

Portland, Maine



Yes. Life's good here.

Jeff Levine, AICP
Director, Planning & Urban Development Department

Steve and Betsy Tesh
88 Irving Street
Portland ME 04103

July 22, 2015

Re: Request to Extend Lawfully Nonconforming Status at 84 Irving Street

Dear Mr. and Ms. Tesh:

You have requested that, as per Section 14-387 of the Land Use Ordinance, I extend the timeframe for which a lawfully nonconforming structure may be rebuilt. The building in question was BL 137 A001001 (84 Irving St), which suffered a fire in January 2014. You have requested that timeframe be extended under the clause in that section that permits extending the lawfully nonconforming status for up to an additional five years in a case of foreclosure or similar circumstances.

I have reviewed the materials you provided and authorize an extension of the lawfully nonconforming status until January 21, 2017. This extension provides sufficient time for you to develop plans, receive a building permit, and begin construction of a replacement building. That will satisfy the requirement that the extension be the "minimum length necessary." If you should need an additional extension, you will need to provide information as to why this extension was not adequate to resume the legally nonconforming status.

This extension is limited to the existing nonconformities of the previous building.

Please let me know if you have any questions.

Sincerely,

Jeff Levine
Director

cc: Ann Machado, Zoning Administrator

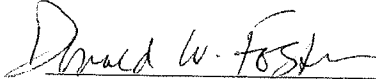
WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT, **DONALD W. FOSTER**, of Portland, Maine, ("Grantor") for good and valuable considerations paid by **TRACHSEL, LLC**, a Maine limited liability company with its principal place of business in Portland, Maine with a mailing address of 88 Irving Street, Portland, ME 04103 (the "Grantee"), the receipt whereof he does hereby acknowledge, does hereby give, grant, bargain, sell and convey unto the said Grantee, her heirs, successors, and assigns forever, the land and buildings thereon located at 84 Irving Street, Portland, Maine as more particularly described in Exhibit A (the "Premises").

TO HAVE AND TO HOLD the aforegranted and bargained Premises, with all rights, easements, privileges and appurtenances thereof, to the said Grantee, her heirs, successors, and assigns, to her own use and behoof forever, with said Premises being conveyed subject to all easements, covenants, and restrictions of record.

AND said Grantor does covenant with the said Grantees, his heirs, successors, and assigns, that he is lawfully seized in fee of the premises; that Grantor has good right to sell and convey the same to the said Grantees to hold as aforesaid, and that he and his successors shall and will WARRANT AND DEFEND the same to the said Grantee, her heirs, successors, and assigns forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, DONALD W. FOSTER, has executed this instrument this 18 day of September, 2015.




Donald W. Foster

STATE OF MAINE
CUMBERLAND, ss.

September 18, 2015

Then personally appeared the above-named Donald W. Foster, and acknowledged the foregoing instrument to be his free act and deed.

Before me,


Notary Public/Attorney at Law
Thomas F. Jewell, Esq.

MAINE REAL ESTATE TAX PAID

EXHIBIT A

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

Situated on the Westerly side of Irving Street and on the Northerly side of Sawyer Street in the Deering District of said Portland, being lot numbered forty-two (42) as shown on a plan of lots on the Northerly side of Sawyer Street, made in 1894 by Elsley and Cummings, Civil Engineers, and recording in the Cumberland County Registry of Deeds, Plan Book No.7, Page 73; to which plan, as recorded, reference is made for a more particular description.

Reference is made to deed of Peter B. Thomas to Donald W. Foster and W. Stanley Foster dated July 12, 1983 and recorded in Book 6220, Page 301, Cumberland County Registry of Deeds and to the deed of Stanley Foster to Donald Foster dated January 29, 2002 and recorded in 17255, page 93.

Received
Recorded Register of Deeds
Sep 21 2015 02:23:47P
Cumberland County
Nancy A. Lane