

PORTLAND MAINE

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June 8, 2007

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Letter of Agreement Regarding Public Access Through New Garage Stairs, Between Congress Street and Crescent Street

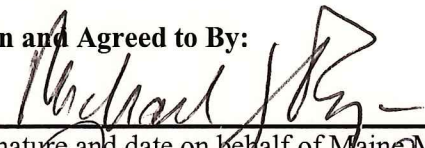
Provision 16 of the Conditional Rezoning Agreement between the City of Portland and the Maine Medical Center, approved by the Portland City Council on April 25, 2005, states:

“MMC agrees to allow public pedestrian access between its campus and Congress Street through a new enclosed stairway to be constructed adjacent to the new parking garage, as depicted in Exhibit B.”

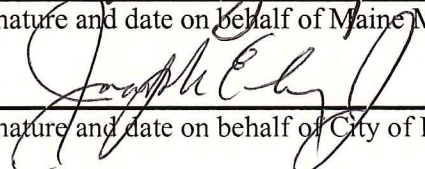
This letter serves to officially record the terms of this agreement, in lieu of a public access easement from MMC to the City of Portland. The architects have designed the parking garage to be fully ADA-compliant, with the adjacent stair tower providing a secondary means of egress from the garage. The use by the public of this stairway within and adjacent to the new garage is incidental to the primary use of the stairs by garage parkers (egress).

MMC will not prohibit incidental public use at times that are consistent with public parks and the pocket park for as long as the conditional zone agreement remains in effect. MMC shall maintain signage at Crescent Street and Congress Street consistent with the intent of Provision 16. Text and specifications of the signage will be reviewed by and mutually agreed by MMC and the Planning Authority.

Seen and Agreed to By:

 6/14/07

Signature and date on behalf of Maine Medical Center

 6-15-07

Signature and date on behalf of City of Portland

cc: Joseph E. Gray, Jr., City Manager
Lee D. Urban, Director of Planning & Development
Alexander Jaegerman, Planning Division Director
Penny Littell, Associate Corporation Counsel