

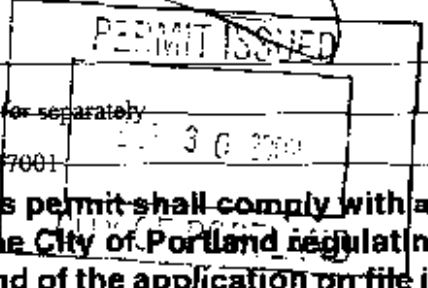
# DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND

BUILDING INSPECTION

## PERMIT

Please Read Application And Notes, If Any, Attached

Permit Number: 091028



This is to certify that MGW Consulting and Development, LLC construction  
has permission to Demolish Single family home for vacant space building permit to be applied for separately  
AT 46 BAY ST CE 155 E007001  
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 lath or other work is set-in. 2 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)

*Janette Brule* 9/30/09  
Director - Building & Inspection Services

PENALTY FOR REMOVING THIS CARD

# SCANNED

# CLOSED

<b>Location of Construction:</b> 46 BAY ST	<b>Owner Name:</b> MGW Consulting and Development,	<b>Owner Address:</b> 46 Irving Street	<b>Phone:</b>
<b>Business Name:</b>	<b>Contractor Name:</b> Cassie Construction	<b>Contractor Address:</b>	<b>Phone:</b>
<b>Lessee/Buyer's Name</b>	<b>Phone:</b>	<b>Permit Type:</b> Demolitions - Building	

<b>Proposed Use:</b> Vacant Land - Demolish Single family home for vacant space building permit to be applied for separately	<b>Proposed Project Description:</b> Demolish Single family home for vacant space building permit to be applied for separately
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<b>Dept:</b> Zoning	<b>Status:</b> Approved with Conditions	<b>Reviewer:</b> Marge Schmuckal	<b>Approval Date:</b> 09/17/2009
<b>Note:</b>			Ok to Issue: <input checked="" type="checkbox"/>
<p>1) Your present structure is legally nonconforming as to setbacks. If you are to demolish this structure on your own volition, you will only have one (1) year to replace it in the same footprint (no expansions), with the same height, and same use. Any changes to any of the above shall require that this structure meet the current zoning standards. The one (1) year starts at the time of removal. It shall be the owner's responsibility to contact the Code Enforcement Officer and notify them of that specific date.</p> <p>2) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.</p>			
<b>Dept:</b> Building	<b>Status:</b> Approved with Conditions	<b>Reviewer:</b> Jeanine Bourke	<b>Approval Date:</b> 09/30/2009
<b>Note:</b>			Ok to Issue: <input checked="" type="checkbox"/>
<p>1) This building was too dangerous to perform a pre-demolition inspection. It is the responsibility of the owner and contractor to dispose of all hazardous materials per state law.</p> <p>2) Demolition permits are valid for a period of 30 days from the date of issuance. A written request must be submitted and granted for an extension to this time period.</p> <p>3) Demo permit only! Construction requires separate permits.</p>			

<b>Comments:</b>
9/18/2009-jmb: Spoke with Carole M. At PS about the sealed drain permit and verification and left vmsg with Uniri Rick .B. To verify gas approval.
9/21/2009-jmb: Called John E. At PS and left vmsg, spoke with Mike W. As he called, he will get the sealed drain permit
9/22/2009-jmb: Received call from Rick B. From Uniri, approved to demolish
9/24/2009-jmb: Received fax from Carole M. For drain permit
9/29/2009-jmb Spoke with Mike W. For timeframe on capping drain, will do tomorrow, get inspected, will notify
9/30/2009-jmb: Called John Emerson at PS, inspection today is approved, ok to issue permit

Thursday, September 17, 2009

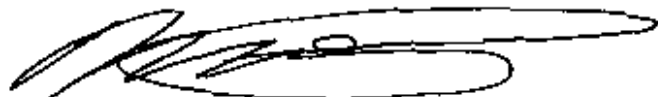
To Whom It May Concern:

I Mike Wilson purchased the land at 46 Bay Street, Portland Maine and I will be demolishing this property on September 30<sup>th</sup>.

Please do not hesitate to contact me with any questions.

Michael Wilson

207-615-5000

A handwritten signature in black ink, appearing to read "Michael Wilson", is written over a large, horizontal, hand-drawn oval scribble.



September 24, 2009

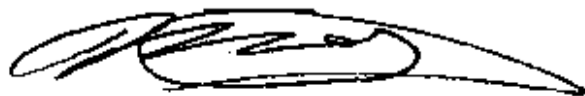
Re: 46 Bay Street, Portland, Me

To: Portland Public Works

I am writing this letter to confirm that I plan re-use the sewer line with in six months form the time I cap it. If I have not, I will provide a new letter to Portland Public Works.

Feel free to contact me with any questions.

Michael Wilson  
46 Irving Street  
Portland, Me 04103  
[mwilson@rmemortgage.com](mailto:mwilson@rmemortgage.com)  
Cell: 207-615-5000

A handwritten signature in black ink, appearing to read "Michael Wilson", written over a horizontal line.

STREET EXCAVATION AND/OR  
SEWER CONNECTION PERMIT

# CITY OF PORTLAND, MAINE

DEPARTMENT OF PUBLIC SERVICES

PERMIT NO.

9000105

THIS PERMIT EXPIRES THIRTY DAYS FROM DATE OF ISSUE

DATE: 09/24/2009

PERMISSION IS HEREBY GIVEN TO

NAME: Castle Const., LLC ADDRESS: 88 Lucky's Run

TO OPEN

46 - 46 Bay St

Street/Avenue

FOR THE PURPOSE OF

~~Demolishing existing building and rebuilding within six months -~~  
~~residing owner on private property~~

SAID WORK SHALL BE PROPERLY DONE ACCORDING TO THE Excavation Ordinance, Chapter 25 of the Municipal Code, "STREETS, SIDEWALKS AND OTHER PUBLIC PLACES," and abide by all provisions of Chapter 6, Plumbing Code and Chapter 24, Sewer Use Ordinance, of the Municipal Codes of the City of Portland, Maine. I HAVE READ AND UNDERSTOOD MY RESPONSIBILITIES AS A LICENSED EXCAVATOR AS DESCRIBED IN THE STREET EXCAVATOR ORDINANCE, SECTION 25, ARTICLE VII OF THE MUNICIPAL CODE.

THE WORK IS BEING DONE BY:

CONTRACTOR:

Castle Const., LLC, 88 Lucky's Run, Standish ADDRESS

PLUMBER:

NAME

ADDRESS

OWNER:

NAME

ADDRESS

NOTES:

*Michael J. Bobinsky*  
Michael J. Bobinsky  
Director of Public Services

This permit does not create in the applicant any permission for him to enter or use the land of another property owner, either temporarily or permanently, for the purpose of connection with the City sewer line. Questions concerning such permission should be referred to Applicant's attorney.

Qty	Description	Rate per Unit	Charge	Paid	Due
0.200	Sealed Drain	\$250.00	Each \$50.00	\$50.00	\$0.00
<b>Totals:</b>			<b>\$50.00</b>	<b>\$50.00</b>	<b>\$0.00</b>

*Cash*  
*C. Mearns*

ALL CONTRACTORS/INDIVIDUALS MUST NOTIFY THE CITY OF PORTLAND, PUBLIC SERVICES DISPATCH AT 874-8483 THE MORNING OF THE EXCAVATION AND ONE HOUR BEFORE COMPACTION

White copy - Permittee's • Yellow copy - Billing • Pink copy - File



# PORTLAND MAINE

*Strengthening a Remarkable City, Building a Community for Life - [www.portlandmaine.gov](http://www.portlandmaine.gov)*

Lee Urban - Director of Planning and Development  
Jeanie Bourke - Inspection Division Services Director

June 8, 2007

FRACENA ROBERTS  
318 CAMPBELLS POND RD  
WEST BATH, ME 04530

**CBL: 155 E007001**  
**Located at 46 BAY ST**

**Certified Mail: 70033110000260641992**

## NOTICE OF VIOLATION

Dear Mr. Roberts:

An evaluation of the above-referenced property on the 8<sup>th</sup> day of June, 2007 revealed that the structure fails to comply with Section 6-120.1 of the Housing Code of the City of Portland.

Attached is a list of the violations.

Based on that list, and pursuant to Section 6-120.3, this office declares the dwelling unit is unfit for human habitation. A re-inspection of the premises will occur on the 18<sup>th</sup> day of June, 2007, at which time the vacant dwelling must be totally secured from vandalism.

Failure to comply will result in this office referring the matter to the City of Portland Corporation Council for legal action and possible civil penalties, as provided for in § 6-1 of the Code in Title 30-A of M.R.S.A § 4452.

This constitutes an appealable decision pursuant to § 6-127 of the Code. Please feel free to contact me if you have any questions or would like to discuss this matter further.

Sincerely,

Jon Rioux @ (207) 874-8702  
Building Inspector

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**CITY OF PORTLAND**  
**DEPARTMENT OF PLANNING & URBAN DEVELOPMENT**

389 Congress Street  
Portland, Maine 04101

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**Inspection Violations**

<b>Owner/Manager</b> LEAVITT LEWELLYN A		<b>Inspector</b> Jon Rioux	<b>Inspection Date</b> 6/8/2007
<b>Location</b> 46 BAY ST	<b>CBL</b> 155 ED07001	<b>Status</b> Re-Inspect 10 Days	<b>Inspection Type</b> Complaint-Inspection

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Code	Int/Ext	Floor	Unit No.	Area	Compliance Date
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1) 6-120.1 thru 5

**Violation:** Posted against occupancy.

**Notes:** Secure the vacant building from vandalism.

(a) Properties which are either damaged, decayed, dilapidated, unsanitary, unsafe, or vermin infested in such a manner as to create a serious hazard to the health, safety, and general welfare of the occupants or the public.

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**Comments:**





# Demolition of a Structure 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>46 Bay Street</u>		
Total Square Footage of Proposed Structure <u>Unknown</u>		Square Footage of Lot <u>Unknown</u>
Tax Assessor's Chart, Block & Lot: Chart# <u>155</u> Block# <u>E</u> Lot# <u>7</u>	Owner: <u>MW Consulting-Design</u>	Telephone: <u>615-500-1111</u>
Lessee/Buyer's Name (If Applicable)	Applicant name, address & telephone: <u>Mitte Wilson</u> <u>46 Irving Street</u> <u>Portland, Maine 04102</u>	Cost Of Work: \$ <u>3,500.00</u> Fee: \$ _____
Current legal use: (i.e. garage, warehouse) _____ If vacant, what was the previous use? <u>Single Family home</u> How long has it been vacant? <u>unknown</u> Project description: <u>Demolish SFH. Rebuild apply later date</u> <span style="float: right; border: 1px solid black; border-radius: 50%; padding: 2px;">MW</span>		
Contractor's name, address & telephone: <u>Cassie Construction Int.</u>		
Who should we contact when the permit is ready: <u>Soren Rube</u>		
Mailing address: <u>69 Luckys Run</u> <u>Steedish, ME 04074</u>		Telephone: <u>202-321-3552</u>

**Please submit all of the information outlined in the Demolition call list. Failure to do so will result in the automatic denial of your permit.**

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information or to download copies of this form and other applications visit the Inspections Division on-line at [www.portlandmaine.gov](http://www.portlandmaine.gov), or stop by the Inspections Division office, room 315 City Hall or call 874-8703.

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: [Signature] Date: SEP 17 2009

**This is not a permit; you may not commence ANY work until the permit is issued.**



# Demolition Call List & Requirements

Site Address: 46 Bay Street

Owner: MGM Consulting & Development

Structure Type: Single Family

Contractor: Cassie Construction Inc.

Utility Approvals	Number	Contact Name/Date
Central Maine Power	1 800-750-4000	Lisa X3773 9/17/09
Northern Utilities	2504 797-8002 ext 6241	Kathleen/Marie X 4538 9/17/09
Portland Water District	761 8310	Stephanie X3095 9/17/09
Dig Safe	1-888-344-7233	Roberta 9/12/09 need to prequal first

After calling Dig Safe, you must wait 72 business hours before digging can begin.

DPW/ Traffic Division (L. Core)	874 8891
DPW/ Sealed Driv. Permit (C. Mazziti)	874-8822
Historic Preservation	874-8726
Fire Dispatcher	874-8576
DEP - Environmental (Augusta)	287-2651

Luce Cole 9/17/09  
 left message w/ John Emerson 9/17/09  
 Deb Andrews 9/17/09  
 Andrew Dziegielewski 9/17/09  
 left message w/ Eric Hamlin 9/17/09  
~~left message~~ C 888-6344

## Additional Requirements

- 1) Written notice to adjoining owners
- 2) A photo of the structure(s) to be demolished
- 3) A plot plan or site plan of the property
- 4) Certification from an asbestos abatement company

All construction and demolition debris generated in Portland must be delivered to Riverside Recycling Facility at 910 Riverside Street. Source separated salvage materials placed in specifically designated containers are exempt from this provision. For more information contact Troy Moon @ 874-8467.

U.S. EPA Region 1 - No Phone call required. Just mail copy of State notification to,

Demol / Reno Clerk  
 US EPA Region 1 (SEA)  
 JFK Federal Building  
 Boston, MA 02203

I have contacted all of the necessary companies/departments as indicated above and attached all required documentation.

Signed:

Date: 9/17/09

For more information or to download this form and other permit applications visit the Inspections Division on our website at [www.portlandmaine.gov](http://www.portlandmaine.gov)



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*Director of Planning and Urban Development  
Penny St. Louis Little*

*Inspection Services, Director  
Tanya Manna*

August 4, 2009

**REGULAR AND CERTIFIED MAIL # 7008 0500 0001 4587 8645**

MGW Consulting and Development, LLC  
46 Irving Street  
Portland, Maine 04102

RE: 46 Bay Street  
CRL: 155-E-007-001

Dear Mr. Wilson:

This letter is a follow up to our telephone conversation today regarding the filing of the application for demolition of the single family home at 46 Bay Street (the "Property"). The City had sent similar correspondence to the previous owner Francis Roberts after a meeting on May 28, 2009 at the Property. The inspection revealed that the single family home on the Property is severely dilapidated and structurally unsound. The left rear corner is completely caved in and the roof has collapsed.

Pursuant to the International Existing Building Code 2003 ("IEBC") Section 202, any building with any of the following characteristics shall be deemed a "dangerous building":

2. Any portion, member, or appurtenance thereof likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons.
4. The building, or any portion thereof, is likely to collapse partially or completely because of dilapidation, deterioration or decay.
5. The exterior walls or other vertical structural members list, lean, or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one third of the base.

The building falls within the above IEBC definition and is a "dangerous building". It is hereby ordered that the building be demolished. See City Code § 6-16: IEBC at § 117.1. Please contact this office on or before August 14, 2009 in order to obtain the necessary permit(s), including, but not limited to, a demolition permit. I am enclosing an application packet for Demolition of a Structure to be filed in our office with all of the required documents and fees.



# PORTLAND MAINE

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*Director of Planning and Urban Development  
Penny St. Louis Little*

*Inspection Services, Director  
Tanny Munson*

July 14, 2009

**REGULAR AND CERTIFIED MAIL # 7008 0500 0001 4587 8492**

Fracena Roberts  
318 Campbells Pond Road  
West Bath, Maine 04530

RE: 46 Bay Street  
CBL: 155-E-007-001

Dear Mrs. Roberts:

On May 28, 2009, I met your husband Gary, your lawyer Jessica Maher and representatives from Gurham Sand and Gravel at your property at 46 Bay Street (the "Property"). The inspection revealed that the single family home on the Property is severely dilapidated and structurally unsound. The left rear corner is completely caved in and the roof has collapsed.

Pursuant to the International Existing Building Code 2003 ("IEBC") Section 202, any building with any of the following characteristics shall be deemed a "dangerous building":

- 2. Any portion, member, or appurtenance thereof likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons.*
- 4. The building, or any portion thereof, is likely to collapse partially or completely because of dilapidation, deterioration or decay.*
- 5. The exterior walls or other vertical structural members list, lean, or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one third of the base.*

The building falls within the above IEBC definition and is a "dangerous building". It is hereby ordered that the building be demolished. See City Code § 6-16; IEBC at § 117.1. Please contact me on or before July 21, 2009 in order to obtain the necessary permit(s), including, but not limited to, a demolition permit. I am enclosing an application packet for Demolition of a Structure to be filed at our office with all of the required documents and fees.

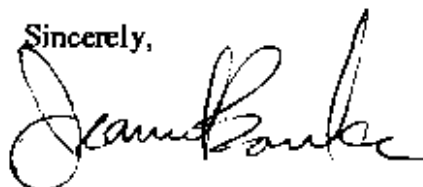
I received a phone message on July 13, 2009 from Donna at the law firm of Moncure and Barnicle on July 10, 2009. She stated that the property was under contract with a closing date scheduled for July 29, 2009. Regardless of this pending sale, the city of Portland requires action in the process to demolish this structure to commence immediately.

This is your final opportunity to correct this violation. Failure to comply will result in this office referring the matter to the City of Portland Corporation Counsel's office for immediate action and pursuit of all available legal remedies under the City Code and 17 M.R.S.A. §§ 2851-2859 including, but not limited to, attorney's fees and civil penalties as provided for in 30-A M.R.S.A. § 4452 and §§ 1-15 and 6-1 of the City Code.

This constitutes an appealable decision pursuant to section 121 of the Building Code. Please be advised that the Portland City Council has amended the City Code to include a \$75.00 re-inspection fee. If there are any subsequent inspections, the \$75.00 fee will be assessed for each inspection.

Thank you in advance for your immediate attention to this matter.

Sincerely,



Jeanie Bourke  
Code Enforcement Officer/Plan Reviewer

cc: Tammy Munsoo, Inspection Services, Director  
Danielle West-Chuhta, Associate Corporation Counsel  
Penny Littell, Director of Planning & Urban Development  
Jessica Maher, Esq  
Gorham Sand & Gravel















TWO LIGHTS SETTLEMENT SERVICES, LLC  
34 DANFORTH STREET  
SUITE 110  
PORTLAND, ME 04101  
207-761-7277.PHONE 207-761-0838.FAX

FACSIMILE TRANSMITTAL SHEET

TO: Lannie Dobson FROM: Carly Smith, Esq.

COMPANY

DATE

9/17/09

FAX NUMBER

TOTAL NO. OF PAGES, INCLUDING COVER

874-8716

3

PHONE NUMBER

SENDER'S REFERENCE NUMBER

RE

YOUR REFERENCE NUMBER

Deed - Bay St. - MGW Consulting + Development

URGENT  FOR REVIEW  PLEASE COMMENT  PLEASE REPLY  PLEASE RECYCLE

NOTES/COMMENTS

Michael Wilson is the sole member  
of MGW Consulting + Development.

## QUITCLAIM RELEASE DEED Maine Statutory Short Form

Know All Persons by these Presents, that **Francena B. Roberts**, of 318 Campbell's Pond Road, West Bath, Maine 04530, for consideration paid, grants and releases to **MGW Consulting and Development, LLC**, a Maine limited liability company, with a mailing address of 46 Irving Street, Portland, Maine 04103, the land in Portland, County of Cumberland, State of Maine, described as follows:

All that property conveyed to Llewellyn Leavitt by the following deeds:

- a. Deed recorded in the Cumberland County Registry of Deeds at Book 1727, Page 496;
- b. Deed recorded in the Cumberland County Registry of Deeds at Book 1862, Page 497; and,
- c. Deed recorded in the Cumberland County Registry of Deeds at Book 1887, Page 488.

Being all that property described in a deed from the City of Portland to Llewellyn A. Leavitt, dated February 26, 1998 and recorded in the Cumberland County Registry of Deeds at Book 13632, Page 136, and being further described in the Portland City Assessor's Plan on file in the Assessor's office in City Hall as 155-E-7-8, 156-B-15 Bay St. 38-48.

Reference is further made to the probate of the Estate of Llewellyn A. Leavitt, Cumberland County Probate Court Docket Number 2000-80 and to a Deed of Distribution recorded in said Registry of Deeds at Book 26738, Page 227.

MAINE REAL ESTATE TAX PAID

Witness my hand and seal this 29 day of July, 2009.

Signed, Sealed and Delivered  
in presence of

\_\_\_\_\_  
Witness

Francena B. Roberts

Francena B. Roberts

State of Maine  
Sagadahoc, ss.

July 29, 2009

Then personally appeared the above named Francena B. Roberts and acknowledged the foregoing instrument to be her free act and deed.

Before me,

Donna J. Taylor

Notary Public/Attorney at Law

\_\_\_\_\_  
Typed/Printed Name

DONNA J. TAYLOR  
Notary Public, Maine  
My Commission Expires June 18, 2012

SEAL



