

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

CITY OF PORTLAND

BUILDING DEPARTMENT
PERMIT

Please Read Application And Notes, If Any, Attached

PERMIT ISSUED
Permit Number: 050370
OCT 19 2005
CITY OF PORTLAND

This is to certify that Mushial Erik & /Monaghan Construction
has permission to Build New Single Family 2860 sq. Ft. 3 story home with 12' x 12' deck.
AT 36 Clark St C 058 A02800

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 when permission procured 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. _____
Health Dept. _____
Appeal Board _____
Other _____
Department Name _____

Carrie Burke 10/18/05
Director - Building & Inspection Services

PENALTY FOR REMOVING THIS CARD

City of Portland, Maine - Building or Use Permit

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

Permit No: 05-0370	Date Applied For: 04/08/2005	CBL: 058 A028001
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Location of Construction: 36 Clark St	Owner Name: Mushial Erik &	Owner Address: 42 Clark St	Phone: 207-774-1496
Business Name: n/a	Contractor Name: Monaghan Construction, Inc.	Contractor Address: PO Box 1235 Scarborough	Phone: () 883-3755
Lessee/Buyer's Name n/a	Phone: n/a	Permit Type: Single Family	

Proposed Use: Build New Single Family 2860 sq. Ft. 3 story home with 12' x 22' deck.	Proposed Project Description: Build New Single Family 2860 sq. Ft. 3 story home with 12' x 22' deck.
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Dept: Zoning **Status:** Approved with Conditions **Reviewer:** Marge Schmuckal **Approval Date:** 09/20/2005

Note: 9/20/05 received a scalable site plan from the owner

Ok to Issue:

- 1) This property shall remain a single family dwelling. Any change of use shall require a separate permit application for review and approval.
- 2) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.
- 3) Separate permits shall be required for future decks, sheds, pools, and/or garages. The "future pool" shown on the plans is not part of this permit and is not part of this permit approval. It will require a separate permit prior to installation.

Dept: Building **Status:** Approved with Conditions **Reviewer:** Jeanine Bourke **Approval Date:** 10/18/2005

Note: 9/21/05 spoke w/Caitlin M. Requesting a full size set of plans for review purposes, also to have the architect classify the type of construction. She will deliver asap

9/22 received full size plans

9/28 spoke at length w/Carol W.(arch) for further details as noted on review checklist. She will submit, also need to check w/mjn for the mezzanine & sprinkler requirements.

10/3 received the stamped letter from the engineer for the structural plans.

10/6 received fax from Carol W. W/pages missing so I emailed her and faxed her the eng. Letter.

10/13 phone tag w/Carol W. About the mezzanine criteria

10/18 Caitlin M. Called to inform of deleting the mezzanine from the permit. Reviewed remaining items on checklist, she will submit info. She called back to request a conditional permit for the energy conservation criteria as this will delay the issuance. Ok to issue

- 1) Separate permits are required for any electrical, plumbing, or heating.
- 2) Construction of the mezzanine is not approved with this permit. The stairwell will be built, but details of the access to the roof are not decided. These details must be submitted prior to the issuance of the CO.
- 3) Details of the energy conservation criteria must be submitted to this office prior to the close in inspection.

Dept: DRC **Status:** Approved with Conditions **Reviewer:** Jay Reynolds **Approval Date:** 09/08/2005

Note: **Ok to Issue:**

- 1) All damage to sidewalk, curb, street, or public utilities shall be repaired to City of Portland standards prior to issuance of a certificate of occupancy.
- 2) A sewer permit is required for your project. Please contact Carol Merritt at 874-8300, ext. 8822. The Wastewater and Drainage section of Public Works must be notified five (5) working days prior to sewer connection to schedule an inspector for your site.
- 3) A street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8822. (Only excavators licensed by the City of Portland are eligible.)
- 4) The Development Review Coordinator reserves the right to require additional lot grading or other drainage improvements as necessary due to field conditions.
- 5) Two (2) City of Portland approved species and size trees must be planted on your street frontage prior to issuance of a Certificate of Occupancy.

Location of Construction:		Owner Name:	Mushial Erik &	42 Clark St	Owner Address:	207-774-1496	Phone:
36 Clark St		Contractor Name:	Monaghan Construction, Inc.	PO Box 1235 Scarborough	Contractor Address:	() 883-3755	Phone:
Business Name:		Phone:	n/a	Permit Type:	Single Family		
Lessee/Buyer's Name		n/a					

6) All Site work (final grading, landscaping, loam and seed) must be completed prior to issuance of a certificate of occupancy.

Dept: Planning Status: Approved Reviewer: Rick Knowland Approval Date: 09/08/2005 Note: Ok to Issue:

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>40 Clark St. Portland 04102</u>		
Total Square Footage of Proposed Structure <u>2860 SF Living 300 SF basement 357 garage</u>	Square Footage of Lot <u>5,344 sq.'</u>	
Tax Assessor's Chart, Block & Lot Chart# <u>58</u> Block# <u>A</u> Lot# <u>28</u>	Owner: <u>Erik & Caitlin Mushial</u>	Telephone: <u>207-774-1496</u>
Lessee/Buyer's Name (If Applicable)	Applicant name, address & telephone: <u>Caitlin Mushial</u> <u>42 Clark St</u> <u>Portland ME 04102</u> <u>774-1496</u>	Cost Of Work: \$ <u>300,000.</u> Fee: \$14 <u>2,721.00</u>
Current use: <u>yard</u> Site 300.00		
If the location is currently vacant, what was prior use: <u>yard</u> CofJ 75.00		
Approximately how long has it been vacant: <u>we found no evidence of any building</u> \$3,096		
Proposed use: <u>new single family home on infill lot</u>		
Project description: <u>w/ attached 1st floor garage + office</u> w/ deck 12' x 10'		
Contractor's name, address & telephone: <u>Michael Monahan Woodworks</u>		
Who should we contact when the permit is ready: <u>Caitlin Mushial</u>		
Mailing address: <u>42 Clark St. Portland ME 04102</u>		
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>774-1496</u>		

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: <u>Caitlin Mushial</u>	Date: <u>3-26-05</u>
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**This is NOT a permit, you may not commence ANY work until the permit is issued.
If you are in a Historic District you may be subject to additional permitting and fees with the
Planning Department on the 4th floor of City Hall**

9/22/05

36 Clark St

58-17-28

05-0370

Engineer:
Bob Swift

ONE AND TWO FAMILY		PLAN REVIEW		CHECKLIST	
Soil type/Presumptive Load Value (Table R401.4.1)					
Component		Submitted Plan		Findings	Revisions
Date		Date		Date	
STRUCTURAL					
Footing Dimensions/Depth (Table R403.1 & R403.1(1), (Section R403.1 & R403.1.4.1)		12" X 20" - 8" wall 12" X 24" - 12" wall Pier Footing 6' 2 9/16" REBAR			
Foundation Drainage, Fabric, Damp proofing (Section R405 & R406)		?		Note D spec. Earthwork	1
Ventilation/Access (Section R408.1 & R408.3) Crawls Space ONLY		N/A		Note H Execution OK	
Anchor Bolts/Straps, spacing (Section R403.1.6)		Eng. needed at walls 1/2" dia. cast in place			
Lally Column Type (Section R407)		Need Eng. Plan - Shop drawings i.e. S4		letter	2
Girder & Header Spans (Table R 502.5(2)) Built-Up Wood Center Girder Dimension/Type					
Sill/Band Joist Type & Dimensions					
First Floor Joist Species Dimensions and Spacing (Table R502.3.1(1) & Table R502.3.1(2))		2X10 16" o.c. 4' 10" long 2X12 16" o.c. Garage - insulated			
Second Floor Joist Species Dimensions and Spacing (Table R502.3.1(1) & Table R502.3.1(2))		12" I-CWT web Truss			
Attic or additional Floor Joist Species Dimensions and Spacing (Table R802.4(1) and R802.4(2))		3rd - 4" BIT 16" o.c.			

Mezzanine, 1090 SF = Floor Below

333 mezz SF

Pitch, Span, Spacing & Dimension (Table R802.5.1(1) - R 802.5.1(8))	Flat - 2x12 @ 16" OC.	OK	
Roof Rafter; Framing & Connections (Section R802.3 & R802.3.1)	14" BCF 4SD @ 16" OC	OK	
Sheathing; Floor, Wall and roof (Table R503.2.1.1(1))	5/8" ply 1/2" CBX	OK	
Fastener Schedule (Table R602.3(1) & (2))	?	called out in spec record	(3)
Private Garage (Section R309) Living Space? (Above or beside)		OK	
Fire separation (Section R309.2)	5/8" X	OK	
Opening Protection (Section R309.1)	?	schedule	(4)
Emergency Escape and Rescue Openings (Section R310)	?	"	(5)
Roof Covering (Chapter 9)	EPDM	OK	
Safety Glazing (Section R308)	? Baths ? Stairs	schedule	(6)
Attic Access (Section R807)	N/A		
Chimney Clearances/Fire Blocking (Chap. 10)	N/A?	side vent	(7)
Header Schedule (Section 502.5(1) & (2))	eng		
Energy Efficiency (N1101.2.1) R-Factors of Walls, Floors, Ceilings, Building Envelope, U-Factor Fenestration	epo of glazing	Condition	(8)

Kid wall glass - windows - (5sm)

Type of Heating System	Boiler	? venting st deck 9
Means of Egress (Sec R311 & R312)	? Egress	no utility/storage of 10
Basement	#7	
Number of Stairways	5	
Interior	2	
Exterior		
Treads and Risers (Section R311.5.3)	Risers - model code Tread - Net 10" ? open riser - A6	11 - Plexiglass Riser OK
Width (Section R311.5.1)		
Headroom (Section R311.5.2)		
Guardrails and Handrails (Section R312 & R311.5.6 - R311.5.6.3)		
Smoke Detectors (Section R313) Location and type/Interconnected	?	#9 inspec notes OK
Dwelling Unit Separation (Section R317) and IBC - 2003 (Section 1207)	n/a	
Deck Construction (Section R502.2.1)	Eng	

Pool ? (Eliminated) - just reflecting

CAROL A. WILSON ARCHITECT

Carol A. Wilson Architect
14 Longwoods Road
Falmouth, Maine 04105
Tel. 207-781-4684
Fax 207-781-4784
carol@carolwilsonarchitect.com

Facsimile Cover Sheet

Deliver to: Jeanie Bourke, C.E.O. *City of Portland, ME*
Fax Number: *874 - 8716*
Sent by: Carol A. Wilson
Date: October 5, 2005
Regarding: Mushial House Door and Window
Schedule *#2 Clark St. Portland, ME*

Total number of pages including cover sheet: 3
Please contact us at 207.781.4684 if you do not receive all pages.

Dear Jeanie:

Did you receive a letter from Bob Swift, PE regarding the structural design of the Mushial House? Could you please fax a copy to me when you receive this. (781-4784).

Attached is the Door and Window Schedule for the Mushial House.

I teach at Bowdoin College on Fridays and will be out of the office this Thursday, October 6. The best way to reach me is through e-mail, cawarcht@maine.rr.com if you have further questions.

Sincerely,
Carol A. Wilson FAIA

Caw



SWIFT ENGINEERING
Consulting Structural Engineers

331 Main Street Norway, Maine 04268
Phone: 207.743.5885 Fax: 207.743.9525
www.swiftengineers.com

September 29, 2005

Ms. Jeanie Bourke
CEO/Plan Reviewer
CITY OF PORTLAND
Rm 315
389 Congress St.
Portland, ME 04101

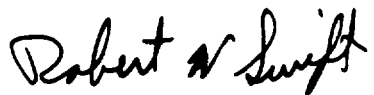
RE: Mushial Residence

Dear Ms. Bourke:

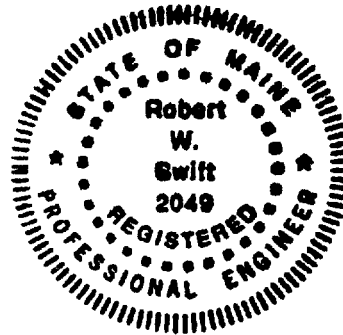
This is to inform you that Swift Engineering provided the structural design for the above-referenced project.

Sincerely,

SWIFT ENGINEERING



Robert W. Swift, P.E.



CITY OF PORTLAND, MAINE

PLANNING BOARD

Lee Lowry III, Chair
Kevin Beal, Vice Chair
John Anton
Michael Patterson
David Silk
Janice E. Tevanian
Shalom Odokara

August 10, 2005

Erik and Caitlin Mushial
42 Clark Street
Portland, ME 04102

RE: 36 Clark Street; 2005-1073

CBL: 058-A-028


Dear Mr. And Mrs. Mushial:

On August 9, 2005, the Portland Planning Board voted 4-0 (Anton, Odokara and Tevanian absent) that the proposed exterior façade plans for a proposed residential building at 36 Clark Street met the standards of the R-6 Infill Development Design Principles and Standards as reviewed under the Alternate Design Review Option and therefore Design Certification for the plan is approved.

The approval is based upon the submitted site plan and the findings related to the R-6 Infill Development Design Principles and Standards, as contained in Planning Report #50-05, which is attached.

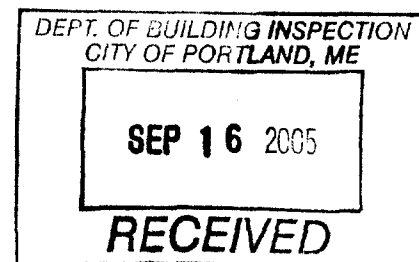
If there are any questions regarding the Board's actions, please contact Alexander Jaegerman at 874-8724.

Sincerely,



Lee Lowry III, Chair
Portland Planning Board

cc: Lee D. Urban, Planning and Development Department Director
Alexander Jaegerman, Planning Division Director
Sarah Hopkins, Development Review Services Manager
Rick Knowland, Planner/Senior Planner
Jay Reynolds, Development Review Coordinator
— Marge Schmuckal, Zoning Administrator
Inspections Division
Michael Bobinsky, Public Works Director
Traffic Division
Eric Labelle, City Engineer
Jeff Tarling, City Arborist
Penny Littell, Associate Corporation Counsel
Greg Cass, Fire Prevention
Assessor's Office
Approval Letter File



Applicant: ERK: Caitlin Mushinski Date: 9/20/05

Address: 36 Clark St

C-B-L: 050-A-028

CHECK-LIST AGAINST ZONING ORDINANCE

Date - New lot created

05-0370

Zone Location - R-6 using infill lot provisions

Interior or corner lot -

Proposed Use/Work - to construct new single fam dwelling

Sewage Disposal - City

Lot Street Frontage - N/A

Front Yard - NO MORE THAN 10' - 10' exactly shown

Rear Yard - None, except 10' on sum of heights ^{Re exist' bldg: New Bldg} between bldgs

Side Yard - None, except 10' on sum of heights $\div 5$ ^{between bldgs} side req - 22' shown

Projections - $\frac{39 + 38}{5} = 15.4'$ req between bldgs - 12' shown

Width of Lot - None req

Height - 45' max - 38' given

Lot Area - MAX lot size = 10,000 sq ft - showing 5,344 sq ft

Lot Coverage/ Impervious Surface - NOMIN lot size req

Area per Family - .725 sq ft per DU = showing 5,344 sq ft for 1 DU.

Off-street Parking - 1 pkg spc per DU - garage ⁱⁿ the front of the Bldg shown

Loading Bays - N/A

Site Plan - minor/minor # 2005-0073

Shoreland Zoning/ Stream Protection - N/A

Flood Plains - Panel 13 Zone C required 2 stories of living space above grade

check on site

check on site

**CITY OF PORTLAND, MAINE
DEVELOPMENT REVIEW APPLICATION
PLANNING DEPARTMENT PROCESSING FORM
Building Copy**

2005-0073

Application I. D. Number

4/6/2005

Application Date

Mushial Erik &

Applicant

42 Clark St , Portland , ME 04102

Applicant's Mailing Address

Project Name/Description

36 - 36 Clark St , Portland, Maine

Address of Proposed Site

Consultant/Agent

Agent Ph:

Agent Fax:

058 A028001

Applicant or Agent Daytime Telephone, Fax

Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply): New Building Building Addition Change Of Use Residential Office Retail
 Manufacturing Warehouse/Distribution Parking Lot Other (specify) _____

2,860 sq. Ft

5,344 sq. Ft

Proposed Building square Feet or # of Units

Acreage of Site

Zoning

Check Review Required:

- | | | | |
|--|---|--|--|
| <input checked="" type="checkbox"/> Site Plan
(major/minor) | <input type="checkbox"/> Subdivision
of lots _____ | <input type="checkbox"/> PAD Review | <input type="checkbox"/> 14-403 Streets Review |
| <input type="checkbox"/> Flood Hazard | <input type="checkbox"/> Shoreland | <input type="checkbox"/> Historic Preservation | <input type="checkbox"/> DEP Local Certification |
| <input type="checkbox"/> Zoning Conditional
Use (ZBA/PB) | <input type="checkbox"/> Zoning Variance | <input type="checkbox"/> Other _____ | |

Fees Paid: Site Pla **\$50.00** Subdivision _____ Engineer Review **\$250.00** Date **4/8/2005**

Building Approval Status:

Reviewer _____

- Approved Approved w/Conditions
See Attached Denied

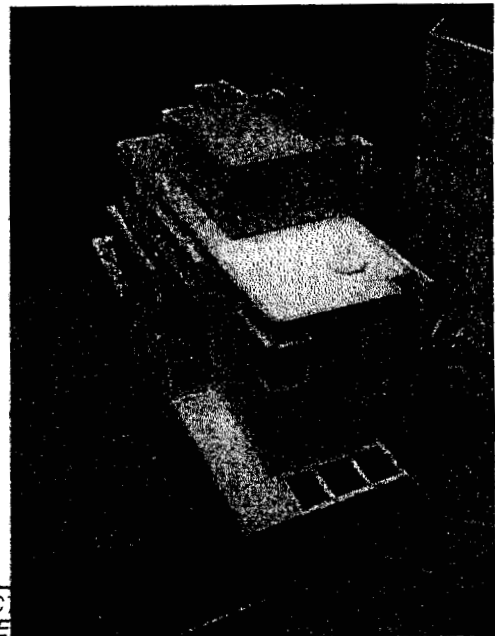
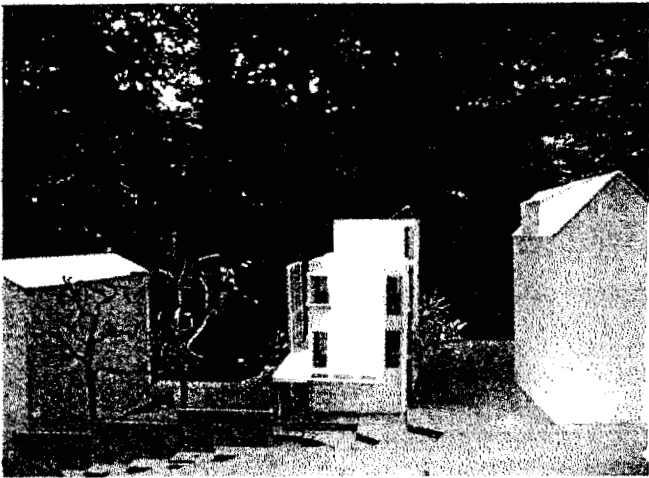
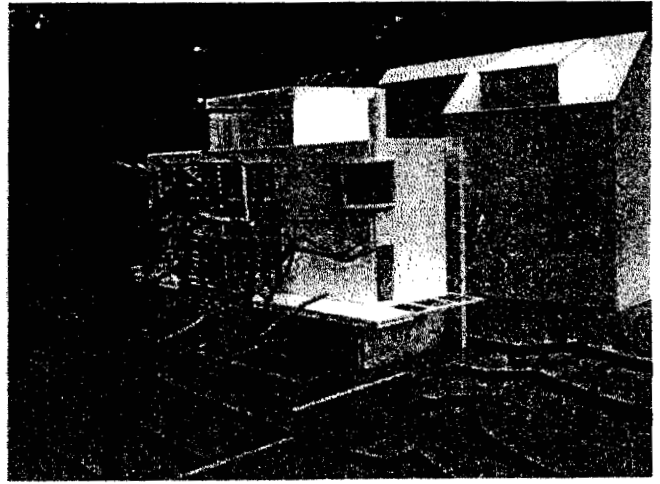
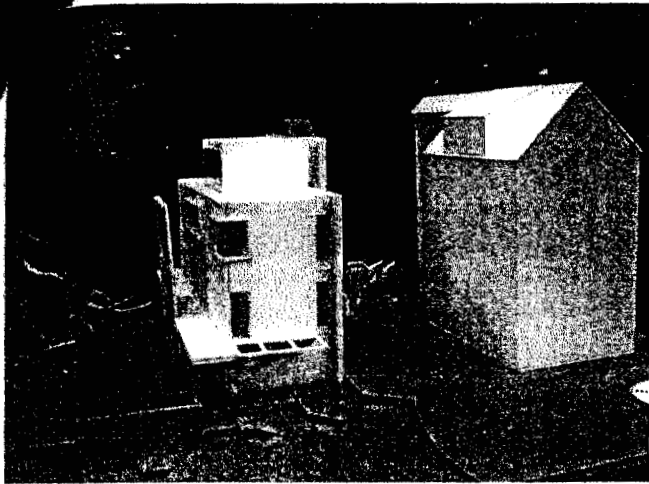
Approval Date _____ Approval Expiration _____ Extension to _____ Additional Sheets
Attached

Condition Compliance _____ signature _____ date _____

Performance Guarantee Required* Not Required

* No building permit may be issued until a performance guarantee has been submitted as indicated below

- | | | | |
|---|----------------|--|-----------------|
| <input type="checkbox"/> Performance Guarantee Accepted | _____ | _____ | _____ |
| | date | amount | expiration date |
| <input type="checkbox"/> Inspection Fee Paid | _____ | _____ | |
| | date | amount | |
| <input type="checkbox"/> Building Permit Issue | _____ | | |
| | date | | |
| <input type="checkbox"/> Performance Guarantee Reduced | _____ | _____ | _____ |
| | date | remaining balance | signature |
| <input type="checkbox"/> Temporary Certificate of Occupancy | _____ | <input type="checkbox"/> Conditions (See Attached) | _____ |
| | date | | expiration date |
| <input type="checkbox"/> Final Inspection | _____ | _____ | |
| | date | signature | |
| <input type="checkbox"/> Certificate Of Occupancy | _____ | | |
| | date | | |
| <input type="checkbox"/> Performance Guarantee Released | _____ | _____ | |
| | date | signature | |
| <input type="checkbox"/> Defect Guarantee Submitted | _____ | _____ | _____ |
| | submitted date | amount | expiration date |
| <input type="checkbox"/> Defect Guarantee Released | _____ | _____ | |
| | date | signature | |



DEPT. OF BUILDING INSPECT
CITY OF PORTLAND, ME

SEP - 9 2005

RECEIVED

WARRANTY DEED
001178 Joint Tenancy
Maine Statutory Short Form

KNOW ALL PERSONS BY THESE PRESENTS, That

Winifred Jones and Mary Jane Gould

of Portland, County of Cumberland, State of Maine,

for consideration paid, grant to Erik Mushial and Caitlin J. Mushial

of Portland, County of Cumberland, State of Maine,

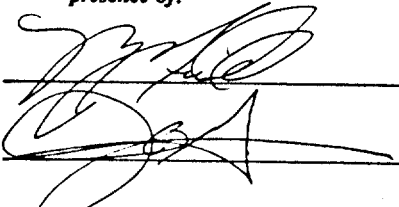
whose mailing address is 42 Clark Street, Portland, Maine 04102

with warranty covenants, as joint tenants the land in Portland, County of Cumberland, and State of Maine, described on the attached EXHIBIT A.

MAINE REAL ESTATE TAX PAID

WITNESS our/my hand(s) and seal(s) this 5 day of January, 1998.

Signed, Sealed and Delivered in presence of:



Winifred Jones
Winifred Jones
Mary Jane Gould
Mary Jane Gould

STATE OF MAINE

January 5, 1998

COUNTY OF Cumberland

Then personally appeared the above named Winifred Jones and Mary Jane Gould and acknowledged the foregoing instrument to be his/her/their free act and deed.

Before me,

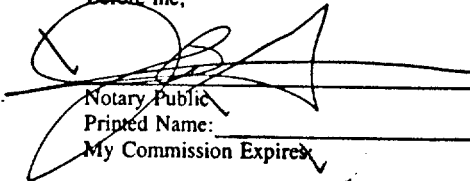

Notary Public
Printed Name: _____
My Commission Expires 5

Exhibit A - Property Description

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

Beginning at a point on the west side of Clark Street at a point distant four hundred and fifty-two (452) feet southerly from Danforth Street and about one (1) foot north from the northerly corner of the house on the lot hereby conveyed; thence running at nearly right angles with the street about forty-seven (47) feet; thence at a right angle to the right about eleven (11) feet; thence at an angle to the left of about one hundred and ten degrees (110°) about forty-five (45) feet to a post; thence southerly, parallel with Clark Street, or nearly so, about sixty (60) feet to another post; thence easterly about ninety-five and eighty-three one hundredths (95.83) feet to Clark Street; thence northerly by Clark Street about sixty-four and fifty-five one-hundredths (64.55) feet to the point of beginning, together with all of our rights in the street in front of said lot; being the same premises which were conveyed to Shirley Elwell by deed by Joseph F. Hasty and others dated November 23, 1874, and recorded in the Cumberland County Registry of Deeds in Book 416, Page 284.

Also, a certain other lots of land, with any improvements thereon, adjoining the foregoing described lot, and bounded and described as follows:

Beginning at a point on said westerly side of Clark Street distant twenty-four (24) feet northerly from the monument at the west corner of Clark and Summer Streets; thence running northerly on said Clark Street fifty-nine and eight-tenths (59.8) feet to land first above described; thence westerly by said first described lot eighty-three and eight-tenths (83.8) feet to a fence; thence southerly parallel with Clark Street fifty-nine and six-tenths (59.6) feet to land now or formerly belonging to one Michael Lynch; thence easterly by said Lynch land eighty-three and eight-tenths (83.8) feet to the point of beginning; containing four thousand seven hundred and fifty-nine (4759) square feet, and being the same premises which were conveyed to said Shirley Elwell by deed of John F. Proctor dated October 31, 1883, recorded in said Registry of Deeds in Book 503, Page 250. Being the same premises conveyed to Emilia Dyro by deed dated December 11, 1915 and recorded in said Registry of Deeds in Book 961, Page 210.

Being the same premises conveyed to the Grantors by virtue of a deed from deed from Winifred Jones et al dated April 11, 1991 and recorded in the Cumberland County Registry of Deeds in Book 9528, Page 300.

RECEIVED
RECORDED REGISTRY OF DEEDS

1998 JAN -7 PH 2:50

CUMBERLAND COUNTY

John B. O'Brien

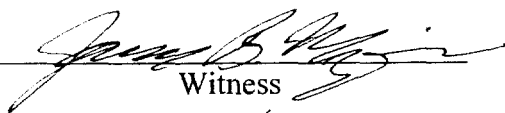
QUITCLAIM DEED WITHOUT COVENANT
(Maine Statutory Short Form)

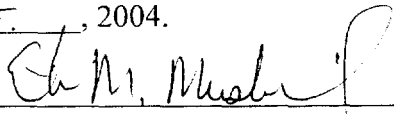
ERIK M. MUSHIAL and CAITLIN J. MUSHIAL, individuals, both of Portland, Cumberland County, Maine, for One (\$1.00) Dollar and other valuable consideration paid, do hereby **RELEASE** unto **RIVERVIEW CONDOMINIUMS, LLC**, a Maine limited liability company, whose mailing address is 42 Clark Street, Portland, Maine 04102, certain real property located on Clark Street in the City of Portland County of Cumberland and State of Maine, bounded and described in **Exhibit A** annexed hereto.

For grantor's title reference is made to Deed of Winifred Jones and Mary Jane Gould to Erik M. Mushial and Caitlin J. Mushial, dated January ~, 1998, recorded in Cumberland County Registry of Deeds in Book 13450, Page 170 and a certain Boundary Line Agreement dated August 27, 2004 between Erik M. Mushial and Caitlin J. Mushial and William N. Dale, Jr. and Elizabeth Giese recorded in said Registry of Deeds in Book 21759, Page 47.

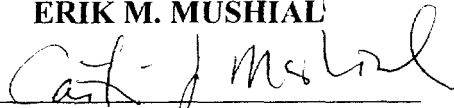
This deed is between a family limited liability company and its members for the purpose of transferring real property in the organization of the limited liability company for no actual consideration other than interests of the limited liability company.

IN WITNESS WHEREOF, the said Erik M. Mushial and Caitlin J. Mushial have executed this instrument this 13 day of Oct., 2004.


Witness


ERIK M. MUSHIAL

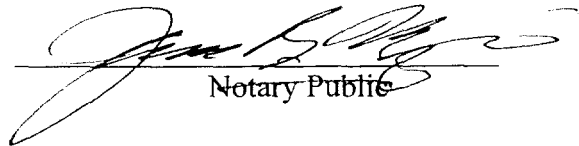

Witness


CAITLIN J. MUSHIAL

STATE OF MAINE,
County of Cumberland, SS.

Oct. 13, 2004

Then personally appeared the above named Erik M. Mushial and Caitlin J. Mushial and acknowledged the foregoing instrument to be their free act and deed, before me,


Notary Public

JAMES B. MAGUIRE ATTORNEY AT LAW
Print or Type Name

My Commission Expires: _____

[Affix Seal]

EXHIBIT A

A certain lot or parcel of real property with the improvements thereon situated on Clark Street in the City of Portland, County of Cumberland and State of Maine, more particularly bounded and described as follows:

Beginning at a point on the southwesterly side of Clark Street which point is 81.70 feet distant from the intersection of Salem Street and Clark Street, and then running S37°33'00"E 42.18 feet to a point;

Then S52° 49'59"W, 81.25 feet by other land of grantors;

Then N37°23'55"W, 3.70 feet to a point;

Then S71°28'08"W, 12.57 feet to a point;

Then N36°03'41"W, 58.23 feet by land now or formerly of William N. Dale, Jr. and Elizabeth Giese to a point;

Then N70°06'49"E, 46.29 feet by land now or formerly of Jo Ellen Coyne to a point;

Then S37°33'00"E, 10.97 feet;

Then N52°52'34"E, 47.50 feet to the point of beginning.

Meaning and intending to convey and hereby conveying the real property on Clark Street shown as "4,550 S.F." on a certain Condominium Plat entitled "Condominium Plat '42 Clark Street Condominium' #42 Clark Street, Portland, Maine Made for Erik and Caitlin Mushial" dated August 31, 2004 to be recorded with Cumberland County Registry of Deeds.

Together with the right and easement as appurtenant to the above described land to park motor vehicles on a five-foot-wide strip of other land of grantors as shown on the above referenced Plat. Said five-foot-wide strip of land is situated on the portion of grantors' land shown on said Plat as "5,334 S.F.". Grantors expressly exclude all rights of access or egress to said strip across their other land. Said strip of land is bounded and described as follows:

Beginning at a point on the southwesterly side of Clark Street which point is the northeasterly corner of the above described land;

Then S52° 49'59"W, 81.25 feet by the above described land of grantors;

Then S37°23'55"E, 5.00 feet to a point;

Then N52° 49'59"E on grantors said other land to a point;

Then N37°23'55"W, 5.00 feet to the point of beginning.

For grantor's title reference is made to Deed of Winifred Jones and Mary Jane Gould to Erik M. Mushial and Caitlin J. Mushial, dated January ~, 1998, recorded in Cumberland County Registry of Deeds in Book 13450, Page 170 and a certain Boundary Line Agreement dated August 27, 2004 between Erik M. Mushial and Caitlin J. Mushial and William N. Dale, Jr. and Elizabeth Giese recorded in said Registry of Deeds in Book 21759, Page 47.

Received
Recorded Register of Deeds
Oct 14, 2004 10:27:13A
Cumberland County
John E OBrien

BOUNDARY LINE AGREEMENT

This agreement is made by and between **ERIK M. MUSHIAL and CAITLIN J. MUSHIAL**, individuals, both of Portland, Cumberland County, Maine (together, "the Mushials") and **WILLIAM N. DALE, JR. and ELIZABETH GIESE**, both of Portland, Cumberland County, Maine ("Dale and Giese");

WHEREAS, the Mushials are the owners of certain real property now known and numbered 42 Clark Street, Portland, Maine as shown on a plan entitled "Boundary & Topographic Survey on Clark Street, Portland, Maine Made for Erik & Caitlin J. Mushial Jan. 29, 2004" by Owen Haskell, Inc. (the "Survey"), which land was conveyed to the Mushials by deed of Winifred Jones and Mary Jane Gould dated January, 1998 and recorded in Cumberland County Registry of Deeds in Book 13450, Page 170 (the "Mushial Land"); and

WHEREAS Dale and Giese are the owners of land which adjoins the Mushial Land to the southwest and referred to on the Survey, which land was conveyed to Dale and Giese by deed of James A. Talbot and Hazel M. Talbot dated March 25, 1975 and recorded in said Registry of Deeds in Book 3660, Page 195 (the "Dale and Giese Land"); and

WHEREAS, a survey performed at the request of the Mushials disclosed that the location of the boundary line between the Mushial Land and the Dale and Giese Land was uncertain; and

WHEREAS, the Mushials and Dale and Giese desire to determine and establish the precise location of the boundary between their respective parcels of land;

NOW THEREFORE, in consideration of \$1.00 and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Mushials and Dale and Giese each grant to the other as follows:

1. Erik M. Mushial and Caitlin J. Mushial grant, release and quitclaim without covenant unto William N. Dale, Jr. and Elizabeth Giese, whose mailing address is 40 Salem Street, Portland, ME 04102, as joint tenants all our right, title and interest in and to the land described in **Exhibit A** appended hereto and incorporated herein; and
2. William N. Dale, Jr. and Elizabeth Giese grant, release and quitclaim without covenant unto Erik M. Mushial and Caitlin J. Mushial whose mailing address is 42 Clark Street, Portland, Maine 04102-3979 as joint tenants all our right, title and interest in and to the land described in **Exhibit B** appended hereto and incorporated herein.

IN WITNESS WHEREOF, the undersigned William N. Dale, Jr. and Elizabeth Giese have

executed this instrument this 27th day of August, 2004

Kathy L Kingsbury
Witness

William N Dale, Jr
WILLIAM N. DALE, JR.

Erik M. Gallagher
Witness

Elizabeth Giese
ELIZABETH GIESE

STATE OF MAINE,
County of Cumberland, SS.

August 27, 2004

Then personally appeared the above named William N. Dale, Jr. and Elizabeth Giese and acknowledged the foregoing instrument to be their free act and deed, before me,

Michelle Donald
Notary Public
MICHELLE DONALD
Notary Public, Maine
My Commission Expires 11/19/10
Print or Type Name

My Commission Expires: November 19, 2010

[Affix Seal]

SEAL

IN WITNESS WHEREOF, the said Erik M. Mushial and Caitlin J. Mushial have executed this instrument this 31 day of Aug., 2004.

[Signature]
Witness

Erik M. Mushial
ERIK M. MUSHIAL

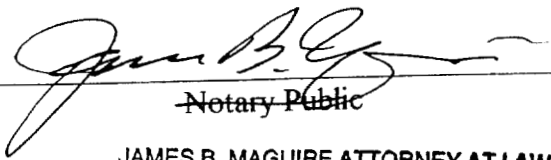
[Signature]
Witness

Caitlin J. Mushial
CAITLIN J. MUSHIAL

STATE OF MAINE,
County of Cumberland, SS.

Aug. 31, 2004

Then personally appeared the above named Erik M. Mushial and Caitlin J. Mushial and acknowledged the foregoing instrument to be their free act and deed, before me,



~~Notary Public~~

JAMES B. MAGUIRE ATTORNEY AT LAW

Print or Type Name

My Commission Expires: _____

[Affix Seal]

**EXHIBIT A
TO
BOUNDARY LINE AGREEMENT
(Description for Mushial to Dale)**

All our right, title and interest in and to the land lying southwesterly of the following described lines;

Beginning at a 5/8" iron rod to be set at the westernmost corner of the land of Mushial at the southernmost corner of the land now or formerly of Jo Ellen Coyne (See Book 12887 Page 265) as shown on "Boundary & Topographic Survey on Clark Street, Portland, Maine Made for Erik & Caitlin J. Mushial Jan. 29, 2004" by Owen Haskell, Inc. which iron rod to be set is located S 36° 03' 41" E a distance of 56.10 feet from a 5/8" iron rod found on the southeasterly sideline of Salem Street at the northernmost corner of the land of Dale as shown on "Boundary & Topographic Survey Salem and Summer Street Portland, Maine Owner: Norris Dale & Elizabeth Giese Dale June 24, 2003" by Northeast Civil Solutions;

Thence, S 36° 03' 41" E a distance of 58.23 feet to a 1" iron pipe found;

Thence, N 71° 28' 08" E a distance of 12.57 feet to a 1" iron pipe found;

Thence, S 37° 23' 55" E a distance of 59.09 feet to a 5/8" iron rod with cap #1314.

The purpose of this Instrument is to modify a prior deed and establish the common boundary line between the respective properties of the parties.

EXHIBIT B
TO
BOUNDARY LINE AGREEMENT
(Description for Dale to Mushial)

All our right, title and interest in and to the land lying northeasterly of the following described lines;

Beginning at a 5/8" iron rod to be set at the westernmost corner of the land of Mushial at the southernmost corner of the land now or formerly of Jo Ellen Coyne (See Book 12887 Page 265) as shown on "Boundary & Topographic Survey on Clark Street, Portland, Maine Made for Erik & Caitlin J. Mushial Jan. 29, 2004" by Owen Haskell, Inc. which iron rod to be set is located S 36° 03' 41" E a distance of 56.10 feet from a 5/8" iron rod found on the southeasterly sideline of Salem Street at the northernmost corner of the land of Dale as shown on "Boundary & Topographic Survey Salem and Summer Street Portland, Maine Owner: Norris Dale & Elizabeth Giese Dale June 24, 2003" by Northeast Civil Solutions;

Thence, S 36° 03' 41" E a distance of 58.23 feet to a 1" iron pipe found;

Thence, N 71° 28' 08" E a distance of 12.57 feet to a 1" iron pipe found;

Thence, S 37° 23' 55" E a distance of 59.09 feet to a 5/8" iron rod with cap #1314.

The purpose of this Instrument is to modify a prior deed and establish the common boundary line between the respective properties of the parties.

Received
Recorded Register of Deeds
Sep 08, 2004 01:13:33P
Cumberland County
John E O'Brien