

PIERCE
ATWOOD

LLP
ATTORNEYS AT LAW

Rebecca W. Greenfield

One Monument Square
Portland, ME 04101

207-791-1246 voice
207-791-1350 fax
rgreenfield@pierceatwood.com
www.pierceatwood.com

October 19, 2004

**** BY HAND ****

Ms. Marge Schmuckal, Zoning
Administrator/City of Portland
Portland City Hall
389 Congress Street
Portland, Maine 04101

RE: Merrill Marine Terminal – Map 72, Block A, Lots 3 & 12
601 Danforth Street – Portland, Maine

Dear Ms. Schmuckal:

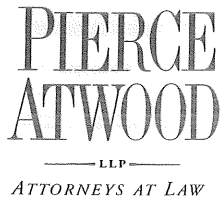
In connection with the referenced property, enclosed is our request for a Zoning Determination Letter, together with our check in the amount of \$150.00 for the same. If you have any questions, please contact me.

Thank you for your assistance in this regard.

Sincerely yours,


Rebecca W. Greenfield

RWG/bkr
Enclosure



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389 Congress Street
Portland, Maine 04101

RE: Merrill Marine Terminal/601 Danforth St., Portland, Maine/Map 72, Block A, Lots 3 & 12

Dear Ms. Schmuckal:

Presently, we are performing some due diligence research in connection with the property known as the Merrill Marine Terminal, more particularly identified on Map 72 as Block A, Lots 3 and 12, in the City of Portland ("Property"). The Property is located in the WPDZ, Waterfront Port Development Zone and in the Shoreland Overlay Zone. In these zones, marine cargo handling facilities, including docking, loading and related storage, commercial warehousing and intermodal transportation facilities are among the permitted uses.

Based on our recent review of the City's ordinances, we believe that the Property, as developed, conforms with all land use and development restrictions contained in these ordinances, including all applicable building, land use and subdivision regulations. We would appreciate your confirmation that all appropriate and required City permits, licenses, and approvals have been provided for the current use and development of the Property. We are unaware of any pending or contemplated land use or zoning actions with respect to the Property, nor are we aware of any notices of violation having been issued by your office in connection with the Property.

We ask that you confirm our understanding by signing at the bottom of this letter and returning it to us via facsimile at (207) 791-1350. Please send us the original by regular mail. Of course, if you have any questions, or require additional information, do not hesitate to call me. Thank you in advance for your time and assistance.

Sincerely,

Rebecca W. Greenfield

Seen and agreed to:

Zoning Administrator For
The City Of Portland

Date

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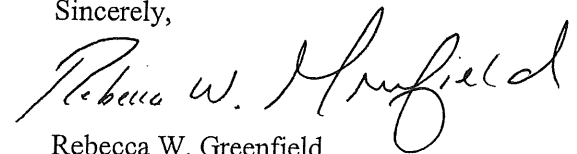
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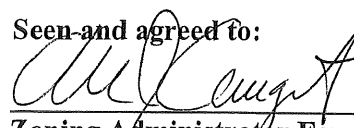
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Sincerely,



Rebecca W. Greenfield

Seen and agreed to:


MANAGER
OF
INSPECTORS
Zoning Administrator For
The City Of Portland

10/26/04
Date

**PIERCE
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— LLP —
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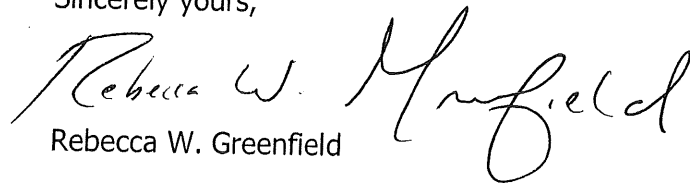
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