.00	Charge Amount:	1800.00
Job ID: Job ID: 2012-04-3743-CH OF USE - Condo Conversion			
Additional Comments: 727 Congress Condo Conversion			

Thank You for your Payment!

Submit with Condominium Conversion Permit Application

Project Data:

Address: N/A See Attached
 C-B-L: Letter
 Number of Units in Building: _____

Tenant Name	Tenant Tel#	Occup. Length	Date of Notice	Eligible for \$?
Unit 1				
Unit 2				
Unit 3				
Unit 4				
Unit 5				
Unit 6				
Unit 7				
Unit 8				

If more units, submit same information on all units

Length of time building owned by applicant _____

Are any building improvements, renovations, or modifications being made associated with this conversion that requires a building, plumbing, electrical, or heating permit?

YES _____ NO _____ (check one)

Type and cost of building improvements associated with this conversion that do not require permits:

\$ _____ Exterior walls, windows, doors, roof

\$ _____ Insulation

\$ _____ Interior cosmetics (walls/floors/hallways/refinishing, etc.)

\$ _____ Other (specify)

The property was declared to be condominium by Class Acts Management, Inc. by Declaration of Condominium, Woodbury Davis House Condominium, dated April 3, 2009, and recorded in the Cumberland County Registry of Deeds in Book 26770, Page 258. The tenants of the building, if any, at the time the condominium was created are unknown to Congress Place West LLC.

Class Acts Management marketed the units for sale but was unable to sell units in the condominium because of the real estate recession and challenging condominium financing environment during the summer of 2009.

Having defaulted on its mortgage loan, Class Acts Management conveyed the condominium property by deed in lieu of foreclosure to Gorham Savings Bank, the mortgage lender, by deed dated April 1, 2010, and recorded in said Registry of Deeds in Book 27707, Page 79.

Gorham Savings Bank conveyed the condominium property to its affiliate GSB Corporation by deed dated April 12, 2010, and recorded in said Registry of Deeds in Book 27715, Page 124.

While the owner of the condominium property, GSB Corporation leased Unit #1 to Ryan Barnard in May 2010 under a written lease on the month-to-month basis.

GSB Corporation conveyed the condominium property to Seaside Partners, LLC by deed dated June 3, 2010, and recorded in said Registry of Deeds in Book 27822, Page 124.

While the owner of the condominium property, Seaside Partners leased Unit #5 to Michael Pistrang and Maeve Wachowicz by written lease dated August 25, 2011, for a term expiring on July 31, 2012.

While the owner of the condominium property, Seaside Partners also allowed one of the units to be occupied by Patrick Gilligallon, the person who performed property maintenance on the building and other properties for Seaside Partners.

Seaside Partners conveyed the condominium property to Congress Place West LLC by deed dated December 28, 2011, and recorded in said Registry of Deeds in Book 29238, Page 105.

Shortly after Congress Place West purchased the property, it was vacated by the tenants. Mr. Gilligallon vacated because his services were no longer needed at the property and he did not want to pay rent. Mr. Ryan, Mr. Pistrang and Ms. Wachowicz vacated because they did not want to live in the building during the painting and refinishing work to the common areas and therefore asked to be released from their leases.

In sum, the condominium was created in April 2009, and units were marketed for sale in the summer of 2009. Congress Place West has no knowledge regarding whether there were any tenants in the building at that time or the identity of any tenants. The condominium property has changed ownership four times in the three years since the formation of the condominium. The tenants of the property at the time of acquisition by Congress Place West all commenced occupancy of the condominium units after the formation of the condominium.

→ Congress Place West LLC

Tom Moulton is Principal

Program: FP322L

FIRE PREVENTION

Property address		Property name	Property number			
Inspection type	Date	Inspector	Reference	Target date	Actual date	
Seq.	Violation class	Violation type				
	Location(s)					
0727 CONGRESS ST, PORTLAND ME 04101		727 CONGRESS ST	67762-000-000			
	ROUTINE INSPECTION	3/15/02 SCOTT THOMES, Platoon 3				
2	ELECTRIC WIRING	OPEN ELECTRICAL JUNCTION BOX	NFPA70	4/16/02	0/00/00	
	3rd floor rear stairwell; boiler room in basement					
3	ELECTRIC WIRING	EXPOSED LIVE ELECTRICAL WIRES		4/16/02	0/00/00	
	basement boiler room					
4	FIRE EXTINGUISHERS	FIRE EXTINGUISHERS NEED ANNUAL SERV	NFPA1	4/16/02	0/00/00	
	3rd floor rear stairwell					
5	HEATING EQUIPMENT	BOILER PROTECTION REQUIRED		4/16/02	0/00/00	
	basement					
6	BUILDING CONSTRUCTION VIOLATION	*ERROR*	6-2.3.2.4	4/16/02	0/00/00	
	1st and 3rd floor rear stairwell					
8	FIRE PROTECTION EQUIPMENT	SMOKE DETECTOR NEEDS REPAIR	NFPA18-1.3	4/16/02	0/00/00	
	apartment #1					
10	APARTMENT BUILDINGS	REPAIR OR REPLACE CHIMNEY MRSA25	2432	4/16/02	0/00/00	
	basement					

Violation Summary:

Open	Closed	Total
7	0	7



Administrative Authorization Application

Portland, Maine
Planning and Urban Development Department, Planning Division

PROJECT NAME: 727 Congress Street

PROJECT ADDRESS: 727 Congress Street CHART/BLOCK/LOT: 047-C-25

APPLICATION FEE: \$50.00 (\$50.00)

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

Replacement of rear deck. 4th floor renovations and dormer addition.

CONTACT INFORMATION:

OWNER/APPLICANT

Name: Tom Moulton
 Address: 10 Dana Street
Suite 400, Portland, ME
 Work #: (207) 773-7100
 Cell #: (207) 450-7100
 Fax #: _____
 Home #: (207) 450-7100
 E-mail: tmoulton@dunham-group.com

CONSULTANT/AGENT

Name: Archetype
 Address: 48 Union Wharf
Portland, ME 04101
 Work #: (207) 772-6022
 Cell #: (207) 831-8627
 Fax #: (207) 772-4056
 Home #: _____
 E-mail: lloyd@archetypepa.com

Criteria for an Administrative Authorizations:
 (see section 14-523(4) on pg. 2 of this appl.)

Applicant's Assessment Planning Division
 Y(yes), N(no), N/A

	Y(yes), N(no), N/A	Y(yes), N(no), N/A
a) Is the proposal within existing structures?	<u>Y</u>	<u>No - changing deck</u>
b) Are there any new buildings, additions, or demolitions?	<u>Y</u>	<u>yes - changing deck + sta.</u>
c) Is the footprint increase less than 500 sq. ft.?	<u>Y</u>	<u>yes</u>
d) Are there any new curb cuts, driveways or parking areas?	<u>N</u>	<u>No</u>
e) Are the curbs and sidewalks in sound condition?	<u>Y</u>	<u>yes</u>
f) Do the curbs and sidewalks comply with ADA?	<u>N/A</u>	<u>yes</u>
g) Is there any additional parking?	<u>N</u>	<u>No</u>
h) Is there an increase in traffic?	<u>N</u>	<u>no</u>
i) Are there any known stormwater problems?	<u>N</u>	<u>no</u>
j) Does sufficient property screening exist?	<u>N/A</u>	<u>yes</u>
k) Are there adequate utilities?	<u>Y</u>	<u>no</u>
l) Are there any zoning violations?	<u>N</u>	<u>no</u>
m) Is an emergency generator located to minimize noise?	<u>N/A</u>	<u>N/A</u>
n) Are there any noise, vibration, glare, fumes or other impacts?	<u>N</u>	<u>no</u>

RECEIVED
 APR 17 2012
 N/A

Signature of Applicant: <u> <i>TM</i> </u>	Date: <u>4-11-12</u>	City of Portland Planning Division
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Planning Division Use Only

Authorization Granted Partial Exemption Exemption Denied

Barbara Garby dtb
w/ conditions

4/12/12 - *see attached*

Standard Condition of Approval: The applicant shall obtain all required City Permits, including building permits from the Inspection Division (Room 315, City Hall (874-8703)) prior to the start of any construction.

IMPORTANT NOTICE TO APPLICANT: The granting of an Administrative Authorization to exempt a development from site plan review does not exempt this proposal from other approvals or permits, nor is it an authorization for construction. You should first check with the Building Inspections Office, Room 315, City Hall (207)874-8703, to determine what other City permits, such as a building permit, will be required.

**PROVISION OF PORTLAND CITY CODE
14-523 (SITE PLAN ORDINANCE)
RE: Administrative Authorization**

Sec. 14-523 (b). Applicability

No person shall undertake any development identified in Section 14-523 without obtaining a site plan improvement permit under this article. (c) Administrative Authorization. Administrative Authorization means the Planning Authority may grant administrative authorization to exempt a development proposal from complete or partial site plan review that meets the standards below, as demonstrated by the applicant.

1. The proposed development will be located within existing structures, and there will be no new buildings, demolitions, or building additions other than those permitted by subsection b of this section;
2. Any building addition shall have a new building footprint expansion of less than five hundred (500) square feet;
3. The proposed site plan does not add any new curb cuts, driveways, or parking areas; the existing site has no more than one (1) curb cut and will not disrupt the circulation flows and parking on-site; and there will be no drive-through services provided;
4. The curbs and sidewalks adjacent to the lot are complete and in sound condition, as determined by the public works authority, with granite curb with at least four (4) inch reveal, and sidewalks are in good repair with uniform material and level surface and meet accessibility requirements of the Americans with Disabilities Act;
5. The use does not require additional or reduce existing parking, either on or off the site, and the project does not significantly increase traffic generation;
6. There are no known stormwater impacts from the proposed use or any existing deficient conditions of stormwater management on the site;
7. There are no evident deficiencies in existing screening from adjoining properties; and
8. Existing utility connections are adequate to serve the proposed development and there will be no disturbance to or improvements within the public right-of-way.
9. There are no current zoning violations;
10. Any emergency generators are to be located to minimize noise impacts to adjoining properties and documentation that routine testing of the generators occur on weekdays between the hours of 9 a.m. to 5 p.m. Documentation pertaining to the noise impacts of the emergency generator shall be submitted; and
11. There is no anticipated noise, vibration, glare, fumes or other foreseeable impacts associated with the project.

- a. **Filing the Application.** An applicant seeking an administrative authorization under this subsection shall submit an administrative authorization application for review, detailing the site plan with dimensions of proposed improvements and distances from all property lines, and stating that the proposal meets all of the provisions in standards 1-11 of Section 14-423 (b)1. **The application must be accompanied by an application fee of \$50.**
- b. **Review.** Upon receipt of such a complete application, the Planning Authority will process it and render a written decision of approval, approval with conditions or denial, with all associated findings.
- c. **Decision.** If a full administrative authorization is granted, the application shall be approved without further review under this article, and no performance guarantee shall be required. In the event that the Planning Authority determines that standards a and b of Section 14-523 (b) (1) and at least four (4) of the remaining standards have been met, the Planning Authority shall review the site plan according to all applicable review standards of Section 14-526 that are affected by the standards in this subsection that have not been met. If an exemption or partial exemption from site plan review is not granted, the applicant must submit a site plan application that will undergo a full review by the Planning Board or Planning Authority according to the standards of Section 14-526.

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

Applicant's Assessment
 Y(yes), N(no), N/A

Planning Division
 Use Only

a) Is the proposal within existing structures?	Yes	No – changing deck
b) Are there any new buildings, additions, or demolitions?	Yes	Yes – changes to deck and new stairs
c) Is the footprint increase less than 500 sq. ft.?	Yes	yes
d) Are there any new curb cuts, driveways or parking areas?	No	no
e) Are the curbs and sidewalks in sound condition?	Yes	yes
f) Do the curbs and sidewalks comply with ADA?	n/a	yes
g) Is there any additional parking?	No	no
h) Is there an increase in traffic?	No	no
i) Are there any known stormwater problems?	No	no
j) Does sufficient property screening exist?	n/a	yes
k) Are there adequate utilities?	Yes	yes
l) Are there any zoning violations?	No	no
m) Is an emergency generator located to minimize noise?	n/a	n/a
n) Are there any noise, vibration, glare, fumes or other impacts?	No	no

727 Congress Street is in the Congress Street Historic District and the proposal has received a certificate of appropriateness for the proposed building and deck changes.

The Administrative Authorization for 727 Congress Street was approved by Barbara Barhydt on April 12, 2012 with the following Standard Condition of Approval as listed below:

1. **Standard Condition of Approval:** The applicant shall obtain all required City Permits, including building permits from the Inspection Division (874-8703) and any other permits required from the Department of Public Services (874-8801) prior to the start of any construction.



Barbara Barhydt, Development Review Services Manager
 Portland Planning Division
 April 12, 2012



Certificate of Occupancy



CITY OF PORTLAND, MAINE

Department of Planning and Urban Development
Building Inspections Division

Location: 727 CONGRESS ST

CBL: 047- C-025-001

Issued to: CONGRESS PLACE WEST LLC

Date Issued: 8/24/2012

This is to certify that the building, premises, or part thereof, at the above location, built-altered-changed as to use under Building Permit No. 2012-04-3743-CH OF USE, has had a final inspection, has been found to conform substantially to the requirements of the Building Code and the Land Use Code of the City of Portland, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

UNIT 1 - FIRST FLOOR EAST

APPROVED OCCUPANCY

USE GROUP R-2
RESIDENTIAL CONDOMINIUM
TYPE 3B
IBC 2009

Limiting Conditions: This certificate certifies the change of ownership of the building only. It does not certify building code compliance.

Approved:

8-24-2012

(Date)

Inspector

Inspections Division Director

Notice: This certificate identifies the legal use of the building or premises, and ought to be transferred from owner to owner upon the sale of the property.



Certificate of Occupancy



CITY OF PORTLAND, MAINE

Department of Planning and Urban Development
Building Inspections Division

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PORTION OF BUILDING OR PREMISES

UNIT 3 - FIRST FLOOR REAR

APPROVED OCCUPANCY

USE GROUP R-2
RESIDENTIAL CONDOMINIUM
TYPE 3B
IBC 2009

Limiting Conditions: This certificate certifies the change of ownership of the building only. It does not certify building code compliance.

Approved:
8-24-2012

(Date) *Don Miller*
Inspector

[Signature]
Inspections Division Director

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Certificate of Occupancy



CITY OF PORTLAND, MAINE

Department of Planning and Urban Development

Building Inspections Division

Location: 727 CONGRESS ST

CBL: 047- C-025-001

Issued to: CONGRESS PLACE WEST LLC

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PORTION OF BUILDING OR PREMISES

UNIT 4 - SECOND FLOOR EAST

APPROVED OCCUPANCY

USE GROUP R-2
RESIDENTIAL CONDOMINIUM
TYPE 3B
IBC 2009

Limiting Conditions: This certificate certifies the change of ownership of the building only. It does not certify building code compliance.

Approved:

8-24-2012

(Date)

Inspector

Inspections Division Director

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Certificate of Occupancy



CITY OF PORTLAND, MAINE

Department of Planning and Urban Development
Building Inspections Division

Location: 727 CONGRESS ST

CBL: 047- C-025-001

Issued to: CONGRESS PLACE WEST LLC

Date Issued: 8/24/2012

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PORTION OF BUILDING OR PREMISES

UNIT 5 - SECOND FLOOR WEST

APPROVED OCCUPANCY

USE GROUP R-2
RESIDENTIAL CONDOMINIUM
TYPE 3B
IBC 2009

Limiting Conditions: This certificate certifies the change of ownership of the building only. It does not certify building code compliance.

Approved:

8-24-2012

(Date)

Inspector

Inspections Division Director

Notice: This certificate identifies the legal use of the building or premises, and ought to be transferred from owner to owner upon the sale of the property.



Certificate of Occupancy



CITY OF PORTLAND, MAINE

Department of Planning and Urban Development

Building Inspections Division

Location: 727 CONGRESS ST

CBL: 047- C-025-001

Issued to: CONGRESS PLACE WEST LLC

Date Issued: 8/24/2012

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PORTION OF BUILDING OR PREMISES

UNIT 6 - GARDEN LEVEL

APPROVED OCCUPANCY

USE GROUP R-2
RESIDENTIAL CONDOMINIUM
TYPE 3B
IBC 2009

Limiting Conditions: This certificate certifies the change of ownership of the building only. It does not certify building code compliance.

Approved:
8-24-2012

(Date) Inspector

Inspections Division Director

Notice: This certificate identifies the legal use of the building or premises, and ought to be transferred from owner to owner upon the sale of the property.



Certificate of Occupancy



CITY OF PORTLAND, MAINE

Department of Planning and Urban Development
Building Inspections Division

Location: 727 CONGRESS ST

CBL: 047- C-025-001

Issued to: CONGRESS PLACE WEST LLC

Date Issued: 8/24/2012

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PORTION OF BUILDING OR PREMISES

UNIT 7 - THIRD FLOOR EAST

APPROVED OCCUPANCY

USE GROUP R-2
RESIDENTIAL CONDOMINIUM
TYPE 3B
IBC 2009

Limiting Conditions: This certificate certifies the change of ownership of the building only. It does not certify building code compliance.

Approved:

8-24-2012

(Date)

Inspector

Inspections Division Director

Notice: This certificate identifies the legal use of the building or premises, and ought to be transferred from owner to owner upon the sale of the property.



Certificate of Occupancy



CITY OF PORTLAND, MAINE

Department of Planning and Urban Development
Building Inspections Division

Location: 727 CONGRESS ST

CBL: 047- C-025-001

Issued to: CONGRESS PLACE WEST LLC

Date Issued: 8/24/2012

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PORTION OF BUILDING OR PREMISES

UNIT 8 - THIRD FLOOR WEST

APPROVED OCCUPANCY

USE GROUP R-2
RESIDENTIAL CONDOMINIUM
TYPE 3B
IBC 2009

Limiting Conditions: This certificate certifies the change of ownership of the building only. It does not certify building code compliance.

Approved:

8-24-2012

(Date)

Inspector

Inspector's Division Director

Notice: This certificate identifies the legal use of the building or premises, and ought to be transferred from owner to owner upon the sale of the property.