

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

CITY OF PORTLAND

BUILDING DEPARTMENT

Please Read Application And Notes, If Any, Attached

PERMIT

Permit Number: 041254

This is to certify that Fotopulos Dawn M /Owner
has permission to 2 Family Home convert to 2 Condo
AT 23 Nevens St 130 F019001 CITY OF PORTLAND

SEP 20 2004

provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statutes of Maine and of the ordinances of the City of Portland regulating the construction, maintenance and use of buildings and structures, and of the application on file in this department.

Apply to Public Works for street line and grade if nature of work requires such information.

Notification of inspection must be given and written permission procured before this building or part thereof is altered or closed-in. HOUR NOTICE IS 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

[Signature] 9/17/04
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: 04-1254	Issue Date:	CBL: 130 F019001
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Location of Construction: 23 Nevens St	Owner Name: Fotopulos Dawn M	Owner Address: 23 Nevens St	Phone:
Business Name:	Contractor Name: Owner	Contractor Address: Portland	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use - Condo Conversion	Zone: E--(-)

Past Use: 2 Family Home	Proposed Use: 2 unit condo	Permit Fee: \$450.00	Cost of Work: \$450.00	CEO District: 4
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Past Use: 2 Family Home <i>legal use: 2 dwelling units</i>	Proposed Use: 2 unit condo 2 Family Home convert to 2 unit Condo	FIRE DEPT: <input type="checkbox"/> Approved <input checked="" type="checkbox"/> Denied <i>N/A</i>	INSPECTION: Use Group <i>R</i> Type <i>SB</i> <i>BOCA 1999</i>
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PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)		
Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input checked="" type="checkbox"/> Denied	Signature:	Date:

Permit Taken By: Idobson	Date Applied For: 08/25/2004	Zoning Approval	
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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..	Special Zone or Reviews <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"/> MME	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	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
	Date: <i>9/11/04</i>	Date: <i>9/11/04</i>	Date: <i>9/11/04</i>

CERTIFICATION

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application is issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provision of the code(s) applicable to such permit.

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

City of Portland, Maine - Building or Use Permit

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

Permit No: 04-1254	Date Applied For: 08/25/2004	CBL: 130 F019001
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Location of Construction: 23 Nevens St	Owner Name: Fotopulos Dawn M	Owner Address: 23 Nevens St	Phone:
Business Name:	Contractor Name: Owner	Contractor Address: Portland	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use - Condo Conversion	

Proposed Use:	Proposed Project Description: 2 Family Home convert to 2 unit Condo
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Dept: Zoning **Status:** Approved with Conditions **Reviewer:** Marge Schmuckal **Approval Date:** 09/14/2004

Note: 09/08/04 It appears that the owner vacated the building and is now turning it to condo. I called Richard Abondonza for further information. The two tenants may not be denied their rights under the ordinance. **Ok to Issue:**
 9/13/04 I received only one tenant letter - I asked Alan Tracy about the second unit?
 9/14/04 I received a fax from Alan Tracy who states that the other unit was vacant at the time the new owner bought it. A.T. thought that the previous owner was living in the unit

- 1) This property shall remain a two (2) family dwelling. Any change of use shall require a separate permit application for review and approval.
- 2) PLEASE NOTE: Under the City's Condominium conversion regulations, A) BEFORE a developer offers to convey a converted unit, a conversion permit shall be obtained. B) Rent may not be altered during the official noticing period unless expressly provided in a preexisting written lease. C) For a sixty (60) day period following the notice of intent to convert, the tenant has an exclusive and irrevocable option to purchase during which time the developer may not convey or offer to convey the unit to any other person. D) The developer shall post a copy of the permit in a conspicuous place in each unit, and shall make copies available to prospective purchasers upon request. E) If a tenant is eligible for tenant relocation payments, they SHALL be paid a CASH PAYMENT BEFORE the tenant is required to vacate.
- 3) This is NOT an approval for an additional dwelling unit. You SHALL NOT add any additional kitchen equipment including, but not limited to items such as stoves, microwaves, refrigerators, or kitchen sinks, etc. Without special approvals.

Dept: Building **Status:** Approved with Conditions **Reviewer:** Tammy Munson **Approval Date:** 09/17/2004

Note: **Ok to Issue:**

- 1) This is a use permit ONLY. It does NOT authorize any construction activities.
- 2) Separate permits are required for any electrical, plumbing, or heating.

SEP 13 2004

8 6 1 7 3

**NOTICE OF CONVERSION OF RESIDENTIAL APARTMENT UNIT TO A
CONDOMINIUM UNIT PURSUANT TO 33 M.R.S.A. §1604-111
(Portland Code Article VII)**

September 10, 2004

Jon Gilbert,
Patrick Dunham, and
Tim Callahan
49 Lawn Avenue
Portland, ME 04101

Re: 25 Nevens Street, Portland, Maine

Dear Tenants:

Pursuant to 33 M.R.S.A. §1604-111, this letter is given to notify you that the building at 25 Nevens Street, Portland, Maine is being converted into condominiums. Pursuant to §1604-111 and Article VII of the Land Use Ordinance for the City of Portland, you, as the tenant, have the right for 60 days after delivery or mailing of this notice to you to purchase the condominium unit that is being created that will include your former apartment, as is, for a purchase price of \$200,000. During the following 180 days, I cannot offer to dispose my interest in the unit at a price or terms more favorable than the price or terms offered to you.

If you do not buy the unit being created to include your apartment, the developer of this project was required by law to assist you in finding another place to live and in determining your eligibility for relocation payments. If you have questions about your rights under the law, or complaints about the way you have been treated by the developer, you may contact the Building Inspection Division, Department of Planning and Urban Development, City of Portland, 389 Congress Street, Portland, Maine 04101 (telephone: 874-8703).

As required by law, I have enclosed for your review the Declaration of Condominium and the Bylaws of the Condominium Association.

If you are interested in pursuing the purchase of the condominium or if you have any further questions, please do not hesitate to contact me.

Very truly,

Dawn Fotopulos (12)

Dawn Fotopulos

NOTICE BY TENANT OF ACCEPTANCE OR NON-ACCEPTANCE

I/we hereby give Dawn Fotopulos notice that we received this Notice of Conversion on

April, 2004.

Pat J...
James J. ...
Jim Callahan

I/we hereby state that we:

accept

decline

the offer to purchase the unit as contained in the above Notice.

Dated: 9-10-04

Pat J...
James J. ...
Jim Callahan

HAB Hopkinson, Abbondanza & Backer

A T T O R N E Y S

September 14, 2004

Marge Schmuckal
Zoning Administrator
City of Portland
389 Congress Street
Portland, Maine 04101

RE 25 Nevens Street

Dear Marge:

This letter is to confirm our discussion this morning wherein I stated that there were no other tenants living in the second unit in the building at 25 Nevens Street when the current owner, Dawn Fotopulos purchased the property in October, 2003. This information has been confirmed with Ms. Fotopulos today.

Please do not hesitate to contact me with any further questions you may have so that a permit may be issued as soon as possible. Thank you for all your help in this process.

Very truly yours,


Alan E. Tracy
E-mail: atracy@hablaw.com

per voice mail on 11/14/04
Thought the vacant unit was occupied by
the previous owner

AET

G:\CLIENTS\25 Nevens St. Condo Assoc\Letter to Marge Schmuckal.doc



Please respond to our Portland office

FACSIMILE TRANSMITTAL SHEET

TO:	PROM:
Marge Schmuckal	Alan E. Tracy, Attorney atracy@hablaw.com
COMPANY:	DATE
Zoning	September 14, 2004
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
874-8716	2

This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or if you are an employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the address above via the U.S. Postal Service. Thank you.

RE: 25 Nevens Street

Condominium Conversion and 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>25 Nevins Street</u>		
Total Square Footage of Proposed Structure <u>2700 sq. ft</u>	Square Footage of Lot <u>.18 Acres</u>	
Tax Assessor's Chart, Block & Lot Chart# Block# Lot# <u>130 F 19</u>	Owner: <u>Dawn Fotopulos</u>	Telephone: <u>(212) 427-4340</u>
Lessee/Buyer's Name (if Applicable)	Applicant name, address & telephone: <u>Dawn Fotopulos 150 E. 93rd St. Suite 9D New York, NY 10128</u>	cost Of Work: \$ <u>450</u> Fee: \$ <u>2</u> units @ \$150.00 per unit \$ <u>300</u> + \$75.00 per unit CofO \$ <u>150</u> Total Fee: \$ <u>450</u>
Current use: <u>Residential</u> number of units: <u>2</u>		
Proposed use: <u>Residential (condos)</u> number of units: <u>2</u>		
Project description: <u>Convert existing 2 family home into 2 Condominium Units</u>		
Contractor's name, address & telephone: <u>None</u>		
Whom should we contact when the permit is ready: <u>Richard Abbondanza ; Alan Tracy</u>		
Mailing address: <u>511 Congress St Suite 801 Portland, ME 04101</u>		Phone: <u>772-5845</u>

IF THE REQUIRED INFORMATION IS NOT INCLUDED IN THE SUBMISSIONS THE PERMIT WILL BE AUTOMATICALLY DENIED AT THE DISCRETION OF THE BUILDING/PLANNING DEPARTMENT, WE MAY REQUIRE ADDITIONAL INFORMATION IN ORDER TO APPROVE THIS PERMIT.

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

Signature of applicant: <u>[Signature]</u>	Date: <u>8/24/04</u>
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This is not a Permit, you may not commence ANY work until the Permit is issued.

Submit with Condominium Conversion Permit Application

Project Data:

Address: 25 Nevens Street

C-B-L: _____

Number of units in building: 2

Unit 1			
Unit 2	NO		
Unit 3			
Unit 4	O		
Unit 5		E	
Unit 6			/
Unit 7			/
Unit 8			

Length of time building owned by applicant 10 Months

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

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

\$ 0 exterior walls, windows, doors, roof

\$ 0 insulation

\$ 0 interior cosmetics (walls/floors/ hallways refinishing, etc.)

\$ 0 other (specify)

130 F 19

**CONDOMINIUM CONVERSION PERMIT
CITY OF PORTLAND, MAINE
PART 111: PROJECT DATA**

1. Assessors reference, Chart, **Block**, Lot: 130 // 9

2. Number of Units before conversion: 2
_____ Units with 1 bedroom _____ Units with 2 bedrooms
2 _____ Units with 3 or more bedrooms

3. Monthly rent range (specify with or without utilities, being specific about the utilities)

\$1000/month

4. Number of Units after conversion: _____
_____ Units with 1 bedroom _____ Units with 2 bedrooms
2 _____ Units with 3 or more bedrooms

5. Purchase Price range: \$ 269K per unit

6. Length of time building owned by applicant: 10 months

7. Improvements, renovations or modifications being made in association with this conversion will require the following permits (please circle all that apply):

Building Plumbing Heating Electrical

8. **Type** and cost of building improvements being made in association with this conversion that will **not** require permits:

- \$ 0 exterior walls, windows, doors, roof
- \$ 0 insulation
- \$ 0 interior cosmetic (wall/floor refinishing, etc.)
- \$ 0 other (please specify) _____

_____ no improvements being made
\$ 0.00

SHORT FORM WARRANTY DEED

Bryce L. Davis of 25 Nevens Street, Portland, ME. 04103, FOR CONSIDERATION PAID, grants to Dawn M. Fotopoulos of 150 East 93rd Street, Apt. 9D, New York, NY, 10128, with WARRANTY COVENANTS, the following described real property located in the City of Portland, County of Cumberland and State of Maine:

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

MAINE REAL ESTATE TAX PAID

Beginning at a point in the easterly sideline of said Nevens Street, at the southwesterly corner of land formerly owned and occupied by the late Clarence J. Coughlan; thence turning southerly a distance of ten (10) feet and six (6) inches, more or less, by said easterly sideline of Nevens Street, to a metal pipe driven in the ground at a point which marks the intersection of said sideline of Nevens Street and the southerly sideline of a driveway, said pipe being three (3) feet and nine and three-quarters (9 3/4) inches northerly from the northerly sideline, projected of the underpinning, being the brick foundation of the house now or formerly of owned and occupied by Mae Della Parmenter at No. 23 Nevens Street; thence easterly seventy-four (74) feet, more or less, by the southerly sideline of said driveway to a point distant six (6) feet northerly from said northerly sideline of the underpinning above described of said house at No. 23 Nevens Street, which point is at the intersection of said sideline of said driveway and the easterly line of said brick foundation projected northerly; thence continuing in an easterly direction by the southerly side of the driveway and by the northerly line of land formerly said Mae Della Parmenter a distance of sixty-nine and 4/10 (69.4) feet to the northwesterly corner of a parcel of land deeded to Anthony V. Nacci by Alma E. Koharian by deed dated August 26, 1966 and recorded in the Cumberland County Registry of Deeds in Book 2970, Page 784; thence running South 22° 25' West a distance of twenty-one and 3/10 (21.3) feet to an iron; thence running South 69° 22' East a distance of thirty-nine and 65/100 (39.65) feet to an iron at a corner in land conveyed by the said Mae Della Parmenter to John A. Motley by corrected warranty deed dated August 19, 1942 and recorded in said Registry of Deeds in Book 1689, Page 179; thence running North 19° 38' East a distance of twenty and 2/10 (20.2) feet to said Motley lot to a corner thereof; thence running easterly by said Motley lot a distance of thirty (30) feet, more or less, to an iron post set in cement distant southerly by a line parallel with said easterly sideline of Nevens Street, a distance of sixteen (16) feet, more or less, from land formerly owned or occupied by the late William E. Willard; thence northerly a distance of sixteen (16) feet, more or less, by said parallel with said easterly sideline of Nevens Street to said Willard land; thence northwesterly a distance of one hundred thirty-three (133) feet and six (6) inches, more or less, by said Willard land and by land formerly owned or occupied by the late Mary A. Elwell to the land of the heirs of Laura Stevens; thence southerly a distance of seventy-two (72) feet and six (6) inches, more or less, by land now or formerly of said Stevens heirs and by said Coughlan's land to the southeasterly corner of said Coughlan's land; thence westerly by said Coughlan's land to the point of beginning.

This conveyance is made subject to any and all easements and appurtenances of record, insofar as the same may affect the subject premises.

Doc#: 113298 Bk:20392 Pg: 26


This conveyance is made subject to unpaid real estate taxes for the current tax year, if any, which the Grantee herein, by acceptance of this deed, assumes and agrees to pay.

Meaning and intending to convey and hereby conveying the same premises conveyed to the Grantor herein by deed of Robert C. Frank, Jr. dated October 25, 1996 and recorded in the Cumberland County Registry of Deeds in Book 12790, Page 199.

WITNESS my hand and seal this 3rd day of October, 2003.

WITNESS



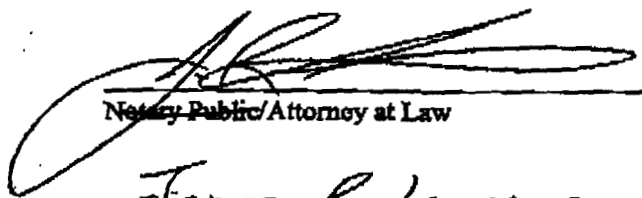

Bryce L. Davis

STATE OF MAINE
Cumberland, ss.


October 3, 2003

Personally appeared the above named Bryce L. Davis and acknowledged the foregoing instrument to be his free act and deed.

Before me,



Notary Public/Attorney at Law


Print Name

S:\CS\444\DOCUMENT\CRS\Cleatop\F\Fosepales 106754\deed.wpd

Received
Recorded Registrar of Deeds
Oct 14, 2003 03:52:37P
Cumberland County
John S. D Brian

H&B A Hopkinson, Abbondanza & Backer

A T T O R N E Y S

Marge Schmuckal
Zoning Administrator
City of Portland
Room 315
389 Congress Street
Portland, ME 04101

RE: Condominium Conversion Permit for 25-27 Nevens Street

Dear Marge,

This letter accompanies our application for condo conversion permits for 25-27 Nevens Street. As required in the application, the details of the conversion are contained herein.

25-27 Nevens Street is an existing two-family house consisting of a total of 2700 square feet. The proposed conversion plan is to convert the existing units into condominiums with no construction. Both units and the building itself are in excellent condition and ready to be occupied immediately.

Currently the building is vacant and has been vacant for five months. The most recent tenants were provided an opportunity to move into a larger unit in another building "owned by the same owner of 25-27 Nevens St. and they did so. *Noting*

Enclosed please find the required materials to complete our application:

1. A copy of the owner's deed.
2. 2 copies of the floor plan showing dimensions of each area and use to scale.
3. A copy of the plot plan to scale.
4. A copy of the floor plan and plot plan on 11" x 17" paper.
5. A check in the amount of \$450 to cover the cost of application. (two units @ \$150, two CofO's @ \$75)

It is our understanding that our application is complete. Please confirm this is the case at your earliest convenience. Also, the owner is eager to market the units, please inform us if there is anything that we can do to expedite this process.

Sincerely yours,

Richard J. Abbondanza (RJA)

Richard J. Abbondanza

RJA/AET

Enclosures