

October 31, 2014

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Alexander Jaegerman, Director  
Planning Division  
City of Portland  
389 Congress Street  
Portland ME 04101

Re: Request for Fee Waiver/Petition for Discontinuance of Portion of Cleeve Street, Great Diamond Island, Portland, Without Public Easement

Dear Mr. Levine and Mr. Jaegerman:

This Firm represents Diamond Island Association (DIA) regarding its petition to have a portion of Cleeve Street discontinued by the City of Portland without retention of a public easement. We soon will be filing that petition with City Planning Division Development Review Manager Barbara Barhydt.

The reason for this letter is to request a waiver of the \$2,000 fee for the street discontinuance petition. Cleeve Street was dedicated by the recording in the City Clerk's office on November 8, 1892 of a Plan in the City Clerk's Office, Volume 1, Page 224. The street was accepted by the City on November 8, 1892. The only party owning property abutting the portion of Cleeve Street to be discontinued is DIA. DIA is acting on behalf of its more than 80 members – the owners of properties shown on the 1892 Plan – in bringing this discontinuance petition. Formal elimination of the long unused public road rights over Cleeve Street through discontinuance will permit expansion of Elwell Hall, a building that serves as a community center and library for the southern half of Great Diamond Island. Therefore, there are two public benefits to this discontinuance – the City will have its road maintenance obligation over this portion of Cleeve Street terminated, and Portland residents on the southern part of the Great Diamond Island will enjoy an improved community center/library facility. Public access to the water will not be impaired by this discontinuance; the public traditionally has used Diamond Avenue for pedestrian access to the water – not this portion of Cleeve Street.

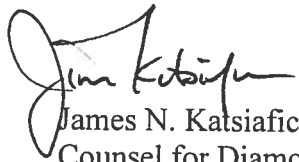
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Therefore, DIA respectfully requests that the \$2,000 fee for its petition to discontinue Cleeve Street be waived. Thank you for your consideration.

Sincerely,



James N. Katsiaficas

Counsel for Diamond Island Association

cc: Barbara Barhydt, Development Review Manager, City of Portland  
Lyn Sala, President, Diamond Island Association  
Michael H. Burton, Diamond Island Association