

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND

BUILDING INSPECTION

PERMIT

Please Read
Application And
Notes, If Any,
Attached

Permit Number: 083B F0009007
PERMIT ISSUED
NOV 28 2006
CITY OF PORTLAND

This is to certify that BARTLETT NANCY W & NANCY W BARTLETT CUSTODIAN

has permission to New 1200 Sq Ft Single Family Home

AT 0 DIAMOND AVE

provided that the person or persons who accept this permit shall comply with all of the provisions of the Statutes of the State 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 is provided. FOUR NOTICES 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. Mackley 11/27/06
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

Permit No: 06-1549	PERMIT ISSUED	Date: NOV 28 2006	CBL: 083B F009001
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Location of Construction: 93 DIAMOND AVE, <i>Great Diamond</i>	Owner Name: BARTLETT NANCY W & NANC	Owner Address: 11 SAWYER ST	Phone:
Business Name:	Contractor Name:	Contractor Address:	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Single Family	Zone: IR1

Past Use: Vacant Land	Proposed Use: Single Family Home - New 1200 Sq Ft Single Family Home	Permit Fee: \$1,995.00	Cost of Work: \$190,000.00	CEO District: 1
Proposed Project Description: New 1200 Sq Ft Single Family Home		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: R3 Type: SB IRC 2003	
		Signature:	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: 10/23/2006	Zoning Approval		
<ol style="list-style-type: none"> This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules. Building permits do not include plumbing, septic or electrical work. 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>N/A</i> <input type="checkbox"/> Wetland <i>N/A</i> <input type="checkbox"/> Flood Zone <i>para 9- zone C</i> <input type="checkbox"/> Subdivision <input checked="" type="checkbox"/> Site Plan <i>2006-0007</i> Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input checked="" type="checkbox"/> <i>typical cond. here</i> Date: <i>11/23/06</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 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.

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



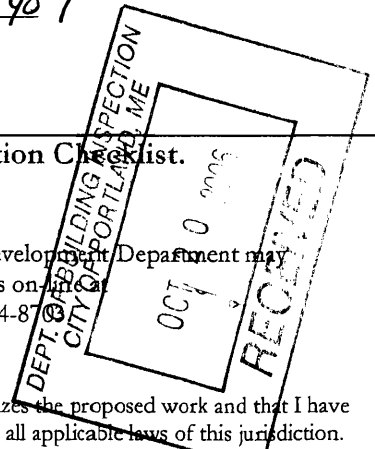
General Building Permit Application

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>83 Diamond Island, Great Diamond Island</u>		
Total Square Footage of Proposed Structure <u>1,200 sq. Ft.</u>	Square Footage of Lot <u>17,762.32 sq. Ft. 0.41 Acres</u>	
Tax Assessor's Chart, Block & Lot Chart# Block# Lot# <u>83-B - F - 9+16</u>	Owner: <u>Nancy Bartlett</u>	Telephone: Cell # <u>653-9407</u>
Lessee/Buyer's Name (If Applicable)	Applicant name, address & telephone: <u>Nancy Bartlett 11 Sawyer Street Portland, ME. 04103</u>	Cost Of Work: \$ <u>190,000</u> Fee: \$ _____ C of O Fee: \$ _____
Current Specific use: <u>Island Residential</u> If vacant, what was the previous use? <u>Raw land</u> Proposed Specific use: <u>Single family Residence</u>		
Project description: <u>a single family home with year-round Sebago Lake water, Scott Teal's is my Architect. This will be a 1/2 Bdrm ranch style home with all most (Green materials will be used exclusively.) Bob Greenlaw - is the surveyor.</u>		
Contractor's name, address & telephone:		
Who should we contact when the permit is ready: <u>Nancy Bartlett</u> Mailing address: <u>11 Sawyer Street Portland, ME. 04103</u> Phone: <u># 653-9407</u>		

Please submit all of the information outlined in the Commercial Application Checklist. Failure to do so will result in the automatic denial of your permit.

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 visit us on-line at www.portlandmaine.gov, stop by the Building Inspections office, room 315 City Hall or call 874-8747



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: <u>Nancy Bartlett</u>	Date: <u>10/20/06</u>
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This is not a permit; you may not commence ANY work until the permit is issued.

City of Portland, Maine - Building or Use Permit

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

Permit No: 06-1549	Date Applied For: 10/23/2006	CBL: 083B F009001
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Location of Construction: 83 DIAMOND AVE	Owner Name: BARTLETT NANCY W & NANC	Owner Address: 11 SAWYER ST	Phone:
Business Name:	Contractor Name:	Contractor Address:	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Single Family	

Proposed Use: Single Family Home - New 1200 Sq Ft Single Family Home	Proposed Project Description: New 1200 Sq Ft Single Family Home
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Dept: Zoning **Status:** Approved with Conditions **Reviewer:** Ann Machado **Approval Date:** 11/22/2006**Note:** See letter dated 11/8/06.**Ok to Issue:**

11/20/06 Received two affidavits that the lot is a lot of record, and with other information submitted, we determine that the lot meets the criteria of a lot of record.

11/20/06. The two parking spaces need to be located passed the front setback & the pre & post construction grade on the elevation plans needs to be more clear. I can't sign off until these are cleared up.

- 1) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.
- 2) This property shall remain a single family dwelling. Any change of use shall require a separate permit application for review and approval.
- 3) As discussed during the review process, the property must be clearly identified prior to pouring concrete and compliance with the required setbacks must be established. Due to the proximity of the setbacks of the proposed addition, it may be required to be located by a surveyor.
- 4) Separate permits shall be required for future decks, sheds, pools, and/or garages.

Dept: Building **Status:** Approved with Conditions **Reviewer:** Tom Markley **Approval Date:** 11/22/2006**Note:** building portion done and waiting for DRC approval. Will sign off for approval when DRC done.**Ok to Issue:**

- 1) The design load spec sheets for any engineered beam(s) must be submitted to this office.
- 2) This permit is issued based on the plans submitted. Variations in actual construction that effect grades may change the requirements for handrails and guards.
- 3) Fastener schedule per the IRC 2003
- 4) Separate permits are required for any electrical, plumbing, or HVAC systems. Separate plans may need to be submitted for approval as a part of this process.
- 5) As discussed, hardwired interconnected battery backup smoke detectors shall be installed in all bedrooms, protecting the bedrooms, and on every level.
- 6) Application approval based upon information provided by applicant. Any deviation from approved plans requires separate review and approval prior to work.
- 7) There must be a 2" clearance maintained between the chimney and any combustible material, with draft stopping per code at each level

Dept: DRC **Status:** Approved with Conditions **Reviewer:** Jay Reynolds **Approval Date:** 11/27/2006**Note:****Ok to Issue:**

- 1) Erosion and Sedimentation control shall be established prior to soil disturbance, and shall be done in accordance with Best Management Practices, Maine Department of Environmental Protection Technical and Design Standards and Guidelines.
- 2) The Development Review Coordinator reserves the right to require additional lot grading or other drainage improvements as necessary due to field conditions.
- 3) All Site work (final grading, landscaping, loam and seed) must be completed prior to issuance of a certificate of occupancy.

Location of Construction: 83 DIAMOND AVE	Owner Name: BARTLETT NANCY W & NANC	Owner Address: 11 SAWYER ST	Phone:
Business Name:	Contractor Name:	Contractor Address:	Phone
Lessee/Buyer's Name	Phone:	Permit Type: Single Family	

4) Two (2) City of Portland approved species and size trees must be planted on your street frontage prior to issuance of a Certificate of Occupancy.

Comments:

11/6/2006-amachado: Penny said that the ownership changes on the date that the land is signed over to the new owner. The deed for this lot was signed on May 27, 2004. Nancy deeded the abutting property to her son on June 7, 2004. Since she owned both lots for 11 days, her lot is not a lot of record and so it does not meet the required lot size for a lot in the IR1. See letter dated 11/8/06.

11/14/2006-amachado: Received affidavit and exhibits fom Penny Littell from Nancy Bartlett and her attorney Brenda Buchanan documenting that the lot the house is being built on (083B F009 & 016) was transferred to Nancy Bartlett after she transferred her other property (083B F008 & 017) to her son.

11/14/2006-amachado: Spoke to Nancy Bartlett. We still need more information on the lot. We need documentation showing when Henry Picking, Elizbeth Hamill & Francis Helyar acquired the property.

10/30/2006-amachado: In the process of determining if this is a lot of record. Penny is checking if the transfer is when the deed is recorded or when signed. Left message with Nancy Bartlett; need chain of title since July 15, 1985 for her lot and the lot that Ryan Franklin Bartlett owns.

11/17/2006-amachado: Received documentation that the lot is a lot of record.

11/20/2006-amachado: Left message with Scott Teas. The two parking spaces need to be located passed the 30' front setback. Pre & post construction grade on the elevation plans needs to be more clear. I will pass this permit on to the residential plan reviewers in the mean time.

11/20/2006-amachado: Spoke to Richard Lowe, architect. The pre & post construction grades are all set. They still need to address the parking spaces being located beyond the front 30' setback.

11/22/2006-tm: building and zoning done.

Applicant: Nancy Bartlett

Date: 10/30/06

Address: 830 Diamond Ave, Great Diamond

C-B-L: 0838-F-009
permit # 06-1549

CHECK-LIST AGAINST ZONING ORDINANCE

Date - new

Zone Location - FR1

Interior or corner lot -

Proposed Use/Work - build single family home.

Sevage Disposal - private

Lot Street Frontage - 100' min. - 100' given

Front Yard - 30' min. - 41' scaled

Rear Yard - 30' min. - 31.5' scaled

Side Yard - 20' min. - 21' on right scaled.
27' on left scaled.

Projections -

Width of Lot - 100' min. - 100' scaled

→ Height - 35' max.

Lot Area - 60,000 sq ft min w/out public water - section 14-433 lot of record 10,000 sq ft min.
& applicable yard dimensions. - 17,000 sq ft lot of record

Lot Coverage Impervious Surface - 20% = 34,000 sq ft — 12,300 sq ft
OK

Area per Family - 12,000 sq ft

→ Off-street Parking - 2 spaces required - must be located beyond 30' front setback.

Loading Bays - N/A

Site Plan - minor/minor 2006-0207

Shoreland Zoning/Stream Protection - N/A

Flood Plains - panel 9 - zone C



Portland Water District

225 Douglass St., Box 3553
Portland, Maine 04104-3553
(207) 774-5961

DEPOSIT RECORD

DATE 8/22/2006 WINTER CONSTRUCTION

NAME Nancy W. Lett SERVICE 173.00

MAILING ADDRESS 11 SAWYER ST. METER 139.00

Portland, Me 04103 TOTAL 312.00

LOCATION OF SERVICE Lot 001 DIAMOND AVE. (C.D.R.)

REG. NO. 201663 WORK ORDER NO. 538244

ACCOUNT NO. 01A-235 BY: Jean Pendergast
REPRESENTATIVE

PORTLAND WATER DISTRICT
THANK YOU

REG 08-22-2006 15:52
MARY 000021
NEW SERVICE \$312.00
CHECK \$312.00

DEPT. OF BUILDING INSPECTION
CITY OF PORTLAND, ME

OCT 30 2006

RECEIVED

From: Ann Machado
To: Jay Reynolds
Date: 11/17/2006 3:49:08 PM
Subject: Single family permit - O Diamond Ave.

Jay -

We have enough information now to show that 0 Diamond Ave., 083-F-009 is a lot of record, so the building permit is moving forward. If you could do you review that would be great.

Thanks, Ann

Great Diamond Avenue
Great Diamond Avenue

SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Maine Department of Human Services
Division of Health Engineering, Station 10
(207) 287-5672 FAX (207) 287-4172

PROPERTY LOCATION		>> Caution: Permit Required – Attach in Space Below <<	
City, Town, or Plantation	Great Diamond Island	2006-6020	
Street or Road	Great Diamond Ave	PORTLAND	PERMIT # 10101 TOWN COPY
Subdivision, Lot #		Date Permit Issued: 11/28/06	\$ 11,100 <input type="checkbox"/> If Double Fee Charged
OWNER/APPLICANT INFORMATION		L.P.I. # 0744	
Name (last, first, MI)	Bartlett Nancy	Local Plumbing Inspector Signature	
Mailing Address of	118 Maine Mall Road	83 BF9	
<input checked="" type="checkbox"/> Owner <input type="checkbox"/> Applicant	South Portland, Maine 04106	Municipal Tax Map # Book 21380 Page 76	
Daytime Tel. #	774 5746 Ext 297	Lot #	
Owner or Applicant Statement		Caution: Inspections Required	
I state that the information submitted is correct to the best of my knowledge and understand that any falsification is reason for the Department and/or Local Plumbing Inspector to deny a Permit.		I have inspected the installation authorized above and found it to be in compliance with the Subsurface Wastewater Disposal Rules Application.	
Signature of Owner or Applicant _____ Date _____		Local Plumbing Inspector Signature _____ (1st) Date Approved _____	
		Local Plumbing Inspector Signature _____ (2nd) Date Approved _____	

PERMIT INFORMATION			
TYPE OF APPLICATION	THIS APPLICATION REQUIRES	DISPOSAL SYSTEM COMPONENT(S)	
1. <input checked="" type="checkbox"/> First Time System 2. <input type="checkbox"/> Replacement System Type Replaced: _____ Year Installed: _____ 3. <input type="checkbox"/> Expanded System a. <input type="checkbox"/> One-time exempted b. <input type="checkbox"/> Non-exempted 4. <input type="checkbox"/> Experimental System 5. <input type="checkbox"/> Seasonal Conversion	1. <input checked="" type="checkbox"/> No Rule Variance 2. <input type="checkbox"/> First Time System Variance a. <input type="checkbox"/> Local Plumbing Inspector Approval b. <input type="checkbox"/> State & Local Plumbing Inspector Approval 3. Replacement System Variance a. <input type="checkbox"/> Local Plumbing Inspector Approval b. <input type="checkbox"/> State & Local Plumbing Inspector Approval 4. <input type="checkbox"/> Minimum Lot Size Variance 5. <input type="checkbox"/> Seasonal Conversion Approval	1. <input checked="" type="checkbox"/> Complete Non-engineered System 2. <input type="checkbox"/> Primitive System (graywater & alt toilet) 3. <input type="checkbox"/> Alternative Toilet, specify: _____ 4. <input type="checkbox"/> Non-Engineered Treatment Tank (only) 5. <input type="checkbox"/> Holding Tank _____ gallons 6. <input type="checkbox"/> Non-engineered Disposal Field (only) 7. <input type="checkbox"/> Separated Laundry System 8. <input type="checkbox"/> Complete Engineered System (2000 gpd or more) 9. <input type="checkbox"/> Engineered Treatment Tank (only) 10. <input type="checkbox"/> Engineered Disposal Field (only) 11. <input type="checkbox"/> Pre-treatment, specify: _____ 12. <input type="checkbox"/> Miscellaneous components	
SIZE OF PROPERTY	DISPOSAL SYSTEM TO SERVE		
0.41 <input type="checkbox"/> sq. ft. <input checked="" type="checkbox"/> acres	1. <input checked="" type="checkbox"/> Single Family Dwelling Unit, No. of Bedrooms: 2 2. <input type="checkbox"/> Multiple Family Dwelling, No. of Units: _____ 3. <input type="checkbox"/> Other: _____ SPECIFY _____		
SHORELAND ZONING	TYPE OF WATER SUPPLY		
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	1. <input type="checkbox"/> Drilled Well 2. <input type="checkbox"/> Dug Well 3. <input type="checkbox"/> Private 4. <input checked="" type="checkbox"/> Public 5. <input type="checkbox"/> Other: _____		

DESIGN DETAILS (SYSTEM LAYOUT SHOWN ON PAGE 3)			
TREATMENT TANK	DISPOSAL FIELD TYPE & SIZE	GARBAGE DISPOSAL UNIT	DESIGN FLOW
1. <input checked="" type="checkbox"/> Concrete a. <input type="checkbox"/> Regular b. <input type="checkbox"/> Low Profile 2. <input checked="" type="checkbox"/> Plastic 3. <input type="checkbox"/> Other: _____ CAPACITY _____ gallons	1. <input type="checkbox"/> Stone Bed 2. <input type="checkbox"/> Stone Trench 3. <input checked="" type="checkbox"/> Proprietary Device a. <input checked="" type="checkbox"/> Cluster array c. <input type="checkbox"/> Linear b. <input checked="" type="checkbox"/> Regular load d. <input type="checkbox"/> H-20 load 4. <input type="checkbox"/> Other: _____ (SIZE 594 sq. ft. lin. ft.) (14) Type B Eijen InDrauns	1. <input type="checkbox"/> No 3. <input checked="" type="checkbox"/> Maybe 2. <input type="checkbox"/> Yes >> Specify one below: a. <input type="checkbox"/> Multi-compartment Tank b. <input type="checkbox"/> Tanks in Series c. <input type="checkbox"/> Increase in Tank Capacity d. <input checked="" type="checkbox"/> Filter on Tank Outlet	180 gallons per day BASED ON: 1. <input checked="" type="checkbox"/> Table 501.1 (dwelling unit(s)) 2. <input type="checkbox"/> Table 501.2 (other facilities) SHOW CALCULATIONS - for other facilities - 2 bedrooms @ 90 gpd = 180 gpd
SOIL DATA & DESIGN CLASS	DISPOSAL FIELD SIZING	PUMPING	
PROFILE CONDITION DESIGN 2, A11, 1 at Observation Hole # TP1E2 Depth 18" * Elevation _____ OF MOST LIMITING SOIL FACTOR	1. <input type="checkbox"/> Small - 2.0 sq. ft./gpd 2. <input type="checkbox"/> Medium - 2.6 sq. ft./gpd 3. <input checked="" type="checkbox"/> Medium-Large - 3.3 sq. ft./gpd 4. <input type="checkbox"/> Large - 4.1 sq. ft./gpd 5. <input type="checkbox"/> Extra Large - 5.0 sq. ft./gpd	1. <input type="checkbox"/> Not Required 2. <input checked="" type="checkbox"/> May Be Required 3. <input type="checkbox"/> Required >> Specify only for engineered or experimental systems: DOSE: _____ gallons	3. <input type="checkbox"/> Section 503.0 (meter readings) ATTACH WATER-METER DATA

SITE EVALUATOR STATEMENT			
I Certify that on June 7, 2005 (date) I completed a site evaluation on this property and state that the data reported are accurate and that the proposed system is in compliance with the State of Maine Subsurface Wastewater Disposal Rules (10-144A CMR 241).			
John M. Toothaker	#347	June 8, 2005	
Site Evaluator Signature	SE #	Date	
John M. Toothaker	839-5746		
Site Evaluator Name Printed	Telephone #		

SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Department of Human Services
Division of Health Engineering
(207) 287-5672 FAX (207) 287-4172

Town, City, Plantation

Street, Road Subdivision

Owner's Name

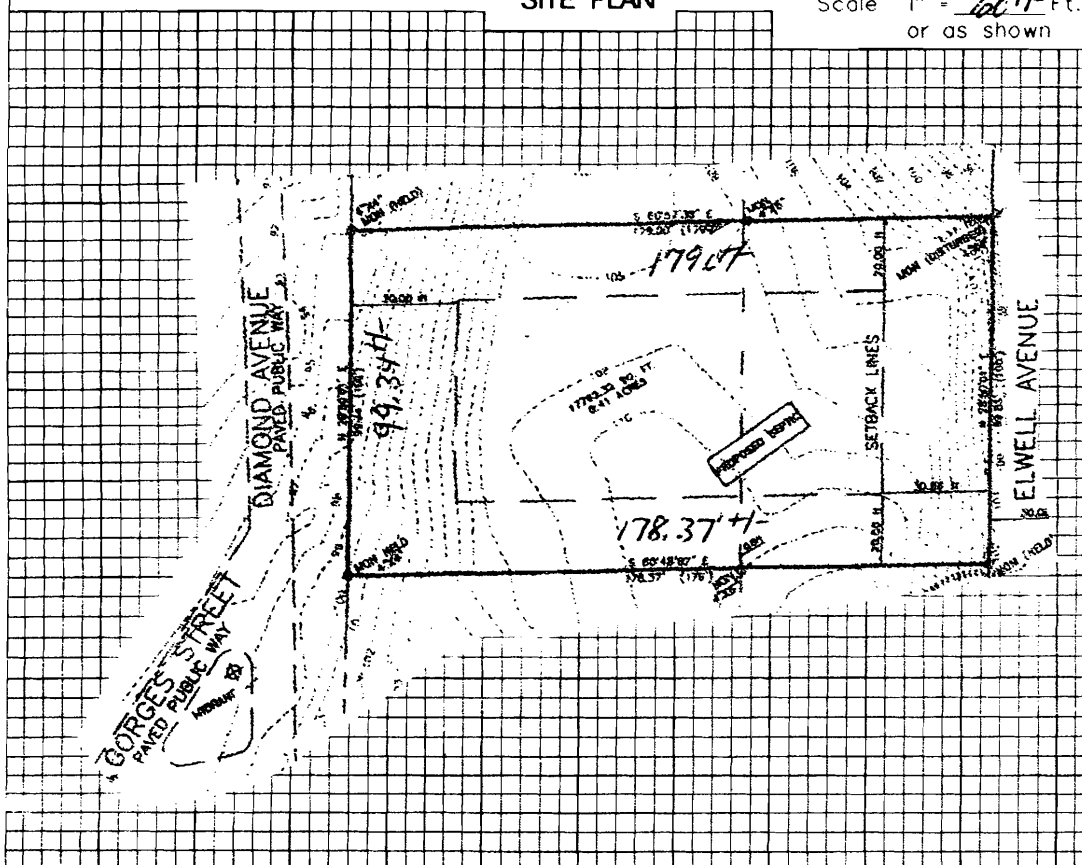
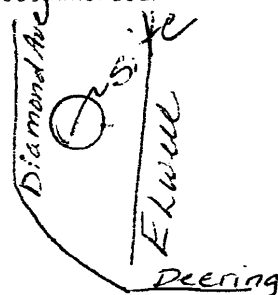
Great Diamond Island Shant Diamond

Nancy Bartlett

SITE PLAN

Scale 1" = *100'* Ft.
or as shown

SITE LOCATION PLAN
(Map from Maine Atlas recommended)



SOIL DESCRIPTION AND CLASSIFICATION (Location of Observation Holes Shown Above)

Observation Hole TP#1 Test Pit Boring
0-11" Depth of Organic Horizon Above Mineral Soil

Texture	Consistency	Color	Mottling
<i>Fine Sandy Loam</i>	<i>Friable</i>	<i>Brown Yellow Brown</i>	<i>None</i>
<i>ledge</i>			

Observation Hole TP#2 Test Pit Boring
0-14" Depth of Organic Horizon Above Mineral Soil

Texture	Consistency	Color	Mottling
<i>Fine Sandy Loam</i>	<i>Friable</i>	<i>Brown Yellow Brown</i>	<i>None</i>
<i>ledge</i>			

Soil Classification 2 Profile AIII Condition
Slope %
Limiting Factor 18 "
 Ground Water
 Restrictive Layer
 Bedrock
 Pit Depth

Soil Classification 2 Profile AIII Condition
Slope %
Limiting Factor 18 "
 Ground Water
 Restrictive Layer
 Bedrock
 Pit Depth

John M. Toothaker #347
Site Evaluator Signature SE

June 8, 2005
Date

Avenue

SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Department of Human Services
Division of Health Engineering
(207) 287-5672 FAX (207) 287-4172

Town, City, Plantation

Street, Road, Subdivision
Great Diamond Island Avenue

Owner's Name

Nancy Beckett

LEGEND:

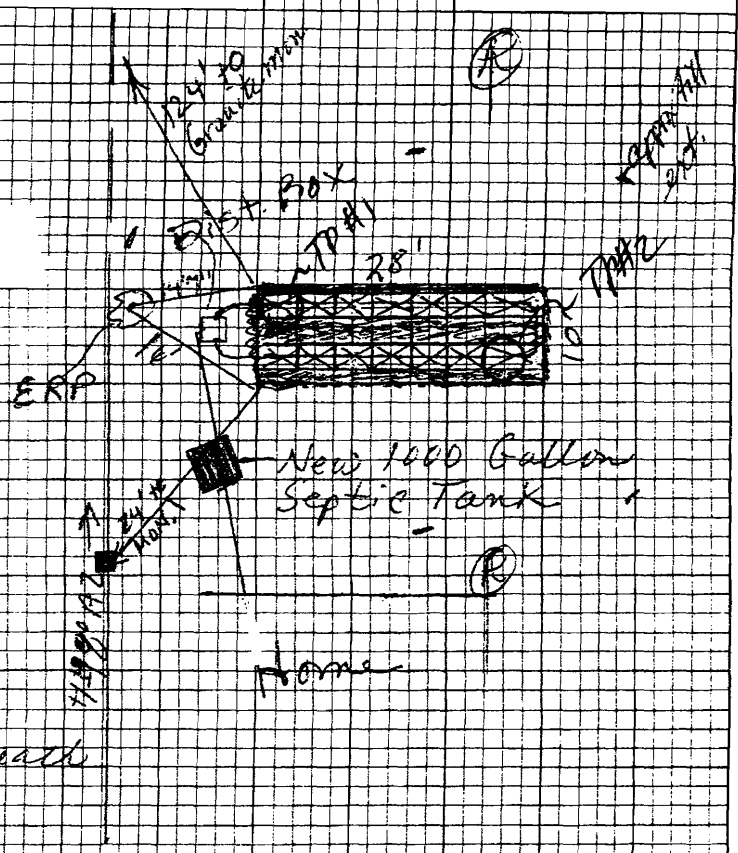
- MON = GRANITE MONUMENT
- IRF = IRON ROD FOUND
- IRP = IRON PIPE FOUND
- TP = TEST PIT

SUBSURFACE WASTEWATER DISPOSAL PLAN

SCALE 1" = 20' FT.

NOTES:

- IF A GARBAGE DISPOSAL IS USED, THEN CHANGES TO THIS DESIGN ARE NECESSARY. ADD A LABEL A-1800 RESIDENTIAL FILTER
- ALLOW FOR POSITIVE DRAINAGE AROUND THE LEACHFIELD.
- ALL MATERIALS AND INSTALLATION SHALL BE IN ACCORDANCE WITH THE MAINE SUBSURFACE WASTEWATER DISPOSAL RULES DATED 6/02, AS AMENDED, AND SUPPLEMENTED BY THE ATTACHED GENERAL NOTES WHICH BECOME A PART OF THIS DESIGN.



*Proposed 2 Rows of 7 = 14
Type B Eljen-Indraias
w/ 6\"*

FILL REQUIREMENTS	CONSTRUCTION ELEVATIONS	ELEVATION REFERENCE POINT
Depth of Fill (Upslope) _____	Finished Grade Elevation _____	Location & Description <i>Nailup</i>
Depth of Fill (Downslope) _____	Top of Distribution Pipe or Proprietary Device _____	<i>48\"</i>
	Bottom of Disposal Area _____	Reference Elevation <i>0\"</i>

DISPOSAL AREA CROSS SECTION

SCALE:
VERTICAL: 1" = 3'
HORIZONTAL: 1" = 5'

*see provided sheet
Follow all Eljen-Indraias Rules*

John M. Lottaker
Site Evaluator Signature

#7.347
SE

June 8, 2005
Date

TOWN CITY PLANTATION

Great Diamond Island

STREET, ROAD, SUBDIVISION

Great Diamond Avenue

OWNERS NAME

Nancy Bartlett

SCALE:

VERT.: 1"=5'

HORIZ.: 1"=5'

NOTES:

- FILL REQUIREMENTS VARY GREATLY BECAUSE OF BED LOCATION. CONTRACTOR SHALL FIELD CHECK ALL SLOPES BEFORE DETERMINING ACTUAL FILL REQUIREMENTS.
- NOTES ON PAGE 4 OF 4 ARE HEREBY MADE PART OF THIS HHE-200 FORM. *Also General Notes -*
- THE FIRST 6" DIRECTLY BENEATH THE IN-DRAINS SHALL BE MEDIUM TO COARSE TEXTURED SAND, WITH AN EFFECTIVE SIZE OF 0.25 TO 2.0 MM, NO GREATER THAN 5% PASSING A #200 SIEVE, AND NO PARTICLES LARGER THAN 3/4 INCH OR MATERIALS MEETING THE ASTM C-33 SPECIFICATION. CONCRETE OR WASHED SAND IS A RELIABLE CHOICE. SUITABILITY OF BANK RUN SAND OR SITE DISPOSAL AREA SOIL MUST BE VERIFIED.
- ROTO-TILL ORIGINAL SURFACE THOROUGHLY IN ALL AREAS OF THE SYSTEM INCLUDING FILL EXTENSIONS BEFORE PLACING FILL. REMOVE ALL ORGANIC LAYER IN AREA OF SYSTEM.
- ROWS SHOULD BE LEVEL WITH A TOLERANCE OF 1/100 FT.
- SECTION SHOWN IS BASED ON AN AVERAGE EXISTING GROUND SLOPE OF 1-3%.

FILL REQUIREMENTS AT SECTION:

DEPTH OF FILL (UPSLOPE) *Varies 36" - 43"*

DEPTH OF FILL (DOWNSLOPE) *Varies 36" - 43"*

CONSTRUCTION ELEVATIONS:

E.R.P. REFERENCE ELEVATION IS 0"

Nailup 48" in a 14" Ø Pipe

FINISH GRADE *-28"*

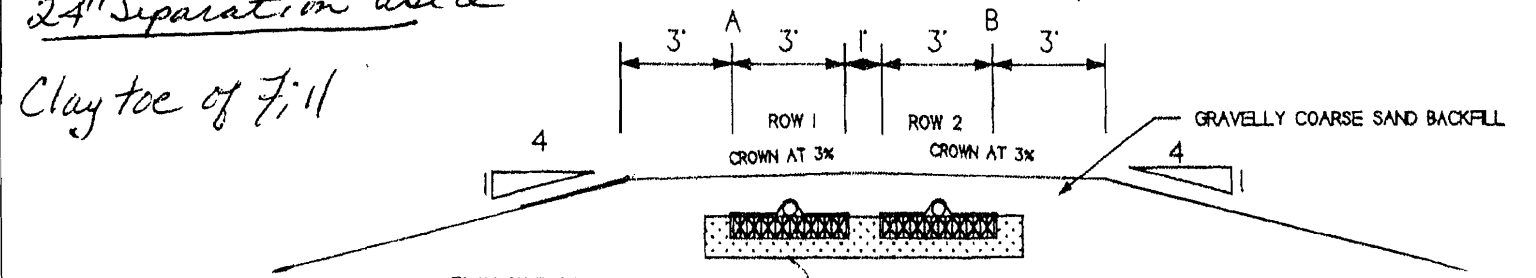
TOP OF DISTRIBUTION PIPE *-40"*

BOTTOM OF IN-DRAINS *-51"*

24" Separation used

Clay toe of fill

14 - TYPE B IN-DRAINS (2 ROWS OF *7* EACH ROW)



ELEVATION

-28"
-40"
-51"
-57"

- 4" TOP SOIL, SEED AND MULCH
- 8" MIN. GRAVELLY COARSE SAND BACKFILL
- GEOTEXTILE FILTER FABRIC
- TYPE B ELJEN IN-DRAIN
- 4" DIA. PERFORATED PVC PIPE
- MEDIUM TO COARSE SAND (SEE NOTE 3)
- 6" DIRECTLY BENEATH AND 9" BESIDE IN-DRAINS.

Bottom of Sand - 57'

EXISTING GRADE

DETAIL
NTS.

John M. Loothaker
SITE EVALUATOR SIGNATURE

#347
SE*

June 8, 2005
DATE

PAGE ___ OF ___

General Notes

(attachment to form HHE-200)
< 1,000 gpd Septic System

1. It is your right to get a second opinion if you don't agree with the professional opinion of Tooth & Associates.
2. Property information is from the owner or applicant and shall be correct and verified prior to signing this HHE-200 application.
3. All work shall be done per the Maine Subsurface Wastewater Disposal Rules dated 6/02 as amended.
4. All work shall be done only in dry conditions for disposal area.
5. No vehicular or equipment traffic to be allowed on disposal area. Construct disposal area outside the corner flags located in the field. Protect down slope area as well.
6. Backfill, if required, is to be gravelly coarse sand to coarse sand texture and to be free of foreign debris. If backfill is coarser than original soil, then mix top 4" of backfill and original soil with rototiller.
7. No neighboring wells are apparent (unless so indicated) within 100' of disposal area. Owner or applicant shall verify this prior to signing the HHE-200 application.
8. The disposal field stone shall be clean, uniform in size and free of fines, dusts, ashes, or clay. It shall be no smaller than ¾ inch and no larger than 2½ inches in size (per Section 805.2.3 of the Maine Subsurface Wastewater Rules).
9. Use minimum separation distances required (unless reduced by variance or special circumstance).
 - a. Wells with water usage of 2,000 or more gpd or public water supply wells:

Disposal fields:	300'
Septic Tanks and Holding Tanks:	100'
 - b. any well to disposal area: 100'
 - c. any well to septic tank 100'
 - d. septic tank or disposal area to lake, river, stream or brook: 100' for major watercourse
50' for minor watercourse
 - e. house to treatment tank: 8'
 - f. house to disposal area: 20'
 - g. all other separation distances, for less than 1,000 gpd per Maine Subsurface Wastewater Disposal Rules use Table 700.2.
10. Location of septic near a wetland may require a separate permit. As such, the owner or applicant prior to construction of the septic system shall hire a professional wetland scientist to evaluate adjacent wetlands and prepare needed permits.
11. Garbage disposals are not recommended and, if installed, are done so at the owner's risk. Follow Maine State Plumbing Code if installed.
12. Pump Stations shall be water tight to prevent infiltration of ground and surface water.
13. Pressure lines and force mains shall be flushed of any foreign material and pumps shall be checked for proper on/off cycle before being put into service.
14. Force mains, pump stations, and /or gravity piping subject to freezing shall be adequately insulated or installed below the frost line.

Tooth & Associates 23 Davis Annex, Gorham, Maine 04038 (207)839-5746

BUILDING PERMIT INSPECTION PROCEDURES

Please call 874-8703 or 874-8693 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.

- Footing/Building Location Inspection: Prior to pouring concrete
- Re-Bar Schedule Inspection: Prior to pouring concrete
- Foundation Inspection: Prior to placing ANY backfill
- Framing/Rough Plumbing/Electrical: Prior to any insulating or drywalling
- Final/Certificate of Occupancy: Prior to any occupancy of the structure or use. NOTE: There is a \$75.00 fee per inspection at this point.

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

Marcy W. Borkell
Signature of Applicant/Designee

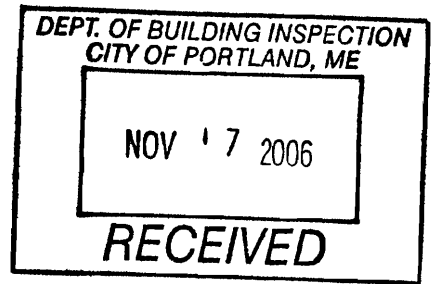
11/28/06
Date

Thomas M. Markley
Signature of Inspections Official

28 Nov 06
Date

CBL: 83B79

Building Permit #: 06-1549




AFFIDAVIT

I, Susan Gage Knedler, being duly sworn and under oath do hereby depose and state that:

1. My name is Susan Gage Knedler.
2. I am the owner of Bay Area Title Services, LLC of Portland, Maine.
3. In May, 2004, my firm was hired by Nancy W. Bartlett to search the title of a 17,000 square foot parcel located on Great Diamond Island then owned by Henry F. Picking, Elizabeth S. Hamill and Frances P. Helyer (the "Picking Parcel.")
4. We have maintained the title file in this office since that time and I reviewed it prior to making this affidavit.
5. The Picking Parcel is shown on City of Portland Tax Map 83B as Block F, Lots 9 and 16. It is located in the IR-1 zone.
6. Our title research showed that Henry F. Picking, Elizabeth S. Hamill and Frances P. Helyer held title to the Picking Parcel on July 15, 1985 (and had for many years previous to that date) and that they did not own any abutting parcels on July 15, 1985 (or at any time previous to that date.)
7. The purpose of this affidavit is to recite sufficient facts to allow the Portland Code Enforcement Office to determine that the Picking Parcel, which now is owned by Nancy W. Bartlett by virtue of a deed recorded in the Cumberland County Registry of Deeds in Book 21380, Page 76, has been held in separate and distinct ownership from all adjacent lots since July 15, 1985, and therefore is a legal lot of record as that term is defined by the Portland Zoning Ordinance, §14-433.

Dated at Portland, Maine this 16th day of November, 2006.



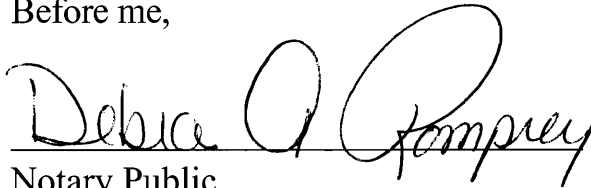
Susan Gage Knedler

STATE OF MAINE
CUMBERLAND, ss

November 16, 2006

Then personally appeared the above-named SUSAN GAGE KNEDLER and stated, under penalty of perjury, that the foregoing statements are true and based on her personal knowledge.

Before me,



Notary Public

DEBRA A. ROMPREY
Notary Public, Maine

My Commission Expires July 9, 2013

Printed Name

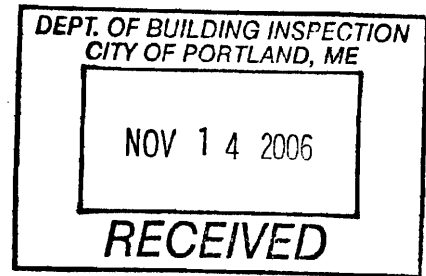
Commission Expires:



WARREN & CURRIER & BUCHANAN

Limited Liability Company, P.A.

Carol Godfrey Warren
David E. Currier
Brenda M. Buchanan



NOV 14 REC'D

November 13, 2006

Penny Littell, Esq.
Office of Corporation Counsel
City of Portland
389 Congress Street
Portland, Maine 04101

RE: Nancy Bartlett

Dear Penny:

Please find enclosed the original affidavit of Nancy Bartlett with exhibits attached, verifying that there was no lot merger with her former and current property on Great Diamond Island.

Can you let me know when you have communicated the resolution of this to Code Enforcement so that I can let Nancy know she should go back in for her building permit?

Many thanks, Penny.

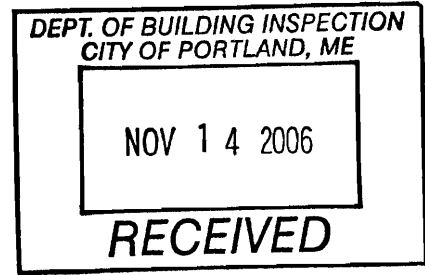
Best regards,

A handwritten signature in cursive script, appearing to read "B.M. Buchanan".

Brenda M. Buchanan

Cc: Nancy W. Bartlett

AFFIDAVIT



I, Nancy W. Bartlett, having a mailing address of 11 Sawyer Street, Portland, Maine 04103, being duly sworn and under oath do hereby depose and state that:

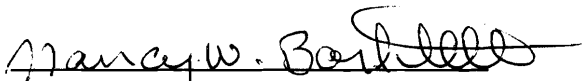
1. My name is Nancy W. Bartlett.
2. On June 7, 2004, I conveyed a 17,000 square foot parcel located on Great Diamond Island ("Parcel One") to my son, Ryan Franklin Bartlett. This conveyance was a gift.
3. Parcel One is shown on City of Portland Tax Map 83B as Block F, Lots 8 and 17. The deed evidencing this gift is recorded in the Cumberland County Registry of Deeds ("CCRD"), Book 21380, Page 74. A copy is attached hereto, marked as Exhibit A.
4. On June 7, 2004, Henry F. Picking, Elizabeth S. Hamill and Frances P. Helyer conveyed to me in my individual capacity and as custodian for my daughter Anne S. Bartlett a 17,000 square foot parcel located on Great Diamond Island ("Parcel Two.")
5. Parcel Two is shown on City of Portland Tax Map 83B as Block F, Lots 9 and 16. Parcel Two abuts Parcel One. The deed for the Parcel Two is recorded in the CCRD, Book 21380, Page 76. A copy is attached hereto, marked as Exhibit B.
6. Parcel Two was conveyed to me for consideration of \$15,400. A copy of the HUD-1 Settlement Statement confirming the date of the closing and the terms of the settlement is attached hereto, marked as Exhibit C.
7. The deed for Parcel Two shown as Exhibit B reflects a date of execution of May 25, 2004 because at least some of the Sellers executed it prior to the closing, and they apparently dated it as of the date of their execution. However, as is borne out by the facts shown on Exhibit C, this deed was not delivered to me until June 7, 2004.

8. The deed by which I conveyed Parcel One to my son was recorded at 12:26:59 p.m. on June 8, 2004.

9. The deed from Henry F. Picking et als conveying Parcel Two to me was recorded at 12:29:44 p.m. on June 8, 2006.

10. The purpose of this affidavit is to clarify for the purpose of a municipal merger inquiry that I conveyed Parcel One to my son prior to accepting delivery of the deed for Parcel Two, and to set forth the details regarding the recording order of the deeds in the CCRD, which accurately reflects this order of events.

Dated at Portland, Maine this 13th day of November, 2006.


Nancy W. Bartlett

STATE OF MAINE
CUMBERLAND, ss

11/13/06

Then personally appeared the above-named NANCY W. BARTLETT and stated, under penalty of perjury, that the foregoing statements are true and based on her personal knowledge.

Before me,



Brenda M. Buchanan
Attorney at Law
Maine Bar # 7042

Quitclaim Deed with Covenant

Maine Statutory Short Form 33 M.R.S.A. §761 et seq.

KNOW ALL MEN BY THESE PRESENTS THAT, **Nancy W. Bartlett** of Portland, County of Cumberland, State of Maine, grants to **Ryan Franklin Bartlett**, of Portland, Cumberland County, State of Maine, whose mailing address is 169 Newbury Street, Portland, Maine 04101, with quitclaim covenants,

A certain lot or parcel of land situated in Portland, County of Cumberland, State of Maine, more particularly described at Exhibit A, attached hereto and incorporated herein.

Witness my hand and seal this 7 day of June, 2004

Nancy W. Bartlett
Nancy W. Bartlett

State of Maine
County of Cumberland

Date: June 7, 2004

Before me, personally appeared the above-named Nancy W. Bartlett, an unmarried woman, and acknowledged the foregoing to be her free act and deed.

[Signature]
Notary Public/Attorney at Law
Susan Hassan

Please type or print name
My commission expires: _____

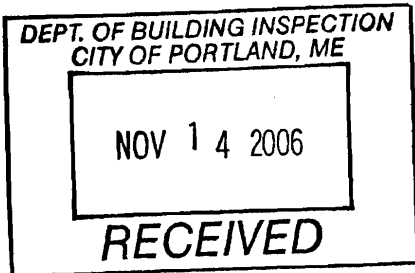


EXHIBIT A

A certain lot or parcel of land with the buildings thereon, situated on Great Diamond Island, in the City of Portland, County of Cumberland and State of Maine, and more particularly bounded and described as follows:

Two certain lots or parcels of land located on the southerly side of Diamond Avenue, Great Diamond Island, Portland, County of Cumberland and State of Maine, being Lots 144 and 516 as depicted on Plan of Diamond Island Association recorded in the Cumberland County Registry of Deeds in Plan Book 4, Page 42.

Said lots are also depicted on City of Portland tax maps as 83B F-8 and 17.

Meaning and intending to convey and hereby conveying the same premises described in a deed dated April 28, 1998 recorded at the Cumberland County Registry of Deeds in Book 13780, Page 337.

This deed is a gift from mother to son.

Received
Recorded Register of Deeds
Jun 08 2004 12:26:59P
Cumberland County
John B O'Brien

2

QUITCLAIM DEED WITH COVENANT

MAINE REAL ESTATE TAX PAID

KNOW ALL PERSONS BY THESE PRESENTS, that FRANCES P. HELYAR, f/k/a Frances G. Picking of Falmouth, County of Barnstable, Commonwealth of Massachusetts, whose mailing address is 186 Moorland Road, Falmouth, MA 02540, HENRY F. PICKING, of Brunswick, County of Cumberland, State of Maine, whose mailing address is 654 Gurnet Road, Brunswick, ME 04011 and ELIZABETH S. HAMILL, f/k/a Elizabeth Picking of Falmouth, County of Cumberland, State of Maine, whose mailing address is 32 Blueberry Lane, #216, Falmouth, ME 04105, for consideration paid, grant to NANCY W. BARTLETT and NANCY W. BARTLETT, as custodian for ANNE S. BARTLETT under the Maine Uniform Transfer to Minors Act, both of Portland, County of Cumberland, State of Maine, AS JOINT TENANTS AND NOT AS TENANTS IN COMMON, whose mailing address is 12 Bryant Street, Portland, ME 04103 with QUITCLAIM COVENANT, two certain lots or parcels of land situated on Diamond Island, in Casco Bay, in Portland, County of Cumberland, State of Maine, described as follows:

Parcel One. Lot Number One Hundred Forty-Three (143) on the Plan of Lands of Diamond Island Association (the "Corporation") recorded in the Cumberland County Registry of Deeds in Plan Book 4, Page 42, said Lot No. 143 being on the southeasterly side of Diamond Avenue and having a frontage on said Avenue of one hundred feet, and extending back therefrom about one hundred nine feet to land of the Deering heirs.

Parcel 2. Lot Number Five Hundred Fifteen (515) on the Plan of Lands of said Diamond Island Association (the "Corporation") recorded in the Cumberland County Registry of Deeds in Plan Book 6, Page 4, said Lot No. 515 being on the northwesterly side of Elwell Avenue and having a frontage on said Avenue of one hundred feet, and extending back therefrom seventy feet to Lot No. 143.

Also the use in common with the other proprietors of cottage lots, of the wharves, beaches, avenues and streets; also of the grounds, groves and other property of the Corporation on said Diamond Island, until the same shall be sold, leased or dedicated to special purposes by the Corporation or its Directors.

RECEIVED
NOV 14 2006
CITY OF PORTLAND, ME

With respect to each lot, this conveyance is made, however, subject to the following conditions and limitations, to-wit:

First. – The said lot shall not be used for any other purpose than the building, maintaining and occupying of a dwelling house or cottage, with its appurtenances thereon, without the consent in writing of a majority of the Directors of said Corporation, and no trees within said lot shall be cut or destroyed without the written consent of said Directors as aforesaid. No mercantile business shall be transacted on said lot, and no building, house or cottage thereon shall be used for any illegal purpose.

Second. – No building or part of a building shall be erected on said lot within *twenty* feet of said Avenue nor within ten feet of the land of any adjoining proprietor, and no building shall be erected thereon until the plan of same shall have received the written approval of a majority of said Directors. Each dwelling house, unless other proper provision is made with the written approval of a majority of said Directors, shall be provided with a suitable covered cesspool for drainage and a suitable earth closet, the form, construction and location of both of which shall receive the written approval of a majority of said Directors.

Third. – The owner shall keep all buildings in good repair, and the premises in a tidy condition, and shall not allow anything to remain upon them deleterious to the public health, and shall promptly conform to any and all other sanitary rules and regulations for promoting order, which may be prescribed by the Corporation or its Directors.

Fourth. – The design of said Corporation being to secure for its members and those to whom its lands may be sold, desirable seaside residences, free from objectionable associations, it makes this conveyance upon the condition that said lot shall not be sold, leased or alienated by any owner thereof, without the written consent of a majority of said Directors.

Reference is made to a probate proceeding for Sherwood Picking, who died on September 1, 1941, testate, Cumberland County Probate Court Docket No. 33402. Elizabeth W. Picking, life tenant with respect to the parcels herein described under the Will of Sherwood Picking, died on February 20, 1999. Further reference may be had to probate proceedings for Laura Picking, who died on March 20, 1933, testate, Cumberland County Probate Court Docket No. 24769.

WITNESS, our hands and seals this 25th day of the month of May, 2004.


FRANCES P. HELYAR

Henry F. Picking

Henry F. Picking
HENRY F. PICKING

Elizabeth S. Hamill

Elizabeth S. Hamill
ELIZABETH S. HAMILL

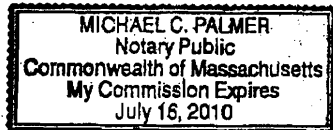
COMMONWEALTH OF MASSACHUSETTS
BARNSTABLE, SS.

May 25, 2004

Then personally appeared the above-named FRANCES P. HELYAR and acknowledged the foregoing instrument to be her free act and deed.

Before me,

Michael Palmer
Notary Public



Michael Palmer
Printed Name

STATE OF MAINE
CUMBERLAND, SS.

May 27, 2004

Then personally appeared the above-named HENRY F. PICKING and acknowledged the foregoing instrument to be his free act and deed.

Before me,

Peter E. Horr
Notary Public

PETER E. HERR
NOTARY PUBLIC
STATE OF MAINE
MY COMM. EXPIRES APRIL 9, 2005

Peter E. Horr
Printed Name

STATE OF MAINE
CUMBERLAND, SS.

May 27, 2004

Then personally appeared the above-named ELIZABETH S. HAMILL and acknowledged the foregoing instrument to be her free act and deed.

PETER E. HERR
NOTARY PUBLIC
STATE OF MAINE
MY COMM. EXPIRES APRIL 9, 2005

Before me,

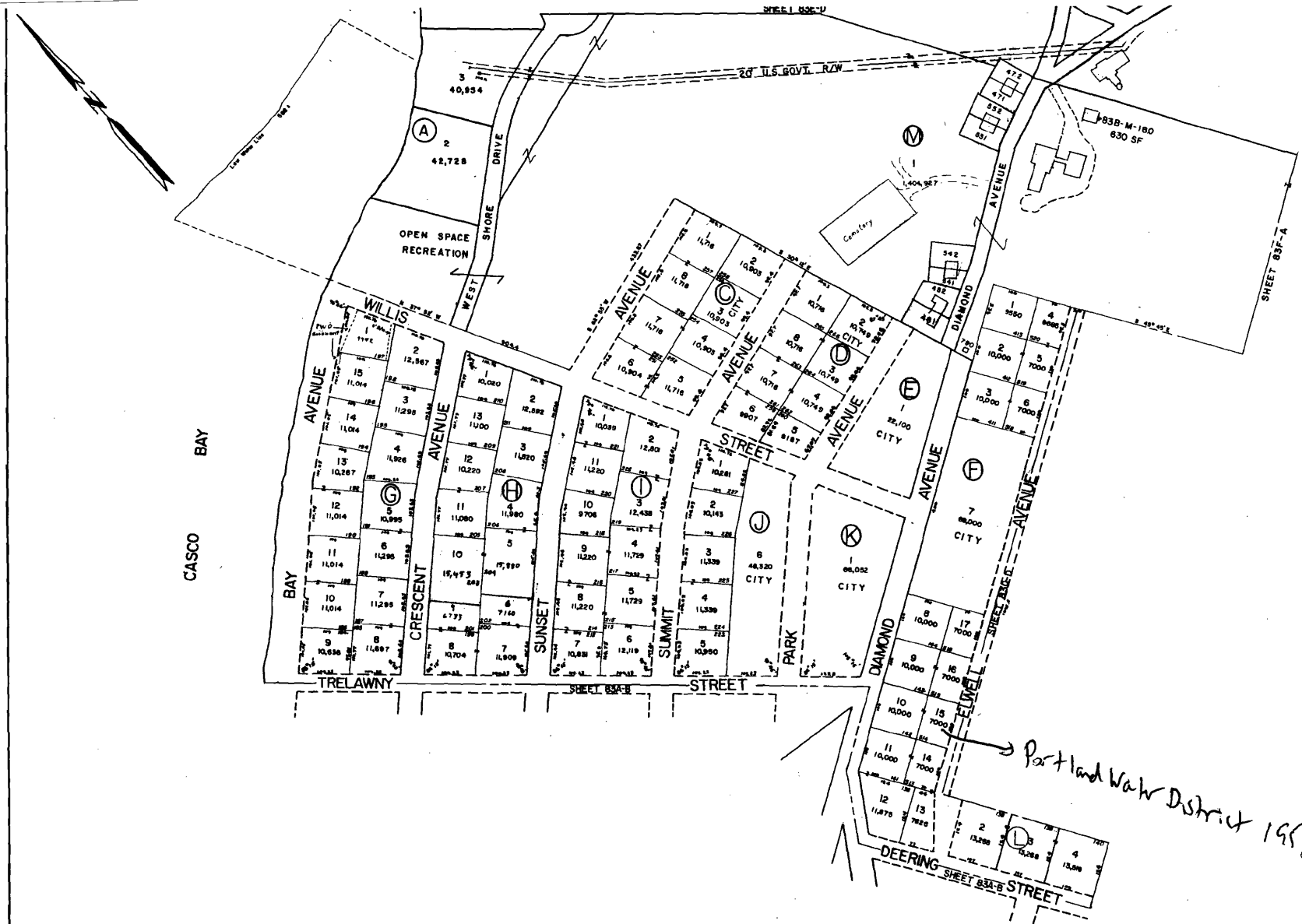
Peter E. Herr
Notary Public

PETER E. HERR
Printed Name

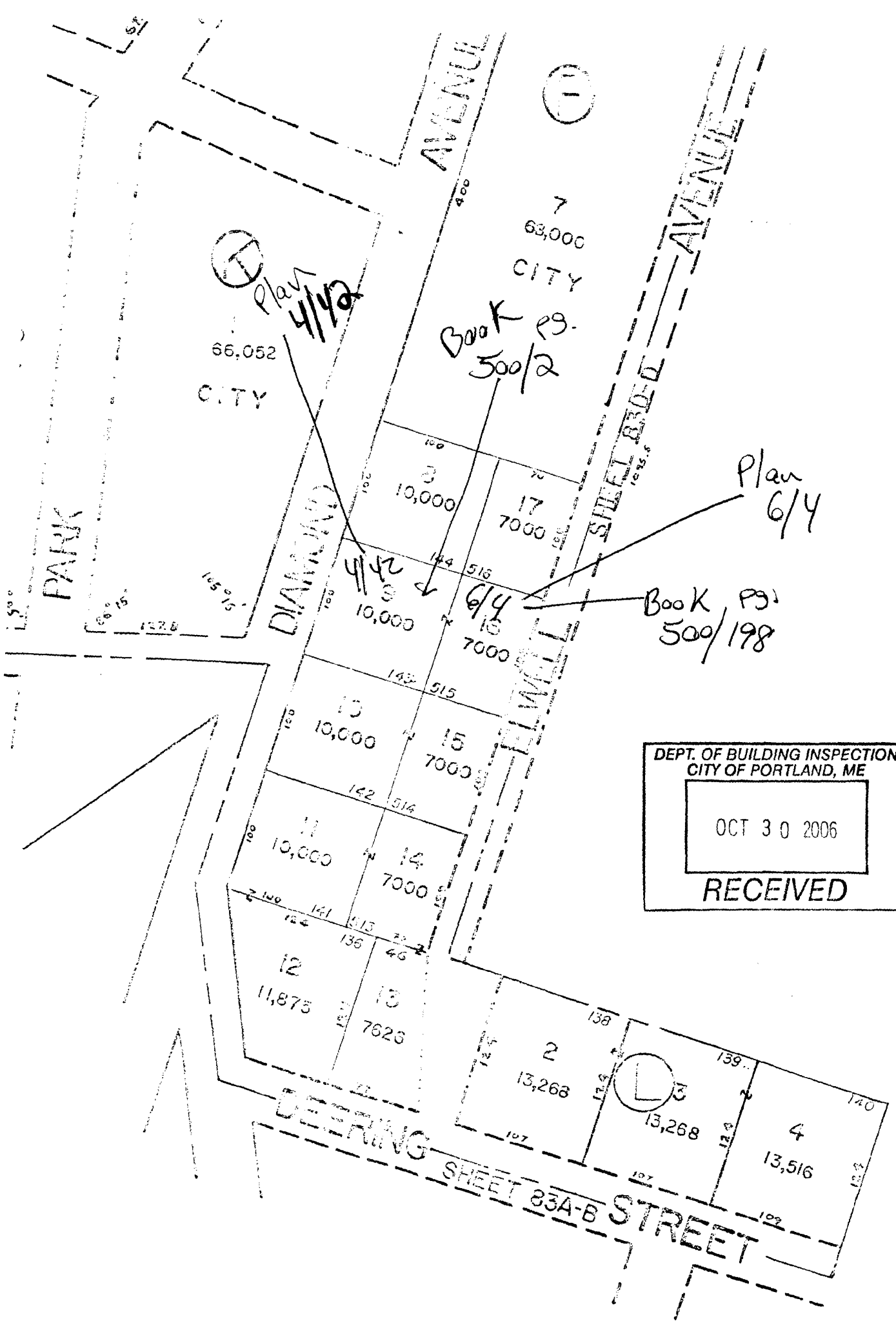
SEAL

Received
Recorded Register of Deeds
Jun 08, 2004 12:29:44P
Cumberland County
John B O'Brien

No 83-B
 GREAT DIAMOND
 ISLAND



Portland Water District 1982



DEPT. OF BUILDING INSPECTION
 CITY OF PORTLAND, ME

OCT 30 2006

RECEIVED



PORTLAND MAINE

Strengthening a Remarkable City, Building a Community for Life • www.portlandmaine.gov

Lee Urban- Director of Planning and Development
Marge Schmuckal, Zoning Administrator

30 days up - Dec. 8, 2006

November 8, 2006

Nancy Bartlett
11 Sawyer Street
Portland, ME 04103

RE: Diamond Avenue, Great Diamond Island – 083B F009 – IR1 – new single family home – permit #06-1549

Dear Ms. Bartlett,

I am in receipt of your application to build a single-family home at Diamond Avenue on Great Diamond Island. Section 14-145.5(a)(1) of the ordinance states that the minimum lot size for a single family home is forty thousand square feet for lots with public water or 60,000 square feet for lots without public water. The site plan that you submitted states that your lot size is 17,762.32 square feet, which is less than the minimum amount that is required. Section 14-145.5(a)(1) does go on to say that there is an exception to the required minimum lot size under section 14-433 concerning lots of record. Section 14-433 says that "Any lot of record as of July 15, 1985, and held under separate and distinct ownership from adjacent lots... may be considered a buildable lot in the IR1 zone... provided further that a lot in the IR1 zone shall have a minimum area of ten thousand square feet." Section 14-433 does not apply to your application because your lot is not a lot of record. The deed giving you ownership of your property was signed on May 27, 2004. You owned the adjacent lot (083B F008) at this time, so your property is not a lot of record under Section 14-433. Since your property is not a lot of record and it does not meet the minimum lot size requirement for the IR1 zone, I must deny your request to build a single family home.

You have the right to appeal my decision. If you wish to exercise your right to appeal, you have thirty days from the date of this letter in which to appeal. If you should fail to do so, my decision is binding and not subject to appeal. I have enclosed a Practical Difficulty Variance Application and the Application Process for the Zoning Board of Appeals. If you choose not to file an appeal, you are entitled to get most of your money back if you bring in the original receipt you got when you applied for the permit.

If you have any questions regarding this matter, please feel free to call me.

Sincerely,

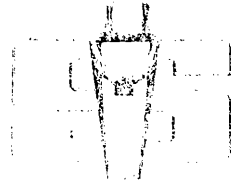
A handwritten signature in black ink, appearing to read "Ann B. Machado". The signature is fluid and cursive, with the first name "Ann" being the most prominent.

Ann B. Machado
Zoning Specialist
(207) 874-8709

Cc. file

Jay Reynolds

**COMMITMENT FOR TITLE INSURANCE
ISSUED BY**



Guaranty of Contract

**STEWART TITLE[®]
GUARANTY COMPANY**

STEWART TITLE GUARANTY COMPANY, A Texas Corporation, herein called the Company, for a valuable consideration, hereby commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest covered hereby in the land described or referred to in Schedule A, upon payment of the premiums and charges therefor; all subject to the provisions of Schedules A and B and to the Conditions and Stipulations hereof.

This Commitment shall be effective only when the identity of the proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A hereof by the Company, either at the time of the issuance of this Commitment or by subsequent endorsement.

This Commitment is preliminary to the issuance of such policy or policies of title insurance and all liability and obligations hereunder shall cease and terminate six months after the effective date hereof or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue such policy or policies is not the fault of the Company.

THIS COMMITMENT IS NOT AN ABSTRACT, EXAMINATION, REPORT, OR REPRESENTATION OF FACT OR TITLE AND DOES NOT CREATE AND SHALL NOT BE THE BASIS OF ANY CLAIM FOR NEGLIGENCE, NEGLIGENT MISREPRESENTATION OR OTHER TORT CLAIM OR ACTION. THE SOLE LIABILITY OF COMPANY AND ITS TITLE INSURANCE AGENT SHALL ARISE UNDER AND BE GOVERNED BY PARAGRAPH 3 OF THE CONDITIONS.

Signed under seal for the Company, but this Commitment shall not be valid or binding until it bears an authorized Countersignature.

IN WITNESS WHEREOF, Stewart Title Guaranty Company has caused its corporate name and seal to be hereunto affixed by its duly authorized officers on the date shown in Schedule A.

Stewart Morris Jr.
Chairman of the Board

Countersigned by:

[Signature]
Authorized Signatory

BAY AREA TITLE SERVICES

Company

Portland, Maine

City, State

**STEWART TITLE[®]
GUARANTY COMPANY**



Malcolm S. Morris
President

STEWART TITLE GUARANTY COMPANY

COMMITMENT FOR TITLE INSURANCE

SCHEDULE A

COMMITMENT NO.:40533

EFFECTIVE DATE AND TIME: May 13, 2004 at 04:30pm

1. Policies to be issued:

Amount of Insurance

(a) ALTA OWNER'S POLICY

\$15,400.00

Proposed Insured:

Nancy Bartlett and Anne Shirley Bartlett

(b) ALTA LOAN POLICY

Proposed Insured:

N/A, its successors and assigns as their interests may appear.

2. The estate or interest in the land described or referred to in this Commitment and covered herein is:

Fee Simple

3. Title to said estate or interest in said land is at the effective date hereof vested in:

Henry F. Picking and Elizabeth S. Hamill and Frances P. Helyer

4. The land referred to in this Commitment is described as follows:

Lots 143 & 515 Diamond Avenue, Great Diamond Is in Portland, County of Cumberland, and State of Maine more particularly described as set forth in Exhibit A attached hereto and made a part hereof.

STEWART TITLE GUARANTY COMPANY

COMMITMENT FOR TITLE INSURANCE

SCHEDULE B, SECTION 1

COMMITMENT NO.: 40533

The following are requirements to be complied with:

1. Instruments necessary to create the estate or interest to be insured must be properly executed, delivered and duly filed for record
 - a) Obtain and record satisfactory deed vesting title in the insured premises in Nancy W. Bartlett and Anne Shirley Bartlett.
2. Pay the full consideration to, or for the account of, the grantors or mortgagors.
3. Pay all taxes, charges, assessments, levied and assessed against subject premises, which are due and payable.
4. Satisfactory evidence should be had that improvements and/or repairs or alterations thereto are completed that contractor, sub-contractors, labor and materialmen are all paid; and have released of record all liens or notice of intent to perfect a lien for labor material.
5. Upon full disclosure to the Company of the nature and scope of this transaction and its review and approval of the closing documents, including updated certifications of title, the Company reserves the right to raise such other and further exceptions and requirements as are appropriate.

STEWART TITLE GUARANTY COMPANY

COMMITMENT FOR TITLE INSURANCE

SCHEDULE B, SECTION 2

EXCEPTIONS

COMMITMENT NO.: 40533

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date of the Proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
2. Rights or claims of parties in possession not shown by the public records.
3. Unrecorded easements, discrepancies or conflicts in boundary lines, shortage in area and encroachments, which an accurate and complete survey would disclose.
4. Unfiled mechanics' or materialmen's liens.
5. All municipal liens for real estate taxes and assessments which are due and payable as of the date hereof and such as become due and payable hereafter.
6. IF THE INSURED PREMISES IS A CONDOMINIUM UNIT: Covenants, conditions, restrictions, reservations, easements, liens for assessments, options, powers of attorney, and limitations on title, created by the laws of the State of the insured premises or set forth in the Master Deed or Declaration of Condominium, in the related By-Laws, in the Declaration of Trust, or Site Plans and Floor Plans as duly recorded in the appropriate land records office and as the same may have been lawfully amended, and in any instrument creating the estate or interest insured by this policy.
7. Any exception, reservation, restriction, easement or condition set out in the attached Exhibit A.
8. Title to and rights of the public and others entitled thereto in and to those portions of the insured premises lying within the bounds of adjacent streets, roads and ways.
9. Rights, restrictions, easements, conditions and matters set forth on a Plan of Diamond Island Association recorded at the Cumberland County Registry of Deeds in Plan Book 4, Page 42.
10. Conditions set forth in a deed from Diamond Island Association dated May 18, 1883 recorded at the Cumberland County Registry of Deeds in Book 500, Page 198. NOTE HOWEVER: Reference is made to a release or modification of some or all of said conditions in an instrument recorded at the Cumberland County Registry of Deeds in Book TBD, Page TBD.
11. Easement to Island Light & Water Company dated March 17, 1926 recorded at the Cumberland County Registry of Deeds in Book 1228, Page 205.
12. Title to and rights of others in the ways and streets laid out on the above-referenced plans.
13. Effect of 33 M.R.S.A Sec. 1651, et seq., the 'Maine Uniform Transfers to Minors Act' on the use and sale of the property."

COMMITMENT NO.: 40533

EXHIBIT A

FOR COMMITMENT AND POLICY

A certain lot or parcel of land with the buildings thereon, situated on Great Diamond Island, in the City of Portland, County of Cumberland and State of Maine, and more particularly bounded and described as follows:

Two certain lots or parcels of land located on the southerly side of Diamond Avenue, Great Diamond Island, Portland, County of Cumberland and State of Maine, being Lots 144 and 516 as depicted on Plan of Diamond Island Association recorded in the Cumberland County Registry of Deeds in Plan Book 4, Page 42.

SCHEDULE A

Elliott - Glickman
Great Diamond Island, Portland, Maine

A certain lot or parcel of land, with the buildings and structures thereon, situated on the southerly end of Great Diamond Island in the City of Portland, County of Cumberland and State of Maine bounded and described as follows:

Beginning at a granite monument on the intersection of the southeasterly sideline of Elwell Avenue and the southwesterly sideline of Zephyr Street as shown on the "Plan of Property Belonging to the Diamond Island Association, Casco Bay, Maine" dated December 18, 1885 and recorded in the Cumberland County Registry of Deeds in Plan Book 6, Page 4, said granite monument being distant two hundred nine (209.00) feet on a bearing of $S 45^{\circ} 00' 45" E$ from a granite monument at the intersection of the southeasterly sideline of Diamond Avenue and the southwesterly sideline of Zephyr Street;

Thence $S 45^{\circ} 00' 45" E$ along land now or formerly of King Resources Company one thousand nine hundred fifty and twenty hundredths (1,950.20) feet to a granite monument near the top of the bank overlooking Casco Bay;

Thence $S 1^{\circ} 46' 30" W$ along said land of King Resources Company one hundred forty-three and seventy-three hundredths (143.73) feet to a solid iron pin in the ledge;

Thence continuing $S 1^{\circ} 46' 30" W$ along said land of King Resources Company six (6) feet to the high water mark of Casco Bay;

Thence generally southwesterly by the meandering high water mark of Casco Bay four thousand five hundred sixty (4,560) feet more or less to the southern tip of Great Diamond Island;

Thence northerly and easterly along the high water mark of Casco Bay one thousand two hundred eighty (1,280) feet more or less to a point distant about two hundred fifty-two and sixty-seven hundredths (252.67) feet on a bearing of $S 45^{\circ} 03' 30" W$ from a granite monument, said point being on the southeasterly boundary of land now or formerly of the Diamond Island Association;

Thence the following courses and distances by said land now or formerly of the Diamond Island Association:

$N 45^{\circ} 03' 30" E$ fifteen (15) feet more or less to an iron pipe at the top of the bank;

Continuing $N 45^{\circ} 03' 30" E$ two hundred thirty-seven and sixty-three hundredths (237.63) feet to the aforesaid granite monument;

Continuing $N 45^{\circ} 03' 30" E$ five hundred eighty-two and forty-five hundredths (582.45) feet to the southwesterly corner of the premises conveyed by Edward D. Noyes to Robert W.

Laughlin by deed dated conveyed by Edward D. Noyes to Robert W. Laughlin by deed dated August 31, 1960 and recorded in said Registry in Book 2561, Page 187;

Thence N 69° 34' E along said premises conveyed to Robert W. Laughlin and along a stone wall two hundred eighty-two and forty-six hundredths (282.46) feet to a point;

Thence N 70° 42' 30" E along said premises conveyed to Robert W. Laughlin and along a stone wall three hundred thirty-nine and forty-seven hundredths (339.47) feet to a point;

Thence N 15° 00' 00" W along said premises conveyed to Robert W. Laughlin and along a stone wall three hundred seven and eighty-six hundredths (307.86) feet to a point;

Thence N 45° 03' 30" E along said land now or formerly of the Diamond Island Association three hundred fifty-six and forty-two hundredths (356.42) feet to a granite monument;

Thence N 44° 52' 30" W along said land now or formerly of the Diamond Island Association three hundred forty-eight and twenty-six hundredths (348.26) feet to a granite monument;

Thence N 45° 02' E one thousand ninety-one and sixty-seven hundredths (1,091.67) feet to the point of beginning.

Also conveying all my right, title and interest to the flats and ledges between high and low water mark adjacent to the above described land.

Excepting from the above:

1. Land and easements appurtenant thereto conveyed to the Portland Club by Henry Deering by deed dated April 16, 1888 and recorded in said Registry in Book 546, Page 303;
2. Land and easements appurtenant thereto conveyed to Joseph W. Whitney by Edward D. Noyes et al. by deed dated September 17, 1919 and recorded in said Registry in Book 1033, Page 169;
3. Land conveyed to Charles Crouch by Edward D. Noyes by deed dated September 4, 1958 and recorded in Book 2432, Page 260;
4. Land conveyed to Haridon W. Miller by Edward D. Noyes by deed dated November 10, 1959 and recorded in said Registry in Book 2511, Page 303;
5. Land, buildings and structures conveyed to Maine Port Authority by Edward Deering Noyes, Jr. by deed dated October 25, 1961 and recorded in said Registry in Book 2643, Page 1;
6. Land conveyed to Robert F. Noring et al. by Edward D. Noyes by deed dated March 14, 1963 and recorded in said Registry in Book 2737, Page 337;
7. Land and easements appurtenant thereto conveyed to Earle D. Reed et al. by Milton V. Smith by deed dated September 3, 1968 and recorded in said Registry in Book 3058, Page 72;

8. Land conveyed to Leonard Allen and Margaret E. Allen by David L. Elliott and Diane B. Elliott by deed dated January 4, 1979 and recorded in said Registry in Book 4364, Page 304;
9. Rights conveyed to Peaks Island Corporation and Island Light and Water Company by the Deering heirs in the agreement dated November 18, 1924 and recorded in said Registry in Book 1189, Page 17;
10. Rights conveyed to New England Telephone and Telegraph Company by Edward D. Noyes, Jr. by deed dated September 19, 1957 and recorded in said Registry in Book 2380, Page 353;
11. Rights of the public in the roads known as Nancy Lane and Nicholas Street;
12. Lease to David E. Farnham dated July 1, 1960;
13. Lease to Norbert Berube dated May, 1961 as extended to June 30, 1972.

There is included in this conveyance the benefit of all the easements, rights of way, conditions and restrictions contained and reserved in the above listed conveyances.

There is also included in this conveyance the rights of way and easements conveyed to Milton V. Smith by Hannah Woodman by deed dated May 4, 1955 and recorded in said Registry in Book 2230, Page 176.

The above described premises contain 98 acres, more or less, including the upland and public roads but not including the land excepted under Items 1-8 above.

All bearings are magnetic as of 1971.

Meaning and intending to convey and hereby conveying the same premises, with the exception of Item 8 above, conveyed to David L. Elliott (Grantor herein) and Diane B. Elliott by Milton V. Smith and Betty L. Smith by deed dated December 29, 1971 and recorded in said Registry of Deeds in Book 3207, Page 160.

ALSO, all my right, title and interest in another certain lot or parcel of land, with the buildings and structures thereon, situated on the southerly end of Great Diamond Island in the City of Portland, County of Cumberland and State of Maine bounded and described as follows:

Beginning at a granite monument on the intersection of the southeasterly sideline of Elwell Avenue and the southwesterly sideline of Zephyr Street as shown on the "Plan of Property Belonging to the Diamond Island Association, Casco Bay, Maine" dated December 18, 1885 and recorded in the Cumberland County Registry of Deeds in Plan Book 6, Page 4, said granite monument being distant two hundred nine (209.00) feet on a bearing of S 45° 00' 45" E from a granite monument at the intersection of the southeasterly sideline of Diamond Avenue and the southwesterly sideline of Zephyr Street;

Thence S 45° 02' 00" W one thousand ninety-one and sixty-seven hundredths (1,091.67) feet to a granite monument; thence N 44°

52' 30" W one hundred (100.00) feet to a point; thence N 45° 02' 00" E to land now or formerly of King Resources Company; thence S 45° 00' 45" E one hundred (100.00) feet, more or less, to the point of beginning.

Meaning and intending to convey and hereby conveying the same premises conveyed to David L. Elliott (Grantor herein) and Diane B. Elliott by Milton V. Smith and Betty L. Smith by deed dated December 29, 1971 and recorded in said Registry of Deeds in Book 3207, Page 164. The warranty covenants of this deed shall not apply to said premises described in said deed recorded in Book 3207, Page 164 and shall be limited to lawful claims and demands of all persons claiming by, through or under me.

Reference is also made to a deed from Diane B. Elliott to David L. Elliott dated March 29, 1980 and recorded in said Registry of Deeds in Book 4584, Page 176 and to a deed from Betty L. Smith to David L. Elliott dated June 23, 1981 and recorded in said Registry of Deeds in Book 4808, Page 216. Reference is further made to a Department of Environmental Protection Site Location Order dated August 25, 1976 and recorded in said Registry of Deeds in Book 3906, Page 306 and a Site Location Condition Removal dated November 19, 1976 and recorded in said Registry of Deeds in Book 3940, Page 141. This conveyance includes all the Grantor's right, title and interest in said Orders and other applicable permits and is subject to the conditions and obligations imposed therein.

The above-described premises are shown on an unrecorded plan entitled "Plan Of Land on Great Diamond Island, Portland, Maine for David Elliott" by Owen Haskell, Inc. dated December 16, 1971. A portion of the premises is also shown on a plan entitled "Great Diamond Shores" by Land Use Consultants, Inc. dated August 2, 1976 and recorded in said Registry of Deeds in Plan Book 114, Page 36.

This conveyance is made subject to current real estate taxes which the Grantees, by acceptance of this deed, assume and agree to pay.

To have and to hold the aforegranted and bargained premises, with all the privileges and appurtenances thereof, to the said

Albert B. Glickman and Judith L. Glickman,

as joint tenants and not as tenants in common, their heirs and assigns, to their own use and behoof forever.

And I do covenant with the said Grantees, as aforesaid, that I am lawfully seized in fee of the premises, that they are free of all encumbrances; except as aforesaid;

that I have good right to sell and convey the same to the said Grantees to hold as aforesaid; and that I and my heirs shall and will Warrant and Defend the same to the said Grantees, their heirs and assigns against the lawful claims and demands of all persons, except as aforesaid.

In Witness Whereof, I, the said David L. Elliott,

and Kimberly S. Elliott,

wife of the said David L. Elliott,

joining in this deed as Grantors, and relinquishing and conveying all rights by descent and all other rights in the above described premises, have hereunto set our hands and seals this 18th day of August

in the year of our Lord one thousand nine hundred and eighty-two.

Signed, Sealed and Delivered in presence of

[Signature]
David L. Elliott
[Signature]
Kimberly S. Elliott

^{Maine}
State of ~~XXXXX~~ ^{New Hampshire} Cumberland ~~Willeboro~~ ^{Hillsboro} Aug. August 18 19 82

Personally appeared the above named

David L. Elliott

and acknowledged

the foregoing instrument to be his free act and deed.

Before me,

[Signature]
Notary Public.
Atty - At-law

AUG 19 1982

REGISTRY OF DEEDS CUMBERLAND COUNTY, MAINE
Received at 9:50 AM, and recorded in

BOOK 5014 PAGE 337 *Edward J. Austin* Register

**CITY OF PORTLAND, MAINE
DEVELOPMENT REVIEW APPLICATION
PLANNING DEPARTMENT PROCESSING FORM**

Zoning Copy

2006-0207

Application I. D. Number

10/20/2006

Application Date

Bartlett Nancy W &

Applicant

11 Sawyer St , Portland , ME 04103

Applicant's Mailing Address

Nancy Bartlett

Consultant/Agent

Agent Ph: (207)653-9407

Agent Fax:

Applicant or Agent Daytime Telephone, Fax

Marge Schmuckal

Diamond Ave, Portland, Maine

Address of Proposed Site

083B F009001

Assessor's Reference: Chart-Block-Lot

Single Family Home GDI

Project Name/Description

Proposed Development (check all that apply): New Building Building Addition Change Of Use Residential Office Retail
 Manufacturing Warehouse/Distribution Parking Lot Apt 0 Condo 0 Other (specify) _____

Proposed Building square Feet or # of Units

Acreeage of Site

Zoning

Check Review Required:

- | | | |
|---|---|--|
| <input type="checkbox"/> Site Plan (major/minor) | <input type="checkbox"/> Zoning Conditional - PB | <input type="checkbox"/> Subdivision # of lots _____ |
| <input type="checkbox"/> Amendment to Plan - Board Review | <input type="checkbox"/> Zoning Conditional - ZBA | <input type="checkbox"/> Shoreland |
| <input type="checkbox"/> Amendment to Plan - Staff Review | <input type="checkbox"/> Zoning Variance | <input type="checkbox"/> Flood Hazard |
| <input type="checkbox"/> After the Fact - Major | <input type="checkbox"/> Stormwater | <input type="checkbox"/> Traffic Movement |
| <input type="checkbox"/> After the Fact - Minor | <input type="checkbox"/> PAD Review | <input type="checkbox"/> 14-403 Streets Review |
| <input type="checkbox"/> Historic Preservation | <input type="checkbox"/> DEP Local Certification | <input type="checkbox"/> Site Location |
| <input type="checkbox"/> Other _____ | | |

Fees Paid: Site Plan \$50.00 Subdivision _____ Engineer Review \$250.00 Date 10/23/2006

Zoning Approval Status:

Reviewer _____

- Approved** **Approved w/Conditions** **Denied**
 See Attached

Approval Date _____ Approval Expiration _____ Extension to _____ Additional Sheets Attached

Condition Compliance _____
 signature _____ date _____

Performance Guarantee **Required*** **Not Required**

* No building permit may be issued until a performance guarantee has been submitted as indicated below

- | | | | |
|---|----------------|--|-----------------|
| <input type="checkbox"/> Performance Guarantee Accepted | _____ | _____ | _____ |
| | date | amount | expiration date |
| <input type="checkbox"/> Inspection Fee Paid | _____ | _____ | |
| | date | amount | |
| <input type="checkbox"/> Building Permit Issue | _____ | | |
| | date | | |
| <input type="checkbox"/> Performance Guarantee Reduced | _____ | _____ | _____ |
| | date | remaining balance | signature |
| <input type="checkbox"/> Temporary Certificate of Occupancy | _____ | <input type="checkbox"/> Conditions (See Attached) | _____ |
| | date | | expiration date |
| <input type="checkbox"/> Final Inspection | _____ | _____ | |
| | date | signature | |
| <input type="checkbox"/> Certificate Of Occupancy | _____ | | |
| | date | | |
| <input type="checkbox"/> Performance Guarantee Released | _____ | _____ | |
| | date | signature | |
| <input type="checkbox"/> Defect Guarantee Submitted | _____ | _____ | _____ |
| | submitted date | amount | expiration date |
| <input type="checkbox"/> Defect Guarantee Released | _____ | _____ | |
| | date | signature | |

198

1886

Henry F. Pick

Know all Men by these Presents, That

DIAMOND ISLAND ASSOCIATION, a Corporation duly created by law, and located at Portland, in the County of Cumberland and State of Maine, in consideration of Twenty five dollars, to it paid by Henry F. Pick of Washington District of Columbia

the receipt whereof, is hereby acknowledged, does hereby remise, release, bargain, sell and convey, and forever quitclaim to the said Henry F. Pick heirs and assigns, a certain lot of land situated on DIAMOND ISLAND, in Casco Bay, within the limits of Portland, aforesaid, and numbered Two Hundred and Sixteen

on the Plan of lands of said Corporation, recorded in said Cumberland County Registry of Deeds, Plan Book No. 6 Page 4; said lot No. 515 being on the North side of Circular Avenue and having a frontage on said Avenue of One Hundred feet, and extending back therefrom Twenty feet. Tr. of No. 118

according to said Plan, to which reference is hereby made. Also the use in common, with the other proprietors of cottage lots, of the wharves, beaches, avenues and streets; also of the grounds, groves and other property of the Corporation on said Diamond Island, until the same shall be sold, leased or dedicated to special purposes by the Corporation or its Directors.

This conveyance is made, however, subject to the following conditions and limitations, to-wit:

FIRST.—The said lot shall not be used for any other purpose than the building, maintaining and occupying of dwelling house or cottage, with the appurtenances thereon, without the consent in writing of a majority of the Directors of said Corporation, and no trees within said lot shall be cut or destroyed without the written consent of said Directors as aforesaid. No mercantile business shall be transacted on said lot, and no building, house or cottage thereon shall be used for any illegal purpose.

SECOND.—No building or part of a building shall be erected on said lot within twenty feet of said Avenue or within ten feet of the land of any adjoining proprietor, and no building shall be erected thereon until the plan of same shall have received the written approval of a majority of said Directors. Each dwelling house, unless other proper provision is made with the written approval of a majority of said Directors, shall be provided with a suitable covered cesspool for drainage and a suitable earth closet, the form, construction and location of both of which shall receive the written approval of a majority of said Directors.

THIRD.—The owner shall keep all buildings in good repair, and the premises in a tidy condition, and shall not allow anything to remain upon them deleterious to the public health, and shall promptly conform to any and all other sanitary rules and regulations for promoting order, which may be prescribed by the Corporation or its Directors.

FOURTH.—The design of said Corporation being to secure for its members and those to whom its lands may be sold, desirable seaside residences, free from objectionable associations, it makes this conveyance upon the condition that said lot shall not be sold, leased or alienated by any owner thereof, without the written consent of a majority of said Directors.

To have and to hold the above granted premises unto the said Henry F. Pick heirs and assigns forever, subject, however, to the conditions and limitations aforesaid.

And the said DIAMOND ISLAND ASSOCIATION, its successors and assigns, does hereby covenant with the said Henry F. Pick heirs and assigns, that said granted premises are free from all incumbrances made or suffered by it, and that it will warrant and defend the same to the said grantee heirs and assigns, against the lawful claims and demands of all persons claiming by, through, or under said Corporation.

In Witness Whereof, the said DIAMOND ISLAND ASSOCIATION has caused this instrument to be signed by its President and Treasurer, and its corporate seal to be affixed hereto, this first day of September in the year of our Lord, one thousand eight hundred and eighty seven.

Signed, Sealed and Delivered, in presence of
By Geo. W. Bryant President.
P. J. Tarabe Treasurer.
State of Maine, Cumberland, ss. Sept. 11 A. D. 1886
Personally appeared Geo. W. Bryant Treasurer of the above named Corporation, and acknowledged the above instrument to be the free act and deed of the said DIAMOND ISLAND ASSOCIATION.



Before me, P. J. Tarabe Justice of the Peace.
Received Sept. 11 1886 at 10 o'clock 31 m., A.M., and recorded according to the original.
Attest Leander E. Curran Registrar

DEPT. OF BUILDING INSPECTION
CITY OF PORTLAND, ME
OCT 30 2006
RECEIVED

Know all Men by these Presents, That

DIAMOND ISLAND ASSOCIATION, a Corporation duly created by law, and located at Portland, in the County of Cumberland, and State of Maine, in consideration of *two hundred and ten* dollars, to it paid by *Henry F. Pickering of Washington, District of Columbia.*

1883

Henry F. Pick

the receipt whereof, is hereby acknowledged, does hereby remise, release, bargain, sell and convey, and forever quitclaim to the said *Henry F. Pickering his* heirs and assigns, *two* certain lots of land situated on DIAMOND ISLAND, in Casco Bay, within the limits of Portland, aforesaid, and numbered *one hundred and forty three and two hundred and forty three*

on the Plan of lands of said Corporation, recorded in said Cumberland County Registry of Deeds, Plan Book No. *4* Page *42*; said lot No. *143* being on the *Southward* side of *Diamond Avenue* and having a frontage on said Avenue of *one hundred feet*, and extending back therefrom *about one hundred and nine* feet, to and *of the Deering River*, said lot No. *243* being on the *eastward* side of *Summit Avenue* and bounded *Southward* by *Summit Avenue*, *Southward* by *Wells Street*, *Southward* by *lots two hundred and forty two and two hundred and forty four* and *Southward* by *lot two hundred and forty two*

according to said Plan, to which reference is hereby made. Also the use in common, with the other proprietors of cottage lots, of the wharves, beaches, avenues and streets; also of the grounds, groves and other property of the Corporation on said Diamond Island, until the same shall be sold, leased or dedicated to special purposes by the Corporation or its Directors.

This conveyance is made, however, subject to the following conditions and limitations, to-wit:
FIRST.—The said lots shall not be used for any other purpose than the building, maintaining and occupying of dwelling houses or cottages, with *their* appurtenances thereon, without the consent in writing of a majority of the Directors of said Corporation, and no trees within said lots shall be cut or destroyed without the written consent of said Directors, as aforesaid. No mercantile business shall be transacted on said lots, and no buildings, houses or cottages thereon shall be used for any illegal purpose.

SECOND.—No building or part of a building shall be erected on said lots within *twenty* feet of said *Avenue or Street* nor within ten feet of the land of any adjoining proprietor, and no buildings shall be erected thereon until the plan of same shall have received the written approval of a majority of said Directors. Each dwelling house, unless other proper provision is made with the written approval of a majority of said Directors, shall be provided with a suitable covered cesspool for drainage and a suitable earth closet, the form, construction and location of both of which shall receive the written approval of a majority of said Directors.

THIRD.—The owner shall keep all buildings in good repair, and the premises in a tidy condition, and shall not allow anything to remain upon them deleterious to the public health, and shall promptly conform to any and all other sanitary rules and regulations for promoting order, which may be prescribed by the Corporation or its Directors.

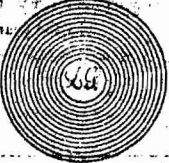
FOURTH.—The design of said Corporation being to secure for its members and those to whom its lands may be sold, desirable seaside residences, free from objectionable associations, it makes this conveyance upon the condition that said lot shall not be sold, leased or alienated by any owner thereof, without the written consent of a majority of said Directors.

To have and to hold the above granted premises unto the said *Henry F. Pickering his* heirs and assigns forever, subject, however, to the conditions and limitations aforesaid.

And the said DIAMOND ISLAND ASSOCIATION, its successors and assigns, does hereby covenant with the said *Henry F. Pickering his* heirs and assigns, that said granted premises are free from all incumbrances made or suffered by it, and that it will warrant and defend the same to the said grantee *his* heirs and assigns, against the lawful claims and demands of all persons claiming by, through, or under said Corporation.

In Witness Whereof, the said DIAMOND ISLAND ASSOCIATION has caused this instrument to be signed by its President and Treasurer, and its corporate seal to be affixed hereto, this *eighteenth* day of *May* in the year of our Lord, one thousand eight hundred and eighty *three*

Signed, Sealed and Delivered, in presence of
By *P. J. Sawabe* President.
George H. Ledy Treasurer.

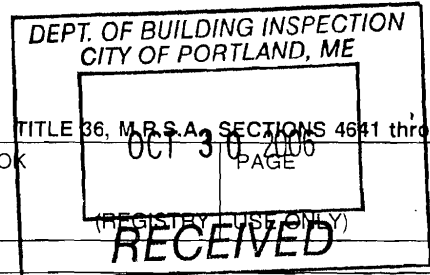


State of Maine, Cumberland; ss. *May 18* A. D., 1883
Personally appeared *George H. Ledy* Treasurer of the above named Corporation, and acknowledged the above instrument to be the free act and deed of the said DIAMOND ISLAND ASSOCIATION.

Before me, *P. J. Sawabe* Justice of the Peace.

Received *May 19* 1883 at *8 o'clock 35 m.* A. M., and recorded according to the original.
Attest. *Landis E. Cram* Register.

DEPT. OF BUILDING INSPECTION
CITY OF PORTLAND, ME
OCT 30 2006
RECEIVED



REAL ESTATE TRANSFER TAX DECLARATION

TITLE 36, M.R.S.A. SECTIONS 4641 through 4641-N

1. MUNICIPALITY OR TOWNSHIP: PORTLAND; COUNTY: CUMBERLAND; BOOK: 001-36-2006; PAGE: 05

2. IDENTITY: NAME(S) (LAST, FIRST, INITIAL) AND SOCIAL SECURITY NUMBER(S) OR CORPORATE NAME(S) AND FEDERAL IDENTIFICATION NUMBER(S): BARTLETT, Nancy W; 005 56 3354

3. NUMBER AND STREET: 12 Bryant Street; CITY OR TOWN: Portland; STATE AND ZIP CODE: ME 04103

4. IDENTITY: NAME(S) (LAST, FIRST, INITIAL) AND SOCIAL SECURITY NUMBER(S) OR CORPORATE NAME(S) AND FEDERAL IDENTIFICATION NUMBER(S): PICKING, Henry F; Elizabeth S. Hawill; 004 30 9628; 034-28-0387

5. NUMBER AND STREET: 186 Moorland Rd; 32 Blueberry Lane #216; CITY OR TOWN: Falmouth; STATE AND ZIP CODE: ME 02540; ME 04105

6. TAX MAP & LOT NUMBER: MAP 83B / BLOCK F / LOT 9-16; 7. DATE OF TRANSFER: 06 | 07 | 04

8. CONSIDERATION: FULL VALUE \$ 15400.00; TAXABLE CONSIDERATION \$ 15400.00

9. EXEMPTION: 9. EXPLAIN BASIS FOR EXEMPTION (Complete only if transfer is claimed to be fully or partially exempt pursuant to M.R.S.A. 36 §4641-C)

10. SPECIAL CIRCUMSTANCES: 10. Were there special circumstances in the transfer which suggest that the price of the property was either more or less than its fair market value. (Such as the fact that transfer was a forced sale, foreclosure, intercorporate sale, exchange, or transfer tax was based on estimate value.) PLEASE EXPLAIN.

11. INCOME TAX WITHHELD: Buyer(s) certify that they have withheld Maine income tax from the purchase price as required by § 5250-A and will remit to Maine Revenue Services within 30 days after date of transfer.

12. OATH: 12. Aware of penalties as set forth by Title 36, Section 4641-K, we hereby swear or affirm that we have each examined this return and to the best of our knowledge and belief, it is true, correct, and complete.

OATH table with columns for GRANTEE(S) or AUTHORIZED AGENT, DATE, GRANTOR(S) or AUTHORIZED AGENT, DATE. Includes signature of Henry F. Picking.

13. PREPARER: 13. Name and address of person or firm preparing this form.

21380-71

May

2004 → present 83B-F-9316

QUITCLAIM DEED WITH COVENANT



KNOW ALL PERSONS BY THESE PRESENTS, that FRANCES P. HELYAR, f/k/a Frances G. Picking of Falmouth, County of Barnstable, Commonwealth of Massachusetts, whose mailing address is 186 Moorland Road, Falmouth, MA 02540, HENRY F. PICKING, of Brunswick, County of Cumberland, State of Maine, whose mailing address is 654 Gurnet Road, Brunswick, ME 04011 and ELIZABETH S. HAMILL, f/k/a Elizabeth Picking of Falmouth, County of Cumberland, State of Maine, whose mailing address is 32 Blueberry Lane, #216, Falmouth, ME 04105, for consideration paid, grant to NANCY W. BARTLETT and NANCY W. BARTLETT, as custodian for ANNE S. BARTLETT under the Maine Uniform Transfer to Minors Act, both of Portland, County of Cumberland, State of Maine, AS JOINT TENANTS AND NOT AS TENANTS IN COMMON, whose mailing address is 12 Bryant Street, Portland, ME 04103 with QUITCLAIM COVENANT, two certain lots or parcels of land situated on Diamond Island, in Casco Bay, in Portland, County of Cumberland, State of Maine, described as follows:

Parcel One. Lot Number One Hundred Forty-Three (143) on the Plan of Lands of Diamond Island Association (the "Corporation") recorded in the Cumberland County Registry of Deeds in Plan Book 4, Page 42, said Lot No. 143 being on the southeasterly side of Diamond Avenue and having a frontage on said Avenue of one hundred feet, and extending back therefrom about one hundred nine feet to land of the Deering heirs.

Parcel 2. Lot Number Five Hundred Fifteen (515) on the Plan of Lands of said Diamond Island Association (the "Corporation") recorded in the Cumberland County Registry of Deeds in Plan Book 6, Page 4, said Lot No. 515 being on the northwesterly side of Elwell Avenue and having a frontage on said Avenue of one hundred feet, and extending back therefrom seventy feet to Lot No. 143.

Also the use in common with the other proprietors of cottage lots, of the wharves, beaches, avenues and streets; also of the grounds, groves and other property of the Corporation on said Diamond Island, until the same shall be sold, leased or dedicated to special purposes by the Corporation or its Directors.

With respect to each lot, this conveyance is made, however, subject to the following conditions and limitations, to-wit:

First. – The said lot shall not be used for any other purpose than the building, maintaining and occupying of a dwelling house or cottage, with its appurtenances thereon, without the consent in writing of a majority of the Directors of said Corporation, and no trees within said lot shall be cut or destroyed without the written consent of said Directors as aforesaid. No mercantile business shall be transacted on said lot, and no building, house or cottage thereon shall be used for any illegal purpose.

Second. – No building or part of a building shall be erected on said lot within *twenty* feet of said Avenue nor within ten feet of the land of any adjoining proprietor, and no building shall be erected thereon until the plan of same shall have received the written approval of a majority of said Directors. Each dwelling house, unless other proper provision is made with the written approval of a majority of said Directors, shall be provided with a suitable covered cesspool for drainage and a suitable earth closet, the form, construction and location of both of which shall receive the written approval of a majority of said Directors.

Third. – The owner shall keep all buildings in good repair, and the premises in a tidy condition, and shall not allow anything to remain upon them deleterious to the public health, and shall promptly conform to any and all other sanitary rules and regulations for promoting order, which may be prescribed by the Corporation or its Directors.

Fourth. – The design of said Corporation being to secure for its members and those to whom its lands may be sold, desirable seaside residences, free from objectionable associations, it makes this conveyance upon the condition that said lot shall not be sold, leased or alienated by any owner thereof, without the written consent of a majority of said Directors.

Reference is made to a probate proceeding for Sherwood Picking, who died on September 1, 1941, testate, Cumberland County Probate Court Docket No. 33402. Elizabeth W. Picking, life tenant with respect to the parcels herein described under the Will of Sherwood Picking, died on February 20, 1999. Further reference may be had to probate proceedings for Laura Picking, who died on March 20, 1933, testate, Cumberland County Probate Court Docket No. 24769.

WITNESS, our hands and seals this 25th day of the month of May, 2004.


FRANCES P. HELVAR

Henry F. Picking

Henry F. Picking
HENRY F. PICKING

Elizabeth S. Hamill

Elizabeth S. Hamill
ELIZABETH S. HAMILL

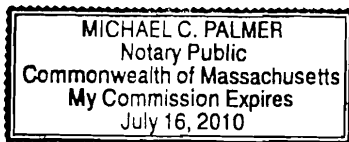
COMMONWEALTH OF MASSACHUSETTS
BARNSTABLE, SS.

May 25, 2004

Then personally appeared the above-named FRANCES P. HELYAR and acknowledged the foregoing instrument to be her free act and deed.

Before me,

Michael Palmer
Notary Public



Michael Palmer
Printed Name

STATE OF MAINE
CUMBERLAND, SS.

May 27, 2004

Then personally appeared the above-named HENRY F. PICKING and acknowledged the foregoing instrument to be his free act and deed.

Before me,

Peter E. Horr
Notary Public

PETER E. HERR
NOTARY PUBLIC
STATE OF MAINE
MY COMM. EXPIRES APRIL 9, 2005

Peter E. Horr
Printed Name

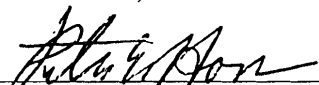
STATE OF MAINE
CUMBERLAND, SS.

May 27, 2004

Then personally appeared the above-named ELIZABETH S. HAMILL and acknowledged the foregoing instrument to be her free act and deed.

PETER E. HERR
NOTARY PUBLIC
STATE OF MAINE
MY COMM. EXPIRES APRIL 9, 2005

Before me,



Notary Public

Peter E. Herr

Printed Name

059721

NOTICE

On August 21, 1977 the Diamond Island Association adopted a new set of By Laws that no longer requires the Director's consent by a majority signing of any deed when property is sold on Great Diamond Island.

Stuart Laughlin
Secretary

Nov. 14, 1990

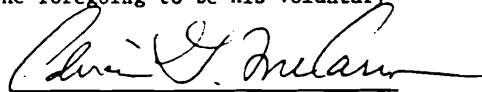
STUART LAUGHLIN

State of Maine
Cumberland, SS

November 14, 1990

Personally appeared Stuart Laughlin the duly authorized Secretary of the Diamond Island Association and acknowledged the foregoing to be his voluntary act and deed, in his said capacity.

Before me,



Adrian G. McCarron
Attorney At Law

RECEIVED
RECORDED REGISTRY OF DEEDS

30 DEC 17 PM 12:32

CUMBERLAND COUNTY



ider
in

Vice
of

(2) mty

QUITCLAIM DEED WITH COVENANT

MAINE REAL ESTATE TAX PAID

KNOW ALL PERSONS BY THESE PRESENTS, that FRANCES P. HELYAR, f/k/a Frances G. Picking of Falmouth, County of Barnstable, Commonwealth of Massachusetts, whose mailing address is 186 Moorland Road, Falmouth, MA 02540, HENRY F. PICKING, of Brunswick, County of Cumberland, State of Maine, whose mailing address is 654 Gurnet Road, Brunswick, ME 04011 and ELIZABETH S. HAMILL, f/k/a Elizabeth Picking of Falmouth, County of Cumberland, State of Maine, whose mailing address is 32 Blueberry Lane, #216, Falmouth, ME 04105, for consideration paid, grant to NANCY W. BARTLETT and NANCY W. BARTLETT, as custodian for ANNE S. BARTLETT under the Maine Uniform Transfer to Minors Act, both of Portland, County of Cumberland, State of Maine, AS JOINT TENANTS AND NOT AS TENANTS IN COMMON, whose mailing address is 12 Bryant Street, *mailing* Portland, ME 04103 with QUITCLAIM COVENANT, two certain lots or parcels of land situated on Diamond Island, in Casco Bay, in Portland, County of Cumberland, State of Maine, described as follows:

Parcel One. Lot Number One Hundred Forty-Three (143) ^{F-9} on the Plan of Lands of Diamond Island Association (the "Corporation") recorded in the Cumberland County Registry of Deeds in Plan Book 4, Page 42, said Lot No. 143 being on the southeasterly side of Diamond Avenue and having a frontage on said Avenue of one hundred feet, and extending back therefrom about one hundred nine feet to land of the Deering heirs.

Parcel 2. Lot Number Five Hundred Fifteen (515) ^{F-16} on the Plan of Lands of said Diamond Island Association (the "Corporation") recorded in the Cumberland County Registry of Deeds in Plan Book 6, Page 4, said Lot No. 515 being on the northwesterly side of Elwell Avenue and having a frontage on said Avenue of one hundred feet, and extending back therefrom seventy feet to Lot No. 143.

Also the use in common with the other proprietors of cottage lots, of the wharves, beaches, avenues and streets; also of the grounds, groves and other property of the Corporation on said Diamond Island, until the same shall be sold, leased or dedicated to special purposes by the Corporation or its Directors.

MW
40
93B-F-9-16
16

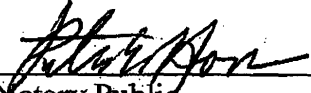
STATE OF MAINE
CUMBERLAND, SS.

May 27, 2004

Then personally appeared the above-named ELIZABETH S. HAMILL and acknowledged the foregoing instrument to be her free act and deed.

PETER E. HERR
NOTARY PUBLIC
STATE OF MAINE
MY COMM. EXPIRES APRIL 9, 2005

Before me,



Notary Public

Peter E. Herr

Printed Name

SEAL

Received
Recorded Register of Deeds
Jun 08, 2004 12:29:44P
Cumberland County
John B O'Brien

BK 12557 PG 137

31266

QUITCLAIM DEED WITH COVENANT

Maine Statutory Short Form

KNOW ALL MEN BY THESE PRESENTS That, Diamond Cove Associates, a Maine General Partnership, with a mailing address of PO Box 3679, Portland, ME 04014, for consideration paid, grants to Wayne B. Bartlett and Nancy W. Bartlett, of Great Diamond Island, City of Portland, County of Cumberland, and State of Maine, with a mailing address of Sunset Avenue, Great Diamond Island, ME 04109, WITH QUITCLAIM COVENANT, a certain lot or parcel of land situated on Great Diamond Island, Casco Bay, Portland, County of Cumberland, Maine, more particularly described in Exhibit A attached hereto and made a part hereof.

In Witness Whereof, I, the said Richard E. Dobson, a General Partner of Diamond Cove Associates, have hereunto set my hand and seal this 21st day of April, 1995.

Diamond Cove Associates
By: [Signature]
Richard E. Dobson, General Partner

State of Maine
County of Cumberland
April 21, 1995

Personally appeared the above named Richard E. Dobson, a General Partner of Diamond Cove Associates in his said capacity and acknowledged the foregoing to be his free act and deed, and that of the said Partnership.

Before me,
[Signature]
Notary Public/Attorney At Law
Print Name:
ADRIAN G. McCARRON

I certify that the delivery of this deed took place on June 12, 1996, thereby passing title to grantees on that date.

[Signature]
Adrian G. McCarron
Escrow Agent

State of Maine
Cumberland, ss.
June 12, 1996

Subscribed and sworn before me by Adrian G. McCarron this date

[Signature]
Bridget A. Power
Notary Public

BRIDGET A. POWER
NOTARY PUBLIC, MAINE
MY COMMISSION EXPIRES SEPTEMBER 8, 1999

MAINE REAL ESTATE TAX PAID

Diamond Cove Associates
→ Wayne & Nancy Bartlett

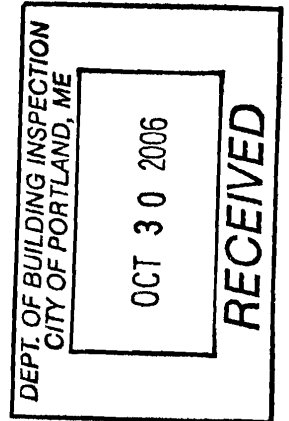
83B-F-8

reference

Casco Bay land

→ Diamond Cove

1984



BK 12557PG 138

EXHIBIT A

A certain lot or parcel of land located on the southerly side of Diamond Avenue, Great Diamond Island, Portland, County of Cumberland and State of Maine, being Lot 144 as depicted on Plan of Diamond Island Association recorded in the Cumberland County Registry of Deeds in Plan Book 4, Page 42.

Said lot is also depicted on City of Portland Tax Maps as 83B-F-8.

Subject to the conditions and limitations contained in a deed from Diamond Island Association to James A. Conley recorded in the Cumberland County Registry of Deeds in Book 702, Page 169, and together with the appurtenances thereto.

Being a portion of the premises conveyed to the Grantor by a Deed from Casco Bay Land Company dated April 9, 1984 and recorded in the Cumberland County Registry of Deeds in Book 6437, Page 318.

Casco Bayland
Co. 1984
→ Diamond Cove
Associates

RECEIVED
RECORDED REGISTRY OF DEEDS
95 JUN 13 AM 9:50
CUMBERLAND COUNTY
John B. O'Brien

DEPT. OF BUILDING INSPECTION
CITY OF PORTLAND, ME
OCT 30 2006
RECEIVED

Doc#: 42696 Bk:21380 Pg: 74
83B-F-8+17 ✓
6-8-04

① p. 1

Quitclaim Deed with Covenant
Maine Statutory Short Form 33 M.R.S.A. §761 et seq.

2 parcels

KNOW ALL MEN BY THESE PRESENTS THAT, **Nancy W. Bartlett** of Portland, County of Cumberland, State of Maine, grants to **Ryan Franklin Bartlett**, of Portland, Cumberland County, State of Maine, whose mailing address is 169 Newbury Street, Portland, Maine 04101, with quitclaim covenants,

mailing

A certain lot or parcel of land situated in Portland, County of Cumberland, State of Maine, more particularly described at Exhibit A, attached hereto and incorporated herein.

Witness my hand and seal this 7 day of June, 2004

Nancy W. Bartlett
Nancy W. Bartlett

State of Maine
County of Cumberland

Date: June 7, 2004

Before me, personally appeared the above-named Nancy W. Bartlett, an unmarried woman, and acknowledged the foregoing to be her free act and deed.

[Signature]
Notary Public/Attorney at Law
Susan Hanson

Please type or print name
My commission expires: _____

m 40
83B-F-8+17

EXHIBIT A

A certain lot or parcel of land with the buildings thereon, situated on Great Diamond Island, in the City of Portland, County of Cumberland and State of Maine, and more particularly bounded and described as follows:

F-8 → 17 Two certain lots or parcels of land located on the southerly side of Diamond Avenue, Great Diamond Island, Portland, County of Cumberland and State of Maine, being Lots 144 and 516 as depicted on Plan of Diamond Island Association recorded in the Cumberland County Registry of Deeds in Plan Book 4, Page 42.

Said lots are also depicted on City of Portland tax maps as 83B F-8 and 17.

Meaning and intending to convey and hereby conveying the same premises described in a deed dated April 28, 1998 recorded at the Cumberland County Registry of Deeds in Book 13780, Page 337.

This deed is a gift from mother to son.

Received
Recorded Register of Deeds
Jun 08 2004 12:26:59P
Cumberland County
John B O'Brien

We, the undersigned, a majority of the Directors of Diamond Island Association, hereby consent to the foregoing conveyance.

Dated at Portland, Maine, this 20th day of February, 1952.

Samuel L. Mac Donald

Edward M. Leady

Cecilia K. Whitman

Hester E. Henry

Hannah Woodman

Kernie G. Kimball

Lorraine

W. W. Faughlin

Ernest A. Thorsell, President

REFER TO QC 2088-472
DIAMOND ISLAND ASSOCIATION

Quit-Claim Deed

(WITH COVENANT)

FROM

ERNEST A. THORSELL, ET AL.

TO

PORTLAND WATER DISTRICT

Dated February 20, 1952.

ss. Registry of Deeds

Received FEB 20 1952 191

at 3 H., 50 M., and

recorded in Book 2076, Page 462

ATTEST

Robert H. Carr REGISTER.

FROM THE OFFICE OF

Verrill Dana Walker Philbrick & Whitehouse