

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND

Please Read
Application And
Notes, If Any,
Attached

BUILDING INSPECTION

PERMIT

Permit Number: 091135

This is to certify that MaCain Mark/YSS Inc Ed Stow
has permission to Demolish house, grade and seed New house to be occupied in 1 years
AT 45 SUMMER ST CB# 058 A032001

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 written permission procured before this building or part thereof is lathed or otherwise started-in. 24 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

Thomas M. Naibley 11/02/09
Director - Building & Inspection Services

PENALTY FOR REMOVING THIS CARD

PERMIT ISSUED

OCT 29 2009

City of Portland

City of Portland, Maine - Building or Use Permit Application

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

| | | |
|-----------------------|-------------|---------------------|
| Permit No: 09-1135 | Issue Date: | CBL: 058 A032001 |
|-----------------------|-------------|---------------------|

| | | | |
|---|--|--|------------------------|
| Location of Construction: 45 SUMMER ST | Owner Name: MaCain Mark | Owner Address: 31 Mill Street | Phone: 207-846-0697 |
| Business Name: | Contractor Name: YSS Inc Ed Stowell | Contractor Address: 165 Mountfort Road North Yarmouth | Phone 2078464299 |
| Lessee/Buyer's Name | Phone: | Permit Type: Demolitions - Building | Zone: R-6 |

| | | | | |
|--|---|--|---|--------------------|
| Past Use: Single Family Home | Proposed Use: Vacant Lot - Demolish house, grade and seed lot New house to be built in +/- 2 years | Permit Fee: \$60.00 | Cost of Work: \$4,000.00 | CEO District: 2 |
| Proposed Project Description: Demolish house, grade and seed lot New house to be built in +/- 2 years | | FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied | INSPECTION: Use Group: R3 Type: SB IRC 2003 | |
| | | Signature: | Signature: <i>[Signature]</i> 11/02/09 | |
| 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: Ldobson | Date Applied For: 10/09/2009 | Zoning Approval | | |
| 1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules. 2. Building permits do not include plumbing, septic or electrical work. 3. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work.. | Special Zone or Reviews <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/> <i>Or w/ conditions</i> Date: 10/14/09 ABM | Zoning Appeal <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied Date: | Historic Preservation <input checked="" type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied <i>ABM</i> Date: | |

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.

PERMIT ISSUED

| | | | |
|---|---------|-------------|------------------|
| SIGNATURE OF APPLICANT | ADDRESS | DATE | PHONE |
| | | OCT 29 2009 | |
| RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE | | DATE | PHONE |
| | | | City of Portland |

City of Portland, Maine - Building or Use Permit

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

| | | |
|------------------------------|--|----------------------------|
| Permit No: 09-1135 | Date Applied For: 10/09/2009 | CBL: 058 A032001 |
|------------------------------|--|----------------------------|

| | | | |
|--|---|---|--------------------------------|
| Location of Construction: 45 SUMMER ST | Owner Name: MaCain Mark | Owner Address: 31 Mill Street | Phone: 207-846-0697 |
| Business Name: | Contractor Name: YSS Inc Ed Stowell | Contractor Address: 165 Mountfort Road North Yarmouth | Phone (207) 846-4299 |
| Lessee/Buyer's Name | Phone: | Permit Type: Demolitions - Building | |

| | |
|--|---|
| Proposed Use: Vacant Lot - Demolish house, grade and seed lot New house to be built in +/- 2 years | Proposed Project Description: Demolish house, grade and seed lot New house to be built in +/- 2 years |
|--|---|

Dept: Zoning **Status:** Approved with Conditions **Reviewer:** Ann Machado **Approval Date:** 10/14/2009**Note:** Applicant has submitted documentation that the lot is a lot of record. (See public images under the CBL). **Ok to Issue:**
A house can be built on the lot following the conditions under section 14-433 for the R-6 zone.

- 1) Your present structure is legally nonconforming as to setbacks. If you are to demolish this structure on your own volition, you will only have one (1) year to replace it in the same footprint (no expansions), with the same height, and same use. Any changes to any of the above shall require that this structure meet the current zoning standards. The one (1) year starts at the time of removal. It shall be the owner's responsibility to contact the Code Enforcement Officer and notify them of that specific date.

Dept: Building **Status:** Approved with Conditions **Reviewer:** Tom Markley **Approval Date:** 11/02/2009**Note:** **Ok to Issue:**

- 1) Demolition permits are valid for a period of 30 days from the date of issuance. A written request must be submitted and granted for an extension to this time period. Dust prevention shall be controlled per Chapter 6 of the Municipal Ordinance
- 2) Demo permit only! Construction requires seperate permits.
- 3) Demolition permit only. No other construction activities allowed.
- 4) Application approval based upon information provided by applicant. Any deviation from approved plans requires separate review and approrval prior to work.

Comments:

10/14/2009-amachado: Gave to front staff to schedule predemolition inspection.

PERMIT ISSUED

OCT 29 2009

City of Portland

BUILDING PERMIT INSPECTION PROCEDURES

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

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.

A Pre-construction Meeting will take place upon receipt of your building permit.

 X **Final inspection required at completion of work.**

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.

CERIFICATE OF OCCUPANICES MUST BE ISSUED AND PAID FOR, BEFORE THE SPACE MAY BE OCCUPIED.

Signature of Applicant/Designee

Thomas M. Markley

Signature of Inspections Official

Date

11/02/09

Date

PERMIT ISSUED

OCT 29 2009

City of Portland



Demolition of a Structure 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>45 SUMMER STREET</u> | | |
| Total Square Footage of Proposed Structure <u>1690 SQ FT, 1 1/2 STORIES</u> | | Square Footage of Lot: <u>4100</u> |
| Tax Assessor's Chart, Block & Lot: Chart# Block# Lot# <u>58-A-32</u> | Owner: <u>MARK MCCAIN</u> | Telephone: <u>846-0697</u> |
| Lessee/Buyer's Name (If Applicable) | Applicant name, address & telephone: <u>MARK MCCAIN</u> <u>31 MILL STREET</u> <u>YARMOUTH ME 04096</u> | Cost Of Work: \$ <u>4000</u> Fee: \$ <u>60</u> |
| Current legal use: (i.e. garage, warehouse) <u>VACANT</u> If vacant, what was the previous use? <u>SINGLE-FAMILY HOUSE</u> How long has it been vacant? <u>10 MONTHS</u> Project description: <u>RAZE HOUSE, GRADE & SEED LOT.</u> <u>NEW HOUSE TO BE BUILT IN +/- TWO YEARS</u> | | |
| Contractor's name, address & telephone: <u>ED STOWELL, YSS INC., 165 MOUNTFORT ROAD,</u> <u>NORTH YARMOUTH, ME 04097</u> <u>846-4299</u> | | |
| Who should we contact when the permit is ready: <u>MARK MCCAIN</u> | | |
| Mailing address: <u>31 MILL STREET</u> Telephone: <u>846-0697</u> <u>YARMOUTH ME 04096</u> | | |

RECEIVED

Please submit all of the information outlined in the Demolition call list. Failure to do so will result in the automatic denial of your permit.

OCT - 9 2009

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information on how to obtain copies of this form and other applications visit the Inspections Division on-line at www.portlandmaine.gov, or stop by the Inspections Division office, room 315 City Hall or call 874-8703.

Dept. of Building Inspections
City of Portland, Maine

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:  | Date: <u>10/9/09</u> |
|---|----------------------|

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



Demolition Call List & Requirements

Site Address: 45 SUMMER STREET

Owner: MARK MCCAIN

Structure Type: SINGLE-FAMILY HOUSE

Contractor: YSS, INC.

| Utility Approvals | Number | Contact Name/Date |
|-------------------------|-------------------|--|
| Central Maine Power | 1-800-750-4000 | <u>JUDY MCPERSON 10/8/09</u> |
| Northern Utilities | 797-8002 ext 6241 | <u>BARBARA MONTI 10/8/09</u> |
| Portland Water District | 761-8310 | <u>HEATHER FIELDS 10/8/09</u> |
| Dig Safe | 1-888-344-7233 | <u>CONFIRMATION #2009 410 8657 10/8/09</u> |

After calling Dig Safe, you must wait 72 business hours before digging can begin.

| | | |
|---------------------------------------|----------|-----------------------------------|
| DPW/ Traffic Division (L. Cote) | 874-8891 | <u>LUCY COTE 10/8/09</u> |
| DPW/ Sealed Drain Permit (C. Merritt) | 874-8822 | <u>CAROL MERRITT 10/8/09</u> |
| Historic Preservation | 874-8726 | <u>DEB ANDREWS 10/8/09</u> |
| Fire Dispatcher | 874-8576 | <u>ANDY DZIEGIELEWSKI 10/8/09</u> |
| DEP – Environmental (Augusta) | 287-2651 | <u>SANDY MOODY 10/8/09</u> |

Additional Requirements

- 1) Written notice to adjoining owners
- 2) A photo of the structure(s) to be demolished
- 3) A plot plan or site plan of the property
- 4) Certification from an asbestos abatement company

All construction and demolition debris generated in Portland must be delivered to Riverside Recycling Facility at 910 Riverside Street. Source separated salvage materials placed in specifically designated containers are exempt from this provision. For more information contact Troy Moon @ 874-8467.

U.S. EPA Region 1 – No Phone call required. Just mail copy of State notification to:

Demo / Reno Clerk
US EPA Region I (SEA)
JFK Federal Building
Boston, MA 02203

I have contacted all of the necessary companies/departments as indicated above and attached all required documentation.

Signed: [Signature]

Date: 10/9/09

For more information or to download this form and other permit applications visit the Inspections Division on our website at www.portlandmaine.gov

Title transferred to current owner, Mark McCain,
on 10/7/09 at Douglas Title Co., Yarmouth ME
(contact: Don or Abby Douglas, 846-3460)

(space above line reserved for registry use)

REO #4000660987

**QUITCLAIM DEED WITH COVENANT
(Special Warranty Deed)**

Deutsche Bank National Trust Company, as Trustee, in Trust for the Registered Holders of Ameriquest Mortgage Securities, Inc., Asset-Backed Pass Through Certificates, Series 2004-R10, a corporation duly organized and existing and having a place of business c/o American Home Mortgage Servicing, Inc., in the City of Irvine and State of California, for consideration paid, GRANTS to S. Mark McCain, with a mailing address of 31 Mill Street, Yarmouth, Maine 04096, hereinafter called "Grantee", his heirs and assigns forever, and WITH QUITCLAIM COVENANTS, the following described property, with the buildings thereon, and the appurtenances belonging thereto, situated in the City of Portland, in the County of Cumberland and State of Maine, and being more particularly described as follows:

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 in the Northerly line of Summer Street at a point distant one hundred fifty-one (151) feet Westerly by said line of Clark Street; thence Northerly at right angles with Summer Street one hundred (100) feet to land of unknown; thence Westerly by said land of unknown forty (40) feet to Lot W on a plan hereinafter referred to; thence Southerly by Lot W one hundred (100) feet to Summer Street; thence Easterly by Summer Street, forty-one and eighty (sic) tenths (41.8) feet to first named bounds; being Lot Marked V on a plan recorded in Cumberland County Registry of Deeds, Plan Book 2, Page 5.

Reference is made to a Judgment of Foreclosure and Sale in an action to foreclose a mortgage recorded in Book 21366, Page 21, brought by **Deutsche Bank National Trust Company, as Trustee, in Trust for the Registered Holders of Ameriquest Mortgage Securities, Inc., Asset-Backed Pass Through Certificates, Series 2004-R10** against Shane McGarvey and Michelle J. McGarvey as filed in the Maine District Court, Division of Portland, Docket No. RE-2008-291 and duly recorded in the Cumberland County Registry of Deeds in Book 27293, Page 23. Being the same premises as conveyed to the grantor herein by virtue of a deed dated June 11, 2009 and recorded in the Cumberland County Registry of Deeds in Book 27036 Page 114.

SAMPLE LETTER

October 9, 2009

Elizabeth and Norris Dale
40 Salem Street
Portland, Maine 04102

Dear Mr. and Mrs. Dale,

I'm writing to let you know I have applied for a permit to demolish the house at 45 Summer Street next door to the gray house at 49 Summer that I own and have renovated, and below your house on Salem Street. I plan to build a new house on the lot in about two years. Let me know if you have any questions.

Best wishes,

Mark McCain

31 Mill Street, Yarmouth ME 04096, 207-846-0697, cwalworth@gwi.net

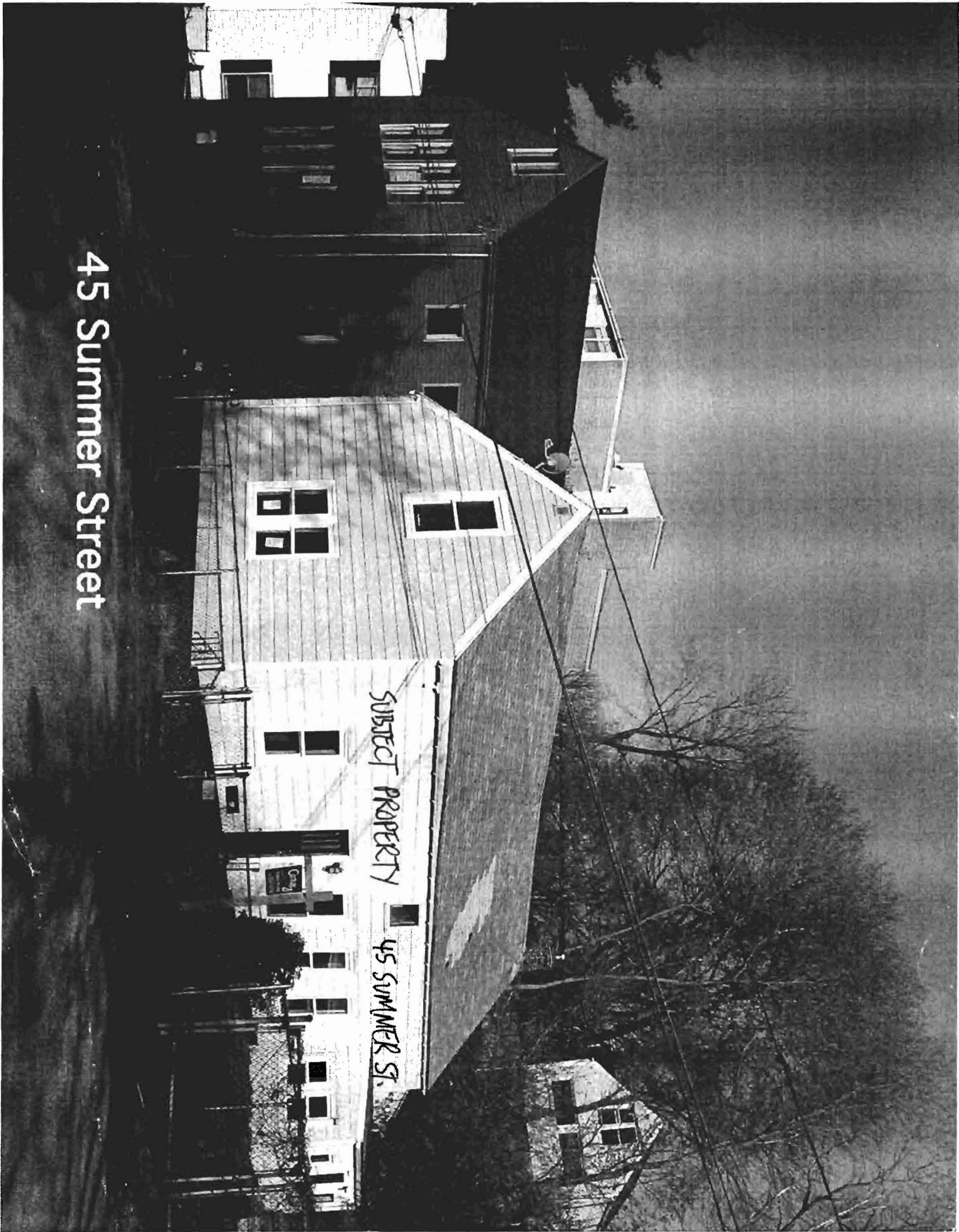
sent to abutters of 53-A-32, 45 Summer Street:

Elizabeth and Norris Dale, 40 Salem Street, Portland
(lot 31)

Ms. Karen Sarfaty, 46 Salem Street, Portland (lot 20)

Shirley and Claude Gaudet, 206 Mountain Road, Falmouth (lots
21 and 22)

Lot 33 owned by applicant as CLH Properties, LLC



45 Summer Street

THIS IS NOT A BOUNDARY SURVEY

INSPECTION OF PREMISES

I HEREBY CERTIFY TO Douglas Title Co.

45 Summer Street
Portland, Maine

Job Number: 403-74
Inspection Date: 05-19-09

Scale: 1" = 20'

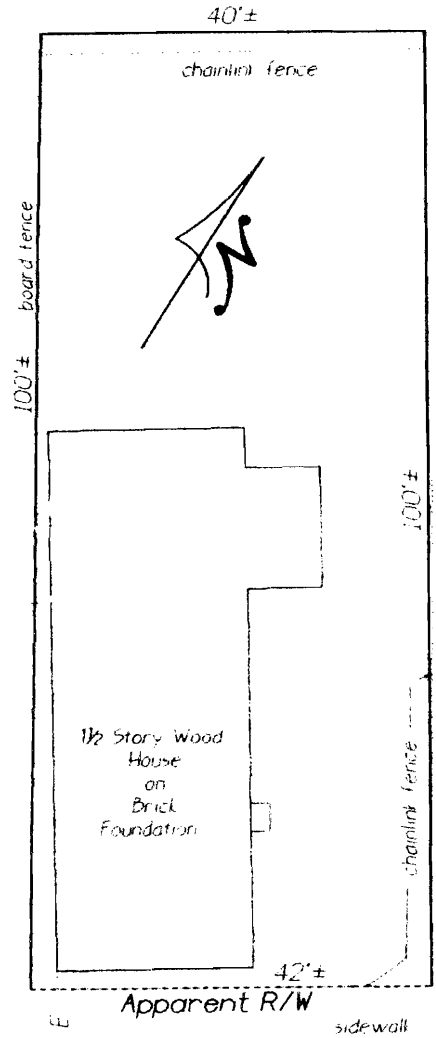
The monumentation is ~~not~~ in harmony with current deed description.

The building setbacks are ~~not~~ in conformity with town zoning requirements. "Grandfathered"

The dwelling does not ~~appear to~~ fall within the special flood hazard zone as delineated by the Federal Emergency Management Agency.

The land does not ~~appear to~~ fall within the special flood hazard zone as indicated on community-panel # 230051 0013 B

BUYER: S. Mark McCain



Utility Pole

Summer Street

Summer Street
(bituminous)

THIS PROPERTY IS SUBJECT TO ALL RIGHTS AND EASEMENTS OF RECORD THOSE THAT ARE EVIDENT ARE SHOWN.

THIS PLAN MIGHT NOT REVEAL CONFLICTS WITH ABUTTING DEEDS

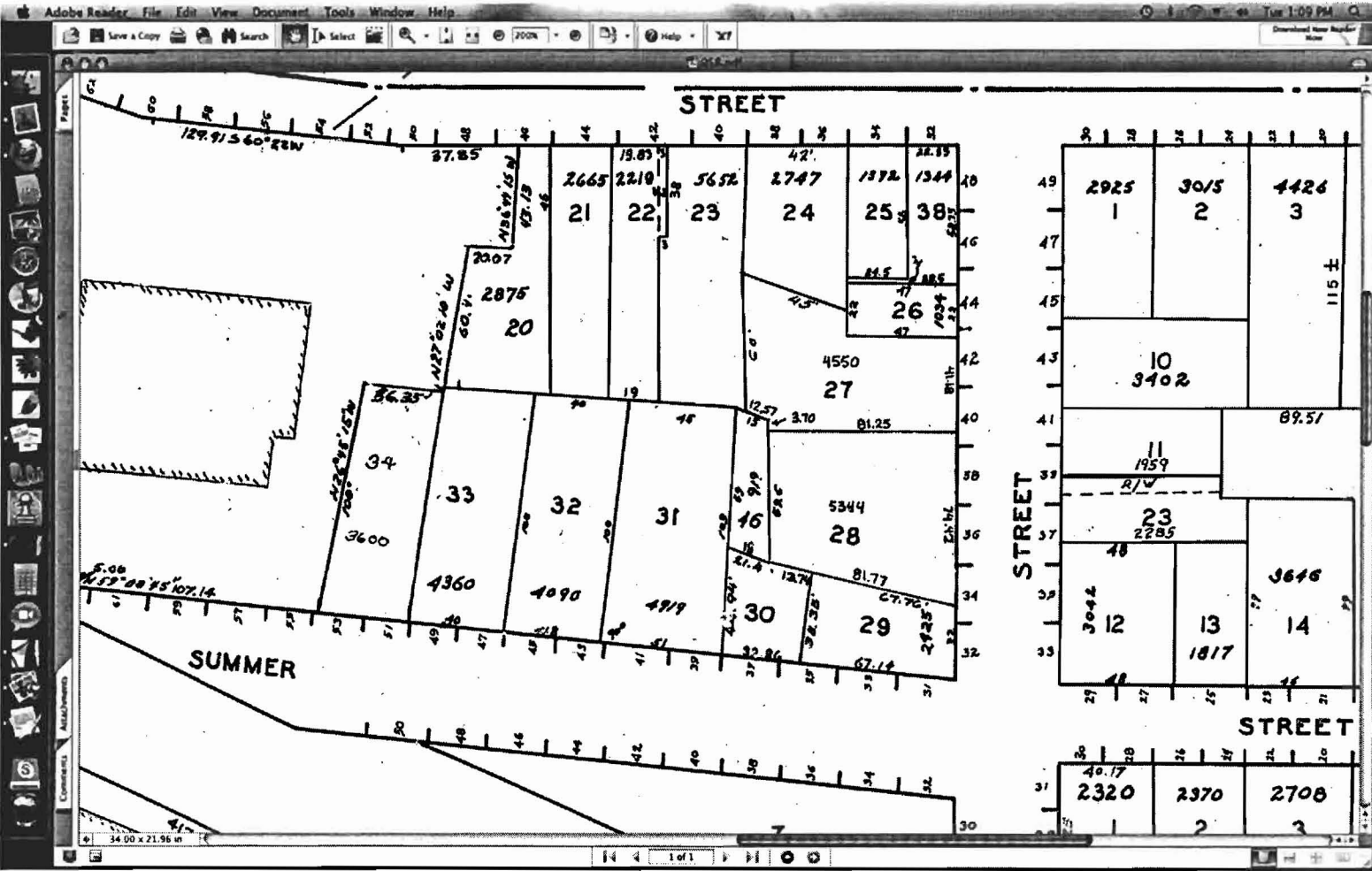
Bruce R. Bowman

184 John Small Road
Chebeague Island, Maine 04017
Phone: (207) 846-1663
Fax: (207) 846-1664



PLAN BOOK 2 PAGE 5 LOT V
DEED BOOK 17763 PAGE 98 COUNTY Cumberland

THIS PLAN IS NOT FOR RECORDING Drawn by: _____



THIS PERMIT EXPIRES THIRTY DAYS FROM DATE OF ISSUE

DATE: 10/09/2008

PERMISSION IS HEREBY GIVEN TO Yarmouth Septic Service 185 Mountfort Rd
NAME ADDRESS

TO OPEN 45 - 45 Summer St Street/Avenue

FOR THE PURPOSE OF Sealing sewer line on private property - will build on this lot in
two years - attached letter with permit and application

SAID WORK SHALL BE PROPERLY DONE ACCORDING TO The Excavation Ordinance, Chapter 25 of the Municipal Code, "STREETS, SIDEWALKS AND OTHER PUBLIC PLACES." and abide by all provisions of Chapter 6, Plumbing Code and Chapter 24, Sewer Use Ordinance, of the Municipal Codes of the City of Portland, Maine. I HAVE READ AND UNDERSTOOD MY RESPONSIBILITIES AS A LICENSED EXCAVATOR AS DESCRIBED IN THE STREET EXCAVATOR ORDINANCE, SECTION 25, ARTICLE VII OF THE MUNICIPAL CODE.

THE WORK IS BEING DONE BY:

CONTRACTOR: Yarmouth Septic Service, 185 Mountfort Rd, North Yarmouth
NAME ADDRESS

PLUMBER: _____
NAME ADDRESS

OWNER: _____
NAME ADDRESS

NOTES: _____

Michael J. Bobinsky
Michael J. Bobinsky
Director of Public Services

This permit does not create in the applicant any permission for him to enter or use the land of another property owner, either temporarily or permanently, for the purpose of connection with the City sewer line. Questions concerning such permission should be referred to Applicant's attorney.

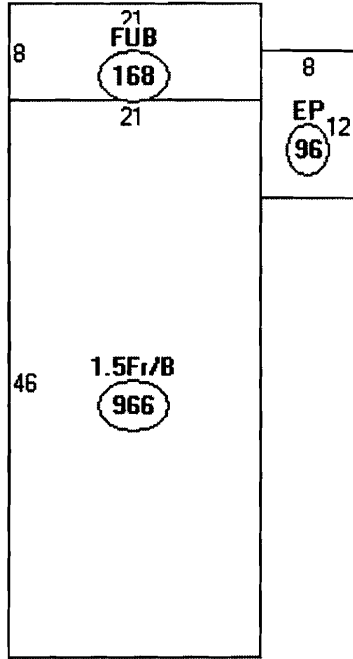
| Qty | Description | Rate | per | Unit | Charge | Paid | Due |
|----------------|--------------|----------|-----|------|----------------|--------------------|---------------|
| 0.200 | Sealed Drain | \$250.00 | | Each | \$50.00 | \$50.00 | \$0.00 |
| Totals: | | | | | <u>\$50.00</u> | <u>Pd. \$50.00</u> | <u>\$0.00</u> |

CK# 1112

C. M. M. M.

ALL CONTRACTORS/INDIVIDUALS MUST NOTIFY THE CITY OF PORTLAND, PUBLIC SERVICES DISPATCH AT 874-8493 THE MORNING OF THE EXCAVATION AND ONE HOUR BEFORE COMPACTION

White copy - Permittee's • Yellow copy - Billing • Pink copy - File



Descriptor/Area

- A: 1.5Fr/B
966 sqft
- B: FUB
168 sqft
- C: EP
96 sqft

10-19-09
 Building
 size
 correct
 this sketch
 SMA

Summe 51