

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK
CITY OF PORTLAND

Please Read
Application And
Notes, If Any,
Attached

BUILDING INSPECTION

Permit Number: 061322

PERMIT

PERMIT ISSUED

This is to certify that COMMUNITY HOUSING OF MAINE INC /n/ a

has permission to Legalization of 1 non-conforming unit

AT 103 PLEASANT AVE

131 L02100

NOV 17 2006

provided that the person or persons who accept this permit shall comply with all of the provisions of the Statutes of the State and of the Ordinances of the City of Portland regulating the construction, maintenance and use of buildings and structures, and of the application on file in this department.

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

Notification of inspection must be given and when permission procured before this building or part thereof is leased or closed-in. FOUR HOURS 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

Director - Building & Inspection Services

PENALTY FOR REMOVING THIS CARD

City of Portland, Maine - Building or Use Permit Application

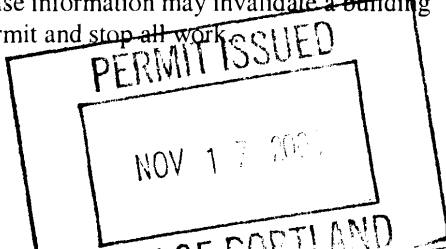
389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No: 06-1322	Issue Date:	CBL: 131 L021001
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Location of Construction: 103 PLEASANT AVE	Owner Name: COMMUNITY HOUSING OF MAI	Owner Address: 103 PLEASANT AVE	Phone:
Business Name:	Contractor Name: n/ a	Contractor Address: Portland	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Legalization of Non-Conforming Units	Zone: RS

Past Use: Residential 1 unit	Proposed Use: Residential 2 unit legalization of 1 non-conforming unit	Permit Fee:	Cost of Work: \$300.00	CEO District: 4
Proposed Project Description: Legalization of 1 non-conforming unit		FIRE DEPT: <input type="checkbox"/> Approved <input checked="" type="checkbox"/> Denied <i>N/A</i>	INSPECTION: Use Group: R-3 Type: SB <i>IRC 2003</i>	
		Signature: _____		
		PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.) Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Signature: _____ Date: _____		

Permit Taken By: dmartin	Date Applied For: 09/06/2006	Zoning Approval		
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<ol style="list-style-type: none"> This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules. Building permits do not include plumbing, septic or electrical work. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work. 	Special Zone or Reviews <input type="checkbox"/> Shoreland <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: 10/30/06 <i>AM</i>	Zoning Appeal <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied Date:	Historic Preservation <input checked="" type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Date: <i>ABM</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: 06-1322	Date Applied For: 09/06/2006	CBL: 131 L021001
-----------------------	---------------------------------	---------------------

Location of Construction: 103 PLEASANT AVE	Owner Name: COMMUNITY HOUSING OF MAI	Owner Address: 103 PLEASANT AVE	Phone:
Business Name:	Contractor Name: n/ a	Contractor Address: Portland	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Legalization of Non-Conforming Units	

Proposed Use: Residential 2 unit legalization of 1 non-conforming unit	Proposed Project Description: Legalization of 1 non-conforming unit
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Dept: Zoning **Status:** Approved with Conditions **Reviewer:** Ann Machado **Approval Date:** 10/30/2006

Note: Notices to property owners within 300' mailed out 10/11/2006. No letters received.

Ok to Issue:

City Housing Ordinance compliance 10/30/06.

City NFPA compliance 10/10/06.

Affidavit shows that the unit existed prior to 4/1/05 and was established by different owner.

Site plan and floor plans submitted.

No ZBA action required.

- 1) With the issuance of this permit and the issuance of the certificate of occupancy, the legal use of this property is a two family dwelling.

Dept: Building **Status:** Approved with Conditions **Reviewer:** Tammy Munson **Approval Date:** 11/01/2006

Note:

Ok to Issue:

- 1) This is a Change of Use ONLY permit. It does NOT authorize any construction activities. Construction was performed and completed under a different permit.

Comments:

10/10/2006-amachado: Brenda faxed an affidavit from the previous owner stating that he installed the unit in 1973. She will mail the original copy of the affidavit.

9/19/2006-amachado: Left message for Brenda Perry. Application is incomplete. She has not shown that the illegal unit existed as of 4/1/1995. I gave her some ideas on how to prove it.



PORTLAND MAINE

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

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

LEGALIZATION OF NONCONFORMING DWELLING UNITS FOR OFFICE USE ONLY

Address & CBL: 103 Pleasant Ave - 131-L-021

Notices to owners of properties situated within 300 feet sent on: to CAAGA 10/10/06 - mailed out 10/11/06

City Housing Ordinance compliance given on: 10/10/06 received: 10/30/06

City NFPA compliance given on: 10/10/06 received: 10/10/06

Received any letters within 10 days from notices sent? no

Unit(s) existed prior to April 1, 1995? yes - affidavit from previous owner

Unit(s) shown to be established by different owner? yes - affidavit

Site plan included: yes

Floor plans included? yes

Is ZBA action required? no

From: Gayle Guertin
To: Jeanie Bourke
Date: 10/11/2006 11:36:24 AM
Subject: 103 Pleasant Ave. Legalization of non conforming unit

103 Pleasant St.
Owner: Community Housing of Maine
CBL: 131 I021

Sent out abutters notice as of 10/11/06

Thanks Gayle

CC: Ann Machado; Gayle Guertin; Marge Schmuckal



CITY OF PORTLAND

**NFPA LIFE SAFETY CODE – FIRE PREVENTION CODE
DWELLING UNIT COMPLIANCE**

Section 14-391 of the Land Use Ordinance allows illegal nonconforming dwelling units to become legalized thru a given process. Part of this process is that the dwelling unit(s) that are requested to be legalized must comply or be able to comply with the NFPA Life Safety Code – Fire Prevention Code PRIOR to issuing the requested permit.

Please return this form to the Zoning Administrator (Marge Schmuckal) as to compliance or the ability to comply with these codes.

Location: 103 Pleasant Ave 131-L-021

Owner: Community Housing of Maine

Address of Owner: 309 Cumberland Ave, Suite 203 **Telephone:** 879-0347
Portland 04104

Applicant information if different than above: Brenda Perry 314-6779

Current number of legal units: one (1)

Number of units to be legalized: one (1)
for a total of : two (2)

Comments of approval or disapproval (list any and all conditions):

N/A Building Insp. only

Signature: Greg Cass

Date: 10/10/06



CITY OF PORTLAND

CITY OF PORTLAND HOUSING CODE
DWELLING UNIT COMPLIANCE

Section 14-391 of the Land Use Ordinance allows illegal nonconforming dwelling units to become legalized thru a given process. Part of this process is that the dwelling unit(s) that are requested to be legalized must comply or be able to comply with the City of Portland's Housing Code PRIOR to issuing the requested permit.

Please return this form to the Zoning Administrator (Marge Schmuckal) as to compliance or the ability to comply with these codes.

Location: 103 Pleasant Avenue → beyond
Wiscasset
corner 131-L-021

Owner: Community Housing of Maine

Address of Owner: 309 Cumberland Ave, Suite 203 Telephone: 879-0347
Portland 04104

Applicant information if different than above: Brenda Perry 314-6779

Current number of legal units: one (1)

Number of units to be legalized: one (1)
for a total of : two (2)

Comments of approval or disapproval (list any and all conditions):

In compliance 10/25/06 - SMH

Signature: Suzanne Hunter

Date: 10-30-2006

Zoning Division
Marge Schmuckal
Zoning Administrator

Department of Planning & Development
Lee Urban, Director



CITY OF PORTLAND

APPLICATION FOR LEGALIZATION OF NONCONFORMING DWELLING UNITS Section 14-391 – In effect March 24, 2004

Location/Address of Legalization: <u>103 Pleasant Avenue, Portland</u>	
Tax Assessor's Chart, Block & Lot Chart# <u>131</u> Block# <u>L</u> Lot# <u>21</u>	Owner: <u>Community Housing of Maine</u> Telephone: <u>(207) 879-0347</u> Address: <u>309 Cumberland Ave., Suite 203</u> <u>Portland, ME 04104</u>
Contact name, address & telephone if different than above: <u>Brenda Perry (207) 314-6779</u> <u>68 Valley Rd</u> <u>Athens, ME 04912</u>	Cost of Work: \$ _____ Fee: \$ <u>300</u> \$300 per legalized unit & \$75 per C of O
Current # of legal D.U. <u>1</u>	Requested # of units To be legalized: <u>1</u> Total bldg. units: <u>2</u>
Attach evidence that each requested unit to be legalized existed as of 4/1/95: List evidence that you are submitting: <u>same as below</u>	
Attach evidence that the current owner/applicant neither constructed nor established the non-conforming dwelling units to be legalized: List evidence that you are submitting: <u>Information from tax assessor's office identifying subject as 2-family under previous owner</u> <u>Settlement Statement of purchase dated 2/22/06</u> <u>Legal Opinion issued by Murray Plumb + Murray</u> <u>Realtor's listing sheet identifying property as a Multi family</u>	
<p>I hereby certify that I am the Owner of record of the above 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.</p>	
Signature of applicant: <u>Brenda Perry</u> <u>Development Officer, Community Housing of Maine</u>	Date: <u>9/5/06</u>
This is NOT a permit, you may not commence ANY work until the permit is issued.	



Board Members

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Board President

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Division of Housing &
Neighborhood Services
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Vice President of Development
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Sr. Vice President
Camden National Corporation

Gunnar Hubbard
President
Fore Solutions

Sherry Lane
Community Response Coordinator
Caring Unlimited

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Professor & Associate Dean
University of Maine
School of Law

Luc Nya
Multicultural Coordinator
Maine DHHS

Randy Poulton
Project Manager
Nickerson and O'Day, Inc.

Chet Randall, Esq.
Staff Attorney
Pine Tree Legal Assistance

Nancy Rochat
Executive Director
Turning Point Farm

Staff Contacts

Cullen Ryan
Executive Director

Erin Cooperider
Development Director

Brenda Perry
Development Officer

Anne Gass
Development Strategist

David Beseda
Development Specialist

Jim Gwilym
Accountant/CFO

Karen Collins
Asset Manager

September 5, 2006

Ms. Marge Schmuckal, Zoning Administrator
City of Portland Department of Planning & Development
389 Congress Street, Room 315
Portland, ME 04101

RE: 103. Pleasant Avenue, Portland

Dear Ms. Schmuckal:

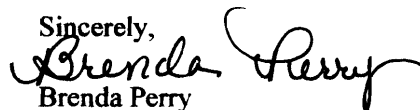
Please accept this application for the Legalization of Nonconforming Dwelling Units as required for one unit in the property located at 103 Pleasant Avenue in Portland.

As we have discussed in several phone conversations, Community Housing of Maine (CHOM) purchased this property on February 22, 2006 with funding from the Maine State Housing Authority (MH), with the understanding and legal opinion that it was a 2 unit, multi family dwelling. During the process of applying for the building permit we learned that your office did not recognize this dwelling as a multi unit and that legalization of the 2nd unit would be required. We appreciate the issuance of a conditional building permit that allowed us to complete the improvements that were made to the building. The work is now complete. Tammy Munson has inspected the building and has found the improvements to be satisfactory and consistent with the building permit.

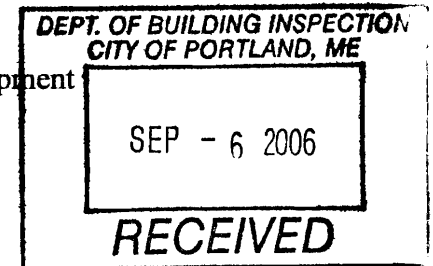
Enclosed please find the following:

- * completed application
- * executed settlement statement of the closing on the purchase showing the date that CHOM acquired the property
- * legal opinion of the use of the property as required and approved by MH, issued by Murray, Plumb and Murray
- * copy of the card from the Assessor's office indicating their recognition and assessment of the property as a multi family while owned by the previous owner, Mr. Pio
- * the listing sheet advertising the property for sale identifying it as a multi-family
- * dimensional floor plans of the existing 2 units in the building
- * the plot plan drawn to scale
- * check in the amount of \$300 for the application fee

Thank you for your help and guidance with this process. Please let me know if you have any questions.

Sincerely,

Brenda Perry
Development Officer

Enclosures



MSHA Settlement Statement

Property:	103 Pleasant Avenue, Portland	MSHA SHP 1415
Seller:	Joseph P. Pio	
Buyer:	Community Housing of Maine, Inc.	
Date:	February 22, 2006	

Contract Sales Price **\$ 315,000.00**

<i>Adjustments</i>	<i>Less</i>	<i>Plus</i>
Broker's Commission	\$ 18,900.00	
Seller's R/E Transfer Tax	\$ 693.00	
Recording of Discharge	\$ 16.00	
Property Tax Proration	\$ 562.36	
TOTAL	\$ 20,171.36	

Net Adjustment **\$ (20,171.36)**

Net to Seller: **\$ 294,828.64**

Contract Sales Price **\$ 315,000.00**

<i>Adjustments</i>	<i>Less</i>	<i>Plus</i>
Title Search		\$ 200.00
Title Insurance Premium		\$ 1,235.00
Buyer's Legal Fees		\$ 3,875.00
Mortgage loan inspection fee		\$ 200.00
Secretary of State (UCC -1/CGS)		\$ 30.00
Registry of Deeds/Recording		\$ 158.00
Buyer's R/E Transfer Tax		\$ 693.00
Property Tax Proration		\$ 1,395.08
Replacement Reserve		\$ 3,162.00
Rehabilitation Escrow		\$ 47,816.00
TOTAL	\$ -	\$ 58,764.08

Net Adjustment **\$ 58,764.08**

Total Funds Due From Buyer: **\$ 373,764.08**

Total Funds from Lender: **\$ 394,683.00**

Total of Surplus/Deficit to Buyer **\$ 20,918.92**

Property:	103 Pleasant Avenue, Portland
Seller:	Joseph P. Pio
Buyer:	Community Housing of Maine, Inc.
Date:	February 22, 2006

Sources

Maine State Housing Authority (Federal HOME Funds)	\$ 188,692.00
Maine State Housing Authority (State HOME Funds)	\$ 205,991.00
_____	_____
_____	_____
<i>Total Sources</i>	\$ 394,683.00

Disbursements

In House:

Rehabilitation Escrow	\$ 47,816.00
Replacement Reserve	\$ 3,162.00

Checks:

Maine Secretary of State (UCC-1)	\$ 30.00
Cumberland County Registry of Deeds	\$ 1,560.00
(R.E.T. Tax \$1,386, Recording \$174)	
Deed (\$18.00)	
Mortgages (\$96.00)	
Fed HOME Declaration (\$22.00)	
Fed HOME Reg. Agreement (\$22.00)	
Discharge (\$16.00)	
City of Portland (property taxes)	\$ 1,957.44
Murray, Plumb and Murray	\$ 5,310.00
Title Search (\$200.00)	
Title Insurance Premium (\$1,235.00)	
General Legal Services (\$3,875.00)	
Nadeau & Lodge (mortgage loan inspection fee)	\$ 200.00
E to P, L.L.C. d/b/a Keller Williams Realty (Buyer's Broker)	\$ 3,402.00
Kerry Gallagher (Buyer's Broker)	\$ 3,024.00
Christie Hariman (Buyer's Broker)	\$ 3,024.00
The Real Estate Store (Seller's broker)	\$ 9,450.00
Joseph P. Pio	\$ 294,828.64
Community Housing of Maine, Inc.	\$ 20,918.92
<i>Total Disbursements</i>	\$ 394,683.00

Seen and Agreed To:

Seller _____
Joseph P. Pio

Date _____

Buyer Community Housing of Maine, Inc.

By *Erin Cooperider*
Erin Cooperider, Development Director

Date 1-22-06

MSHA *[Signature]*
Bill Olsen, Supportive Housing Loan Officer

Date 2/22/06



Board Members

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Division of Housing &
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University of Maine
School of Law

Luc Nya
Multicultural Coordinator
Maine DHHS

Randy Poulton
Project Manager
Nickerson and O'Day, Inc.

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Brenda Perry
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Anne Gass
Development Strategist

David Beseda
Development Specialist

Jim Gwilym
Accountant/CFO

Karen Collins
Asset Manager

October 12, 2006

Ms. Ann Machado, Zoning Specialist
City of Portland Department of Planning & Development
389 Congress Street, Room 315
Portland, ME 04101

RE: 103. Pleasant Avenue, Portland

Dear Anne:

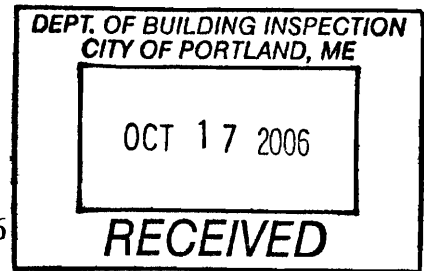
As per your request, enclosed please find the original notarized letter from Mr. Pio, the previous owner of 103 Pleasant Avenue in Portland. Thank you for your help with this process. Please let me know if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Brenda Perry".

Brenda Perry
Development Officer

Enclosure



October 3, 2006

Brenda Perry, Development Officer
Community Housing of Maine
309 Cumberland Avenue, Suite 203
Portland, ME 04101

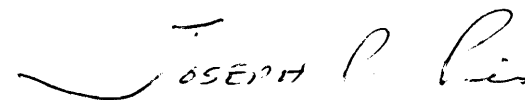
Re: 103 Pleasant Avenue
Portland, Maine

Dear Ms. Perry:

To the best of my knowledge, this notarized letter documents the history of my ownership of the property located at 103 Pleasant Avenue in Portland Maine.

- ✓ I purchased the building on or about January 4, 1973
- ✓ The building was renovated in 1973 to create an apartment on the 2nd floor, making this a 2 unit building.
- ✓ I agreed to accept Section 8 rental assistance for the 2nd unit from a period of time from approximately 1978 to 1998. Accepting the Section 8 rental assistance required to the unit to satisfy the Housing Quality Standard inspections which it did.
- ✓ The property was a 2 unit building when it was purchased by Community Housing of Maine on February 22, 2006.

Regards,



Joseph P. Pio


STATE OF MAINE
Cumberland County

October 3, 2006

Personally appeared the above named
be her free act and deed.

and acknowledged the foregoing instrument to

Before me,



Notary Public

Print or type name

My commission expires: December 10, 2009



49 Dartmouth Street, Portland, Maine 04101

Tel: 207-879-9800 Fax: 207-879-9801

553-2450

846-0799

Fax

To: Brenda Perry From: Christie Harmon
Fax: 1815 642 6199 Pages: 2
Phone: _____ Date: 10/5/06
Re: 103 Pleasant, Portland CC: _____

Urgent For Review Please Comment Please Reply

Notarized Verification of 2-unit.
Hope this helps!

Christie

February 22, 2006

Maine State Housing Authority
353 Water Street
Augusta, ME 04330-4633

Peter S. Plumb
John C. Lightbody
Thomas C. Newman
John C. Bannon
Susan D. Thomas
Drew A. Anderson
Richard L. O'Meara
Christopher B. Branson
Michael D. Traister
Amy M. Sneirson
Barbara L. Goodwin
Timothy H. Boulette
John B. Shumadine
Sarah A. McDaniel
Thomas L. Douglas
Staci K. Converse
Kelly W. McDonald

Of Counsel:
Peter L. Murray
Barbara T. Schneider

E. Stephen Murray
(1941-2001)

**Re: *Community Housing of Maine, Inc.*
*103 Pleasant Avenue, Portland, Maine***

Dear Ladies and Gentlemen:

We are counsel for Community Housing of Maine, Inc., a Maine nonprofit corporation (the "Developer") in connection with its acquisition and rehabilitation of 103 Pleasant Avenue, Portland, Maine (the "Property"), and its financing in the amount of \$394,683 with the Maine State Housing Authority ("MSHA") for such acquisition and rehabilitation, as set forth in a certain commitment letter dated February 16, 2006 (the "Loan").

In rendering this opinion, we have reviewed only the commitment letter referenced above (the "Commitment Letter"), the Organizational Documents referenced below, and the instruments and documents to be executed and delivered by the Developer in connection with the Loan as more fully described in MSHA's Closing Agenda prepared for the Loan (collectively the "Loan Documents").

We have examined the Certificate of Good Standing issued by the Secretary of State of Maine on February 7, 2006 with respect to Developer, the articles of incorporation, bylaws and authorizing votes of the Developer (collectively, the "Organizational Documents") and such other matters of fact and law which we deem necessary in order to render this opinion. Based upon the foregoing, it is our opinion that:

1. The Developer is a Maine nonprofit corporation duly organized, validly existing and in good standing under the laws of Maine, and has all requisite authority to conduct its business in each jurisdiction in which its business is conducted and to enter into the Loan transactions as contemplated by the Commitment Letter.

2. To our knowledge, there is no action, suit or proceeding pending or threatened against or affecting the Developer or the Property, before any court, administrative agency, arbitrator or governmental authority.

3. To our knowledge, the execution, delivery and performance by the Developer of the Loan Documents and the carrying out of the transactions

contemplated thereby, are not in violation of or in conflict with nor do they constitute a default under (a) any provision of any applicable law, statute, ordinance or rule or regulation; (b) any agreement, contract, indenture or instrument to which the Developer is a party or by which the Developer is bound; (c) any license or permit; or (d) any judgment, decree, or order of a court of competent jurisdiction directed to the Developer as may be applicable to the Developer.

4. The Loan Documents have been duly executed and delivered by the Developer, and are the legal, valid and binding obligations of Developer. Developer has all necessary power and authority to execute, deliver, and perform its obligations under the Loan Documents.

5. Cullen Ryan is the Executive Director of the Developer. Erin Cooperrider is the Development Director of the Developer. The Board of Directors of the Developer has authorized Cullen Ryan, Executive Director, and/or Erin Cooperrider, Development Director, to execute all Loan Documents on behalf of the Developer.

6. Based solely upon a letter issued by the United States Internal Revenue Service ("IRS") dated April 22, 1998, and the Certificate of Borrower (Exhibit A) (which Certification this firm has no reason to believe to be untrue), this firm is of the opinion that (i) the Developer is a 501(c)(3) organization exempt from taxation under IRC § 501(a), and is not a private foundation under IRC § 509(a); (ii) the IRS has been notified of any changes to Developer's organizational documents affecting its 501(c)(3) and 509(a) status; (iii) the acquisition and rehabilitation of the Property and use of the Loan funds therefor are in compliance with Developer's charitable purpose; and (iv) there is no unrelated business taxable income resulting from the use of the Loan proceeds and the operation by Developer of the Property.

7. Based upon our examination of the City of Portland, Maine Zoning Map, Land Use Ordinance, and municipal land use records, and no other independent investigation, this firm is of the opinion that the proposed development is in the R-5 Residential Zone in the City of Portland; that single- and two-family residences are a permitted use in the R-5 Residential Zone; that there are no outstanding code violations against the Property; and that the Property is in conformance with the City of Portland's zoning regulations. The existing use of the Property is as a two-family apartment building. No change in use is contemplated, and accordingly no subdivision or other approvals are necessary with respect to the Property's intended use. Based on the foregoing, we are of the opinion that the intended use of the Property as a two-family home for supportive housing for adults with developmental disabilities is an allowed use in the R-5 Zone. Developer has, or to the best of our knowledge, will be able to obtain in due course, all permits, licenses, and approvals

required by applicable federal, state and local law for the rehabilitation, use and operation of the Development.

Based solely on the mortgage loan inspection and existing conditions report by Nadeau & Lodge, dated February 22, 2006, we are of the opinion that the Real Estate is not located in a Special Flood Hazard Zone.

Our opinions as set forth above are subject to the following qualifications:

- i. We express no opinion with respect to the priority of any security interests, pledges or liens granted pursuant to the Loan Documents.
- ii. We express no opinion with respect to the state of title of any property subject to any security interests, pledges or liens.

This Opinion is limited to the laws of the State of Maine, as such laws are in force on the date hereof. By rendering this Opinion, we undertake no obligation to advise you of any changes in the law occurring after the date hereof. This Opinion is rendered solely for the benefit of the above named addressee and copies of this Opinion are not to be delivered to, or relied upon, by any other party.

Very truly yours,