

**City of Portland, Maine - Building or Use Permit Application**

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

Permit No: 05-1588	Issue Date: MAR 10 2005	Permit Issued: 057 d014
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Location of Construction: 120 Brackett St	Owner Name: Whyte, Zerine	Owner Address: 122 Elm	Phone: 207-841-4184
Business Name:	Contractor Name:	Contractor Address: CITY	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use - Condo Conversion	Zone: RL

Past Use: 4 unit residential  <i>4 legal d.v.</i>	Proposed Use: 3 unit condominium / Change of use to 4 unit condominium	Permit Fee: \$900.00	Cost of Work: \$900.00	CEO District: 2
Change of use to 4 unit condominium		FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied  <i>101</i>	INSPECTION: Use Group) <i>R2</i> Type: <i>513</i>	
		Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied		
		Signature: _____ Date: _____		

Permit Taken By: Idobson	Date Applied For: 10/27/2005	<b>Zoning Approval</b>	
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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><b>Special Zone or Reviews</b></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 w/ conditions</i> Date: <i>11/2/05</i> <i>ASB</i></p>	<p><b>Zoning Appeal</b></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>Date: _____</p>	<p><b>Historic Preservation</b></p> <p><i>yes</i></p> <p><input 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 checked="" type="checkbox"/> Approved w/Conditions</p> <p><input type="checkbox"/> Denied</p> <p>Date: <i>D. Andrews</i> <i>3/2/06</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

# 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: <u>118 - 120 Brackett St.</u>		
Total Square Footage of Proposed Structure <u>5500 sf.</u>	Square Footage of Lot <u>4805 sq ft</u>	
Tax Assessor's Chart, Block & Lot Chart# <u>057</u> Block# <u>D</u> Lot# <u>014</u>	Owner: <u>Zerin Whyte</u>	Telephone: <u>841-4184</u>
Lessee/Buyer's Name (if Applicable) <u>N/A</u>	Applicant name, address & telephone: <u>Zerin Whyte</u> <u>122 Elm St.</u> <u>S. Portland ME 04104</u> <u>841-4184</u>	Cost Of Work: \$ <u>X</u> Fee: \$ <u>Condo 600.00</u> <u>4</u> <u>300.00</u> <u>900.00</u>
Current use: <u>4 unit residential (vacant)</u>		
If the location is currently vacant, what was prior use: <u>Aids lodging house total 900.00</u>		
Approximately how long has it been vacant: <u>2 weeks.</u>		
Proposed use: <u>Condoization</u> <u>4 units</u> Project description: <u>A 4 Condo's</u>		
Contractor's name, address & telephone: <u>Zerin Whyte</u>		
Who should we contact when the permit is ready: <u>Zerin Whyte</u>		
Mailing address:		
<p>We will contact you by phone when the permit is ready. You must come in and pick up the permit and review the requirements before starting any work, with a Plan Reviewer. A stop work order will be issued and a \$100.00 fee if any work starts before the permit is picked up. PHONE: <u>841-4184</u></p>		



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.

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**City of Portland, Maine - Building or Use Permit**

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

<b>Permit No:</b> 05-1588	<b>Date Applied For:</b> 10/27/2005	<b>CBL:</b> 057 d014001
<b>Location of Construction:</b> 120 Brackett St	<b>Owner Name:</b> Whyte, Zerine	<b>Owner Address:</b> 122 Elm
<b>Business Name:</b>	<b>Contractor Name:</b>	<b>Contractor Address:</b>
<b>Lessee/Buyer's Name</b>	<b>Phone:</b>	<b>Permit Type:</b> Change of Use - Condo Conversion
<b>Proposed Use:</b>	<b>Proposed Project Description:</b> Change of use to 4 unit condominium	

**Dept:** Historical      **Status:** Approved with Conditions      **Reviewer:** Deborah Andrews      **Approval Date:**  
**Note:** **Ok to Issue:**

- 1) Any exterior or site alterations subject to separate approval.

**Dept:** Zoning      **Status:** Approved with Conditions      **Reviewer:** Ann Machado      **Approval Date:** 11/07/2005  
**Note:** **Ok to Issue:**

- 1) This property shall remain as four family dwelling units Any change of use shall require a separate permit application for review and approval
- 2) PLEASE NOTE. Under the City's Condominium Conversion regulations, if a tenant makes a decision not to purchase their unit and also decides not to remain in the building after their notification, that tenant has the right to move without penalty. If that protected tenant is under the 80% low/moderated income limit guidelines, there is still a requirement on the owner/developer to pay that tenant relocation payments as stated in the ordinance prior to vacating the unit. That tenant has not lost any rights under this ordinance by making a choice to move and vacate their unit after notification.
- 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
- 4) 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.
- 5) Separate permits shall be required for any future renovations.

**Dept:** Building      **Status:** Approved with Conditions      **Reviewer:** Jeanine Bourke      **Approval Date:** 03/07/2006  
**Note:** **Ok to Issue:**

- 1) Construction activity was not applied for or reviewed as a part of this permit This permit authorizes a change in ownership ONLY.

**Dept:** Fire      **Status:** Approved with Conditions      **Reviewer:** Cptn Greg Cass      **Approval Date:** 11/08/2005  
**Note:** **Ok to Issue:**

- 1) Building to comply with NFPA 101

**comments:**

11/14/2005-jmb: left vm w/Zerine W. To call to confirm that no work is being done, also in historic

<b>Location of Construction:</b> 120 Brackett St	<b>Owner Name:</b> Whyte, Zerlin	<b>Owner Address:</b> 122 Elm	<b>Phone:</b> 207-841-4184
<b>Business Name:</b>	<b>Contractor Name:</b>	<b>Contractor Address:</b>	<b>Phone</b>
<b>Lessee/Buyer's Name</b>	<b>Phone:</b>	<b>Permit Type:</b> Change of Use - Condo Conversion	

## Submit with Condominium Conversion Permit Application

**Project Data:**

Address: 118-120 Brackett St.

C-B-L: Map 57 D lot 14

Number of Units in Building: 4

Tenant Name	Tenant Tel#	Occup. Length	Date of Notice	Eligible for \$?
unit 1 <u>Addressing House</u>	<u>Director 773-7165</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
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 10 days

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

YES \_\_\_\_\_ NO X (check one)

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

\$ \_\_\_\_\_ Exterior walls, windows, doors, roof

\$ X \_\_\_\_\_ Insulation

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

\$ X \_\_\_\_\_ Other (specify)

# WARRANTY DEED

**Know All Men By These Presents That** AIDS Lodging House

of 142 High Street, Suite 623, Portland,  
County of Cumberland and State of ME.

for consideration paid, grant to Zerín Whyte

of 122 Elm Street, South Portland,  
County of Cumberland and State of ME

with WARRANTY COVENANTS:

A certain lot or parcel of land together with any buildings thereon situated in  
~~Portland~~ County of ~~Cumberland~~ and State of Maine, more particularly described in Exhibit A attached hereto and  
incorporated herein by reference.

In ~~witness~~ Whereof, I/we have hereunto set my/our hand(s) this 11th day of  
October, 2005.

AIDS Lodging House

MAINE REAL ESTATE TAX PAID

Cloud B. Morris  
Witness  
CLOUD B. MORRIS

By: Wm. H. Sandstead

WM. H. SANDSTEAD  
as President, AIDS LODGING HOUSE  
INC.

State of Maine  
County of Cumberland ss.

On this 11th day of October, 2005, personally appeared before me the  
abovenamed Agent, of AIDS Lodging House

and acknowledged the foregoing to be his/her/their free act and deed in their said capacity and the  
free act and deed of said Corporation.

Cloud B. Morris  
Notary Public, Attorney at Law

Return to: Zerín Whyte

CLOUD B MORRIS

**Exhibit A - Deed**

A certain lot or parcel of land with the buildings thereon, situated in Portland, County of Cumberland and State of Maine, bounded and described as follows:

Beginning at a stake set in the ground distant 117.56 feet southeasterly from the corner formed by the intersection of the southeasterly side of Spring Street with the southwesterly **side** of Brackett Street, and at the easterly corner of a certain lot of land conveyed by the heirs of Ammi Whitney to Alice P. Whitney March 1, 1923; thence running southeasterly by the southwesterly side of said Brackett Street 53.44 feet to the northwesterly side of a passageway leading to Dermot Court, so-called; thence running southwesterly by the northwesterly side of said passageway 42 feet to a stake set in the ground; thence running northwesterly 4.73 feet to a stake set in the ground; thence running southwesterly 52.83 feet to a stake set in the ground at the easterly corner of a lot of land conveyed by heirs of Ammi Whitney to Kate D. Whitney March 1, 1923; thence running northwesterly by said land so conveyed to Kate D. Whitney 48.5 feet to the southerly corner of land conveyed to said Alice P. Whitney as aforesaid; thence running northeasterly by the Southeasterly side of said Alice P. Whitney lot 94.65 feet to the point of beginning; together with a right-of-way 2 feet wide over and along the southeasterly side of the lot conveyed to said Alice P. Whitney **as** aforesaid, adjoining the lot hereby conveyed on its northwesterly side, and subject to a right-of-way 2 feet wide over and along the northwesterly side of the lot hereby conveyed and adjoining the southeasterly side of the lot conveyed to Alice P. Whitney as aforesaid.

Reference **is** hereby made to **a** deed from James R. McFarlane, Jr., and Thomas J. McAdam dated October 7, 1988 to AIDS Lodging House and recorded in the Cumberland County Registry of Deeds in Book 8542, Page 111

Reviewed/Initialed IAK

Received  
Recorded Register of Deeds  
Oct 18, 2005 11:27:01A  
Cumberland County  
John B O'Brien

Zerin Whyte  
122 Elm St. unit 1  
So. Portland, ME **04106**

October 27, 2005

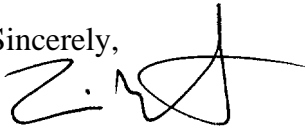
Planning and Zoning Dept.  
Portland City Hall  
389 Congress St.  
Portland, ME **04101**

To Whom It May Concern:

I **am** writing this letter to inform you of the situation concerning the condoization of a property that I own. On October **12, 2005**, I purchased the property at **116, 118, 120** Brackett Street. The property was vacant upon closing because of the **nature** of the seller's position. I purchased the property from a non-profit organization called the Aids Lodging House, who, as far **as** I know, found their residents new and qualified housing, and would have done so in any sale situation.

Thank you for your attention and I hope this answers any and all questions. Please feel free to contact me if there are any further inquiries.

Sincerely,

A handwritten signature in black ink, appearing to read 'Z. Whyte', with a stylized flourish at the end.

Zerin Whyte





**AIDS Lodging House, Inc.**  
***Housing and Support***

142 High Street, Suite 623 City of Portland  
Portland, Maine 04101 Portland, ME.

Oct. 20, 2005

T: 207.773.7165

F: 207.253.1815

To Whom It May Concern:

AIDS Lodging House sold the property at 116-120 Brackett St., Portland, ME. on Oct. 12, 2005 to Zerín Whyte. Our agency informed tenants in July 2005 that the building was being sold and that they would need to move by Oct. 1, 2005. Our case managers assisted clients with locating and moving in to new apartments. All tenants were comfortably housed by Oct. 1, 2005. Due to the confidentiality of their diagnosis, we cannot release the names of those tenants. Please feel free to contact me with any questions.

Sincerely,

Deborah Shields, JD, MPH  
Executive Director

# William H. Sandstead

## Attorney at Law



470 Forest Avenue, Suite 305  
Post Office Box 11150  
Portland, Maine 04104-7150

Telephone: (207) 780-8100  
Fax: (207) 780-8120  
Email: [whslaw@maine.rr.com](mailto:whslaw@maine.rr.com)

October 26, 2005

City of Portland  
Portland, Maine

Re: AIDS Lodging House / 116 - 120 Brackett Street, Portland

Dear City of Portland:

I am the President of the Board of the AIDS Lodging House, Inc. The organization sold its property located at 116-120 Brackett Street in Portland on October 12, 2005 to Zerine Whyte.

The organization provides housing support to very low income HIV+ individuals. Prior to selling the house, we notified our tenants in July 2005 that the property would be sold and that they would need to move by October 1, 2005. Our case managers assisted all of our tenants with locating and moving to new apartments. All of our tenants were comfortably housed by October 1, 2005.

The identification of our tenants is strictly confidential due to the nature of their diagnosis, and therefore, the AIDS Lodging House cannot release their names.

Please feel free to contact me or our executive director, Deborah Shields, if you have any further questions. I can be reached at 780-8100, and Ms. Shields can be reached at 773-7165.

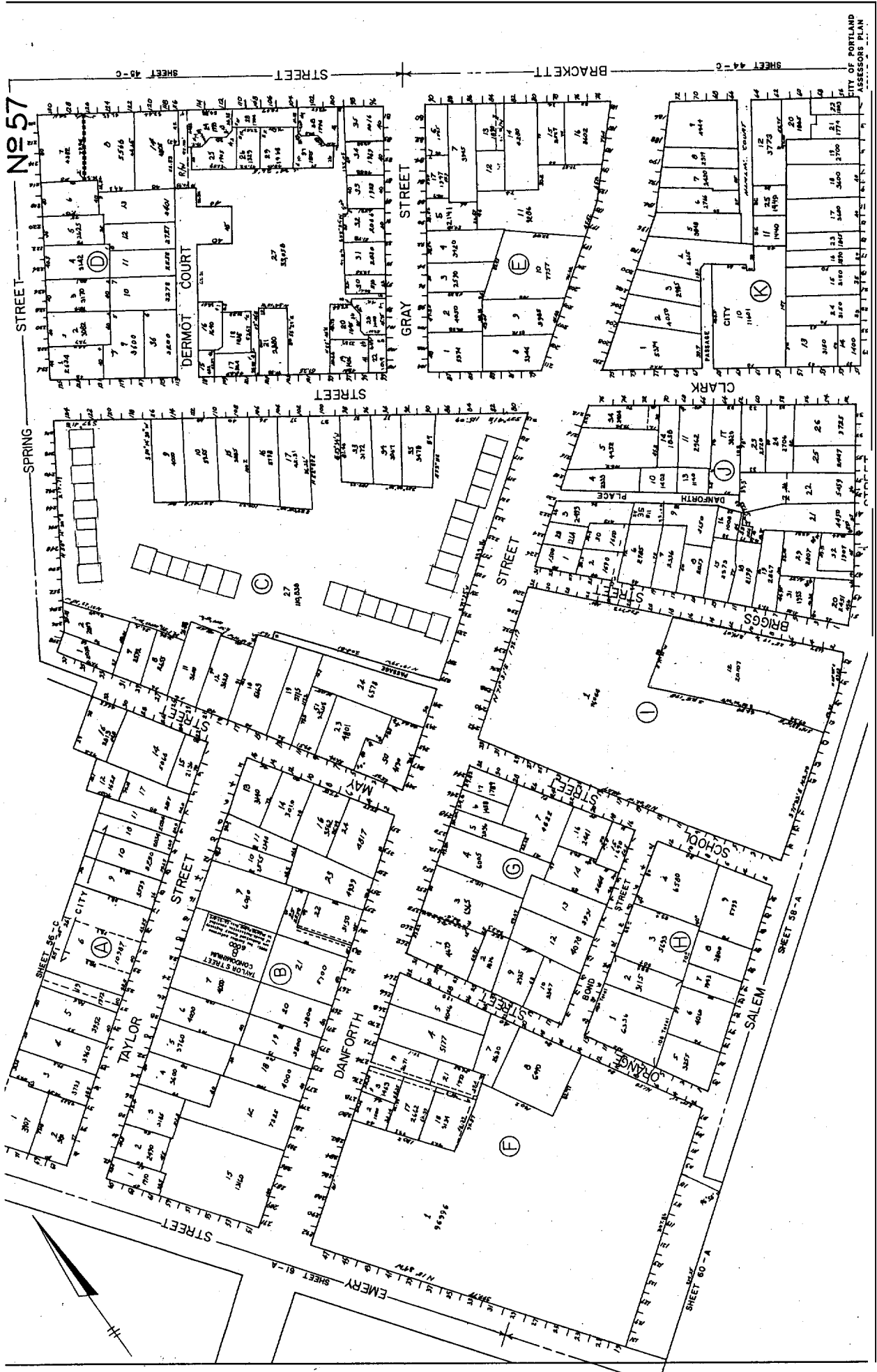
Thank you.

Sincerely,



William H. Sandstead

WHS/lc  
cc: Zerine Whyte



No 57

STREET

SPRING

SHEET 85-C

TAYLOR

STREET

EMERY SHEET 81-A

DANFORTH

STREET

MAY

STREET

GRAY

STREET

BRACKETT

SCHOOL

ORANGE

SALEM

SHEET 80-A

BRIGGS

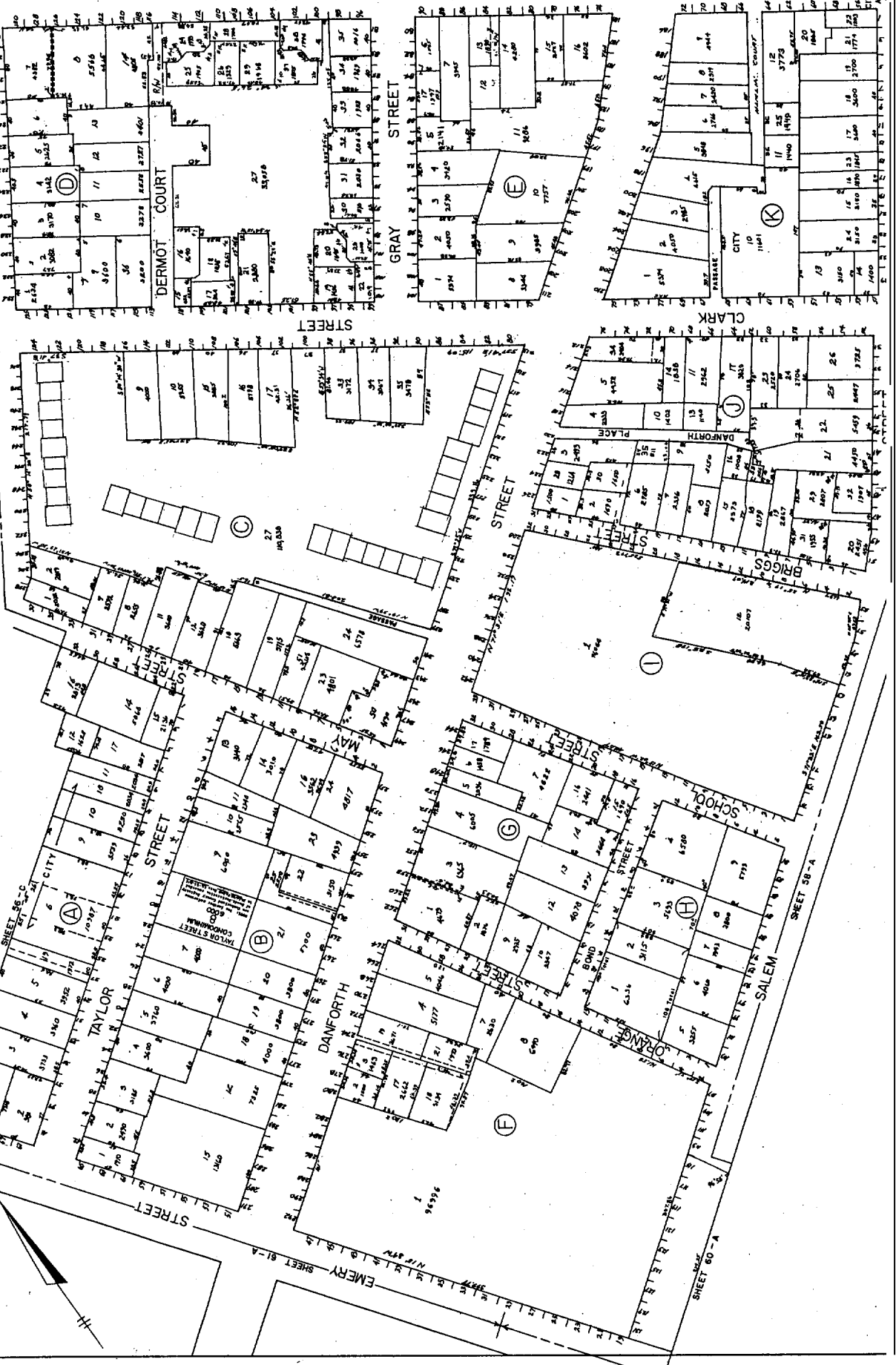
DANFORTH

CLARK

CITY

STREET

CITY OF PORTLAND  
ASSESSORS PLAN



STREET

SPRING

SHEET 85-C

TAYLOR

STREET

EMERY SHEET 81-A

DANFORTH

MAY

STREET

GRAY

STREET

BRACKETT

SCHOOL

ORANGE

SALEM

SHEET 80-A

BRIGGS

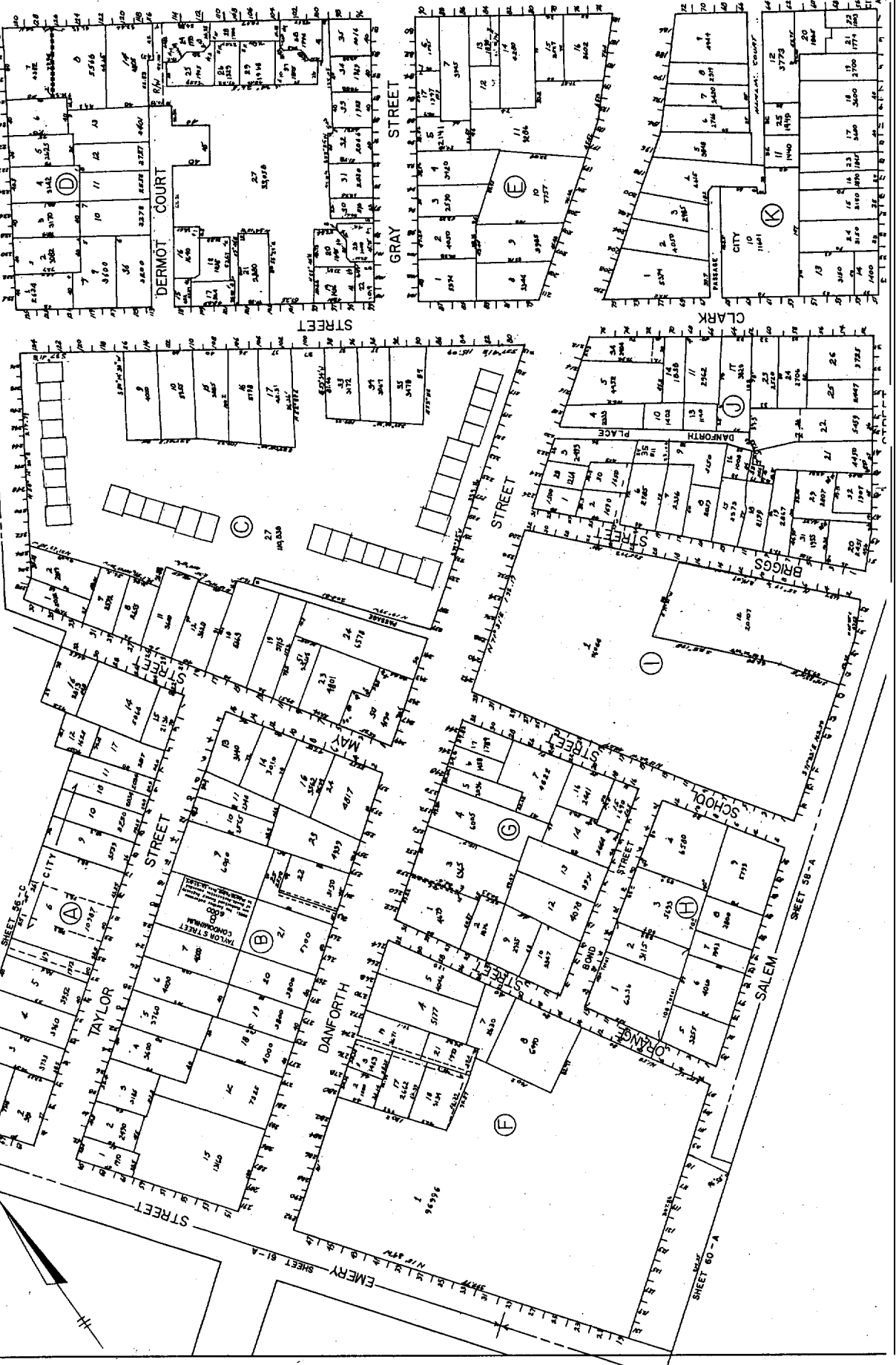
DANFORTH

CLARK

CITY

STREET

CITY OF PORTLAND  
ASSESSORS PLAN



STREET

SPRING

SHEET 85-C

TAYLOR

STREET

EMERY SHEET 81-A

DANFORTH

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DANFORTH

CLARK

CITY

STREET

CITY OF PORTLAND  
ASSESSORS PLAN

**City of Portland, Maine - Building or Use Permit Application 389 Congress Street, 04101, Tel: (207) 874-8703, FAX: 874-8716**

Location of Construction: 116 Brackett Street (116-118-120)		Owner: Aids Lodging House Inc.	Phone: 773-7165
Owner Address: 142 High Street, Portland, ME		Lessee/Buyer's Name:	Phone:
Contractor Name: David A. Dobsen		Address: 5 Kathy Lane, Cumberland, ME 04021	Business Name: 829-5411
Past Use: Multi Family	Proposed Use: Multi Family	COST OF WORK: \$0.	PERMIT FEE: \$30.00
Proposed Project Description: Amendment to permit # 001160	Signature: <i>[Handwritten Signature]</i>	FIRE DEPT. <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: R-2 Type: 5B, 30099
		Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied	Signature: <i>[Handwritten Signature]</i>
For: <i>[Handwritten]</i> Day: <i>[Handwritten]</i>	Date Applied For: October 18, 2000	GG	Date: <i>[Handwritten]</i>

- This permit application does not preclude the Applicant(s) from meeting applicable State and Federal rules.
- Building permits do not include plumbing, septic or electrical work.
- Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work.

\* \*\* Call David Dobsen @ 408-6164

**PERMIT ISSUED WITH REQUIREMENTS**

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 provisions of the code(s) applicable to such permit

SIGNATURE OF APPLICANT: \_\_\_\_\_ ADDRESS: \_\_\_\_\_ DATE: October 18, 2000 PHONE: \_\_\_\_\_

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE: \_\_\_\_\_ PHONE: \_\_\_\_\_

Permit No: **001210**

Permit Issued: *[Handwritten]*

Zone: *[Handwritten]* CBL: 057-D-014

Special Zone or Reviews: *[Handwritten]*

Variance  Miscellaneous  Conditional Use  Interpretation  Approved  Denied

Not in District or Landmark  Does Not Require Review  Requires Review

Historic Preservation

Not in District or Landmark  Does Not Require Review  Requires Review

Action:  Approved  Approved with Conditions  Denied

Date: *[Handwritten]*

PERMIT ISSUED WITH REQUIREMENTS

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