

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

Location of Construction: 226 Woodford Street		Owner: Sus Hill		Phone:		Permit No: 971331	
Owner Address: 226 Woodford Street		Lessee/Buyer's Name: Kevin Bernard 791-0997		Phone: 767-2256		Business Name: Mark Stinson	
Contractor Name: Del Westcott		Address: 99 Anderson Road Windham		Phone: 893-2487		<div style="border: 2px solid black; padding: 5px; text-align: center;"> PERMIT ISSUED Permit Issued: <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> DEC 29 1997 </div> CITY OF PORTLAND </div>	
Past Use: 1-family		Proposed Use: 3 unit mixed use (2 residential 1 office)		COST OF WORK: \$ 35,000 FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied INSPECTION: Use Group: R3/B Type: 5B Signature: [Signature]			
Proposed Project Description: Change of Use from single family to 2 residential & 1 office				PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied Signature: _____ Date: _____		Zoning Approval: Special Zone or Reviews: <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input checked="" type="checkbox"/> Site Plan maj <input type="checkbox"/> minor <input type="checkbox"/> mm	
Permit Taken By: Sherry Pinard		Date Applied For: November 17, 1997					

- 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..

call to pick-up @ 767-2286 or 773-1990 ext 188

PERMIT ISSUED WITH REQUIREMENTS

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 provisions of the code(s) applicable to such permit

16 December 1997 - Permit Routed

SIGNATURE OF APPLICANT <i>Kevin Bernard</i>	ADDRESS: 226 Woodford Street	DATE: 11/17/97	PHONE: 767 2156
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE			PHONE:

Historic Preservation

Not in District or Landmark
 Does Not Require Review
 Requires Review

Action:

Approved
 Approved with Conditions
 Denied

Date: _____

CEO DISTRICT 6

COMMENTS

1-8-98 ~~2~~ ¹ Check up on progress, some sheet work done.
Done.

7-21-98 Met owner at the property. All work being done according to code. All sheet work was in done on the 1st & 2nd floor. Final work is being done at the present time. Shall call for a C of O. Basin work being done at the present time.

8-20-98 Owner is just going to have a survey at the present time. Final second floor units still have a few things left to be done. A bulkhead is left to be installed & some electrical work in the cellar.

Rear stack vent ok (moving ok) 2 more hangers on 4" sensor line Done

Finish Rear Stairs to Deck 2" Drop top step Done

Patch Penetrations in Floor 2nd Floor, cover on Jet. Box Done

check and see if Jim Wendell will come By

Return hand rails R.H. 2nd Floor Entrance

Inspection Record

Type	Date
Foundation: _____	_____
Framing: _____	_____
Plumbing: _____	_____
Final: _____	_____
Other: _____	_____

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

Location of Construction: 226 Woodford Street		Owner: Sue Neil		Phone:	Permit No: 971331
Owner Address: 226 Woodford Street		Lessee/Buyer's Name: Kevin Bernard		Phone: 767-2256	<div style="border: 2px solid black; padding: 5px; text-align: center;"> PERMIT ISSUED Permit Issued: DEC 29 1997 CITY OF PORTLAND </div>
Contractor Name: Del Westscott		Address: 99 Anderson Road Windham		Phone: 893-2487	
Past Use: 1-family	Proposed Use: 3 unit mixed use (2 residential 1 office)		COST OF WORK: \$ 35,000 FIRE DEPT. <input type="checkbox"/> Approved <input type="checkbox"/> Denied Signature:		PERMIT FEE: \$ 195.00 INSPECTION: B Use Group: R2 Type: 5B Signature: <i>Bocharoff</i>
Proposed Project Description: Change of Use from single family to 2 residential & 1 office			PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied Signature: _____ Date: _____		
Permit Taken By: Sherry Pinard		Date Applied For: November 17, 1997			

Zone: **B-1** CBL: **124-D-9**
 Zoning Approval: *5 req. ok with conditions 12/23/97*
Special Zone or Reviews:
 Shoreland *N/A*
 Wetland
 Flood Zone *N/A*
 Subdivision
 Site Plan maj minor Imm

Zoning Appeal
 Variance
 Miscellaneous
 Conditional Use
 Interpretation
 Approved
 Denied

Historic Preservation
 Not in District or Landmark
 Does Not Require Review
 Requires Review

Action:
 Approved
 Approved with Conditions
 Denied
 Date: 12/16/97
DA

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16 December 1997 - Permit Routed

<i>[Signature]</i>	22 Harbor Pl So. Port	11/17/97	767-2256
SIGNATURE OF APPLICANT	ADDRESS:	DATE:	PHONE:
Kevin Bernard	RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE		PHONE:

CEO DISTRICT 6
M. Carv



CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION 226 Woodford St IX 124-D-009

Issued to Kevin Berland Date of Issue 25 September 1998

This is to certify that the building, premises, or part thereof, at the above location, built — altered — changed as to use under Building Permit No. 971331, has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

APPROVED OCCUPANCY

Entire

Two Family Dwelling

Limiting Conditions:

Permit #971331 will expire with the Certificate. Permits will need to be applied for and approved to occupy existing barn.

**This certificate supersedes
certificate issued**

Approved:

.....
(Date)

Inspector

.....
Inspector of Buildings

Notice: This certificate identifies lawful use of building or premises, and ought to be transferred from owner to owner when property changes hands. Copy will be furnished to owner or lessee for one dollar.

Applicant: Kevin Bernard
Address: 226 Woodford St

Date: 12/23/97
C-B-L: 124-D-9

CHECK-LIST AGAINST ZONING ORDINANCE

Date - Existing 1890

Zone Location - B-1 with R-5

Interior or corner lot - 3 of Beacon St

Proposed Use/Work - change of use from 1 family to 2 family & 1 prof. office

Sewage Disposal - City

Lot Street Frontage -

Needs min of 600 ft²/unit

Front Yard -

Rear Yard -

Side Yard -

Projections -

Width of Lot -

Height -

Lot Area - 6,000 ft² min - 8,170 ft² shown

Lot Coverage/Impervious Surface -

Area per Family - 3,000 ft²/fam or 6,000 ft²

Off-street Parking - for APTS: 1 spc for existing
1/2 spc for New

Loading Bays - N/A

Site Plan - minor

Shoreland Zoning/Stream Protection - N/A

Flood Plains - N/A

1st floor apt - over 1154.66 ft²
2nd floor apt - over 1259.19 ft²

for business office:
30 X 27.66 = 829.8 ft²
1 @ 400 ft² = 2 spaces req
4 1/2 spaces req. - 5 spaces shown

No open outside fire escapes shown

BUILDING PERMIT REPORT

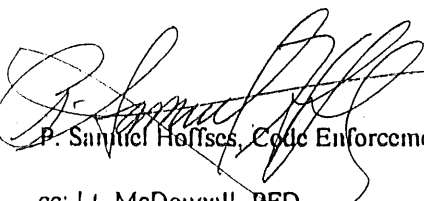
DATE: 26 Dec. 97 ADDRESS: 226 Woodford ST.
 REASON FOR PERMIT: Change of use From ONE family dwelling To Two dwellings/office.
 BUILDING OWNER: Sue Neil
 CONTRACTOR: Del Westcott
 PERMIT APPLICANT: T APPROVAL: 1, *5, *6, *7, *8, *9, *10, *11, *12, *14, *16 ^{*30, *31, *32} REMED
 USE GROUP R-3 / B BOCA 1996 CONSTRUCTION TYPE 5 B

CONDITION(S) OF APPROVAL

- * 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. (A 24 hour notice is required prior to inspection)
3. Precaution must be taken to protect concrete from freezing.
4. It is strongly recommended that a registered land surveyor check all foundation forms before concrete is placed. This is done to verify that the proper setbacks are maintained.
- * 5. 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. Private garages attached side-by-side to rooms in the above occupancies shall be completely separated from the interior spaces and the attic area by means of ½ inch gypsum board or the equivalent applied to the garage means of ½ inch gypsum board or the equivalent applied to the garage side. (Chapter 4 Section 407.0 of the BOCA/1996)
- * 6. All chimneys and vents shall be installed and maintained as per Chapter 12 of the City's Mechanical Code. (The BOCA National Mechanical Code/1993).
- * 7. Sound transmission control in residential building shall be done in accordance with Chapter 12 section 1214.0 of the city's building code.
- * 8. 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. Minimum height all Use Groups 42", except Use Group R which is 36". In occupancies in Use Group A, B, H-4, I-1, I-2 M and R and public garages and open parking structures, open guards shall have balusters or be of solid material such that a sphere with a diameter of 4" cannot pass through any opening. Guards shall not have an ornamental pattern that would provide a ladder effect. (Handrails shall be a minimum of 34" but not more than 38". Use Group R-3 shall not be less than 30", but not more than 38".)
- * 9. Headroom in habitable space is a minimum of 7'6".
- * 10. Stair construction in Use Group R-3 & R-4 is a minimum of 10" (read and 7 3/4" maximum rise. All other Use group minimum 11" tread, 7" maximum rise, office
- * 11. The minimum headroom in all parts of a stairway shall not be less than 80 inches. (6' 8")
- * 12. 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. The units must be operable from the inside without the use of special knowledge or separate tools. Where windows are provided as means of egress or rescue they shall have a sill height not more than 44 inches (1118mm) above the floor. All egress or rescue windows from sleeping rooms shall have a minimum net clear opening height dimension of 24 inches (610mm). The minimum net clear opening width dimension shall be 20 inches (508mm), and a minimum net clear opening of 5.7 sq. ft.
13. Each apartment shall have access to two (2) separate, remote and approved means of egress. A single exit is acceptable when it exits directly from the apartment to the building exterior with no communications to other apartment units.
- * 14. All vertical openings shall be enclosed with construction having a fire rating of at least one (1) hour, including fire doors with self closer's.
15. The boiler shall be protected by enclosing with (1) hour fire-rated construction including fire doors and ceiling, or by providing automatic extinguishment.
- * 16. 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 19, 920.3.2 (BOCA National Building Code/1996), 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
In addition to the required AC primary power source, required smoke detectors in occupancies in Use Groups R-2, R-3 and I-1 shall receive power from a battery when the AC primary power source is interrupted. (Interconnection is required)

- 17. 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.
- 18. The Fire Alarm System shall be maintained to NFPA #72 Standard.
- 19. The Sprinkler System shall maintained to NFPA #13 Standard.
- 20. All exit signs, lights, and means of egress lighting shall be done in accordance with Chapter 10 Section & Subsections 1023. & 1024. Of the City's building code. (The BOCA National Building Code/1996)
- 21. **No construction or demolition work shall begin until you have obtained permits for dumpsters or containers. A work Stop Order shall be issued if this requirement is not met.**
- 22. 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".
- 23. 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 to the Division of Inspection Services.
- 24. This permit does not excuse the applicant from obtaining any license which may be needed from the City Clerk's office.
- 25. Ventilation shall meet the requirements of Chapter 12 Sections 1210. of the City's Building Code.
- 26. All electrical, plumbing and HVAC permits must be obtained by a Master Licensed holders of their trade.
- 27. All requirements must be met before a final Certificate of Occupancy is issued.
- 28. 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).
- 29. Ventilation of spaces within a building shall be done in accordance with the City's Mechanical Code (The BOCA National Mechanical Code/1993).
- * 30. Please read and implement attached site plan conditions.
- * 31. No bearing walls shall be removed.
- * 32. A minimum of a (1)one hour fire seperation wall shall be constructed between dwelling units and office space.
- 33. _____
- 34. _____


P. Santucci, Code Enforcement
cc: Lt. McDougall, PRD
Marge Schmuckal

My name is Kevin Bernard and I have 226 Woodford st. under contract to purchase contingent upon getting approvals to convert the single family house into a 3 unit with 2 residential units in the main house and an office unit on the 2nd floor of the barn. The house and barn is in poor condition presently and has been in need of maintainance for many years. The main house is very easy to convert to a multi unit with stairwells on each end of the house for means of egress and 2800 sq ft of living space for spacious units. Each unit will have 2 bedrooms and 1 bath completely rehabbed with new wiring, new gas heat, plumbing including new baths and kitchens and all original charm of building refurbished throughout. I have included before and after floor plans of each unit showing layout and proposed changes to convert to a multifamily.

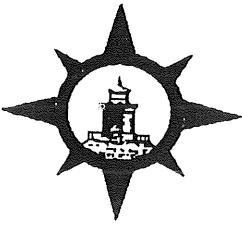
The barn unit will have 725 sq ft and a main stairwell leading to the office. The office use will be used as a pilot office for my realestate business. I am a realtor with Mark Stimson assoc at their Baxter Blvd office. I plan to conduct all my business pertaining to meeting with clients either at my office in the Mark Stimson building or on the road showing property, thereby eliminating traffic in the unit. I find that I am more productive working undistracted at home on the legwork of my business.

The lot size of the property is 8170 sq ft in a R5/B2 zone. After discussions with Marge Schmuckel the zoning parameters allow the conversion to a 2-unit residential building according to R5 specs and the B2 allows the use of a business office under resticted use which she felt would be acceptable pertaining to my proposed use as a pilot office for my real estate business.

Referencing the topo points on the plan and talking to abutters reveal that the runoff from abutting lots flow through the rear of the proposed property and in to the catch basin on Beacon st. The landscaping has been similar for many years and could only be a help to the drainage by seeding around the necessary parking as shown on the plan. The detailed remodeling plan will also include the demolition of the rear 1st floor kitchen addition which will be the only exterior change of the conversion plan which will only reflect the drainage in a positive way to the existing runoff experienced on the proposed property now

The site plan details the location of all utilities nearby and that there are no easements or restrictions on the proposed property and that the sewerage usage will be based on 4 bedrooms. I have enclosed the contractors phased plan of remodel and estimated cost of repairs for the project for your review. I also have included a copy of my puchase and sale agreement along with a letter from Downeast Mortgage showing that I have secured interest in the property and have the financial means to purchase and rehab the building. The financing is a purchase plus improvement type of loan where the rehab money is financed by a mortgage secured at the 2nd closing after the work is completed. There is no evidence that there is any sensitive wetland or resource protection areas near the property to inhibit the project especialiy since all work will be done within the existing building footprint.

226 Woodford St



DOWNEAST MORTGAGE CORPORATION

November 14, 1997

Kevin Bernard
18 Ocean Street #22
South Portland ME 04106

RE: Pre-Approval
226 Woodford Street, Portland ME

Dear Kevin:

We are pleased to issue you a pre-approval based on your recent mortgage application for a residential loan. This approval is contingent upon appraisal, credit and final underwriting review.

Thank you for choosing Downeast Mortgage Corporation for your financing needs. Should you have any questions, please feel free to call me.

Sincerely,

Robert A. Drum
Loan Officer
Downeast Mortgage Corporation

The LOAN is A 2 STAGE CONSTRUCTION LOAN THAT
ALSO FINANCES THE MONEY NEEDED FOR THE REHAB
APPRAISAL & FINAL UNDERWRITING COMPLETED BY END OF DAY
11/14/97

Mark Stimson Realtors
 CONTRACT FOR SALE OF REAL ESTATE

10/11 19 92

RECEIVED OF Kevin Bell and

AGAVE HUNTERD

whose mailing address is

500.00 Dollars as earnest money and in part payment on account of the purchase price of the real estate at 226 WIND TAIL ST in the County of CUMBERLAND State of Maine, currently owned by Sue Neil hereinafter called "Seller" described as follows:

LAND AND IMPROVEMENTS

There upon described AS A 3 UNIT

County Registry of Deeds

1. FUTURE: All fixtures are to be included in this sale, including all existing storm windows and screens, shades and/or blinds, shutters, curtain rods, and electrical fixtures, but excluding: Kitchen Appliances

2. PERSONAL PROPERTY: No items of personal property are included except Kitchen Appliances

3. PURCHASE PRICE: The total purchase price is \$ 80,000 EAGLE THURSDAY paid as earnest money upon acceptance of this offer and the balance in cash or certified or bank funds at closing.

4. EARNEST MONEY: Earnest money is received and held by GOLDWELL BANK who shall act as escrow agent until transfer of title. In the event of Seller's non-acceptance, this earnest money shall be promptly returned to Purchaser. SUNOAY 10-5-97 MIDNIGHT

5. ACCEPTANCE: Seller's acceptance shall be given on or before 10/27/97 @ MIDDWICH

6. CLOSING DATE: A good and sufficient deed conveying marketable title shall be delivered to Purchaser, and this transaction shall be closed and Purchaser shall pay the purchase price as provided herein and execute all papers necessary for the completion of the purchase within 30 days of Effective Date of this Contract. NOV. 7, 1997 10/4/97 KOB

7. POSSESSION/OCCUPANCY: Full possession will be given immediately upon transfer of title, unless otherwise agreed to in writing by Purchaser and Seller. At transfer, the property will be in substantially the same condition as at present excepting only reasonable wear and tear. The risk of loss or damage to the property by fire or otherwise until transfer of title is assumed by Seller. Purchaser may do a walk through inspection within 48 hours prior to closing to determine that the property meets these conditions.

If this property is a multi-family, it will be transferred subject to leases in effect at transfer of title. The Seller agrees that the following units will be vacated at the time of transfer, but makes no representation as to occupancy status of other units at transfer: VACATE whole building

8. FINANCING: This Contract is subject to Purchaser obtaining a CAUTIONER loan of 85 % of the purchase price, at a fixed or an adjustable initial interest rate of not more than 10.5 % and amortized over a period of 30 years. Purchaser to pay not more than 115 points. If Purchaser is unable to obtain said loan, Purchaser may declare this Contract null and void and the earnest money shall be promptly returned to Purchaser.

Purchaser is under a good-faith obligation to actively seek and accept financing on the above described terms and shall make application for said mortgage within 7 days of Effective Date of this Contract. Purchaser acknowledges that a breach of this good-faith obligation will be a breach of this Contract.

This Contract is subject to (1) a written statement from the lender within 15 days of Effective Date of this Contract indicating that Purchaser has made application and that, based upon the information given and subject to verification, is qualified for the loan requested, and (2) final loan approval within 21 days of Effective Date of this Contract.

If either of such loan approvals is not obtained within said time periods, Seller may declare this Contract null and void, and earnest money shall be promptly returned to Purchaser.

9. POINTS: Seller agrees to pay \$ 0 towards Purchaser's points and/or closing costs.

10. INSPECTIONS: Agent strongly recommends that Purchaser engage professional inspectors to investigate the property. This Contract is subject to the following inspections with results being satisfactory to Purchaser:

TYPE OF INSPECTION	YES	NO	DATE
a) General Building	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>10/14/97</u>
b) Sewage disposal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>10/14/97</u>
c) Radon Air Quality	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>10/14/97</u>
d) Radon Water Quality	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>10/14/97</u>
e) Asbestos	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>10/14/97</u>
f) Lead Paint	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>10/14/97</u>
g) Wood Boring Insects	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>10/14/97</u>
h) Other	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>10/14/97</u>

All inspections will be done by inspectors chosen and paid for by Purchaser. If the result of any inspection is unsatisfactory to Purchaser, Purchaser may, by notifying Seller in writing within the specified number of days, declare this Contract null and void and any earnest money shall be returned to Purchaser. If Purchaser does not notify Seller that an inspection is unsatisfactory within the time period set forth above, the contingency shall be deemed to have been waived by Purchaser with respect to that inspection. In the absence of the inspections listed above, Purchaser is relying completely upon Purchaser's own opinion as to the condition of the premises.

11. WATER TEST: If the water supply to the premises is private, Seller will provide, at Seller's expense, a New Water Supply test with "Satisfactory" results in accordance with the requirements of the State Bureau of Health and/or leading institution within 10 days of Effective Date of this Contract. If the water supply test results are "Unsatisfactory" with any qualification, the water test results must be acceptable to Purchaser. If the results are unacceptable to Purchaser, Purchaser may, by notifying Seller in writing within 3 days of test results, declare this Contract null and void and earnest money shall be returned to Purchaser. If Purchaser does not notify Seller that the water test results are unacceptable within the time period set forth above, this contingency shall be deemed to have been waived by Purchaser.

12. DISCLOSURE: Purchaser acknowledges receipt of Seller's written disclosures regarding:

Water source: yes no Sewage disposal: yes no
Insulation: yes no Hazardous waste: yes no

If any of the above items is marked "no," the information is not currently available and this Contract is subject to Purchaser receiving and approving that information within 5 days of Effective Date of this Contract.

13. PROVISIONS: The following items shall be provided as of transfer of title: fuel oil; rent association fees, and real estate taxes. Mailed utilities such as electricity, water and sewer will be paid through date of closing by Seller. Purchaser and Seller will each pay their transfer tax as required by the State of Maine.

14. DEED: The property shall be conveyed by a WARRANTY deed, free and clear of all encumbrances except covenants, conditions, easements and restrictions of record which do not materially and adversely affect its current continued use and shall be subject to applicable land use laws and regulations.

15. TITLE: Should the title prove defective, then Seller shall have a reasonable time, not to exceed 30 days after receiving written notice of such defect or defects, to remedy the title and hereby agrees to use diligent efforts to cure any such defects. If within such 30 days, the defect or defects are not corrected so that there is a marketable title, the Purchaser may, within 5 days thereafter, at Purchaser's option, declare this Contract null and void and withdraw said earnest money and be relieved from all obligations hereunder.

16. DEFAULT: In the event of a default by Purchaser, Seller may employ all legal and equitable remedies, including without limitation, termination of this Contract and forfeiture by Purchaser of the earnest money. In the event of a default by Seller, Purchaser may employ all legal and equitable remedies, including without limitation, termination of this Contract and return to Purchaser of the earnest money. In the event of an asserted default, the escrow agent at its option may either (1) refuse to release the earnest money without a written release signed by both parties consenting to its disposition or (2) after providing 30 days written notice to both parties release the earnest money to the party whom the escrow agent believes in good faith is entitled to it.

17. AGENCY DISCLOSURE: Purchaser and Seller acknowledge receipt of written agency disclosures and confirm the following agency relationships for this transaction. (Check and complete either A or B)

A. Listing Agency: Colby Real Estate and listing associate: SAV HULLER represent Seller exclusively.
Selling Agency: MARIE STURTEVANT and selling associate: KEVIN BECKERMAN represent Seller exclusively Purchaser exclusively.
 B. Agent, _____ is a Disclosed Dual Agent as previously authorized in writing by the parties.

18. HOME WARRANTY: Home is not covered by a Home Warranty contract.

19. AUTHORIZATION: The parties authorize the agent(s) to disclose the terms of this contract to any attorney, title company, appraiser, lender, insurance agent, inspector, relocation consultant or other person(s) who may facilitate the closing of this transaction.

20. DISPUTE: Any dispute or claim arising out of or relating to this Contract or the property addressed in this Contract shall be submitted to mediation in accordance with the Maine Residential Real Estate Mediation Rules of the American Arbitration Association. This clause shall survive the closing of this transaction.

21. WITHHOLDING: Seller is aware that Maine law requires Purchaser to withhold 2.5% of the sale price unless Seller certifies residency in Maine at the time of closing or is otherwise exempt from this provision.

22. HEIRS: This Contract shall extend to and be obligatory upon heirs, personal representatives, successors, and assigns of the respective parties.

23. WRITTEN AGREEMENT: This Contract completely expresses the obligation of the parties and is entered into by each party after opportunity for reasonable investigation, neither party relying on any statements or representations not contained in this Contract made by the other or on their behalf. This Contract will be construed according to the laws of the State of Maine.

24. EFFECTIVE DATE: This Contract is a binding contract when signed by both Seller(s) and Purchaser(s) and when that fact has been communicated to all parties or to their agents.

25. Addendum attached

A copy of this Contract is to be received by all parties and, by signature, receipt of a copy is hereby acknowledged. If not fully understood, consult an attorney.

I/We hereby agree to purchase the premises at the price and upon the terms and conditions set forth in this Contract.

Date: 10/11/97 Purchaser: [Signature] Soc. Sec.#: 005-62-1947

I/We hereby agree to deliver the premises at the price and upon the terms and conditions above stated. I/We further agree to pay Broker for services according to the terms of the listing agreement. In the event earnest money is forfeited by Purchaser, one-half thereof shall be paid to Broker and the remainder to me/na, provided, however, that Broker's portion shall not exceed the full amount of the commission specified.

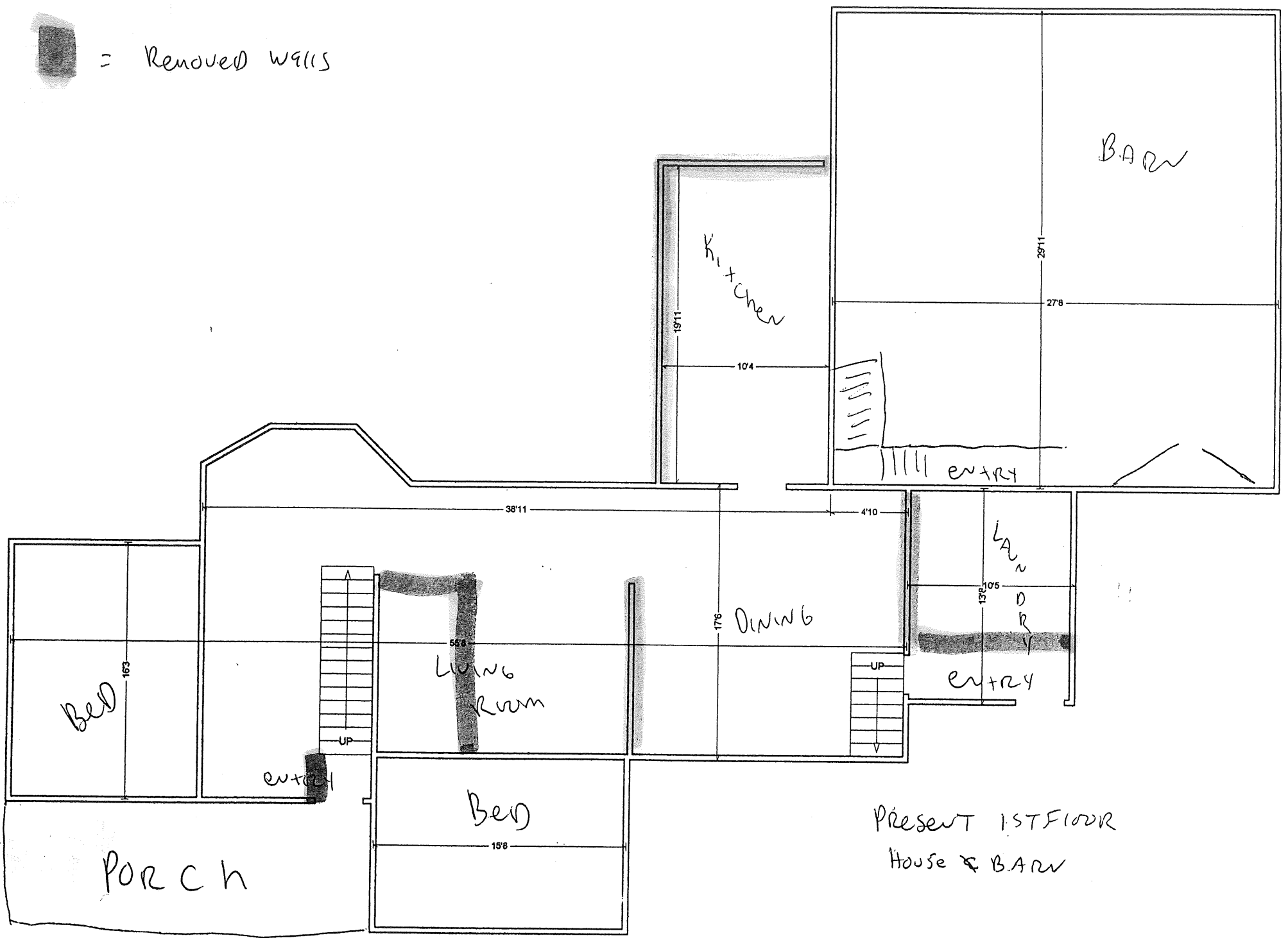
Date: 10/14/97 Seller: [Signature] Soc. Sec.#: 007-34-6258

Date: 10/14/97 Seller: [Signature] Soc. Sec.#: 006-30-2184

Effective Date: 10/27/97
Throughout this Contract, the term "day" means calendar days.

■ = ADDED walls

■ = REMOVED walls



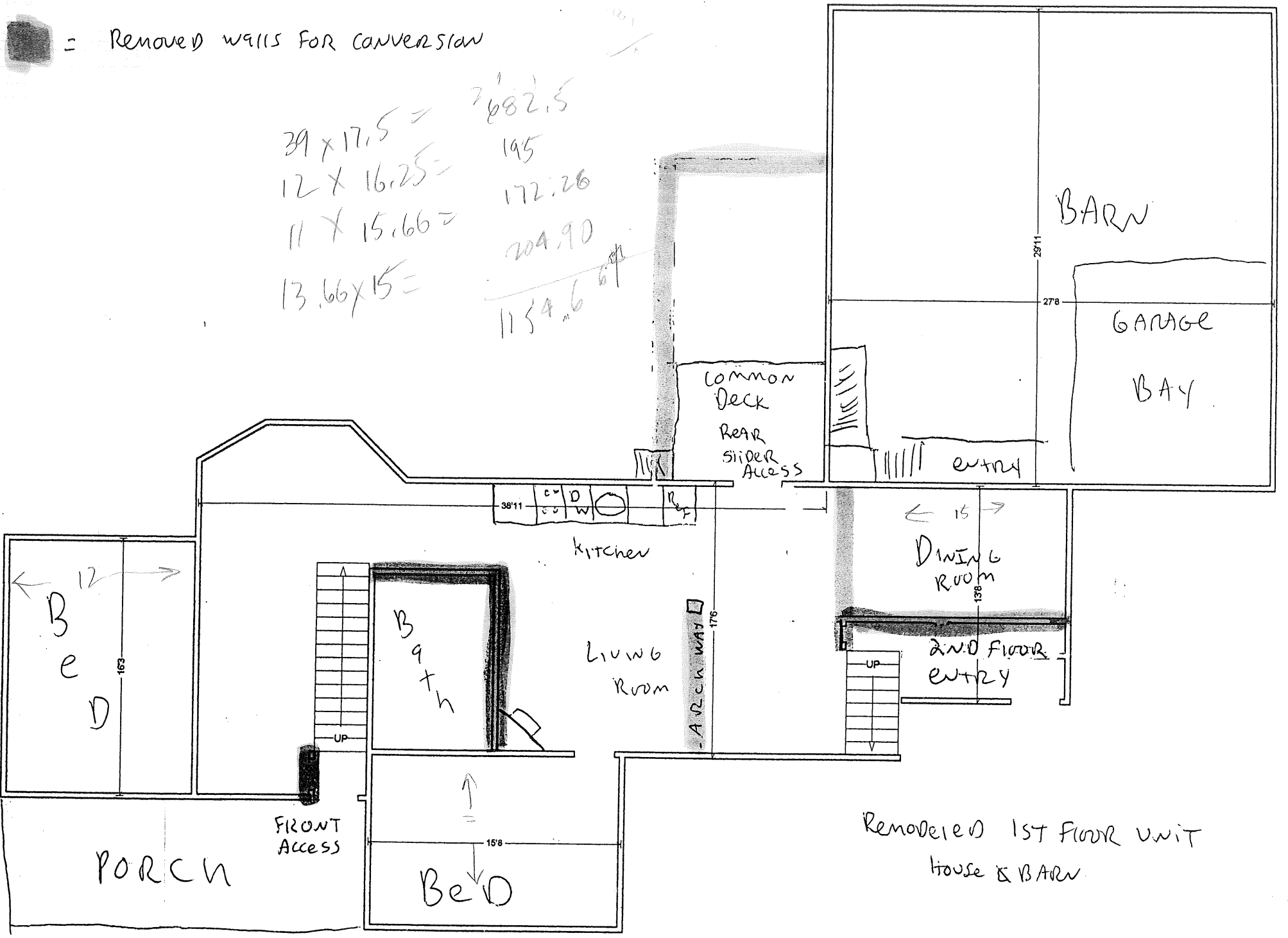
PRESENT 1ST FLOOR
House & BAR

■ = ADDED walls FOR CONVERSION

■ = REMOVED walls FOR CONVERSION

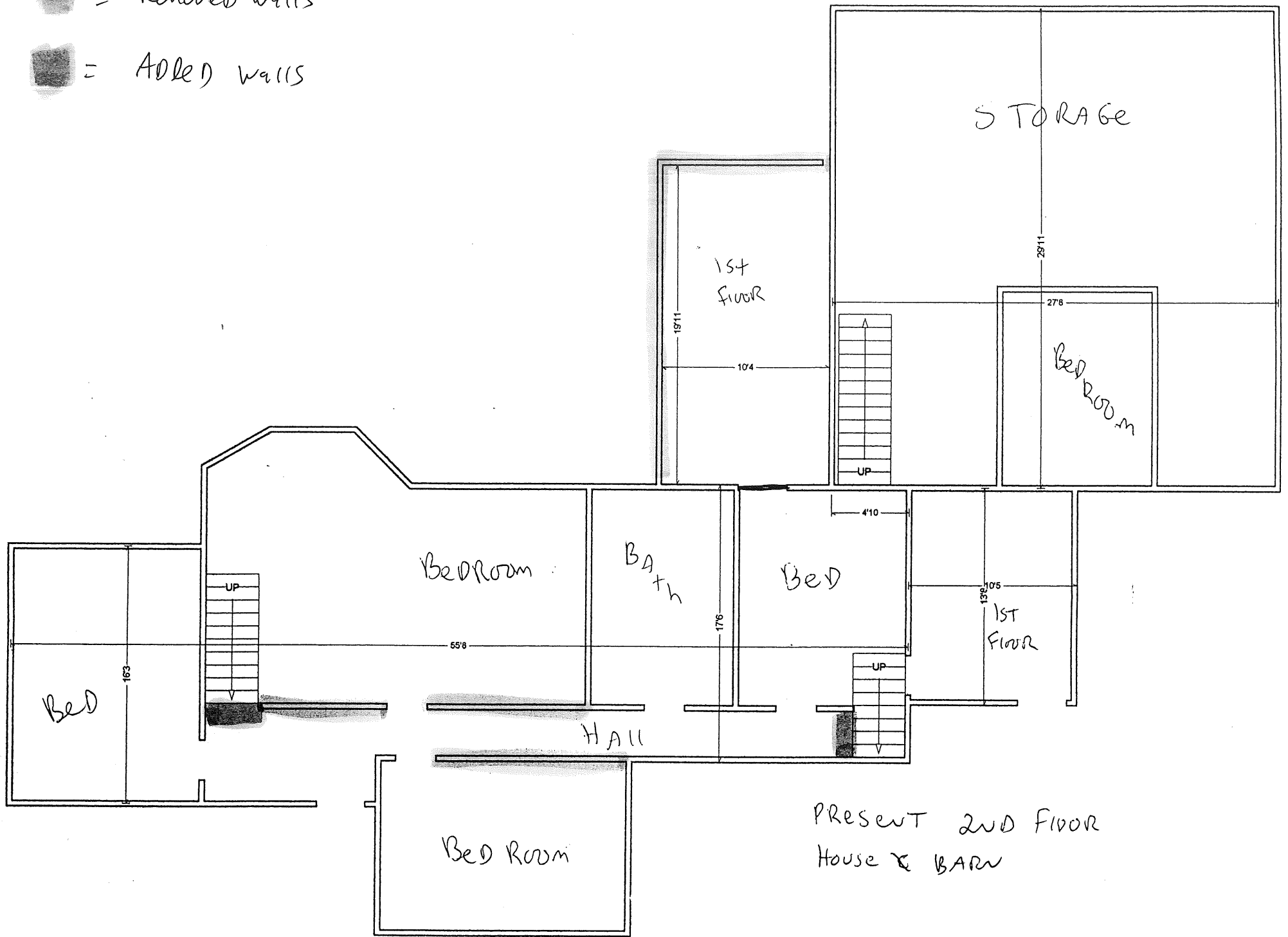
$39 \times 17.5 = 682.5$
 $12 \times 16.25 = 195$
 $11 \times 15.66 = 172.26$
 $13.66 \times 15 = 204.90$

 1154.66



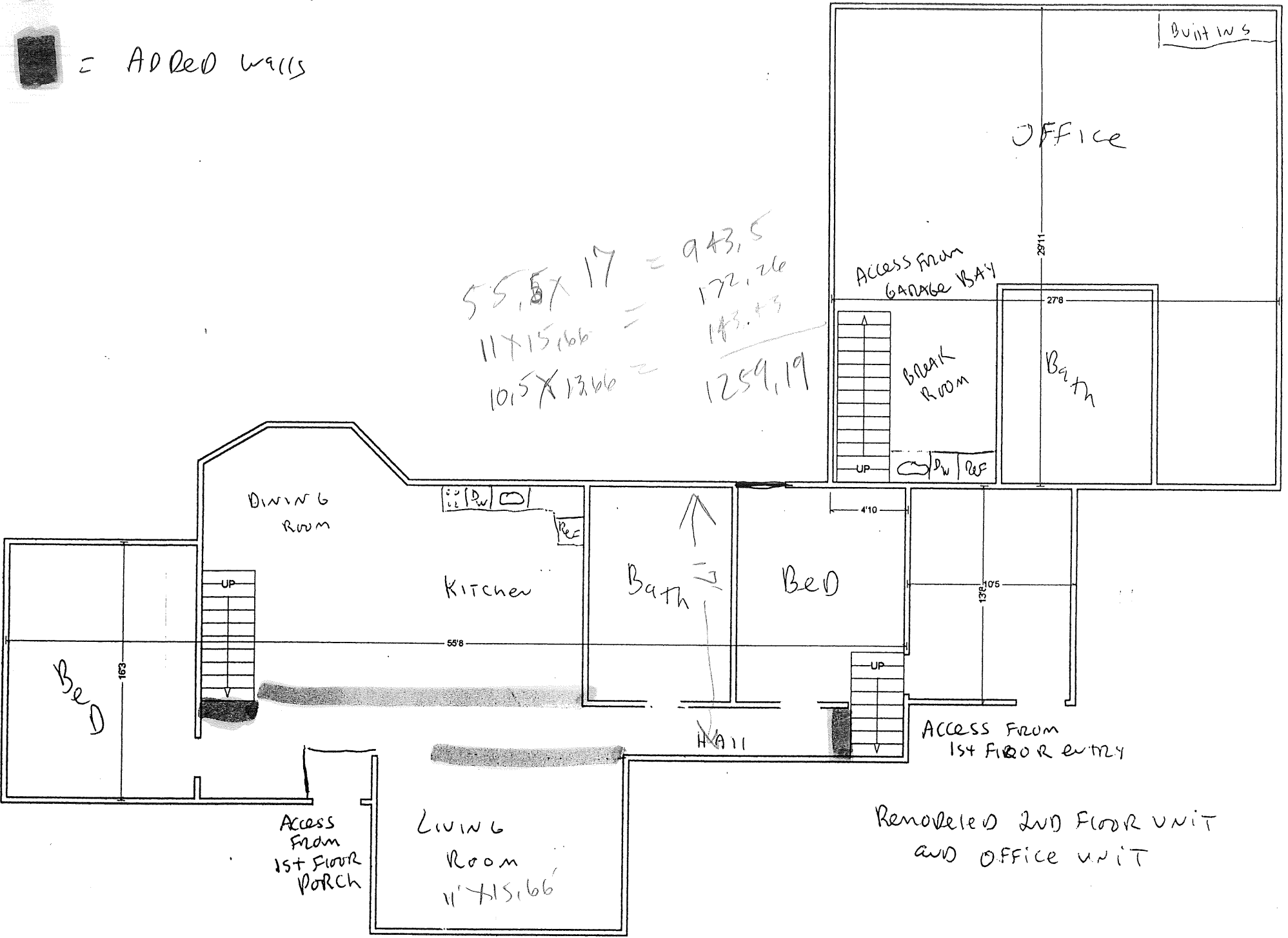
■ = Removed walls

■ = Added walls



 = Removed walls

 = Added walls



Renovated 2nd Floor Unit
and Office Unit

Del Wescott

99 Anderson Rd.
Windham Me. 04062



Building Contractor

893-2487 (HOME)
831-5172 (TRUCK)

ESTIMATE

KEVIN BERNARD
226 WOODFORD ST.
PORTLAND ME. 04101

PHASE 1

(2ND FLOOR)

- Rough in second floor plumbing for new kitchen
- Rough in new electrical supply for second floor
- Rough in new heating system for second floor
- Insulate where needed
- Sheetrock where needed
- Paint
- Finish electrical (outlets, switches and lights)
- Install new kitchen and countertops
- Set sink and finish plumbing hook-up
- Finish heating system hook-up (gas fireplace)
- Refinish floors

PHASE 2

(1st FLOOR)

- Rough in 1st floor plumbing for new kitchen and bath
- Rough in new heating system for 1st floor
- Frame walls for new bath
- Frame walls in front hall to separate 1st floor and 2nd floor apartments
- Rough in new electrical supply for 1st floor
- Insulate where needed
- Sheetrock where needed
- Install bath fixtures
- Paint
- Install new kitchen and countertops
- Install vanity and countertop
- Finish electrical (outlets, switches and lights)

PHASE 2

(1ST FLOOR)

CONTINUED

- Set sinks and finish plumbing hook-ups
- Finish heating system hook-up (gas fireplace)
- Refinish floors

PHASE 3

(BARN)

- *Build Full Dormers ON FRONT ROOF PITCHES FOR HEAD ROOM*
- Repair and straighten barn walls & roof.
- ~~Build floor system approx. 2' below existing floor system to gain additional headroom.~~
- Remove existing floor system .
- Rough in plumbing for small bath and kitchenette
- Rough in electrical supply for barn
- Rough in heating system for barn
- Insulate
- Sheetrock
- Install bath fixtures
- Paint
- Finish electrical (outlets, switches and lights)
- Install kitchenette and countertop
- Install vanity and countertop
- Set sink and finish plumbing hook-up
- Finish heating system hook-up (gas fireplace)
- Install flooring

PHASE 4

(EXTERIOR)

- Repair foundation wall under proposed laundry
- Strip and re-shingle roofs where needed
- Remove 11' X 20' flat roofed addition on rear of house.

Sincerely,

DEL WESCOTT

Del Wescott

99 Anderson Rd.
Windham Me. 04062



893-2487 (HOME)
831-5172 (TRUCK)

Building Contractor

ESTIMATE

KEVIN BERNARD
226 WOODFORD ST.
PORTLAND ME. 04101

SCOPE OF WORK PROPOSED

1. REPAIR AND STRAIGHEN BARN WALLS & ROOF. BUILD FLOOR SYSTEM APPROX. 2' BELOW EXISTING FLOOR SYSTEM TO GAIN ADDITIONAL HEADROOM. REMOVE EXISTING FLOOR SYSTEM. INSTALL 4 VELUX SKYLIGHT	7,000
2. REPAIR FOUNDATION WALL UNDER PROPOSED LAUNDRY.	400
3. DEMOLITION	1,200
4. FIRST FLOOR ENTRY WALLS TO SEPARATE APARTMENTS.	1,200
5. REFINISH FLOORS	3,000
6. INSTALL TWO KITCHENS (ALLOWANCE)	3,000
7. INSTALL TWO BATHS (ALLOWANCE)	2,000
8. INSULATION (ALLOWANCE)	500
9. ELECTRICAL (ALLOWANCE)	5,000
10. RE-SHIGLE ROOFS	5,000
11. DRY WALL	3,000
12. HEAT (GAS FIREPLACES)	5,000
	<u>34,800</u>



CITY OF PORTLAND

December 4, 1997

Kevin Bernard
22 Harbor Place
South Portland, ME 04106

Re: 226 Woodford Street

Dear Mr. Bernard:

On December 2, 1997 the Portland Planning Authority granted minor site plan approval for a change of use from single family to a two family with an office space at 226 Woodford Street with the following condition:

- that two (2) City of Portland approved species and size trees must be planted on the Woodford Street frontage prior to issuance of a Certificate of Occupancy.

The approval is based on the submitted site plan. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.

Please note the following provisions and requirements for all site plan approvals:

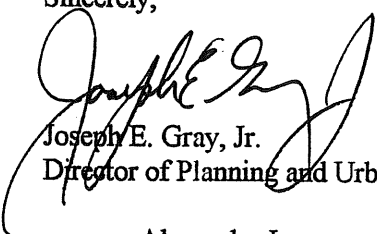
1. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. A one year extension may be granted by this department if requested by the applicant in writing prior to the expiration date of the site plan.
2. A performance guarantee in a form acceptable to the City of Portland and an inspection fee equal to 1.7% of the performance guarantee will have to be posted before beginning any site construction or issuance of a building permit.
3. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.

O:\PLAN\DEVREVW\WOODF226\APPRVLTR.WPD

4. Prior to construction, a preconstruction meeting shall be held at the project site with the contractor, development review coordinator, Public Work's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the preconstruction meeting.
5. If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)
6. The Development Review Coordinator (874-8300 ext. 8722) must be notified five (5) working days prior to date required for final site inspection. Please make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This essential as all site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If there are any questions, please contact the Planning Staff.

Sincerely,



Joseph E. Gray, Jr.
Director of Planning and Urban Development

cc: Alexander Jaegerman, Chief Planner
Kandice Talbot, Planner
P. Samuel Hoffses, Building Inspector
Marge Schmuckal, Zoning Administrator
Tony Lombardo, Project Engineer
Development Review Coordinator
William Bray, Deputy Director/City Traffic Engineer
Jeff Tarling, City Arborist
Natalie Burns, Associate Corporation Counsel
Lt. Gaylen McDougall, Fire Prevention
✓ Mary Gresik, Building Permit Secretary
Kathleen Brown, Director of Economic Development
Susan Doughty, Assessor's Office
Approval Letter File

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

19970100
I. D. Number

Kevin Bernard
Applicant
22 Harbor Place, So Portland, ME 04106
Applicant's Mailing Address

11/17/97
Application Date
Woodford St 226
Project Name/Description

Consultant/Agent
767-2256
Applicant or Agent Daytime Telephone, Fax

226 Woodford St
Address of Proposed Site

Assessor's Reference: Chart-Block-Lot

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

Proposed Building square Feet or # of Units _____ Acreage of Site _____ Zoning _____

Check Review Required:

Site Plan (major/minor) Subdivision # of lots _____ PAD Review 14-403 Streets Review
 Flood Hazard Shoreland Historic Preservation DEP Local Certification
 Zoning Conditional Use (ZBA/PB) Zoning Variance Other _____

Fees Paid: Site Plan \$150.00 Subdivision _____ Engineer Review \$50.00 Date: 11/17/97

DRC Approval Status:

Reviewer Jim Wendel

Approved Approved w/Conditions see attache Denied
Approval Date 12/2/97 Approval Expiration 12/2/98 Extension to _____ Additional Sheets Attached
 Condition Compliance Jim Wendel 12/16/97
signature date

Performance Guarantee Required* Not Required

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

<input checked="" type="checkbox"/> Performance Guarantee Accepted	<u>12/16/97</u> date	<u>\$600.00</u> amount	<u>9/1/98</u> expiration date
<input checked="" type="checkbox"/> Inspection Fee Paid	<u>12/16/97</u> date	<u>\$300.00</u> amount	
<input type="checkbox"/> Building Permit	_____ date		
<input type="checkbox"/> Performance Guarantee Reduced	_____ date	_____ remaining balance	_____ signature
<input type="checkbox"/> Temporary Certificate Of Occupancy	_____ date	<input type="checkbox"/> Conditions (See Attached)	
<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			

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

19970100
I. D. Number

Kevin Bernard
Applicant
22 Harbor Place, So Portland, ME 04106
Applicant's Mailing Address

11/17/97
Application Date
Woodford St 226
Project Name/Description

Consultant/Agent
767-2256
Applicant or Agent Daytime Telephone, Fax

226 Woodford St
Address of Proposed Site

Assessor's Reference: Chart-Block-Lot

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

Proposed Building square Feet or # of Units _____ Acreage of Site _____ Zoning _____

Check Review Required:

Site Plan (major/minor) Subdivision # of lots _____ PAD Review 14-403 Streets Review
 Flood Hazard Shoreland Historic Preservation DEP Local Certification
 Zoning Conditional Use (ZBA/PB) Zoning Variance Other _____

Fees Paid: Site Plan \$150.00 Subdivision _____ Engineer Review \$50.00 Date 11/17/97

Planning Approval Status:

Reviewer Kandice Talbot

Approved Approved w/Conditions See Attached Denied

Approval Date 12/2/97 Approval Expiration 12/2/98 Extension to _____ Additional Sheets Attached

OK to Issue Building Permit Kandice Talbot 12/16/97
signature date

Performance Guarantee Required* Not Required

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

<input checked="" type="checkbox"/> Performance Guarantee Accepted	<u>12/16/97</u> date	<u>\$600.00</u> amount	<u>9/1/98</u> expiration date
<input checked="" type="checkbox"/> Inspection Fee Paid	<u>12/16/97</u> date	<u>\$300.00</u> amount	
<input type="checkbox"/> Building Permit Issued	_____ date		
<input type="checkbox"/> Performance Guarantee Reduced	_____ date	_____ remaining balance	_____ signature
<input type="checkbox"/> Temporary Certificate of Occupancy	_____ date	<input type="checkbox"/> Conditions (See Attached)	
<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			

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

19970100
I. D. Number

Kevin Bernard
Applicant
22 Harbor Place, So Portland, ME 04106
Applicant's Mailing Address

11/17/97
Application Date
Woodford St 226
Project Name/Description

767-2256
Consultant/Agent
Applicant or Agent Daytime Telephone, Fax

226 Woodford St
Address of Proposed Site
124-D-9
Assessor's Reference: Chart-Block-Lot

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

Proposed Building square Feet or # of Units: 8,170 sq.ft Acreage of Site: _____ Zoning: B-1 using R-5

Check Review Required:

Site Plan (major/minor) Subdivision # of lots _____ PAD Review 14-403 Streets Review
 Flood Hazard Shoreland Historic Preservation DEP Local Certification
 Zoning Conditional Use (ZBA/PB) Zoning Variance Other _____

Fees Paid: Site Plan \$150.00 Subdivision _____ Engineer Review \$50.00 Date: 11/17/97

Inspections Approval Status:

Reviewer Marge Schmuckal

Approved Approved w/Conditions see attached Denied

Approval Date 12/23/97 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 checked="" type="checkbox"/> Performance Guarantee Accepted	<u>12/16/97</u> date	<u>\$600.00</u> amount	<u>9/1/98</u> expiration date
<input checked="" type="checkbox"/> Inspection Fee Paid	<u>12/16/97</u> date	<u>\$300.00</u> amount	
<input type="checkbox"/> Building Permit Issued	_____ date		
<input type="checkbox"/> Performance Guarantee Reduced	_____ date	_____ remaining balance	_____ signature
<input type="checkbox"/> Temporary Certificate of Occupancy	_____ date	<input type="checkbox"/> Conditions (See Attached)	
<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			

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

19970100

I. D. Number

Kevin Bernard

Applicant

22 Harbor Place, So Portland, ME 04106

Applicant's Mailing Address

11/17/97

Application Date

Woodford St 226

Project Name/Description

Consultant/Agent

767-2256

Applicant or Agent Daytime Telephone, Fax

226 Woodford St

Address of Proposed Site

124-D-9

Assessor's Reference: Chart-Block-Lot

DRC Conditions of Approval

Planning Conditions of Approval

- that two (2) City of Portland approved species and size trees must be planted on the Woodford Street frontage prior to issuance of Certificate of Occupancy

Inspections Conditions of Approval

1. This property shall remain a single family dwelling. Any change of use shall require a separate permit application for
2. Separate permits shall be required for future decks, sheds, pool, and/or garage.
3. A Separate permit shall be required for any new signage.

Fire Conditions of Approval

sprinkler connection must be approved by the fire dept

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

I. D. Number _____

Kevin Bernard
Applicant
22 Harbor Place, So Portland, ME 04106
Applicant's Mailing Address

11/17/97
Application Date
1-family to 3 unit mixed use
Project Name/Description

Consultant/Agent
767-2256
Applicant or Agent Daytime Telephone, Fax

226 Woodford St
Address of Proposed Site

Assessor's Reference: Chart-Block-Lot _____

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

Proposed Building square Feet or # of Units _____ Acreage of Site _____ Zoning _____

Check Review Required:

Site Plan (major/minor) Subdivision # of lots _____ PAD Review 14-403 Streets Review
 Flood Hazard Shoreland Historic Preservation DEP Local Certification
 Zoning Conditional Use (ZBA/PB) Zoning Variance Other _____

Fees Paid: Site Plan **\$150.00** Subdivision _____ Engineer Review **\$50.00** Date: **11/17/97**

Fire Approval Status:

Reviewer **Lt. Mc Dougall** 

Approved Approved w/Conditions see attached Denied

Approval Date **11/17/97** Approval Expiration _____ Extension to _____ Additional Sheets Attached

Condition Compliance **Lt. Mc Dougall** **11/17/97**
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 Issued	_____		
	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		
<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	



CITY OF PORTLAND
Planning and Urban Development Department

19970100

MEMORANDUM

TO: Code Enforcement

FROM: Jim Wendel, Development Review Coordinator

DATE: September 17, 1998

SUBJECT: Certificate of Occupancy
226 Woodford Street

A site visit was made to review the completion of the conditions of the site plan approval; my comments are:

1. The two trees need to be planted.

It is my opinion that **when the trees are planted** all of the conditions of the site plan will be satisfactorily completed and a **permanent Certificate of Occupancy could be issued** assuming Code Enforcement has no outstanding issues.