

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

CITY OF PORTLAND

Please Read Application And Notes, If Any, Attached

BUILDING INSPECTION PERMIT

PERMIT ISSUED
 Permit Number: 060645
 JUN - 7 2006
CITY OF PORTLAND

This is to certify that Higharger, Morey
 has permission to Change of use to 3 Unit Condominium
 AT 479 ST JOHN ST 079 D 00400

provided that the person or persons who accept 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 occupied or service closed-in. 4 HOUR NOTICE REQUIRED.

A certificate of occupancy must be procured by owner before this building or part thereof is occupied.

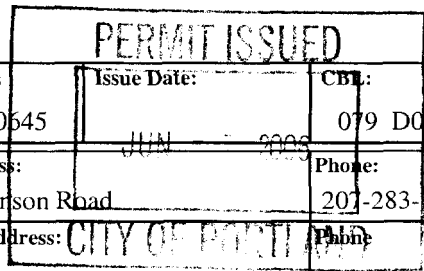
OTHER REQUIRED APPROVALS

Fire Dept. _____
 Health Dept. _____
 Appeal Board _____
 Other _____
 DepartmentName

[Signature] 6/6/06
 Director - Building & Inspection Services

PENALTY FOR REMOVING THIS CARD

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



Location of Construction: 479 ST JOHN ST		Owner Name: Higbarger, Morey		Owner Address: 15 Cole Berson Road		Phone: 207-283-1825	
Business Name:		Contractor Name:		Contractor Address: CITY OF PORTLAND		Phone:	
Lessee/Buyer's Name		Phone:		Permit Type: Change of Use - Condo Conversion		Zone: R-5 S, 9 or 10	
Past Use: 3 unit residential		Proposed Use: 3 Unit Condominium- Change of use to 3 Unit Condominium		Permit Fee: \$675.00		Cost of Work: \$675.00	
Proposed Project Description: legal use: 3 residential L.D.U.				FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied TO NFPA 101		INSPECTION: Use Group: R2 Type: 3B 6/6/06	
				Signature: Greg Cass		Signature: [Handwritten Signature]	
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: Idobson	Date Applied For: 05/03/2006	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		Zoning Appeal		Historic Preservation	
		<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"/> - Date: 5/30/06	<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:	<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 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.

SIGNATURE OF APPLICANT	ADDRESS	DATE	PHONE
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE		DATE	PHONE

City of Portland, Maine - Building or Use Permit

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

Permit No: 06-0645	Date Applied For: 05/03/2006	CBL: 079 D004001
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Location of Construction: 479 ST JOHN ST	Owner Name: Higbarger, Morey	Owner Address: 15 Cole Benson Road	Phone: 207-283-1825
Business Name:	Contractor Name:	Contractor Address:	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use - Condo Conversion	

Proposed Use: 3 Unit Condominium- Change of use to 3 Unit Condominium	Proposed Project Description: Change of use to 3 Unit Condominium
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Dept: Zoning **Status:** Approved with Conditions **Reviewer:** Marge Schmuckal **Approval Date:** 05/30/2006**Note:** **Ok to Issue:**

- 1) 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.
- 2) 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.
- 3) This property shall remain a three (3) family condominium dwelling with the issuance of this permit and the subsequent issuance of certificates of occupancy. Any change of use shall require a separate permit application for review and approval.
- 4) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.

Dept: Building **Status:** Approved with Conditions **Reviewer:** Mike Nugent **Approval Date:** 06/06/2006**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:** 05/31/2006**Note:** **Ok to Issue:**

- 1) Entire building shall comply with NFPA 101 "The Life safety code"

Comments:

5/18/2006-mes: called owner on 5/17 - he said his lawyer drew up the condo notices - I believe that the tenants need to be renoticed because they are not getting a 120 day notice to quit -5/18/06 I left a voice mail with tom Jewell

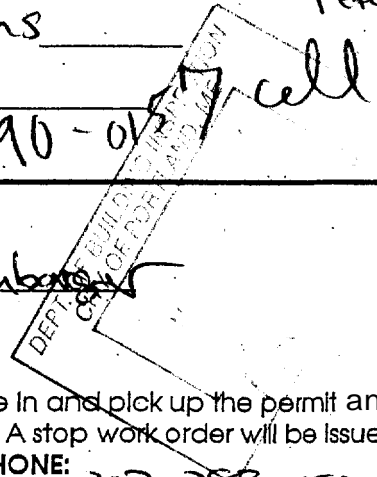
5/30/2006-mes: received the renoticed copies of condo conversion.

Tom Jewell
274-6665

II 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>479-481 St John St Portland ME</u>		
Total Square Footage of Proposed Structure <u>5400</u>	Square Footage of Lot <u>.135</u>	
Tax Assessor's Chart, Block & Lot Chart# <u>79</u> Block# <u>D</u> Lot# <u>4</u>	Owner: <u>Morey Highbarger</u>	Telephone: <u>207 283-1825</u>
Lessee/Buyer's Name (If Applicable) <u>—</u>	Applicant name, address & telephone: <u>Morey Highbarger</u> <u>15 Cole Benson Road</u> <u>Kennebunkport ME 04046</u>	Cost Of Work: \$ <u>—</u> Fee: \$ <u>675</u>
Current use: <u>3 Family Apartment Building</u>		
if the location is currently vacant, what was prior use: <u>1 of the 3 units is vacant / Previously Rented</u>		
Approximately how long has it been vacant: <u>Approx 3 months</u>		
Proposed use: <u>Condominiums (3)</u>		
Project description: <u>Convert to Condominiums</u> <u>590-0127 cell</u>		
Contractor's name, address & telephone: <u>—</u>		
Who should we contact when the permit is ready: <u>Morey Highbarger</u>		
Mailing address: <u>15 Cole Benson Road</u> <u>Kennebunkport ME 04046</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>207 283-1825</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: 	Date: <u>5-3-06</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

to be used primarily as a separate dwelling.
(Ord. No. 213-81, § 608.3, 11-16-81)

Cross reference(s)--Definitions and rules of construction generally, § 1-2

Sec. 14-568. Protection of tenants.

(a) **Notice of intent to convert.** A developer shall give to each tenant written notice of intent to convert at least one hundred twenty (120) days before the tenant is required by the developer to vacate. If a tenant has been in possession of any unit within the same building for more than four (4) consecutive years, the notice period shall be increased by thirty (30) additional days for each additional year, or fraction thereof, to a maximum of two hundred forty (240) additional days. The notice shall set forth specifically the rights of tenants under subsections (a) and (b) of this section and section 14-569, and shall contain the following statement:

If you do not buy your apartment, the developer of this project is required by law to assist you in finding another place to live and in determining your eligibility for relocation. If you have questions about your rights under the law, or complaints about the way you have been treated by the developer, you may contact the Building Inspection Division, Department of Planning and Urban Development, City of Portland, 389 Congress Street, -Portland, Maine 04101 (telephone: ~~775-5451~~ 874-9703).

If the notice specifies a date by which the tenant is required to vacate, the notice may also serve as a notice of termination under the applicable law of forcible entry and detainer, if it meets the requirements thereof. The notice shall be hand-delivered to the tenant or mailed, by certified mail, return receipt requested, postage prepaid, to the tenant at the address of the unit or such other address as the tenant may provide. The notice shall be effective when actually received. No tenant may be required by a developer to vacate without having been given notice as required herein, except for the reasons specified in the applicable law of forcible entry and detainer, and in accordance with the procedures thereof. The terms of a tenancy, including rent, may not be altered during the notice period, except as expressly provided in a preexisting written lease. If, within one hundred twenty (120) days after a tenant is required by a developer to vacate, the developer records a declaration of condominium

to be used primarily as a separate dwelling.
(Ord. No. 213-81, § 608.3, 11-16-81)

Cross reference(s)--Definitions and rules of construction generally, § 1-2.

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**MOREY HIGHBARGER
15 COLE BENSON ROAD
KENNEBUNKPORT, ME 04046**

May 1, 2006

Michael and Deborah Mohr
479 St. John Street #1
Portland, ME 04103

Re: **Notice Of Intent To Convert 479-481 St. John Street, Portland, ME To Condominiums**

Dear Michael and Deborah:

I am sending this letter to you to inform you that I intend to convert the building at 479-481 St. John Street, Portland, Maine into three (3) condominium units. I am required to give you a minimum 120 days notice of my intent to convert to condominiums. You will not be asked to leave the premises for at least 120 days. This notice is **not** a notice to quit the unit. If it comes to that, a separate 30 day notice to quit will be provided to you.

One of my obligations is to offer you a 60 day option to purchase the unit in which you reside. I intend to sell this unit for \$259,900.00 please let us know if you are interested in purchasing at this price and we will proceed with the negotiation of a purchase and sale agreement. If you decline to purchase the unit and I am unable to sell it in the next 180 days, if I reduce the price, I will provide you with that information and you will have another opportunity to purchase the unit at the reduced price.

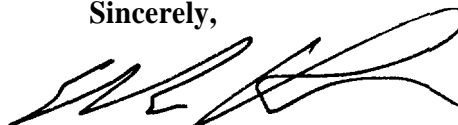
As the Developer of this project, I am required by City of Portland ordinance to give you the following notice:

If you do not buy your apartment, the developer of this project is required by law to assist you in finding another place to live and in determining your eligibility for relocation payments. If you have questions about your rights under the law or complaints about the way you have been treated by the developer, you may contact the Building Inspection Division, Department of Planning and Urban Development, City of Portland, 289 Congress Street, Portland, ME 04101 (telephone: 874-8703).

I am required to assist you with relocation payments unless your gross income exceeds 80% of the median income of the Portland SMSA, adjusted for family size, as determined by the US Department of Housing and Urban Development. If you would like me to investigate whether you qualify for this assistance, or if you would like me to provide assistance to you in the form of referrals to other reasonable accommodations, please let me know.

This notice shall be hand delivered or mailed by certified mail, return receipt requested, postage prepaid and shall be effective upon delivery.

Sincerely,



Morey Highbarger

**MOREY HIGHBARGER
15 COLE BENSON ROAD
KENNEBUNKPORT, ME 04046**

May 1, 2006

Sean Sweeney and Sarah Witford
481 St. John Street #1
Portland, ME 04103

Re: **Notice Of Intent To Convert 479-481 St. John Street, Portland, ME To Condominiums**

Dear Sean and Sarah:

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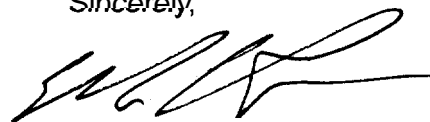
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Sincerely,



Morey Highbarger

Submit with Condominium Conversion Permit Application

Project Data:

Address: 479-481 St John Street

C-B-L: _____

Number of Units in Building: 3

Unit	Tenant Name	Tenant Tel#	Occup. Length	Date of Notice	Eligible for \$?
Unit 1	Mike + Deb Mohr	207 221 5814	1 year	5-1-06	no
Unit 2	Sean Sweeney Sarah Whitford	617 285 5178	3 years	5-3-06	no
Unit 3	Vacant	unit was vacant		when I purchased	
Unit 4	Doesn't know previous tenant	has been vacant		for approx 3 months	
Unit 5					
Unit 6					
Unit 7					
Unit 8					

If more units, submit same information on all units _____

Length of time building owned by applicant 1 week

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

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

- \$ _____ Exterior walls, windows, doors, roof
- \$ _____ Insulation
- \$ 1000 Interior cosmetics (walls/floors/hallways/refinishing, etc.)
- \$ _____ Other (specify)

**MOREY HIGHBARGER
15 COLE BENSON ROAD
KENNEBUNKPORT, ME 04046**

May 23, 2006

Keisler

Sean Sweeney and Sarah Witford
481 St. John Street #1
Portland, ME 04103

Re: **Notice Of Intent To Convert 479-481 St. John Street, Portland, ME To Condominiums**

Dear Sean and Sarah:

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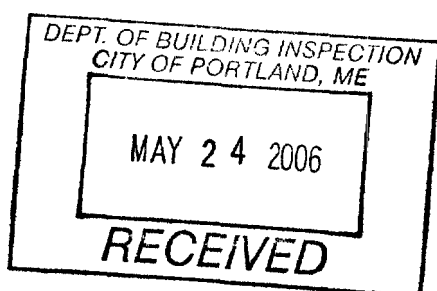
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This notice shall be hand delivered or mailed by certified mail, return receipt requested, postage prepaid and shall be effective upon delivery.



Sincerely,

[Handwritten signature]
Morey Highbarger

**MOREY HIGHBARGER
15 COLE BENSON ROAD
KENNEBUNKPORT, ME 04046**

May 23, 2006

revised

Michael and Deborah Mohr
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Portland, ME 04103

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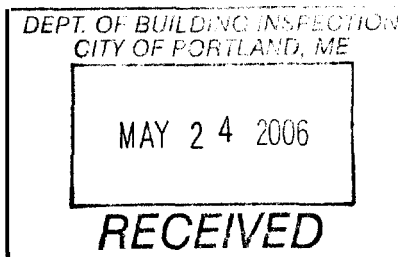
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This notice shall be hand delivered or mailed by certified mail, return receipt requested, postage prepaid and shall be effective upon delivery.



Sincerely,

Morey Highbarger

WARRANTY DEED

Know All Men By These Presents That We, Donald Myers and Linda Cohen
of PO Box 1062, Portland,
County of Cumberland and State of Maine,

for consideration paid, grant to Morey Highbarger

of 15 Cole Benson Road, Kennebunkport,
County of York and State of Maine

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, we have hereunto set our hand(s) this 28th day of
April, 2006.

Witness

Donald Myers

Linda Cohen

State of Maine
County of Cumberland

ss.

On this 28th day of April, 2006, personally appeared before me the
above named

Donald Myers and Linda Cohen
and acknowledged the foregoing to be his/her/their free act and deed.

Notary Public, Attorney at Law

Return to: Morey Highbarger