

**PERMIT ISSUED**

**City of Portland, Maine - Building or Use Permit Application**

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

Permit No: 01-0250	Issue Date: <b>APR - 3 2001</b>	CBL: 111 A016001
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<b>Location of Construction:</b> 449 Forest Ave	<b>Owner Name:</b> Forest Avenue LLC	<b>Owner Address:</b> 449 Forest Ave	<b>Phone:</b> 207 75-6500
<b>Business Name:</b> Michael Hoang	<b>Contractor Name:</b> The Signery	<b>Contractor Address:</b> 299 Forest Avenue Portland	<b>Phone:</b> 2078797700
<b>Lessee/Buyer's Name:</b> Michael Hoang	<b>Phone:</b> n/a	<b>Permit Type:</b> Signs - Permanent	<b>Zone:</b>

**CITY OF PORTLAND**

<b>Past Use:</b> retail / Rental	<b>Proposed Use:</b> Retail / Nail Salon	<b>Permit Fee:</b> 37,600 <del>50,000</del>	<b>Cost of Work:</b> \$1,000.00	<b>Area 2</b>
<b>Proposed Project Description:</b> Reface Existing Wall Sign 29 1/2 " x 143 1/4 "		<b>FIRE DEPT:</b> <input type="checkbox"/> Approved <input type="checkbox"/> Denied	<b>INSPECTION:</b> <i>Signage</i> Use Group: Type: <b>PERMIT ISSUED WITH REQUIREMENTS</b>	
		Signature:	Signature: <i>[Signature]</i>	
<b>PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)</b>				
Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied				
Signature: Date:				

<b>Permit Taken By:</b> cjh	<b>Date Applied For:</b> 03/27/2001	<b>Zoning Approval</b>		
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1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules. 2. Building permits do not include plumbing, septic or electrical work. 3. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..	<b>Special Zone or Reviews</b> <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/> Date: <i>OK S 4/2/01</i>	<b>Zoning Appeal</b> <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:	<b>Historic Preservation</b> <input type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Date:
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**PERMIT ISSUED WITH REQUIREMENTS**

**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
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RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE	DATE	PHONE
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- 20. All single and multiple station smoke detectors shall be of an approved type and shall be installed in accordance with the provisions of the City's Building Code Chapter 9, Section 920.3.2 (BOCA National Building Code/1999), and NFPA 101 Chapter 18 & 19. (Smoke detectors shall be installed and maintained at the following locations):
  - In the immediate vicinity of bedrooms
  - In all bedrooms
  - In each story within a dwelling unit, including basements
- 21. A portable fire extinguisher shall be located as per NFPA #10. They shall bear the label of an approved agency and be of an approved type. (Section 921.0)
- 22. The Fire Alarm System shall be installed and maintained to NFPA #72 Standard.
- 23. The Sprinkler System shall be installed and maintained to NFPA #13 Standard.
- 24. All exit signs, lights and means of egress lighting shall be done in accordance with Chapter 10 Section & Subsections 1023.0 & 1024.0 of the City's Building Code. (The BOCA National Building Code/1999)
- 25. Section 25 - 135 of the Municipal Code for the City of Portland states, "No person or utility shall be granted a permit to excavate or open any street or sidewalk from the time of November 15 of each year to April 15 of the following year".
- 26. The builder of a facility to which Section 4594-C of the Maine State Human Rights Act Title 5 MRSA refers, shall obtain a certification from a design professional that the plans commencing construction of the facility, the builder shall submit the certification the Division of Inspection Services.
- 27. Ventilation and access shall meet the requirements of Chapter 12 Sections 1210.0 and 1211.0 of the City's Building Code. (Crawl spaces & attics).
- 28. All electrical, plumbing and HVAC permits must be obtained by Master Licensed holders of their trade. **No closing in of walls until all electrical (min. 72 hours notice) and plumbing inspections have been done.**
- 29. All requirements must be met before a final Certificate of Occupancy is issued.
- 30. All building elements shall meet the fastening schedule as per Table 2305.2 of the City's Building Code (The BOCA National Building Code/1996).
- 31. Ventilation of spaces within a building shall be done in accordance with the City's Mechanical code (The BOCA National Mechanical Code/1993). (Chapter M-16)
- 32. Please read and implement the attached Land Use Zoning report requirements.
- 33. Boring, cutting and notching shall be done in accordance with Sections 2305.3, 2305.3.1, 2305.4.4 and 2305.5.1 of the City's Building Code.
- 34. Bridging shall comply with Section 2305.16.
- 35. Glass and glazing shall meet the requirements of Chapter 24 of the building code. (Safety Glazing Section 2406.0)
- 36. All flashing shall comply with Section 1406.3.10.
- 37. All signage shall be done in accordance with Section 3102.0 signs of the City's Building Code, (The BOCA National Building Code/1999).

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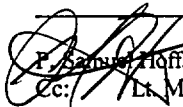
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 P. Samuel Hoffses, Building Inspector  
 cc: Lt. McDougall, PFD  
 Marge Schmuckal, Zoning Administrator  
 Michael Nugent, Inspection Service Manager

PSH 10/1/00

**\*\*This permit is herewith issued, on the basis of plans submitted and conditions placed on these plans, any deviations shall require a separate approval.**

**\*\*\*THIS PERMIT HAS BEEN ISSUED WITH THE UNDERSTANDING THAT ALL THE CONDITIONS OF THE APPROVAL SHALL BE COMPLETED. THEREFORE, BEFORE THE WORK IS COMPLETED A REVISED PLAN OR STATEMENT FROM THE PERMIT HOLDER SHALL BE SUBMITTED TO THIS OFFICE SHOWING OR EXPLAINING THAT THE CONDITIONS HAVE BEEN MET. IF THIS REQUIREMENT IS NOT RECEIVED YOUR CERTIFICATE OF OCCUPANCY SHALL BE WITHHELD. ( You Shall Call for Inspections )**

**\*\*\*\*ALL PLANS THAT REQUIRE A PROFESSIONAL DESIGNER'S SEAL, (AS PER SECTION 114.0 OF THE BUILDING CODE) SHALL ALSO BE PRESENTED TO THIS DIVISION ON AUTO CAD LT. 2000, DXF FORMAT OR EQUIVALENT.**

**\*\*\*\*\*CERTIFICATE OF OCCUPANCY FEE \$50.00**

BUILDING PERMIT REPORT

DATE: 30 March 2001 ADDRESS: 449 Forest Ave. CBL: 111-A-016

REASON FOR PERMIT: Signage

BUILDING OWNER: Forest Ave LLC

PERMIT APPLICANT: Michael Hoang CONTRACTOR: The Signory

USE GROUP: CONSTRUCTION TYPE: CONSTRUCTION COST: PERMIT FEES: \$3780

The City's Adopted Building Code (The BOCA National Building Code/1999 with City Amendments)
The City's Adopted Mechanical Code (The BOCA National Mechanical Code/1993)

CONDITION(S) OF APPROVAL

This permit is being issued with the understanding that the following conditions shall be met: \*1, \*37

- 1. This permit does not excuse the applicant from meeting applicable State and Federal rules and laws.
2. Before concrete for foundation is placed, approvals from the Development Review Coordinator and Inspection Services must be obtained.
3. Foundation drain shall be placed around the perimeter of a foundation that consists of gravel or crushed stone containing not more than 10 percent material that passes through a No. 4 sieve.
4. Foundations anchors shall be a minimum of 1/2" in diameter, 7" into the foundation wall, minimum of 12" from corners of foundation and a maximum 6' O.C. between bolts.
5. Waterproofing and dampproofing shall be done in accordance with Section 1813.0 of the building code.
6. Precaution must be taken to protect concrete and masonry.
7. It is strongly recommended that a registered land surveyor check all foundation forms before concrete is placed.
8. Private garages located beneath habitable rooms in occupancies in Use Group R-1, R-2, R-3 or I-1 shall be separated from adjacent interior spaces by fire partitions and floor/ceiling assembly which are constructed with not less than 1-hour fire resisting rating.
9. All chimneys and vents shall be installed and maintained as per Chapter 12 of the City's Mechanical Code.
10. Sound transmission control in residential building shall be done in accordance with Chapter 12, Section 1214.0 of the City's Building Code.
11. Guardrails & Handrails: A guardrail system is a system of building components located near the open sides of elevated walking surfaces for the purpose of minimizing the possibility of an accidental fall from the walking surface to the lower level.
12. Headroom in habitable space is a minimum of 7'6".
13. Stair construction in Use Group R-3 & R-4 is a minimum of 10" tread and 7 1/2" maximum rise.
14. The minimum headroom in all parts of a stairway shall not be less than 80 inches.
15. The Minimum required width of a corridor shall be determined by the most restrictive of the criteria under section 1011.3 but not less than 36".
16. Every sleeping room below the fourth story in buildings of Use Groups R and I-1 shall have at least one operable window or exterior door approved for emergency egress or rescue.
17. Each apartment shall have access to two (2) separate, remote and approved means of egress.
18. All vertical openings shall be enclosed with construction having a fire rating of at least one (1) hour, including fire doors with self closure's.
19. The boiler shall be protected by enclosing with (1) hour fire rated construction including fire doors and ceiling, or by providing automatic extinguishment.

2/27

THIS IS NOT A PERMIT/CONSTRUCTION MAY NOT COMMENCE UNTIL THE PERMIT IS ISSUED

# SIGNAGE APPLICATION

Area 2

**THIS IS NOT A PERMIT**

**CONSTRUCTION CANNOT NOT COMMENCE UNTIL THE PERMIT IS ISSUED**

In the interest of processing your application in the quickest possible manner, please complete the Information below for a Building or Use Permit.

NOTE\*\*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>449 Forest Ave</u>		
Total Square Footage of Proposed Structure <u>Retail space 2,483 +/-</u>	<u>39 sqft.</u>	Square Footage of Lot <u>N/A</u>
Tax Assessor's Chart, Block & Lot Number Chart# <u>111</u> Block# <u>A</u> Lot# <u>16</u>	Owner: <u>Forest Avenue LLC</u> <u>James Gould</u>	Telephone #: <u>(207) 775-6500</u>
Lessee/Buyer's Name (If Applicable) <u>Michael Hoang</u>	Owner's/Purchaser/Lessee Address: <u>1 Colonial DR #2</u> <u>SACO ME 04072</u>	Cost Of Work: Fee: <u>\$1000.00 \$ 37.80</u>
Current use: <u>retail/rental</u>	Proposed use: <u>Nail salon/Tanning</u>	
Project description: <u>reface existing wall sign 29'1/2" x 143'1/4"</u> <u>reface existing freestanding sign - 2 sides 30" x 72" on exist sign</u>		
Contractor's Name, Address & Telephone <u>879-7700 The Signery 299 Forest Ave Portland.</u>		Rec'd By: <u>Jan</u>

Handwritten mark on the left side of the form.

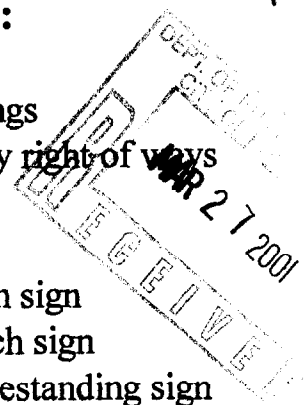
Please check off the following indicating that you have included the below items to expedite the process of this sign application:

- "Certification of Liability" listing the City additionally insured
- Letter of permission from the owner

Handwritten signature: Hoang MTA 3/27

**A sketch plan indicating the following:**

- Drawing of the property showing all dimensions of the lot
- Location of all buildings and property setbacks from all buildings
- Driveways and abutting streets showing street frontage and any right of ways
- Indicate on drawing the dimensions of all buildings on the lot
- Define in footage the frontage of your business front
- Indicate on drawing of existing signage and dimensions of each sign
- Indicate on drawing all proposed signage and dimension of each sign
- Sign area height and setback of each existing and proposed freestanding sign



**THIS IS NOT A PERMIT/CONSTRUCTION MAY NOT COMMENCE UNTIL THE PERMIT IS ISSUED**

- Certification of flammability required for awning/canopy at time of application
- UL # required for lighted signs at the time of Final Inspection. Failure to provide this information will invalidate the Sign Permit.

The Provisions of Section 3102.0 of the City's Building Code "The BOCA National Building Code 1999 edition" shall govern the construction, alteration, repair and maintenance of outdoor signs together with the associated appurtenant and auxiliary devices in respect to structural and fire safety. In accordance to section 3102.4.4 of BOCA construction documents and owners consent is all follows; "Before any permit is issued for the erection of a sign, Construction Documents shall be filed with the code official showing the dimensions, materials and required details of construction, including loads, stresses and anchorage. The applications shall be accompanied by the written contract of the owner or lessees of the premises upon which the sign is to erected. **NO PERMIT CAN OR WILL BE ISSUED UNLESS THIS INFORMATION IS SUBMITTED AND APPROVED BY THE INSPECTIONS OFFICE.**

**ELECTRICAL SIGNAGE PERMITS/RESPONSIBILITIES**

All sign companies or any persons engaged in the installation, interchange or maintenance of signage in the City of Portland must have the Electrician or Electrical Contractor who provided power to the sign(s) or associated equipment apply for an electrical permit in the Inspections Office.

It is the responsibility of your company to contact your sub-contractor or he owner to inform them of this policy. Whether your company does the final connections, which requires a valid Maine Electricians License or your sub contractor provides this service; permits and inspections shall be required.

Failure to comply with this procedure may result in the denial of sign permits by this office for your company or its representation to install or interchange any future signage in the City of Portland.

**If the property is located in a historic district, a separate sketch is required indicating the design, dimensions, construction materials and source of illumination if any. A photograph of the building façade should be submitted, showing where each sign is to be installed.**

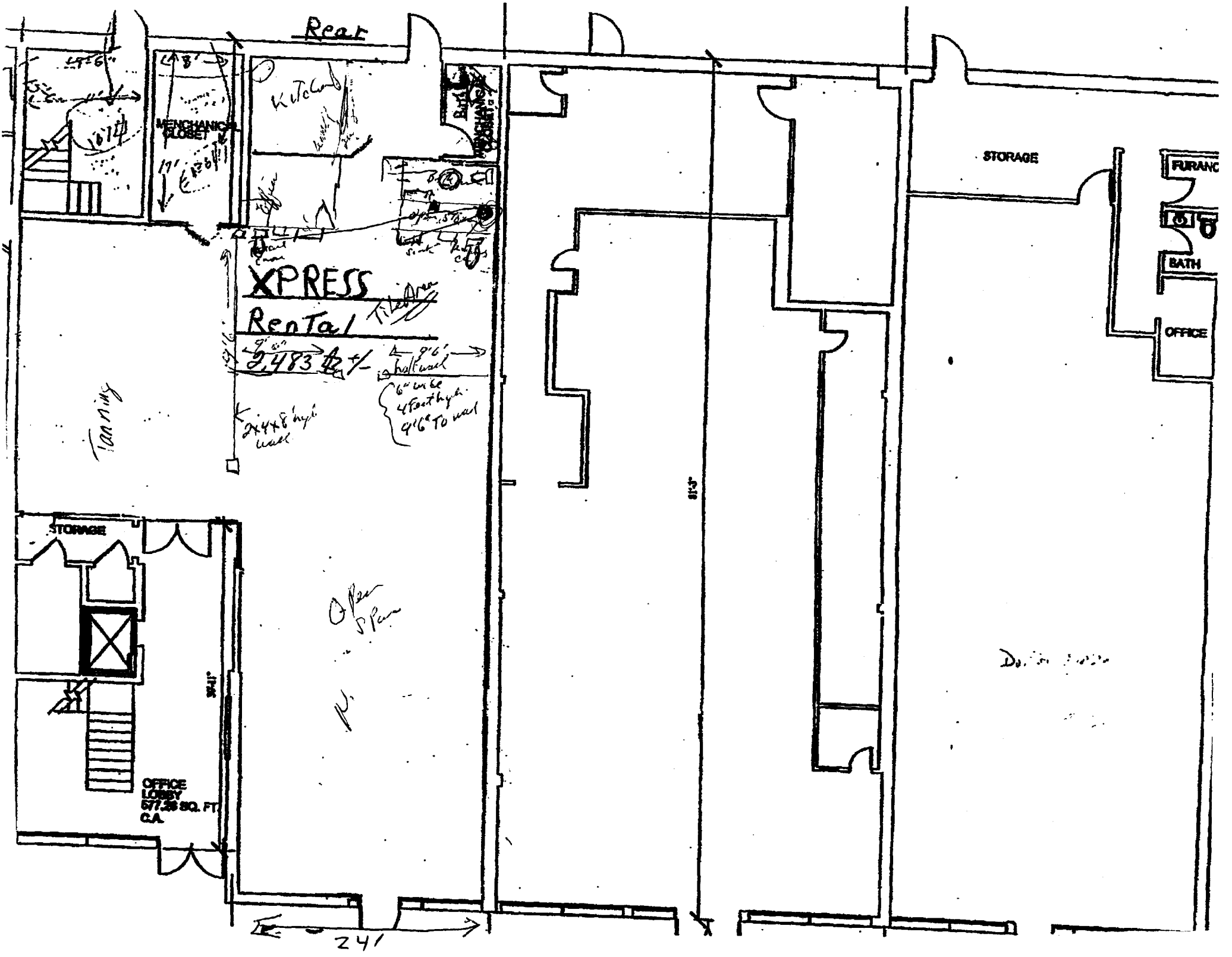
**Certification**

*I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.*

Signature of applicant: 	Date: 3-27-01
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**Sign Permit Fee: \$30.00 plus \$0.20 per square foot.**

***A building permit is also required for any awning based on cost of work-\$30.00 for the first \$1,000.00 and \$6.00 for each additional \$1,000.00***



Rear

XPRESS  
Rental

2,483 \$/mo  
2x4x8 high wall  
9'6" wall  
6" wide 4'8" high 4'6" to wall

Tanning

Open Plan

N.

OFFICE LOBBY  
577.26 SQ. FT.  
C.A.

241

313

STORAGE

FURANC

BATH

OFFICE

Do. To. 3000

1 wall sign to be refaced on existing  
dimension the same

29 1/2 x 143 1/4

★ **MAGIC NAILS** ★

Second Sign

30" x 72"

EACH SIDE

Existing  
Free standing Sign  
on street to be  
Refaced 2 sides

All BACKLIT SIGNAGE  
TRANSLUCENT VINYL

# ACORD™ INSURANCE BINDER

DATE  
03/23/2001

THIS BINDER IS A TEMPORARY INSURANCE CONTRACT, SUBJECT TO THE CONDITIONS SHOWN ON THE REVERSE SIDE OF THIS FORM.

PRODUCER <b>Insurtec, Incorporated</b> PO Box 25 Rich Hill, MO 64779	PHONE (A/C, No, Ext.) <b>(800) 606-0621</b>	COMPANY <b>Legion Indemnity Insurance Co.</b>	BINDER # <b>030575</b>
CODE:	SUB CODE:	THIS BINDER IS ISSUED TO EXTEND COVERAGE IN THE ABOVE NAMED COMPANY PER EXPIRING POLICY #:	
AGENCY CUSTOMER ID: <b>030575-2001</b>	DESCRIPTION OF OPERATIONS/VEHICLES/PROPERTY (Including Location)		
INSURED <b>Magic Nails</b> 449 Forest Avenue Portland, ME 04101-	<b>Tanning units</b> <b>449 Forest Avenue</b> <b>Portland, ME 04101-</b>		

## COVERAGES

## LIMITS

TYPE OF INSURANCE	COVERAGE/FORMS	DEDUCTIBLE	COINS %	AMOUNT
PROPERTY CAUSES OF LOSS <input type="checkbox"/> BASIC <input type="checkbox"/> BROAD <input checked="" type="checkbox"/> SPEC	Bus Per Property Loss of Income Outdoor Sign Money & Security Plate Glass	500 500 250 250 250	90%	70,000 17,500 7,000 5,000 2,500
GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR	<b>Includes Professional Liability</b> Limit \$500,000  RETRO DATE FOR CLAIMS MADE:	EACH OCCURRENCE	\$	\$500,000
		FIRE DAMAGE (Any one fire)	\$	\$50,000
		MED EXP (Any one person)	\$	\$1000
		PERSONAL & ADV INJURY	\$	\$500,000
		GENERAL AGGREGATE	\$	\$500,000
		PRODUCTS - COMP/OP AGG	\$	\$500,000
AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS	<b>Not Covered</b>	COMBINED SINGLE LIMIT	\$	
		BODILY INJURY (Per person)	\$	
		BODILY INJURY (Per accident)	\$	
		PROPERTY DAMAGE	\$	
		MEDICAL PAYMENTS	\$	
		PERSONAL INJURY PROT	\$	
		UNINSURED MOTORIST	\$	
			\$	
AUTO PHYSICAL DAMAGE DEDUCTIBLE <input type="checkbox"/> COLLISION: _____ <input type="checkbox"/> OTHER THAN COL: _____	ALL VEHICLES <input type="checkbox"/> SCHEDULED VEHICLES <input type="checkbox"/> <b>Not Covered</b>	ACTUAL CASH VALUE		
		STATED AMOUNT	\$	
		OTHER		
GARAGE LIABILITY <input type="checkbox"/> ANY AUTO	<b>Not Covered</b>	AUTO ONLY - EA ACCIDENT	\$	
		OTHER THAN AUTO ONLY:		
		EACH ACCIDENT	\$	
		AGGREGATE	\$	
EXCESS LIABILITY <input type="checkbox"/> UMBRELLA FORM <input type="checkbox"/> OTHER THAN UMBRELLA FORM	<b>Not Covered</b>  RETRO DATE FOR CLAIMS MADE:	EACH OCCURRENCE	\$	
		AGGREGATE	\$	
		SELF-INSURED RETENTION	\$	
		WC STATUTORY LIMITS		
WORKER'S COMPENSATION AND EMPLOYER'S LIABILITY	<b>Not Covered</b>	E.L. EACH ACCIDENT	\$	
		E.L. DISEASE - EA EMPLOYEE	\$	
		E.L. DISEASE - POLICY LIMIT	\$	
SPECIAL CONDITIONS/ OTHER COVERAGES	Coverage Employee Dishonesty EDP Coverage	Amount 5,000 5,000	Deductible 250 250	FEES TAXES ESTIMATED TOTAL PREMIUM

## NAME & ADDRESS

<b>Magic Nails</b> 449 Forest Avenue Portland, ME 04101-	<input type="checkbox"/> MORTGAGEE	<input type="checkbox"/> ADDITIONAL INSURED
	<input type="checkbox"/> LOSS PAYEE	
	LOAN #	
	AUTHORIZED REPRESENTATIVE <i>Chris Behore</i>	



**CONSENT OF LANDLORD**

The Landlord of the Premises hereby acknowledges its consent to this Sublease.

Landlord shall promptly notify Sublessee of any default under the Lease or the occurrence of any event, which with the passage of time or service of notice, or both, would constitute an event of default, and of any oral and written claim notice of default under the Lease.

Landlord further agrees that upon expiration of the term set forth in this Sublease, that Landlord shall continue to lease the Premises to the Sublessee under the terms and conditions set forth in the Sublease for a period of one (1) year commencing March 1, 2005 and continuing through February 28, 2006. The rental payment for such period shall be Thirty-Two Thousand Two Hundred Seventy-Nine Dollars (\$32,279.00), and shall be paid in equal monthly installments in the amount of Two Thousand Six Hundred Eighty-Nine Dollars and Ninety-Two Cents (\$2,689.92) payable to the Landlord on the 1<sup>st</sup> of each month commencing March 1, 2005.

Landlord further agrees that, provided Sublessee is not then in default under the terms of this Sublease, *and* upon six (6) months advance written notice by Sublessee to Landlord, Sublessee shall have the option to enter into a Lease for the Premises for an additional Five (5) year period under the same basic terms and conditions set forth herein, *except* that the rental payment shall be negotiated between Sublessee and Landlord, and such lease shall be in the same form as the standard lease used by Landlord for other space within Landlord's Property.

Landlord acknowledges the assignment of the security deposit of the Tenant, X-Press Rental, Inc. to its Sublessor under the Sublease, Hoang Ta and Oanh Le, d/b/a Wondernalls, 28 Alfred Street, Biddeford, Maine 04005, all pursuant to the terms and conditions of Article 3 of the Sublease between the Tenant/Sublessor X-Press Rental, Inc. and the Sublessee, and the Assignment executed pursuant to the Sublease.

Dated this 27<sup>th</sup> day of February, 2001.

FOREST AVENUE PLAZA, LLC

By: \_\_\_\_\_

  
James Gould  
Member

180161/PSB/SKLF

DUPLICATE

GENERAL RECEIPT

# CITY OF PORTLAND, MAINE

DEPARTMENT PUD DATE 3/27/01  
RECEIVED FROM Hoang Michael TA  
ADDRESS 1 Colonial Dr. #2 Saco

UNIT	ITEM	REVENUE CODE	DOLLAR AMOUNT
1	Sign Permit Application		30 -
	39' 99 Ft		7 80
	for		
	449 Forest Ave		
	111-A-16		
<input checked="" type="checkbox"/> CASH <input type="checkbox"/> CHECK <input type="checkbox"/> OTHER		TOTAL	37 80

RECEIVED BY JTB