

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

PERMIT ISSUED

Permit No: 04-0005 Issue Date: JAN 26 2004 CBL: 063 E006001

Location of Construction: 197 Pine St	Owner Name: West End Living Llc	Owner Address: Po Box 220 CITY OF PORTLAND	Phone: 207-777-4700
Business Name: n/a	Contractor Name: West End Living, LLC	Contractor Address: PO Box 220 Auburn	Phone: 2077774700
Lessee/Buyer's Name n/a	Phone: n/a	Permit Type: Change of Use - Condo Conversion	Zone: R4

Past Use: Rental Housing	Proposed Use: <i>ownership</i> Change of use from 31 units to 31 condominiums.	Permit Fee: \$7,005.00	Cost of Work: \$0.00	CEO District: 2
Proposed Project Description: Change of use from 31 units to 31 condominiums. <i>ownership</i> <i>legal use: 31 dwelling units</i>		FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: <i>R2</i> Type: <i>3B</i> <i>1/23/04</i>	
		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: 12/31/2003	Zoning Approval		
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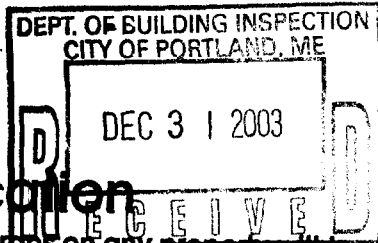
1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules. 2. Building permits do not include plumbing, septic or electrical work. 3. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..	Special Zone or Reviews <input type="checkbox"/> Shoreland <i>NA</i> <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"/> <input checked="" type="checkbox"/> Denied Date: <i>1/21/04</i>	Zoning Appeal <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input checked="" type="checkbox"/> Denied Date: _____	Historic Preservation <input 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>my extension work requires A</i> Date: _____ <i>separate review</i>
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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

04 0005



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: 197 Pine Street, Portland, ME 04102		
Total Square Footage of Proposed Structure 37,152	Square Footage of Lot 10,150	
Tax Assessor's Chart, Block & Lot Chart# 63 Block# E Lot# 6	Owner: West End Living, LLC 292 Court St. Auburn, ME 04210	Telephone: 207-777-4700
Lessee/Buyer's Name (if Applicable) N/A	Applicant name, address & telephone: West End Living, LLC c/o Emile Clavet P.O. Box 220 Auburn, ME 04212 (207) 777-4700	Cost Of Work: \$ -0- Fee: \$ 225.00 31 units @ \$25.00 per unit \$6,975
Current use: Rental Housing number of units: 31		
Proposed use Condominium number of units: 31		
Project description: Convert existing 31 unit apartment building into condominiums. <i>will need electric permits. started cosmetic work and such as wall paper</i>		
Contractor's name, address & telephone: West End Living, LLC, c/o Emile Clavet, P.O. Box 220 Auburn, Maine 04212 (207) 777-4700		
Who should we contact when the permit is ready: Shawn K. Bell, Esq.		
Mailing address: Bonneau & Geismar, LLC 100 Lisbon Street, PO Box 7230 Lewiston, ME 04243-7230		
		Phone: 207-777-5200

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:	Date: 12-24-03
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This is not a permit, you may not commence ANY work until the permit is issued

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND

Please Read Application And Notes, If Any, Attached

BUILDING PERMIT

Permit Number: 040005

This is to certify that West End Living Llc /West End Living,
has permission to Change of Use from 31 units 31 condominiums
AT 197 Pine St 063 E006001

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 is procured before this building or part thereof is laid or closed-in.
HEAR 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] 1/23/04
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: 04-0005	Date Applied For: 12/31/2003	CBL: 063 E006001
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Business Name: n/a	Contractor Name: West End Living, LLC	Contractor Address: PO Box 220 Auburn	Phone: (207) 777-4700
Lessee/Buyer's Name: n/a	Phone: n/a	Permit Type: Change of Use - Condo Conversion	

Proposed Use: Change of ownership from 31 leased apts. to 31 condominiums.	Proposed Project Description: Change of ownership from 31 leased apts. to 31 condominiums.
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Dept: Zoning **Status:** Approved with Conditions **Reviewer:** Marge Schmuckal **Approval Date:** 01/21/2004
Note: legal number of units per microfiche is 31 dwelling units **Ok to Issue:**
 1/20/04 I spoke with Jean Nichols about missing tenant information for unit #43 - she said it was vacant, that the tenant upped and left without notice. She will get me further tenant info on that unit.
 1/21/04 received info on unit #43 a vacant unit

- 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.
- ANY exterior work requires a separate review and approval thru Historic Preservation
- 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.
- This property shall remain a thirty one (31) family dwelling. Any change of use shall require a separate permit application for review and approval.

Dept: Building **Status:** Approved with Conditions **Reviewer:** Mike Nugent **Approval Date:** 01/23/2004
Note: **Ok to Issue:**
 1) No construction is authorized pursuant to this permit simply a form of ownership.

Dept: Fire **Status:** Approved with Conditions **Reviewer:** Lt. MacDougal **Approval Date:** 01/21/2004
Note: **Ok to Issue:**
 1) vertical openings shall be fire rated with a minimum of 90 min fire rating

Comments:
 1/23/2004-mjn: Releasing the permit Authorizing NO CONSTRUCTION. Left a message with the applicant to discuss the types of improvements that they would like to perform.
 1/6/2004-gg: Type & Cost improvements will occur; \$100,000 in electric (only electric boxes have been bought), also \$200,000 in improvements will occur, (only wall paper has been taken down). /gg

Submit with Condominium Conversion Permit Application

Project Data:

Address: 197 Pine Street, Portland, ME 04102

C-B-L: 63-E-5

Number of units in building: 31

Tenant name	Tenant tel. #	occup. length	Date of notice	eligible for \$?
Unit 1	SEE ATTACHED LIST.			
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 Purchased October 21, 2003

Are any building improvements, renovations, or modifications being made associated with this conversion that requires a building, plumbing, electrical, or heating permit? YES x NO _____ (check one)

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

\$ 0 exterior walls, windows, doors, roof

\$ 0 insulation

\$ 200,000 interior cosmetics (walls/floors/ hallways refinishing, etc.)

\$ 100,000 other (specify) Electrical

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON THE REVERSE

**Bonneau
&
Geismar, LLC**

100 Lisbon Street, PO Box 7230
Lewiston, Maine 04243-7230
207/777-5200
Iolita Trust Account

PEOPLES HERITAGE BANK
PORTLAND, MAINE

52-7445/2112

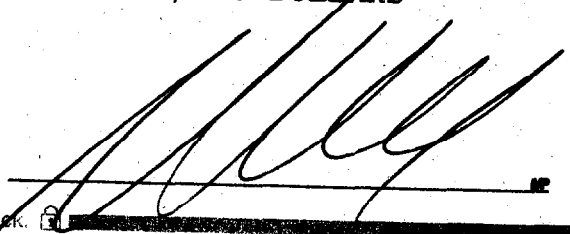
7127

DATE NUMBER AMOUNT

12/24/03 7127 **\$6,975.00

PAY *** SIX THOUSAND NINE HUNDRED SEVENTY-FIVE & 00/100 DOLLARS

TO THE
ORDER OF City of Portland, Maine



SECURITY FEATURES INCLUDED. DETAILS ON BACK.

⑈007127⑈ ⑆211274450⑆ 0291 48868⑈

Bonneau & Geismar

Attorneys

John V. Bonneau
John W. Geismar
K. Alexander Visbaras
Shawn K. Bell
Charles C. Hedrick
Jean T. Nichols

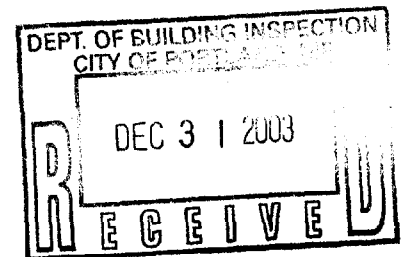
Tel. 207-777-5200
Fax. 207-777-0037
bell@bonneaugeismar.com

December 23, 2003

Marge Schmuckal, Zoning Administrator
Planning and Development
City of Portland
389 Congress Street
Portland, ME 04101

RE: Condominium Conversion Permit Application for 197 Pine Street

Dear Ms. Schmuckal:



Enclosed please find the Application of West End Living, LLC for the conversion of a 31 unit apartment building located at 197 Pine Street to condominiums.

West End Living purchased the building on or about October 21, 2003. Information regarding the current tenants and their length of occupancy was obtained from the prior owner. Copies of each of the Notices of Intent to Convert the Unit to a Condominium which were prepared based on this information are enclosed. Attached to each Notice is the proposed Purchase and Sale Agreement for that unit. Each Notice also included a copy of the Public Offering Statement, a single copy of which is also enclosed. The Notices provide tenants the opportunity to correct any information. The Notices further indicate that should the tenant decide not to purchase their unit, they may be eligible for relocation payments and that the tenant is responsible for providing appropriate proof of their income to confirm eligibility. At the time the Notices were delivered, units #21, 24, 31, 43, 44 and 54 were vacant. A copy of each Notice of Intention to Vacate for the aforementioned units, together with an explanation of the reason for the vacancy, how long the unit has been vacant, the last tenant's name, and where the tenant moved is attached. Good

The building currently has 31 apartments and it is the intent of this Application to convert those existing 31 units into condominiums. There are no plans to add further units nor to modify the floor plans of any of the existing units. It is also not the intent of the owners to make any changes to the exterior of the building. It is my understanding, therefore, that this Application

December 23, 2003

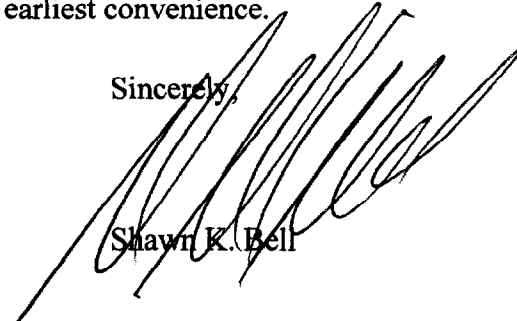
Page 2

will not require review under the historical zoning regulations. The owner does intend to make modifications with respect to interior paint and carpeting in the common areas and with respect to electrical. The proposed bylaws of the Condominium Association allow for rental of units and it is anticipated that some units will be available for rental. Tenants who are interested in pursuing this option are advised in the Notice to contact West End Living LLC.

Also enclosed is a check in the amount of \$6,975. This represents a \$150.00 per unit fee for the Condominium Conversion Application plus an additional \$75.00 for a Certificate of Occupancy for each unit.

Please let me know if you have any questions or concerns about this Application. I look forward to hearing from you at your earliest convenience.

Sincerely,



Shawn K. Bell

SKB/jn

Enclosures

cc: Tom Dean
Emile Clavet
Kevin Dean

K:\AMY\CLIENTS\DEAN\West End Living, LLC\Huddersfield Properties, LLC\Zoning Administrator 9-25-03.let

Huddersfield Properties, LLC

Unit #	Tenant Name	Tenant Telephone #	Occupancy Length as of 9/03	Date of Notice	Eligibility for \$
1 ✓	Basement	S. Tompkins	774-7466	2 yrs 2 mos.	unknown
2 ✓	Unit 11	J. Brill	Unpublished	less than 4 years	unknown
3 ✓	Unit 12	J. Knight	828-0231	2 yrs 3 mos.	unknown
4 ✓	Unit 14	J. Condon and J. Brooks	Unpublished	less than 4 years	unknown
5 ✓	Unit 15	Jessica Dubois A. Joubert	761-7218	1 yr. 3 mos.	unknown
6 ✓	Unit 16	C. Digirolamo	775-4237	1 yr. 5 mos.	unknown
7 ✓	Unit 17	M.B. Chase	774-1784	2 yrs. 3 mos.	unknown
8 ✓	Unit 21	Vacant - See attached	Bob DeLaney	moved 10/31/03 to move in with girlfriend	
9 ✓	Unit 22	William D. Duddy	871-0991	1 yr. 1 mo.	unknown
10 ✓	Unit 23	Alex and Maureen Hyslop	773-0279	5 yrs.	unknown
11 ✓	Unit 24	Vacant - See attached	Ann Pook & Garth Armstrong	moved 11/23/03 purchasing home in Yarmouth	
12 ✓	Unit 25	Jennifer Parisien	772-3344	1 yr. 10 mos.	unknown
13 ✓	Unit 26	Paul & Joy Golding	775-1625	1 yr. 1 mo.	unknown
14 ✓	Unit 31	Vacant - See attached	Rick & Katie Rand	"buying" 11/1/03 237 Allen AVE # 8	
15 ✓	Unit 32	V. Solovieva	774-5791	less than 4 years	unknown
16 ✓	Unit 33	S. Larocque and O. Morse	Unpublished	less than 4 years	unknown

✓ 17 -	Unit 34	K. Ronhave	Unpublished	less than 4 years		unknown
✓ 18 -	Unit 35	K. Modjtabai	Unpublished	1 yr. 2 mos.		unknown
19 ✓	Unit 36	Scott Brooke	775-1798	5 yrs. 2 mos.		unknown
20 ✓	Unit 41	W. Worthen	Unpublished	7 yrs. 9 mos.		unknown
21 ✓	Unit 42	J.H. Leary	774-9591	12 yrs.		unknown
see info received 1/21/04 22 ✓	Unit 43	Vacant - See attached	see info received 1/21/04			
23 -	Unit 44	Vacant - See attached	Allana Bannigan moved AS of 10/31/03 Victoria Bard getting a 3 BR m instead of 2 BR m			
24 ✓	Unit 45	Blake Smithson	773-6119	1 yr. 4 mos.		unknown
25 ✓	Unit 46	F. E. Lowell	774-1251	12 yrs.		unknown
26 ✓	Unit 51	M. Willard	879-0664	1 yr. 3 mos.		unknown
27 ✓	Unit 52	T. Longmore	Unpublished	4 yrs. 4 mos.		unknown
28 ✓	Unit 53	L. Bjorgvinsson	Unpublished	less than 4 yrs.		unknown
29 ✓	Unit 54	Vacant - See attached	Jefe Inglis moved 10/31/03 Crystal Goodrich - purchased home 17 Highland AVE - S.P.			
30 ✓	Unit 55	R. Whiteley	761-2531	less than 4 years		unknown
31 ✓	Unit 56	W. Bracy & J. Brackett	Unpublished	less than 4 years		unknown

Bonneau & Geismar

Attorneys

John V. Bonneau
John W. Geismar
K. Alexander Visbaras
Shawn K. Bell
Charles C. Hedrick
Jean T. Nichols

Tel. 207-777-5200
Fax. 207-777-0037
jeannichols@bonneaugeismar.com

January 21, 2004

Marge Schmuckal, Zoning Administrator
Planning and Development
City of Portland
389 Congress Street
Portland, ME 04101

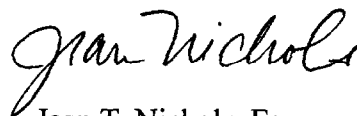
RE: Condominium Conversion Permit Application for 197 Pine Street

Dear Ms. Schmuckal:

Enclosed please find the original Affidavit of Emile Clavet in reference to the Application of West End Living, LLC for the conversion of a 31 unit apartment building located at 197 Pine Street to condominiums.

Please call if you have any questions or concerns.

Sincerely,

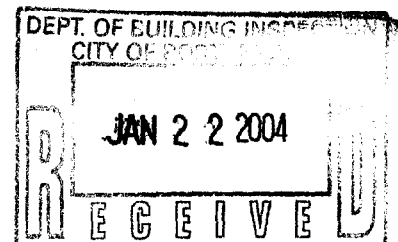


Jean T. Nichols, Esq.

JTN/jn

Enclosure

K:\AMY\CLIENTS\DEAN\West End Living, LLC\Huddersfield Properties, LLC\Schmuckal, Marge 1-21-04.let



AFFIDAVIT

I, **Emile L. Clavet**, Manager of **West End Living, LLC**, a Maine Limited Liability Company with a principal place of business in Lewiston, Maine, being first duly sworn, do hereby depose and state as follows:

(1) I am a Manager of **West End Living, LLC** (the "Company").

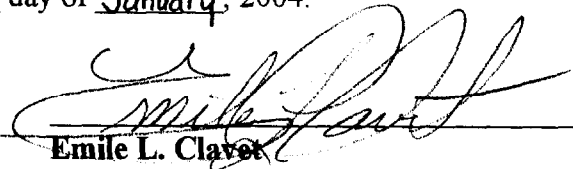
(2) As part of my duties as Manager of the Company, I have access to the Company's business records and participated in the development of the Condominium Conversion application filed with the City of Portland, Maine for West End Commons.

(3) Michael Farino was listed as the tenant for Unit 43 of the apartment building purchased by the Company on October 21, 2003, and rent that he had paid for the month of October was prorated as part of the sale, based on information supplied by the seller.

(4) Since the closing, the Company has not had any financial transactions with Michael Farino or regarding Unit 43. No rent check was received for November or December, and no security deposit is being held for Unit 43. The unit is now vacant, and there is no forwarding address or contact information for Michael Farino.

I make this Affidavit based upon my personal knowledge and belief.

Dated at Lewiston, Maine as of this 21st day of January, 2004.


Emile L. Clavet

STATE OF MAINE
ANDROSCOGGIN, SS.

Jan 21, 2004

Then personally appeared the above-named **Emile L. Clavet** and made oath to the truth of the above statements by him made.

Before me,



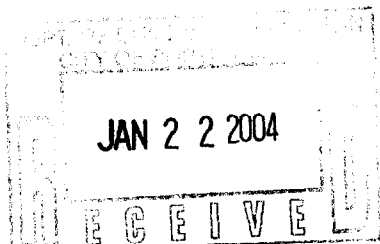
Notary Public/Attorney-At-Law

Print Name: _____

DOREEN P. GAGNON
Notary Public, Maine

My Commission Expires: _____

My Commission Expires September 10, 2010



City of Portland, Maine - Building or Use Permit

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

Permit No: 04-0005	Date Applied For: 12/31/2003	CBL: 063 E006001
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Business Name: n/a	Contractor Name: West End Living, LLC	Contractor Address: PO Box 220 Auburn	Phone: (207) 777-4700
Lessee/Buyer's Name n/a	Phone: n/a	Permit Type: Change of Use - Condo Conversion	

Proposed Use: Change of ownership from 31 leased apts. to 31 condominiums.	Proposed Project Description: Change of ownership from 31 leased apts. to 31 condominiums.
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Note:			Ok to Issue: <input checked="" type="checkbox"/>
1) No construction is authorized pursuant to this permit simply a form of ownership.			

Dept: Fire	Status: Approved with Conditions	Reviewer: Lt. MacDougal	Approval Date: 01/21/2004
Note:			Ok to Issue: <input checked="" type="checkbox"/>
1) vertical openings shall be fire rated with a minimum of 90 min fire rating			

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01/06/2004-gg: Type & Cost improvements will occur; \$100,000 in electric (only electric boxes have been bought), also \$200,000 in improvements will occur, (only wall paper has been taken down). /gg