



CITY OF PORTLAND, MAINE

Department of Building Inspections

Feb. 18 2004

Received from R B Swainds Trust

Location of Work 52 Bramhall

Cost of Construction \$ 3 cond law. 45000

Permit Fee \$ 875.00 3 copy 192500

Building (IL) Plumbing (IS) Electrical (I2) Site Plan (U2)
Stop work 100.00
Delay 100.00

Other Copy Conversion

CBL: check 1301 275.00

check # 1309 600 Total Collected \$ 875.00

THIS IS NOT A PERMIT

No work is to be started until PERMIT CARD is actually posted upon the premises. Acceptance of fee is no guarantee that permit will be granted. PRESERVE THIS RECEIPT. In case permit cannot be granted the amount of the fee will be refunded upon return of the receipt less \$10.00 or 10% whichever is greater.

WHITE - Applicant's Copy
YELLOW - Office Copy
PINK - Permit Copy

City of Portland, Maine - Building or Use Permit Application

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

Permit No: 04-0139	Issue Date: APR 16 2004	BL: 054 D003001
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Location of Construction: 52 Bramhall St	Owner Name: Simonds Gordon D Trustee	Owner Address: 104 West St	Phone: 207874-6666
Business Name: n/a	Contractor Name: n/a	Contractor Address: n/a Portland	Phone:
Lessee/Buyer's Name: n/a	Phone: n/a	Permit Type: Change of Use - Condo Conversion	Zone: R6

Past Use: Residential / 3 units	Proposed Use: Change of use; from 3 units to 3 condominiums.	Permit Fee: \$875.00	Cost of Work: \$0.00	CEO District: 2
<p><i>LEGAL USE: 3 family dwelling units</i></p>		FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: R2 Type: 5B <i>Hegley</i> <i>McKeight</i>	
Proposed Project Description: Change of use from 3 units to 3 condominiums.		Signature: <i>[Signature]</i>	Signature: <i>[Signature]</i>	
PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)				
Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied				
Signature: _____ Date: _____				

Permit Taken By: gg	Date Applied For: 02/18/2004	Zoning Approval		
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<p>1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.</p> <p>2. Building permits do not include plumbing, septic or electrical work.</p> <p>3. 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..</p>	<p>Special Zone or Reviews</p> <p><input type="checkbox"/> Shoreland</p> <p><input type="checkbox"/> Wetland</p> <p><input type="checkbox"/> Flood Zone</p> <p><input type="checkbox"/> Subdivision</p> <p><input type="checkbox"/> Site Plan</p> <p>Maj. <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/></p> <p><i>OK with conditions</i></p> <p>Date: <i>3/14/04</i></p>	<p>Zoning Appeal</p> <p><input type="checkbox"/> Variance</p> <p><input type="checkbox"/> Miscellaneous</p> <p><input type="checkbox"/> Conditional Use</p> <p><input type="checkbox"/> Interpretation</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Denied</p>	<p>Historic Preservation</p> <p><input checked="" type="checkbox"/> Not in District or Landmark</p> <p><input type="checkbox"/> Does Not Require Review</p> <p><input type="checkbox"/> Requires Review</p> <p><input type="checkbox"/> Approved</p> <p><input type="checkbox"/> Approved w/Conditions</p> <p><input type="checkbox"/> Denied</p> <p>Date: <i>[Signature]</i></p>
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CERTIFICATION

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application is issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provision of the code(s) applicable to such permit.

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: 04-0139	Date Applied For: 02/18/2004	CBL: 054 D003001
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Location of Construction: 52 Bramhall St	Owner Name: Simonds Gordon D Trustee	Owner Address: 104 West St	Phone: 207-874-6666
Business Name: n/a	Contractor Name: n/a	Contractor Address: n/a Portland	Phone
Lessee/Buyer's Name n/a	Phone: n/a	Permit Type: Change of Use - Condo Conversion	

Proposed Use: Change of use; from 3 units to 3 condominiums.	Proposed Project Description: Change of use from 3 units to 3 condominiums.
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Dept: Zoning	Status: Approved with Conditions	Reviewer: Marge Schmuckal	Approval Date: 04/14/2004
Note: 3/15/04 see letter asking for more tenant information 4/2/04 received further information & more tenant notices			Ok to Issue: <input checked="" type="checkbox"/>
<p>1) PLEASE NOTE: Under the City's Condominium conversion regulations, A) BEFORE a developer offers to convey a converted unit, a conversion permit shall be obtained. B) Rent may not be altered during the official noticing period unless expressly provided in a preexisting written lease. C) For a sixty (60) day period following the notice of intent to convert, the tenant has an exclusive and irrevocable option to purchase during which time the developer may not convey or offer to convey the unit to any other person. D) The developer shall post a copy of the permit in a conspicuous place in each unit, and shall make copies available to prospective purchasers upon request. E) If a tenant is eligible for tenant relocation payments, they SHALL be paid a CASH PAYMENT BEFORE the tenant is required to vacate.</p> <p>2) Separate permits shall be required for future decks, sheds, pools, and/or garages.</p> <p>3) 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.</p> <p>4) This property shall remain a three (3) family dwelling condominium after the issuance of this permit . Any change of use shall require a separate permit application for review and approval.</p> <p>5) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.</p>			

Dept: Building	Status: Approved with Conditions	Reviewer: Mike Nugent	Approval Date: 04/16/2004
Note:			Ok to Issue: <input checked="" type="checkbox"/>
1) No construction is authorized by this permit, simply the change in ownership			

Dept: Fire	Status: Approved with Conditions	Reviewer: Lt. MacDougal	Approval Date: 04/16/2004
Note:			Ok to Issue: <input checked="" type="checkbox"/>
1) the boiler shall be seperated with a one enclosure or a smoke enclosure with domestic sprinklers			
2) vertical openings shall be fire rated with a minimum of one hour rating			

From: Mark Adelson
To: Marge Schmuckal; Penny Littell
Date: 3/31/2004 3:49:43 PM
Subject: Gordon S.

I really don't like his offer.

Considering the amount of money he made from the sale of the properties to MMC, he can afford we asked for (and much more), and he doesn't need a payment plan. I suspect he can show a negative cash flow on his properties because he gets paid in cash that may not show up on the books.

If you feel it's in our best interest to compromise again, and therefore enter into a payment plan, it should be for the entire \$90,000 and a higher interest rate, let's say 10%.

And, we can't agree to let him keep the two units at 104 West, he needs to file for the Conditional Use Appeal.

Thanks, Mark A

Form # P 04

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND

Please Read Application And Notes, If Any, Attached

PERMIT

Permit Number **PERM 15500**
APR 16 2004
CITY OF PORTLAND

This is to certify that Simonds Gordon D Trustee
has permission to Change of use from 3 units to condominiums.
AT 52 Bramhall St 054 D003001

provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statutes of Maine 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 work in permit in progress before this building or part thereof is occupied or closed-in. 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. [Signature]
Health Dept. _____
Appeal Board _____
Other _____
Department Name _____

[Signature] 4/16/04
Director - Building & Inspection Services

PENALTY FOR REMOVING THIS CARD

These were

What is diligent inquiry?

Never thru the

credit These ~~ASAS~~
cancelled checks

~~DATA~~ Bldg was vacated

All Purpose 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.

Location/Address of Construction: 52 Bramhall Street, Portland, Maine		
Total Square Footage of Proposed Structure 3,527 (excluding basement)	Square Footage of Lot 3,800 square feet	
Tax Assessor's Chart, Block & Lot Chart# Block# Lot# 54 D 3	Owner: Gordon D. Simonds, as Trustee of the RG Simonds Trust	Telephone: (207) 874-6666
Lessee/Buyer's Name (If Applicable)	Applicant name, address & telephone: Gordon Simonds, Trustee 104 West Street Portland, Maine 04102 (207) 874-6666	Cost Of Work: \$ _____ Fee: \$ 3 units @ \$25.00 per unit \$ 75.00 3 units @ 150 = 450
Current use: <u>Residential</u> number of units: <u>3</u>	<div style="border: 1px solid black; padding: 5px; display: inline-block;"> DEPT. OF COMMUNITY DEVELOPMENT CITY OF PORTLAND STOP WORK late app. = 100 FEB 18 2004 \$ 875.00 R E C E I V E </div>	
Purposed use <u>Residential</u> number of units: <u>3</u>		
Project description: Condominium Conversion		
Contractor's name, address & telephone: N/A		
Who should we contact when the permit is ready: <u>Gordon D. Simonds</u>		
Mailing address: 104 West Street Portland, Maine 04102		
Phone: (207) 874-6666		

IF THE REQUIRED INFORMATION IS NOT INCLUDED IN THE SUBMISSIONS THE PERMIT WILL BE AUTOMATICALLY DENIED AT THE DISCRETION OF THE BUILDING/PLANNING DEPARTMENT, WE MAY REQUIRE ADDITIONAL INFORMATION IN ORDER TO APPROVE THIS PERMIT.

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 of applicant: **Gordon D. Simonds, Trustee** Date: **2/16/04**

This is not a permit, you may not commence ANY work until the permit is issued

Zoning Division
Marge Schmuckal
Zoning Administrator

Department of Planning & Development
Lee Urban, Director



CITY OF PORTLAND

March 15, 2004

Bonnie L. Martinolich
c/o Preti Flaherty Beliveau Pachios & Haley LLC
P.O. Box 9546
Portland, ME 04112-9646

RE: 52 Bramhall Street – 054-D-003 – R-6 Zone – permit application #04-0139

Dear Attorney Martinolich,

I am in receipt of your permit application for your client, Gordon D. Simonds Trustee for R. G. Simonds Trust, requesting a condominium conversion permit. Your permit is denied due to the lack of submitting the required tenant notices as required under the Condominium Conversion Ordinance, section 14-566.

Your submittal shows eight tenants, but only 4 tenant notices were submitted as part of your application. You have stated in your cover letter that Mr. Simonds was able to locate the given tenants after "diligent inquiry". It will be necessary to explain the process of his diligent inquiry. Were cancelled checks used? Were copies of tenant leases used? What other methods were implemented to verify past tenants? It will also be necessary to know the date when this building was vacated of tenants.

This application will be on hold until this further information is received and reviewed.

Very truly yours,

A handwritten signature in black ink that reads "Marge Schmuckal".

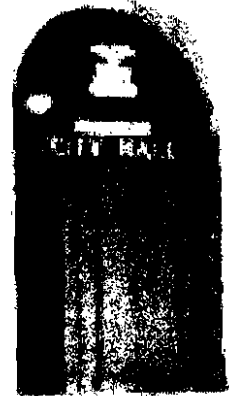
Marge Schmuckal
Zoning Administrator

cc: Mark Adelson, Housing & Neighborhood Services Division Director
Penny Littell, Corporation Counsel

City of Portland INSPECTION SERVICES

Room 315
389 Congress Street
Portland, Maine 04101

Telephone: 207-874-8703 or 207-874-8693
Facsimile: 207-874-8716



FACSIMILE TRANSMISSION COVER SHEET

TO: <u>Bonnie Matmolech</u>	FROM: <u>Marge Schuckel</u>
FAX NUMBER: <u>791-3111</u>	NUMBER OF PAGES, WITH COVER: <u>2</u>
TELEPHONE: _____	RE: <u>52 Bramhall St</u>
DATE: <u>3/15/04</u>	_____

Comments:

The original will be sent in the
mail —
Marge

February 17, 2004

Resubmitted 2/18/04

VIA HAND DELIVERY

Marge Schmuckal
Zoning Administrator
City of Portland
389 Congress Street
Portland, Maine 04101

RE: 52 Bramhall Street, Portland, Maine

Dear Marge:

Enclosed is an application for a permit to convert the above-referenced property into a condominium, the notices to the occupants of the property as of March 1, 2003 that Mr. Simonds was able to locate after diligent inquiry, together with ~~a~~ checks in the amount of ~~\$275.00~~ made payable to the City of Portland. This fee includes payments of the following amounts: \$75.00 for conversion of the building into 3 condominium units; \$100.00 to reverse the Stop Work Order; and \$100.00 for the delayed application for the conversion permit. 875.00

It is Mr. Simonds position that the City of Portland Ordinance requiring notices to occupants in condominium conversions does not apply to this property in light of the City's demand to Mr. Simonds that he relocate all occupants because they were not legal tenants. However, the notices to the occupants of the property have been sent at your request, and this should not be construed as an agreement by Mr. Simonds, as Trustee, that the notice requirement is applicable to this property. We reserve his right to contest any such requirement and the stop work order issued by the City.

Please contact me with any questions you may have regarding the enclosed.

Very truly yours,

Bonnie L. Martinolich
Bonnie L. Martinolich

Enclosures

cc: Gordon D. Simonds, Trustee

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 054 D003001
 Location 52 BRAMHALL ST
 Land Use THREE FAMILY

Owner Address SIMONDS GORDON D TRUSTEE R G SIMONDS TRUST
 104 WEST ST
 PORTLAND ME 04102

Book/Page 17505/181
 Legal 54-D-3
 BRAMHALL ST 50-52
 RUSSELL ST 6-8
 3950 SF

Valuation Information

Land	Building	Total
\$32,970	\$127,050	\$160,020

Property Information

Year Built 1910	Style Old Style	Story Height 2	Sq. Ft. 3910	Total Acres 0.091		
Bedrooms 6	Full Baths 3	Half Baths	Total Rooms 18	Attic Full Finsh	Basement Full	

Outbuildings

Type	Quantity	Year Built	Size	Grade	Condition
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Sales Information

Data	Type	Price	Book/Page
04/01/2002	LAND + BLDING		17505-181
04/01/1998	LAND + BLDING		13732-294
03/01/1997	LAND + BLDING	\$132,500	12971-006

Picture and Sketch

Picture Sketch

[Click here](#) to view Tax Roll Information.

Any information concerning tax payments should be directed to the Treasury office at 874-8490 or e-mailed.



Submit with Condominium Conversion Permit Application

Project Data:

Address: 52 Bramhall Street, Portland, Maine

C-B-L: 54-D-3

Number of units in building: 3

Occupants as of March 1, 2003

	Tenant name	Tenant tel. #	occup. length	Date of notice	eligible for \$?
Unit 1 ✓	Jeanette Ayon Donna King	772-4512 828-1151 (wk)	8 mos. 8 mos.		unknown unknown
Unit 2 ✓	Steve and Harriet Kissell	771-9972	4 years	[left Portland]	unknown
Unit 3 ✓	Daniel Shaw 2 David Rundin	unknown	2 years 1 mos 11 months		unknown unknown
Unit 4 ✓	Joel Harris	879-7949	10 months		unknown
Unit 5 ✓	Dorothy Fickett Michael Belanger	unknown 667-5179 (mother)	8 mos 11 mos		unknown unknown
Unit 6					
Unit 7					
Unit 8					

If more units, submit same information on all units

Length of time building owned by applicant 1.75 years by Trust (6 years by Ruth Simonds)

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:

\$ N/A exterior walls, windows, doors, roof

\$ N/A insulation

\$ 7,000 interior cosmetics (walls/floors/ hallways refinishing, etc.)

\$ N/A other (specify)

BONNIE L. MARTINOLICH
bmartino@preti.com
Direct Dial: 207.791.3252

February 10, 2004

VIA REGULAR MAIL

Jeanette Ayon
104 West Street
Portland, Maine 04101

RE: Notice of Condominium

Dear Ms. Ayon:

I am writing on behalf of Gordon Simonds, in his capacity as sole Trustee of the R.G. Simonds Trust, in order to provide you with proper notice of your rights as a condominium occupant under both Maine law and the ordinances of the City of Portland. Mr. Simonds is first obligated to inform you that the condominium, known as 52 Bramhall Street Condominium (the "Condominium"), was created by the conversion of a rental property. On behalf of Mr. Simonds, I have enclosed a copy of the Public Offering Statement for the Condominium.

Furthermore, because the application for conversion has not yet officially been processed by the Inspector of the City of Portland, Mr. Simonds must also formally offer you the opportunity to purchase the condominium that you were occupying in March of 2003. This offer must be open to you for up to 60 days. This offer is an exclusive to you and the other occupants of your unit as of March 1, 2003 and is an irrevocable option to buy that is not assignable. If you do not accept the offer within 60 days, Mr. Simonds, for 180 days afterwards, may not offer or convey the condominium unit you occupied in March of 2003 to another person on terms more favorable than yours, unless he has first made the same offer to you and such other occupants as of March 1, 2003 and left it open for 60 more days. If you are still living at 52 Bramhall Street, Mr. Simonds could not alter the terms of your lease for 120 days. The law also requires that Mr. Simonds tell you the following:

If you do not buy your apartment, the developer of this project is required by law to assist you in finding another place to live and in determining your eligibility for relocation payments. If you have questions about your rights under the law, or complaints about the way you have been treated by the developer, you may contact the Building Inspection Division, Department of Planning and Urban Development, City of Portland, 389 Congress Street, Portland, Maine 04101 (telephone: 874-8703).

In addition, if for some reason you were to reject the unit and not purchase it, Mr. Simonds would have to make a cash payment to you if you meet the eligibility requirements for such payment. This payment would be equivalent to the amount of rent you paid (or would have) for the 2 months preceding your leaving your

PRETI FLAHERTY
Jeanette Ayon
February 10, 2004
Page 2

unit at 52 Bramhall Street. However, in order to be eligible for such a payment your income must be less than 80% of the median income of the Portland SMSA as determined by the U.S. Department of Housing and Urban Development. Please also remember, as discussed above, that Mr. Simonds must assist you in determining your eligibility for relocation payments and, furthermore, upon your request, he must furnish you with referrals to other accommodations.

Finally, you have a right to a copy of Mr. Simonds' conversion permit for the Condominium once obtained. Please be aware that none of the rights discussed in this letter are waivable under any circumstances. I hope that I have made your rights sufficiently clear to you.

Very truly yours,



Bonnie L. Martinolich

Enclosure

BONNIE L. MARTINOLICH
bmartino@preti.com
Direct Dial: 207.791.3252

February 10, 2004

VIA REGULAR MAIL

Michael Belanger
130 Danforth St., Apt. 4
Portland, Maine 04101

RE: Notice of Condominium

Dear Mr. Belanger:

I am writing on behalf of Gordon Simonds, in his capacity as sole Trustee of the R.G. Simonds Trust, in order to provide you with proper notice of your rights as a condominium occupant under both Maine law and the ordinances of the City of Portland. Mr. Simonds is first obligated to inform you that the condominium, known as 52 Bramhall Street Condominium (the "Condominium"), was created by the conversion of a rental property. On behalf of Mr. Simonds, I have enclosed a copy of the Public Offering Statement for the Condominium.

Furthermore, because the application for conversion has not yet officially been processed by the Inspector of the City of Portland, Mr. Simonds must also formally offer you the opportunity to purchase the condominium that you were occupying in March of 2003. This offer must be open to you for up to 60 days. This offer is an exclusive to you and the other occupants of your unit as of March 1, 2003 and is an irrevocable option to buy that is not assignable. If you do not accept the offer within 60 days, Mr. Simonds, for 180 days afterwards, may not offer or convey the condominium unit you occupied in March of 2003 to another person on terms more favorable than yours, unless he has first made the same offer to you and such other occupants as of March 1, 2003 and left it open for 60 more days. If you are still living at 52 Bramhall Street, Mr. Simonds could not alter the terms of your lease for 120 days. The law also requires that Mr. Simonds tell you the following:

If you do not buy your apartment, the developer of this project is required by law to assist you in finding another place to live and in determining your eligibility for relocation payments. If you have questions about your rights under the law, or complaints about the way you have been treated by the developer, you may contact the Building Inspection Division, Department of Planning and Urban Development, City of Portland, 389 Congress Street, Portland, Maine 04101 (telephone: 874-8703).

In addition, if for some reason you were to reject the unit and not purchase it, then before you vacate the premises, Mr. Simonds would have to make a cash payment to you if you meet the eligibility requirements for such payment. This payment would be equivalent to the amount of rent you paid (or would have) for the 2

PRETI FLAHERTY
Michael Belanger
February 10, 2004
Page 2

months preceding your leaving your unit at 52 Bramhall Street. However, in order to be eligible for such a payment your income must be less than 80% of the median income of the Portland SMSA as determined by the U.S. Department of Housing and Urban Development. Please also remember, as discussed above, that Mr. Simonds must assist you in determining your eligibility for relocation payments and, furthermore, upon your request, he must furnish you with referrals to other accommodations.

Finally, you have a right to a copy of Mr. Simonds' conversion permit for the Condominium once obtained. Please be aware that none of the rights discussed in this letter are waivable under any circumstances. I hope that I have made your rights sufficiently clear to you.

Very truly yours,



Bonnie L. Martinolich

Enclosure

February 10, 2004

VIA REGULAR MAIL

Joel Harris
245 High Street
Portland, Maine 04101

RE: Notice of Condominium

Dear Mr. Harris:

I am writing on behalf of Gordon Simonds, in his capacity as sole Trustee of the R.G. Simonds Trust, in order to provide you with proper notice of your rights as a condominium occupant under both Maine law and the ordinances of the City of Portland. Mr. Simonds is first obligated to inform you that the condominium, known as 52 Bramhall Street Condominium (the "Condominium"), was created by the conversion of a rental property. On behalf of Mr. Simonds, I have enclosed a copy of the Public Offering Statement for the Condominium.

Furthermore, because the application for conversion has not yet officially been processed by the Inspector of the City of Portland, Mr. Simonds must also formally offer you the opportunity to purchase the condominium that you were occupying in March of 2003. This offer must be open to you for up to 60 days. This offer is an exclusive to you and the other occupants of your unit as of March 1, 2003 and is an irrevocable option to buy that is not assignable. If you do not accept the offer within 60 days, Mr. Simonds, for 180 days afterwards, may not offer or convey the condominium unit you occupied in March of 2003 to another person on terms more favorable than yours, unless he has first made the same offer to you and such other occupants as of March 1, 2003 and left it open for 60 more days. If you are still living at 52 Bramhall Street, Mr. Simonds could not alter the terms of your lease for 120 days. The law also requires that Mr. Simonds tell you the following:

If you do not buy your apartment, the developer of this project is required by law to assist you in finding another place to live and in determining your eligibility for relocation payments. If you have questions about your rights under the law, or complaints about the way you have been treated by the developer, you may contact the Building Inspection Division, Department of Planning and Urban Development, City of Portland, 389 Congress Street, Portland, Maine 04101 (telephone: 874-8703).

In addition, if for some reason you were to reject the unit and not purchase it, Mr. Simonds would have to make a cash payment to you if you meet the eligibility requirements for such payment. This payment would be equivalent to the amount of rent you paid (or would have) for the 2 months preceding your leaving your

PRETI FLAHERTY
Joel Harris
February 10, 2004
Page 2

unit at 52 Bramhall Street. However, in order to be eligible for such a payment your income must be less than 80% of the median income of the Portland SMSA as determined by the U.S. Department of Housing and Urban Development. Please also remember, as discussed above, that Mr. Simonds must assist you in determining your eligibility for relocation payments and, furthermore, upon your request, he must furnish you with referrals to other accommodations.

Finally, you have a right to a copy of Mr. Simonds' conversion permit for the Condominium once obtained. Please be aware that none of the rights discussed in this letter are waivable under any circumstances. I hope that I have made your rights sufficiently clear to you.

Very truly yours,



Bonnie L. Martinolich

Enclosure

February 10, 2004

VIA REGULAR MAIL

Steve and Harriet Kissell
52 Bramhall Street
Portland, Maine 04101

RE: Notice of Condominium

Dear Mr. and Mrs. Kissell:

I am writing on behalf of Gordon Simonds, in his capacity as sole Trustee of the R.G. Simonds Trust, in order to provide you with proper notice of your rights as a condominium occupant under both Maine law and the ordinances of the City of Portland. Mr. Simonds is first obligated to inform you that the condominium, known as 52 Bramhall Street Condominium (the "Condominium"); was created by the conversion of a rental property. On behalf of Mr. Simonds, I have enclosed a copy of the Public Offering Statement for the Condominium.

Furthermore, because the application for conversion has not yet officially been processed by the Inspector of the City of Portland, Mr. Simonds must also formally offer you the opportunity to purchase the condominium that you currently occupy. This offer must be open to you for up to 60 days. This offer is an exclusive to you and the other occupants of your unit as of March 1, 2003 and is an irrevocable option to buy that is not assignable. If you do not accept the offer within 60 days, Mr. Simonds, for 180 days afterwards, may not offer or convey the condominium unit you currently occupy to another person on terms more favorable than yours, unless he has first made the same offer to you and such other occupants as of March 1, 2003 and left it open for 60 more days. Mr. Simonds also cannot alter the terms of your current lease for 120 days. The law also requires that Mr. Simonds tell you the following:

If you do not buy your apartment, the developer of this project is required by law to assist you in finding another place to live and in determining your eligibility for relocation payments. If you have questions about your rights under the law, or complaints about the way you have been treated by the developer, you may contact the Building Inspection Division, Department of Planning and Urban Development, City of Portland, 389 Congress Street, Portland, Maine 04101 (telephone: 874-8703).

In addition, if for some reason you were to reject the unit and not purchase it, then before you are required by Mr. Simonds, as Trustee, to vacate the premises, Mr. Simonds would have to make a cash payment to you if you meet the eligibility requirements for such payment. This payment would be equivalent to the amount of rent you paid (or would have) for the preceding 2 months. However, in order

PRETI FLAHERTY
Steve and Harriet Kissell
February 10, 2004
Page 2

to be eligible for such a payment your income must be less than 80% of the median income of the Portland SMSA as determined by the U.S. Department of Housing and Urban Development. Please also remember, as discussed above, that Mr. Simonds must assist you in determining your eligibility for relocation payments and, furthermore, upon your request, he must furnish you with referrals to other accommodations.

Finally, you have a right to a copy of Mr. Simonds' conversion permit for the Condominium once obtained. Please be aware that none of the rights discussed in this letter are waivable under any circumstances. I hope that I have made your rights sufficiently clear to you.

Very truly yours,



Bonnie L. Martinolich

Enclosure

PA ARCKY

8/9/06

52 Bramhall Street

52 Bramhall is a three story, three unit, 4,420 square foot, wood framed, vinyl sided residence located 150 feet from the main entrance to the Maine Medical Center. Heat is gas, hot water central heat. There are three gas water heaters and three separate 100 amp electric services. The flooring is typically oak or carpeted. Walls are typically plaster and sheetrock. Ceilings are typically plaster or sheetrock.

The first floor unit (six rooms) consists of four bedrooms, three bathrooms, a living room and an eat-in kitchen. It is approximately 1,650 square feet.

The second floor unit (six rooms) consists of four bedrooms, three bathrooms, a living room and an eat-in kitchen. It is approximately 1,650 square feet.

The third floor unit (five rooms) consists of three bedrooms, one bathroom, a living room and an eat-in kitchen and is approximately 920 square feet.

Attached hereto are floor plans of each unit and copy of a Class D survey dated January 12, December 10, 1983.

4

4

3

11 Rooms

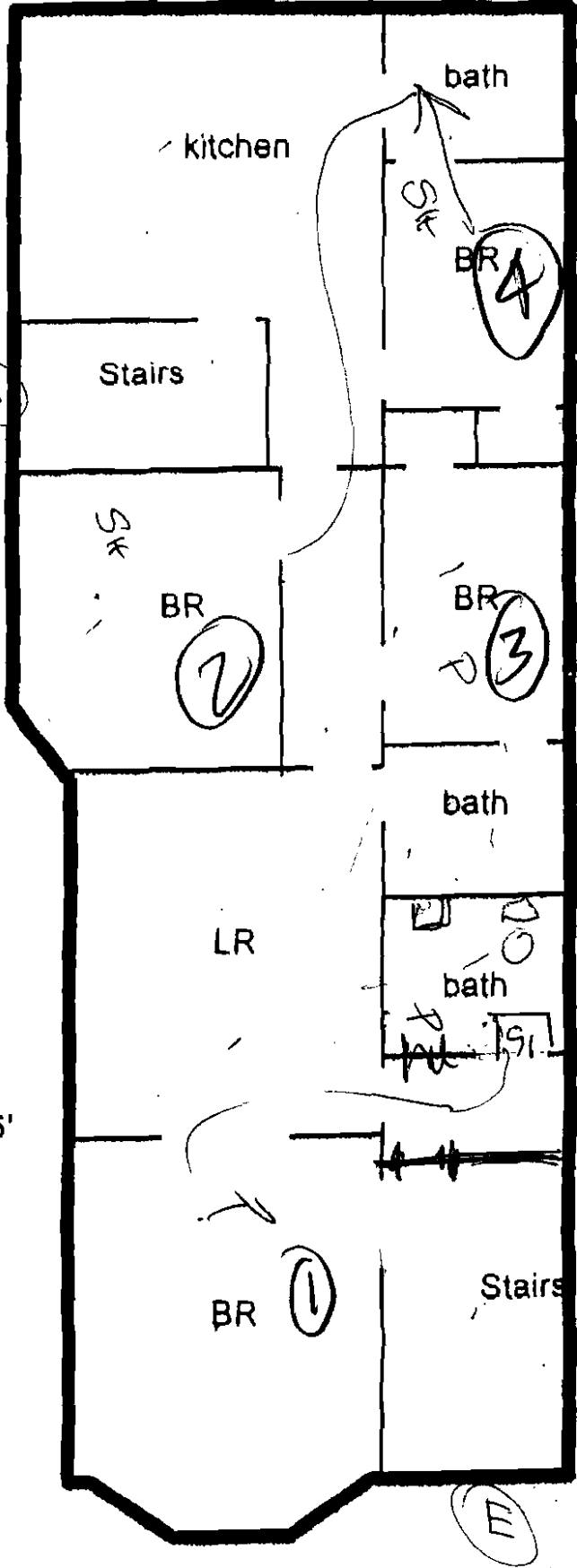
1/1/92

There are five parking spaces in the paved area at the rear of the building with direct access from Russell Street

52 BRAMHALL STREET

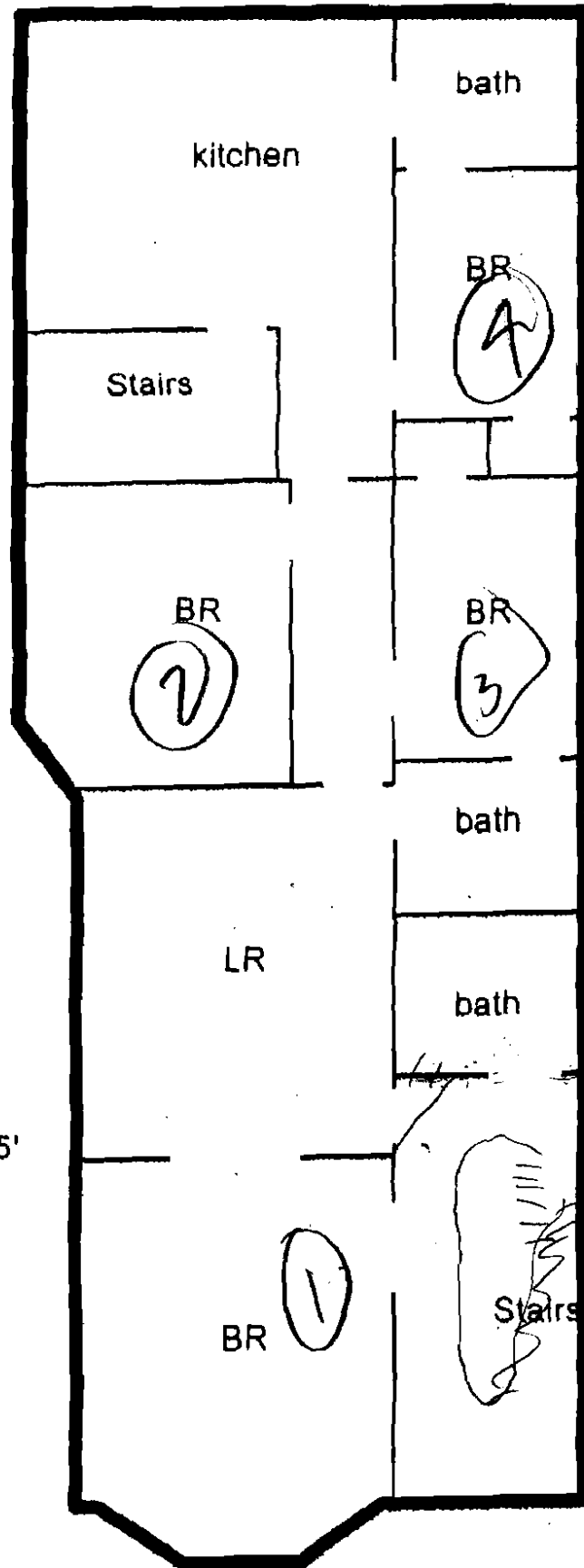
FIRST FLOOR

This Apartment consists of six rooms – four bedrooms and three bathrooms



STREET

31.5'

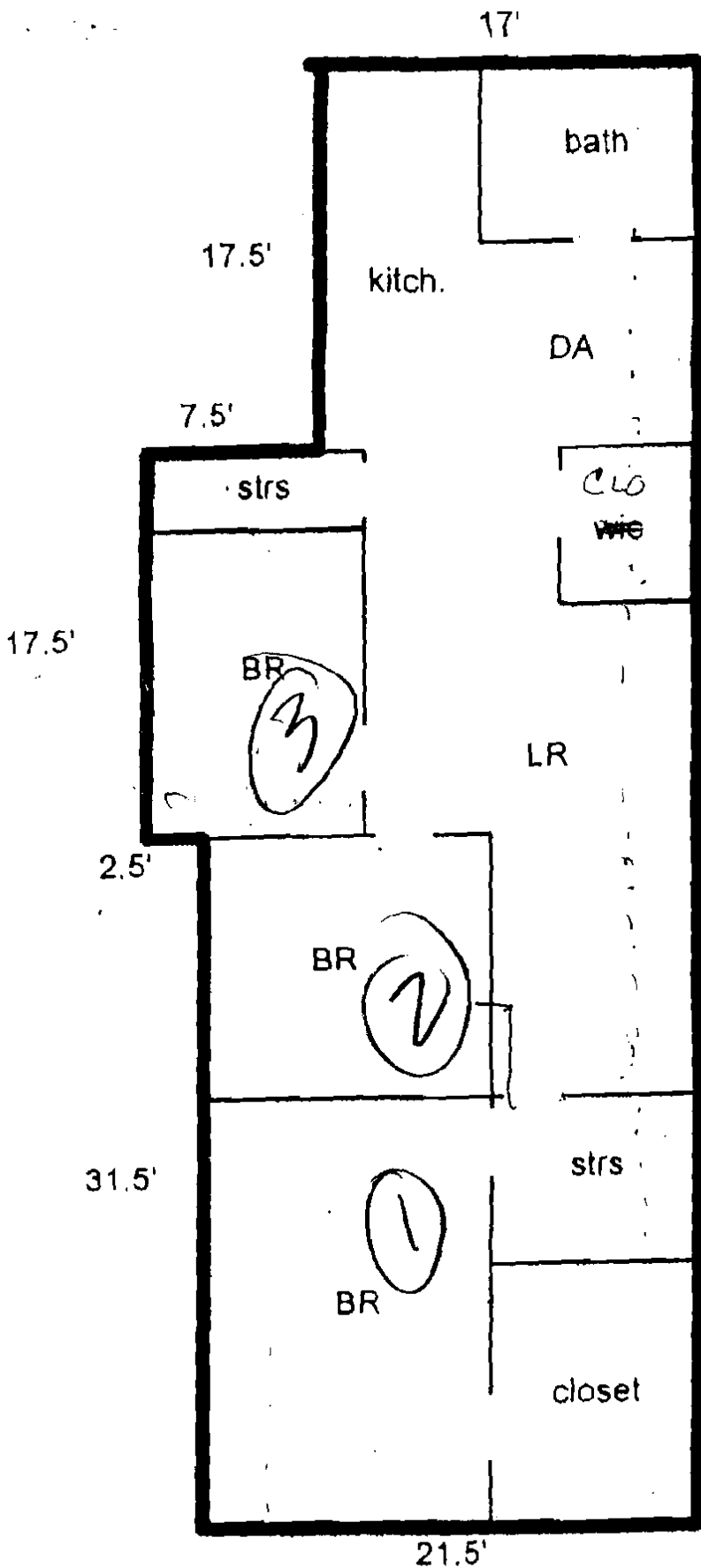


52 BRAMHALL STREET

SECOND FLOOR

This apartment consists of
six rooms - four bedrooms and
three bathrooms

STREET



52 BRAMHALL STREET

THIRD FLOOR

This apartment consists of
 five rooms – three bedrooms and
 one bathroom

STREET

CERTIFICATION PLAN CLASS D SURVEY

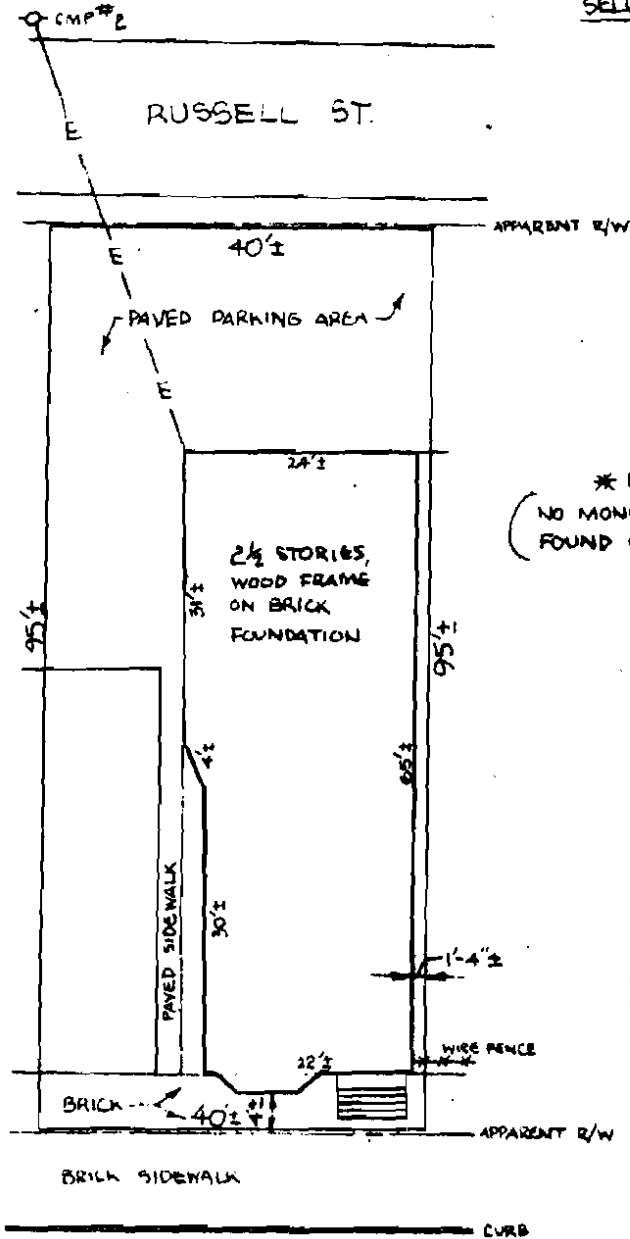
52 BRAMHALL ST.
PORTLAND, ME.

No 185-41

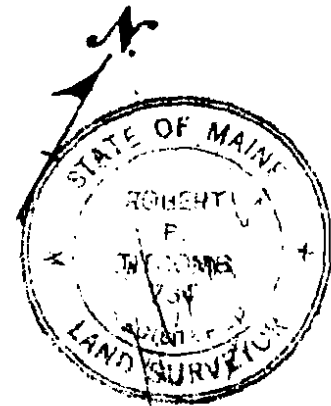
I hereby certify that the location of the dwelling shown on this plan does conform with the local zoning laws in effect at the time of construction. The property ~~does not~~ fall within a special flood hazard zone.

BUYER: GREENSTEIN, DANIEL M. &
ELIZABETH TAMM

SELLER: JOYCE, THERESA L. &
MARTIN J.



* NOTE *
(NO MONUMENTATION
FOUND ON LOT)



BRAMHALL ST.

This plan was not made from an instrument survey
The certifications are for mortgage purposes only
This plan applies only to conditions existing as of the
date shown hereon. This plan is not for recording

Date 1/12/83 Scale 1"=20'

Robert P. Titcomb, Inc. Falmouth, Maine

52 Bramhall St

1st floor 5 rms - 3 Bath - in wall

2nd floor - Steve Kussell

3rd floor 3 rooms kitchen bath

been ^{gone} long many yrs ago" Garden

(11)

1/29/04

Zoning Division
Marge Schmuckal
Zoning Administrator

Department of Planning & Development
Lee Urban, Director



CITY OF PORTLAND

January 26, 2004

Gordon D. Simonds Trustee, RG Simonds Trust
104 West Street
Portland, ME 04102

RE: 50-52 Bramhall St. & 6-8 Russell St. – 054-D-003 – R-6 Zone – Legal use: three rental dwelling units

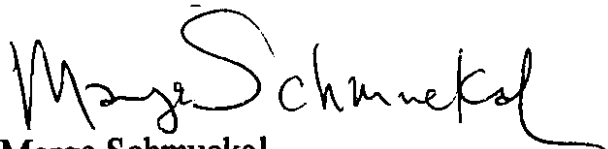
Dear Mr. Simonds,

A recent inspection of your building located at 52 Bramhall Street shows that you are marketing this property for condominiums. As you know the City of Portland has a Condominium conversion ordinance which specifically states (section 14-570), “Before conveying or offering to convey a converted unit, the developer shall obtain a conversion permit from the Building Inspections division...”. Our office has no record of such a required application. This is not an unknown requirement to you. I have had to notify you previously on several other properties that you own. This office considers this a willful disregard of the City’s Ordinances.

It appears that you have vacated the building of all tenants. The City’s court order inspection of this building on April 10, 2002 revealed that the building was completely occupied. All previous tenants who were vacated shall be notified of their protected rights under the condominium conversion ordinance as required by regulation. You possibly owe some of these tenants two months back rent. You are responsible for being aware of those rights afforded to your tenants under this ordinance.

This is a **STOP WORK ORDER**. All work, such as electrical, plumbing and building work shall cease immediately. All marketing shall cease relating to the selling of condominiums until a valid Condominium Conversion permit has been applied for and issued as required by ordinance. The sign advertising condos shall be removed immediately. You will be liable for all Stop Work Order fees and belated fees and any other fees relating to doing work without a valid permit along with the regular fees. You are required to come in immediately to apply for all the appropriate permits.

Very truly yours,

A handwritten signature in black ink that reads "Marge Schmuckal". The signature is written in a cursive style with a large, prominent "S" for the first letter of the last name.

Marge Schmuckal
Zoning Administrator

CC: File

Division
Schmuckal
Zoning Administrator

Department of Urban Development
Joseph E. Gray, Jr.
Director



CITY OF PORTLAND

Ruth G. Simonds
C/O Gordon Simonds
104 West Street
Portland, ME 04102

December 8, 2000

RE: 52 Bramhall Street - 054-D-003 - R-6 requirements

Dear Gordon,

Please note that a recent inspection of your property at 52 Bramhall Street showed that 10 rooming units have been established at this location. Our files show that only three (3) dwelling units are presently legal. There has been a change of use without the benefit of proper permits or approvals as required under section 14-463. Our Zoning Ordinance clearly defines the difference between a dwelling unit and a rooming unit within the definition section 14-47. You have already been supplied a copy of these definitions at our December 5, 2000 meeting.

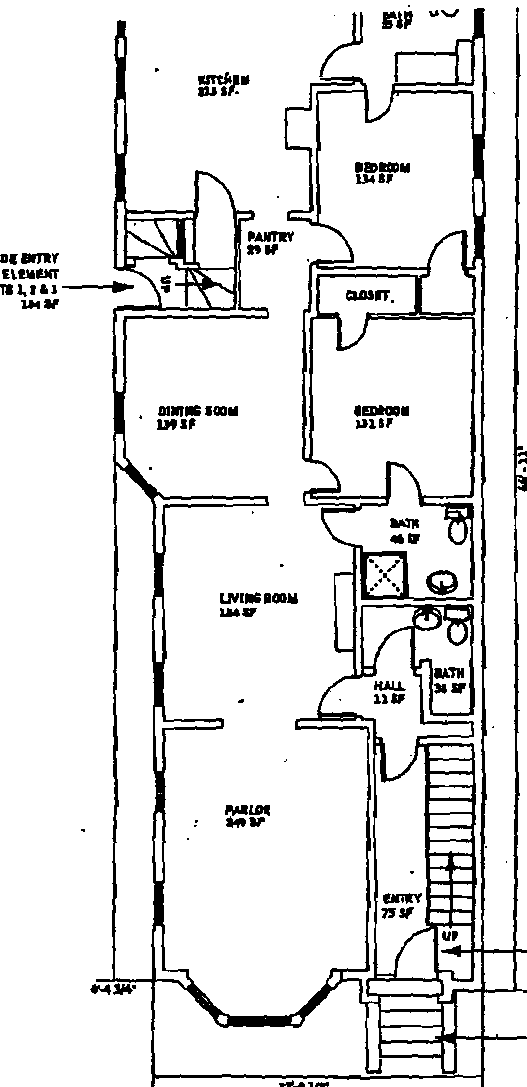
It will be necessary to bring your building into compliance with the requirements of the Portland Zoning Ordinance. You have 30 days from the date of this revised letter in which to bring this building into compliance. You have several options. First, you may remove the illegal units, and show us plans through a permit application of how the floor plans have changed and how the illegal units have been incorporated into the rest of the building. We shall require detailed floor plans with dimensions, egresses indicated, and specific room layouts.

Secondly, you have the right to appeal to the Zoning Board of Appeals to request a variance to allow the ten units. The R-6 zone requires 1,000 sq. ft. of land area per dwelling unit (section 14-139). Rooming units have separate requirements under the ordinance. Presently this land consists of 3,950 sq. ft. of land area. Please note that variance appeals are very difficult to have granted from the Zoning Board of Appeals. You have 30 days from the date of this revised letter in which to appeal. If you wish to exercise your right to appeal, please contact this office immediately for the required paperwork.

Very truly yours,

Marge Schmuckal
Zoning Administrator

CC: Mark Adelson, Neighborhood and Housing Services
Mike Nugent, Neighborhood and Housing Services
Jon Reed, Code Enforcement Officer
Corporation Counsel
File



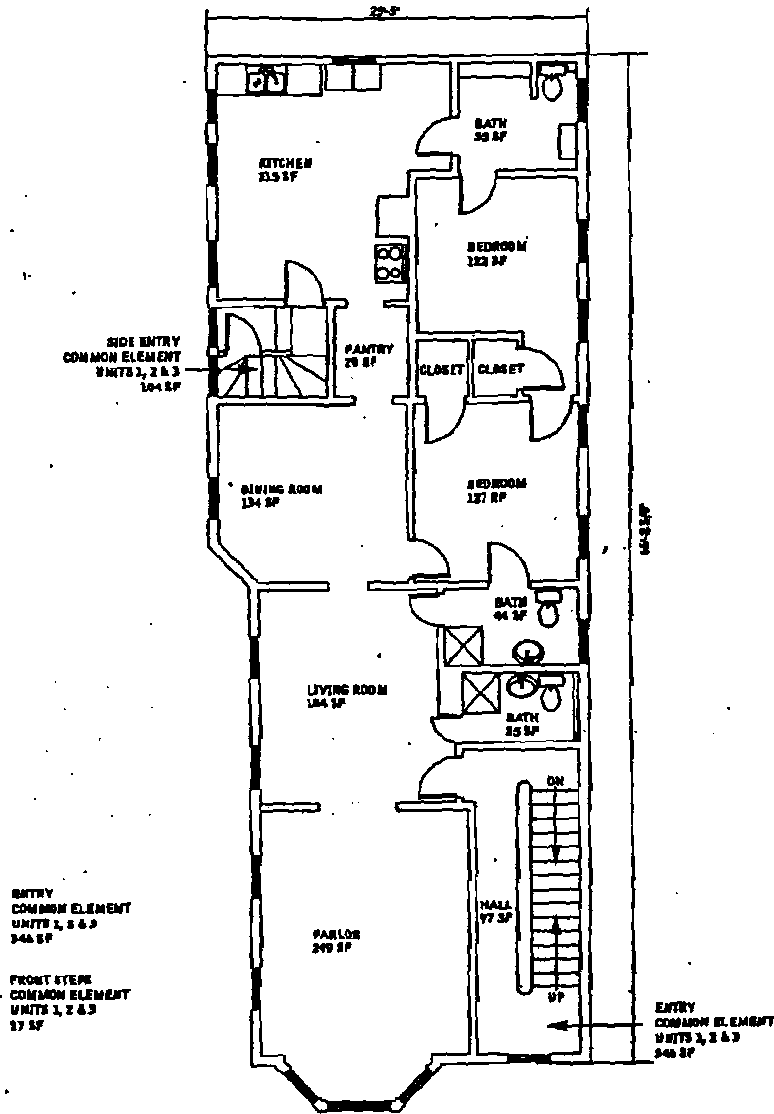
52 Bramhall
Unit One / First Floor

GROSS SF	1597 SF
NET SF	1219 SF
COMMON ELEMENT	378 SF

NOTES:

1. FIELD MEASUREMENTS BY WRLO, LLC AND TUNK TRACY AND LARRY ARCHITECTS
2. DRAWINGS FOR CONDO DOCUMENTATION, NOT FOR CONSTRUCTION PURPOSES
3. THIS PLAN DOES NOT INCLUDE POTENTIAL BASEMENT STORAGE

03.24.03

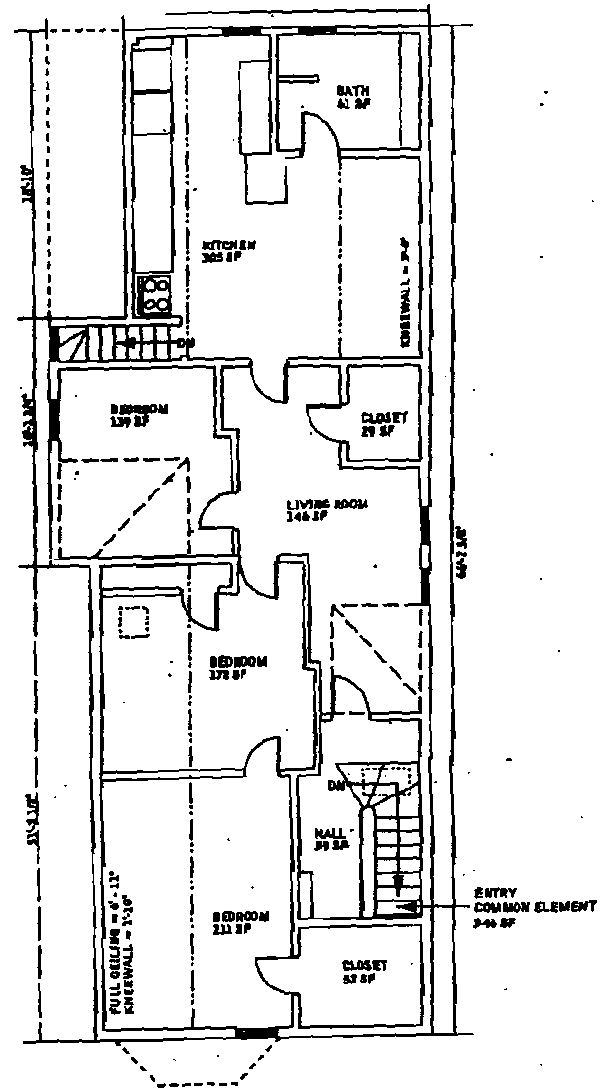


52 Bramhall
Unit Two / Second Floor

GROSS SF	1597 SF
NET SF	1229 SF
COMMON ELEMENT	368 SF

NOTES:

1. FIELD MEASUREMENTS BY WRLO, LLC AND TUNK TRACY AND LARRY ARCHITECTS
2. DRAWINGS FOR CONDO DOCUMENTATION, NOT FOR CONSTRUCTION PURPOSES
3. THIS PLAN DOES NOT INCLUDE POTENTIAL BASEMENT STORAGE



52 Bramhall
Unit Three / Third Floor

GROSS SF	1386 SF
NET SF	1099 SF
COMMON ELEMENT	286 SF

NOTES:

1. FIELD MEASUREMENTS BY WRLO, LLC AND TUNK TRACY AND LARRY ARCHITECTS
2. DRAWINGS FOR CONDO DOCUMENTATION, NOT FOR CONSTRUCTION PURPOSES
3. THIS PLAN DOES NOT INCLUDE POTENTIAL BASEMENT STORAGE

03.24.03

PretiFlaherty

BONNIE L. MARTINOLICH
bmartinolich@preti.com
Direct Dial: 207-791-3252

April 1, 2004

VIA HAND DELIVERY

Marge Schmuckal
Zoning Administrator
City of Portland
389 Congress Street
Portland, Maine 04101

RE: 52 Bramhall Street, Portland, Maine

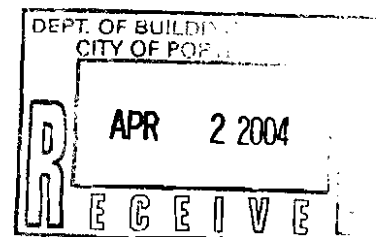
Dear Marge:

This is in response to your letter of March 15, 2004. I will again emphasize that the occupants of 52 Bramhall Street were not "in lawful possession of a rental unit" as determined by the City itself in a letter to Mr. Simonds. I reiterate Mr. Simonds' position that the City of Portland Ordinance requiring notices to occupants in condominium conversions does not apply to 52 Bramhall Street in light of the discussion above. You should not construe Mr. Simonds acquiescence in sending the notices as his agreement that the requirement is applicable to this property. We reserve his right to contest any such requirement.

I will answer your last question first. The building is not vacated of all occupants as Mr. and Mrs. Kissel continue to occupy the second floor.

As for the other tenants in the building at March 2003, the relocation date for each is as follows:

Jeanette Ayon	March 10, 2003
Donna King	July 17, 2003
Daniel Shaw	July 17, 2003
David Rundin	June 15, 2003
Dorothy Fickett	July 10, 2003
Michael Belanger	August 1, 2003
Joel Harris	July 4, 2003



PORT: 524620.1

PRETI FLAHERTY
Marge Schmuckal
Zoning Administrator
April 1, 2004
Page 2

I would also like to correct a typographical error on page 2 of the conversion application – under the heading “Date of notice”, please move the notation “[left Portland]” next to the name of Daniel Shaw. It does not apply to Mr. & Mrs. Kissel as they continue to reside in the property. I regret any inconvenience this may cause you.

The balance of your letter seemed to suggest that Mr. Simonds was unable to identify who was occupying the property in March of 2003 when the condominium was created. That is not the case – such occupants are listed on the building permit application. Rather, locating some of the folks now is the problem. For those occupants that moved out of 52 Bramhall Street and for whom Mr. Simonds had no forwarding address or other information, he or someone on his behalf (i) called the emergency telephone number, if any, that was provided in the occupant’s application and left a message if that was possible (in some cases the number had been disconnected); and (ii) called the work telephone number, if any, that was provided in each occupant’s application (in Mr. Rubin’s case, he is no longer employed by such employer). In addition, Mr. Shaw left the property on his own without paying the considerable amount of money he owed Mr. Simonds for his occupancy of the property. Obviously, Mr. Shaw left no forwarding information.

On redoubling his efforts, Mr. Simonds was able to locate Ms. King and a copy of the condominium notice sent to her is attached to this letter. We have also sent a copy of the condominium notice to the remaining three occupants at their last known address. A copy of each of their notices is enclosed.

Mr. Simonds has paid all of the fees demanded by the City and has otherwise complied with the City’s condominium ordinance even though the application of the notice requirement does not properly apply to this property. I respectfully request that Mr. Simonds’ application be promptly processed and the condominium permit issued.

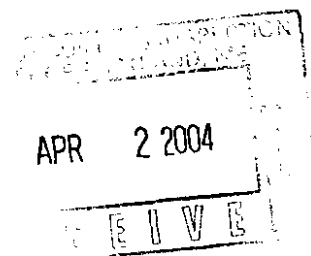
Please contact me with any questions you may have regarding the enclosed.

Very truly yours,


Bonnie L. Martinolich

Enclosures

cc: Gordon D. Simonds, Trustee



PreTiFlaherty

BONNIE L. MARTINOLICH
bmartino@preti.com
Direct Dial: 207.791.3252

April 1, 2004

VIA REGULAR MAIL

Daniel Shaw
52 Bramhall Street
Portland, Maine 04101

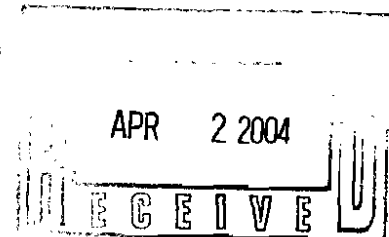
RE: Notice of Condominium

Dear Mr. Shaw:

I am writing on behalf of Gordon Simonds, in his capacity as sole Trustee of the R.G. Simonds Trust, in order to provide you with proper notice of your rights as a condominium occupant under both Maine law and the ordinances of the City of Portland. Mr. Simonds is first obligated to inform you that the condominium, known as 52 Bramhall Street Condominium (the "Condominium"), was created by the conversion of a rental property. On behalf of Mr. Simonds, I have enclosed a copy of the Public Offering Statement for the Condominium.

Furthermore, because the application for conversion has not yet officially been processed by the Inspector of the City of Portland, Mr. Simonds must also formally offer you the opportunity to purchase the condominium that you were occupying in March of 2003. Unit 2 is offered to you at the purchase price of \$240,000. This offer must be open to you for up to 60 days. This offer is an exclusive to you and the other occupants of your unit as of March 1, 2003 and is an irrevocable option to buy that is not assignable. If you do not accept the offer within 60 days, Mr. Simonds, for 180 days afterwards, may not offer or convey the condominium unit you occupied in March of 2003 to another person on terms more favorable than yours, unless he has first made the same offer to you and such other occupants as of March 1, 2003 and left it open for 60 more days. If you are still living at 52 Bramhall Street, Mr. Simonds could not alter the terms of your lease for 120 days. The law also requires that Mr. Simonds tell you the following:

If you do not buy your apartment, the developer of this project is required by law to assist you in finding another place to live and in determining your eligibility for relocation payments. If you have questions about your rights under the law, or complaints about the way you have been treated by the developer, you may contact the Building Inspection Division, Department of Planning and Urban Development, City of Portland, 389 Congress Street, Portland, Maine 04101 (telephone: 874-8703).



In addition, if for some reason you were to reject the unit and not purchase it, Mr. Simonds would have to make a cash payment to you if you meet the eligibility requirements for such payment. This payment would be equivalent to the amount of rent you paid (or would have) for the 2 months preceding your leaving your unit at 52 Bramhall Street. However, in order to be

PRETI FLAHERTY
Daniel Shaw
April 1, 2004
Page 2

eligible for such a payment your income must be less than 80% of the median income of the Portland SMSA as determined by the U.S. Department of Housing and Urban Development. Please also remember, as discussed above, that Mr. Simonds must assist you in determining your eligibility for relocation payments and, furthermore, upon your request, he must furnish you with referrals to other accommodations.

Finally, you have a right to a copy of Mr. Simonds' conversion permit for the Condominium once obtained. Please be aware that none of the rights discussed in this letter are waivable under any circumstances. I hope that I have made your rights sufficiently clear to you.

Very truly yours,



Bonnie L. Martinolich

Enclosure

OFFICE OF BUILDING INSPECTION
CITY OF PORTLAND, ME

APR 2 2004

10 W 1

PretiFlaherty

BONNIE L. MARTINOLICH
bmartino@preti.com
Direct Dial: 207.791.3252

April 1, 2004

VIA REGULAR MAIL

Dorothy Fickett
245 High Street
Portland, Maine 04101

RE: Notice of Condominium

Dear Ms. Fickett:

I am writing on behalf of Gordon Simonds, in his capacity as sole Trustee of the R.G. Simonds Trust, in order to provide you with proper notice of your rights as a condominium occupant under both Maine law and the ordinances of the City of Portland. Mr. Simonds is first obligated to inform you that the condominium, known as 52 Bramhall Street Condominium (the "Condominium"), was created by the conversion of a rental property. On behalf of Mr. Simonds, I have enclosed a copy of the Public Offering Statement for the Condominium.

Furthermore, because the application for conversion has not yet officially been processed by the Inspector of the City of Portland, Mr. Simonds must also formally offer you the opportunity to purchase the condominium that you were occupying in March of 2003. Unit 3 is offered to you at the purchase price of \$140,000, provided that this purchase price reflects the Unit in its "as is" condition and prior to any rehabilitation. This offer must be open to you for up to 60 days. This offer is an exclusive to you and the other occupants of your unit as of March 1, 2003 and is an irrevocable option to buy that is not assignable. If you do not accept the offer within 60 days, Mr. Simonds, for 180 days afterwards, may not offer or convey the condominium unit you occupied in March of 2003 to another person on terms more favorable than yours, unless he has first made the same offer to you and such other occupants as of March 1, 2003 and left it open for 60 more days. If you are still living at 52 Bramhall Street, Mr. Simonds could not alter the terms of your lease for 120 days. The law also requires that Mr. Simonds tell you the following:

If you do not buy your apartment, the developer of this project is required by law to assist you in finding another place to live and in determining your eligibility for relocation payments. If you have questions about your rights under the law, or complaints about the way you have been treated by the developer, you may contact the Building Inspection Division, Department of Planning and Urban Development, City of Portland, 389 Congress Street, Portland, Maine 04101 (telephone: 874-8703).

In addition, if for some reason you were to reject the unit and not purchase it, Mr. Simonds would have to make a cash payment to you if you meet the eligibility requirements for such payment. This payment would be equivalent to the amount of rent you paid (or would have) for

DEPARTMENT OF BUILDING INSPECTION
CITY OF PORTLAND, ME

APR 2 2004

RECEIVED

PRETI FLAHERTY
Dorothy Fickett
April 1, 2004
Page 2

the 2 months preceding your leaving your unit at 52 Bramhall Street. However, in order to be eligible for such a payment your income must be less than 80% of the median income of the Portland SMSA as determined by the U.S. Department of Housing and Urban Development. Please also remember, as discussed above, that Mr. Simonds must assist you in determining your eligibility for relocation payments and, furthermore, upon your request, he must furnish you with referrals to other accommodations.

Finally, you have a right to a copy of Mr. Simonds' conversion permit for the Condominium once obtained. Please be aware that none of the rights discussed in this letter are waivable under any circumstances. I hope that I have made your rights sufficiently clear to you.

Very truly yours,



Bonnie L. Martinolich

Enclosure

OF BUILDING INSPECTION
CITY OF PORTLAND, ME

APR 2 2004

PretiFlaherty

BONNIE L. MARTINOLICH
bmartino@preti.com
Direct Dial: 207.791.3252

April 1, 2004

VIA REGULAR MAIL

David Rundin
52 Bramhall Street
Portland, Maine 04101

RE: Notice of Condominium

Dear Mr. Rundin:

I am writing on behalf of Gordon Simonds, in his capacity as sole Trustee of the R.G. Simonds Trust, in order to provide you with proper notice of your rights as a condominium occupant under both Maine law and the ordinances of the City of Portland. Mr. Simonds is first obligated to inform you that the condominium, known as 52 Bramhall Street Condominium (the "Condominium"), was created by the conversion of a rental property. On behalf of Mr. Simonds, I have enclosed a copy of the Public Offering Statement for the Condominium.

Furthermore, because the application for conversion has not yet officially been processed by the Inspector of the City of Portland, Mr. Simonds must also formally offer you the opportunity to purchase the condominium that you were occupying in March of 2003. Unit 2 is offered to you at the purchase price of \$240,000. This offer must be open to you for up to 60 days. This offer is an exclusive to you and the other occupants of your unit as of March 1, 2003 and is an irrevocable option to buy that is not assignable. If you do not accept the offer within 60 days, Mr. Simonds, for 180 days afterwards, may not offer or convey the condominium unit you occupied in March of 2003 to another person on terms more favorable than yours, unless he has first made the same offer to you and such other occupants as of March 1, 2003 and left it open for 60 more days. If you are still living at 52 Bramhall Street, Mr. Simonds could not alter the terms of your lease for 120 days. The law also requires that Mr. Simonds tell you the following:

If you do not buy your apartment, the developer of this project is required by law to assist you in finding another place to live and in determining your eligibility for relocation payments. If you have questions about your rights under the law, or complaints about the way you have been treated by the developer, you may contact the Building Inspection Division, Department of Planning and Urban Development, City of Portland, 389 Congress Street, Portland, Maine 04101 (telephone: 874-8703).

OFFICE OF BUILDING INSPECTION
CITY OF PORTLAND, ME

APR 2 2004

In addition, if for some reason you were to reject the unit and not purchase it, Mr. Simonds would have to make a cash payment to you if you meet the eligibility requirements for such payment. This payment would be equivalent to the amount of rent you paid (or would have) for the 2 months preceding your leaving your unit at 52 Bramhall Street. However, in order to be

PRETI FLAHERTY
David Rundin
April 1, 2004
Page 2

eligible for such a payment your income must be less than 80% of the median income of the Portland SMSA as determined by the U.S. Department of Housing and Urban Development. Please also remember, as discussed above, that Mr. Simonds must assist you in determining your eligibility for relocation payments and, furthermore, upon your request, he must furnish you with referrals to other accommodations.

Finally, you have a right to a copy of Mr. Simonds' conversion permit for the Condominium once obtained. Please be aware that none of the rights discussed in this letter are waivable under any circumstances. I hope that I have made your rights sufficiently clear to you.

Very truly yours,



Bonnie L. Martinolich

Enclosure

DEPUTY CLERK
CITY OF PORTLAND, OR

APR 2 2004



PretiFlaherty

BONNIE L. MARTINOLICH
bmartino@preti.com
Direct Dial: 207.791.3252

April 1, 2004

VIA REGULAR MAIL

Donna King
10 Mellen Street
Portland, Maine 04101

RE: Notice of Condominium

Dear Ms. King:

I am writing on behalf of Gordon Simonds, in his capacity as sole Trustee of the R.G. Simonds Trust, in order to provide you with proper notice of your rights as a condominium occupant under both Maine law and the ordinances of the City of Portland. Mr. Simonds is first obligated to inform you that the condominium, known as 52 Bramhall Street Condominium (the "Condominium"), was created by the conversion of a rental property. On behalf of Mr. Simonds, I have enclosed a copy of the Public Offering Statement for the Condominium.

Furthermore, because the application for conversion has not yet officially been processed by the Inspector of the City of Portland, Mr. Simonds must also formally offer you the opportunity to purchase the condominium that you were occupying in March of 2003. Unit 1 is offered to you at the purchase price of \$240,000. This offer must be open to you for up to 60 days. This offer is an exclusive to you and the other occupants of your unit as of March 1, 2003 and is an irrevocable option to buy that is not assignable. If you do not accept the offer within 60 days, Mr. Simonds, for 180 days afterwards, may not offer or convey the condominium unit you occupied in March of 2003 to another person on terms more favorable than yours, unless he has first made the same offer to you and such other occupants as of March 1, 2003 and left it open for 60 more days. If you are still living at 52 Bramhall Street, Mr. Simonds could not alter the terms of your lease for 120 days. The law also requires that Mr. Simonds tell you the following:

If you do not buy your apartment, the developer of this project is required by law to assist you in finding another place to live and in determining your eligibility for relocation payments. If you have questions about your rights under the law, or complaints about the way you have been treated by the developer, you may contact the Building Inspection Division, Department of Planning and Urban Development, City of Portland, 389 Congress Street, Portland, Maine 04101 (telephone: 874-8703).

In addition, if for some reason you were to reject the unit and not purchase it, Mr. Simonds would have to make a cash payment to you if you meet the eligibility requirements for such payment. This payment would be equivalent to the amount of rent you paid (or would have) for the 2 months preceding your leaving your

BUILDING INSPECTION DIVISION
CITY OF PORTLAND, ME

APR 2 2004

FIVE

PRETI FLAHERTY
Donna King
April 1, 2004
Page 2

unit at 52 Bramhall Street. However, in order to be eligible for such a payment your income must be less than 80% of the median income of the Portland SMSA as determined by the U.S. Department of Housing and Urban Development. Please also remember, as discussed above, that Mr. Simonds must assist you in determining your eligibility for relocation payments and, furthermore, upon your request, he must furnish you with referrals to other accommodations.

Finally, you have a right to a copy of Mr. Simonds' conversion permit for the Condominium once obtained. Please be aware that none of the rights discussed in this letter are waivable under any circumstances. I hope that I have made your rights sufficiently clear to you.

Very truly yours,



Bonnie L. Martinolich

Enclosure

APR 7 2004

RECEIVED

BUILDING PERMIT INSPECTION PROCEDURES

Please call 874-8703 or 874-8693 to schedule your inspections as agreed upon

Permits expire in 6 months, if the project is not started or ceases for 6 months.

The Owner or their designee is required to notify the inspections office for the following inspections and provide adequate notice. Notice must be called in 48-72 hours in advance in order to schedule an inspection:

By initializing at each inspection time, you are agreeing that you understand the inspection procedure and additional fees from a "Stop Work Order" and "Stop Work Order Release" will be incurred if the procedure is not followed as stated below.

Pre-construction Meeting: Must be scheduled with your inspection team upon receipt of this permit. Jay Reynolds, Development Review Coordinator at 874-8632 must also be contacted at this time, before any site work begins on any project other than single family additions or alterations.

Footing/Building Location Inspection: Prior to pouring concrete

Re-Bar Schedule Inspection: Prior to pouring concrete

Foundation Inspection: Prior to placing ANY backfill

Framing/Rough Plumbing/Electrical: Prior to any insulating or drywalling

Final/Certificate of Occupancy: Prior to any occupancy of the structure or use. NOTE: There is a \$75.00 fee per inspection at this point.

Certificate of Occupancy is not required for certain projects. Your inspector can advise you if your project requires a Certificate of Occupancy. All projects DO require a final inspection

If any of the inspections do not occur, the project cannot go on to the next phase, REGARDLESS OF THE NOTICE OR CIRCUMSTANCES.

CERTIFICATE OF OCCUPANCIES MUST BE ISSUED AND PAID FOR, BEFORE THE SPACE MAY BE OCCUPIED

[Signature]
Signature of Applicant/Designee

4/20/04
Date

[Signature]
Signature of Inspections Official

4/29/04
Date

CBL: 054 2003 Building Permit #: 04 0139