

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND

BUILDING INSPECTION

PERMIT

Permit Number: 061822

Please Read
Application And
Notes, If Any,
Attached

This is to certify that MURPHY JAMES R & JAN M JTS /n/a

has permission to Condo Conversion to 2 residential cond

AT 1023 WASHINGTON AVE

172 H007001

PERMIT ISSUED
JAN - 3 2007
CITY OF PORTLAND

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 is procured before this building or part thereof is occupied or service is closed-in. 4 HOUR NOTICE REQUIRED.

A certificate of occupancy must be procured by owner before this building or part thereof is occupied.

OTHER REQUIRED APPROVALS

Fire Dept. Greg Cuzz

Health Dept. _____

Appeal Board _____

Other _____

Department Name

[Signature] 1/3/07
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: 06-1822	Issue Date:	CBL: 172 H007001
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Location of Construction: 1023 WASHINGTON AVE	Owner Name: MURPHY JAMES R & JANE M JT	Owner Address: 1 SAWYER RD	Phone:
Business Name:	Contractor Name: n/ a	Contractor Address: Portland	Phone
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use - Condo Conversion	Zone: RS/R3

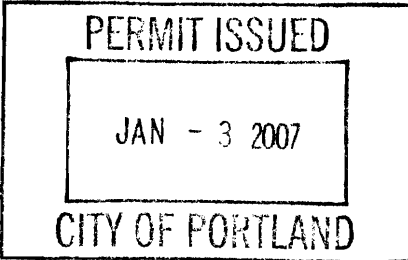
Past Use: Residential 2 unit / 1st floor barn professional (change of use - #06-1821)	Proposed Use: Residential 2 unit / 1st floor barn professional to 2 residential condo & 1 professional condo	Permit Fee: \$675.00	Cost of Work: \$675.00	CEO District: 4	(CRP contract)
		FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied NFPA 101	INSPECTION: Use Group: R Type: 5B IBC 2003		

Proposed Project Description: Condo Conversion to 2 residential condo & 1 professional condo	Signature: <i>Greg G...</i>	Signature: <i>[Signature]</i>
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: 12/26/2006	Zoning Approval
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- 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: <i>1/21/07 ASU</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>ASU</i>
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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

BUILDING PERMIT INSPECTION PROCEDURES

Please call 874-8703 or 874-8693 to schedule your inspections as agreed upon

Permits expire in 6 months, if the project is not started or ceases for 6 months.

The Owner or their designee is required to notify the inspections office for the following inspections and provide adequate notice. Notice must be called in 48-72 hours in advance in order to schedule an inspection:

By initializing at each inspection time, you are agreeing that you understand the inspection procedure and additional fees from a "Stop Work Order" and "Stop Work Order Release" will be incurred if the procedure is not followed as stated below.

A Pre-construction Meeting will take place upon receipt of your building permit.

- _____ Footing/Building Location Inspection: Prior to pouring concrete
- _____ Re-Bar Schedule Inspection: Prior to pouring concrete
- _____ Foundation Inspection: Prior to placing ANY backfill
- _____ Framing/Rough Plumbing/Electrical: Prior to any insulating or drywalling
- Final/Certificate of Occupancy: Prior to any occupancy of the structure or use. NOTE: There is a \$75.00 fee per inspection at this point.

Certificate of Occupancy is not required for certain projects. Your inspector can advise you if your project requires a Certificate of Occupancy. All projects **DO** require a final inspection

SB If any of the inspections do not occur, the project cannot go on to the next phase, REGARDLESS OF THE NOTICE OR CIRCUMSTANCES.

SB CERTIFICATE OF OCCUPANCIES MUST BE ISSUED AND PAID FOR, BEFORE THE SPACE MAY BE OCCUPIED

<u><i>[Signature]</i></u>	<u>1/3/07</u>
Signature of Applicant/Designee	Date
<u><i>Donna Martin Admin</i></u>	<u>1.3.07</u>
Signature of Inspections Official	Date

CBL: 172 H Building Permit #: 06-1822

City of Portland, Maine - Building or Use Permit

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

Permit No: 06-1822	Date Applied For: 12/26/2006	CBL: 172 H007001
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Location of Construction: 1023 WASHINGTON AVE	Owner Name: MURPHY JAMES R & JANE M JT	Owner Address: 1 SAWYER RD	Phone:
Business Name:	Contractor Name: n/ a	Contractor Address: Portland	Phone:
Lessee/Buyer's Name	Phone:	Permit Type: Change of Use - Condo Conversion	

Proposed Use: Residential 2 unit /1st floor barn professional to 2 residential condo & 1 professional condo	Proposed Project Description: Condo Conversion to 2 residential condo & 1 professional condo
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Dept: Zoning **Status:** Approved with Conditions **Reviewer:** Ann Machado **Approval Date:** 01/02/2007**Note:** **Ok to Issue:**

- 1) PLEASE NOTE: Under the City's Condominium Conversion regulations, if a tenant makes a decision not to purchase their unit and also decides not to remain in the building after their notification, that tenant has the right to move without penalty. If that protected tenant is under the 80% low/moderated income limit guidelines, there is still a requirement on the owner/developer to pay that tenant relocation payments as stated in the ordinance prior to vacating the unit. That tenant has not lost any rights under this ordinance by making a choice to move and vacate their unit after notification.
- 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 property shall remain as two residential condominium units and one professional condominium. Any change of use shall require a separate permit application for review and approval.

Dept: Building **Status:** Approved with Conditions **Reviewer:** Tammy Munson **Approval Date:** 01/03/2007**Note:** **Ok to Issue:**

- 1) This is a Change of Use ONLY permit. Construction activities were applied for under permit # 06-1760.

Dept: Fire **Status:** Approved with Conditions **Reviewer:** Cptn Greg Cass **Approval Date:** 01/02/2007**Note:** **Ok to Issue:**

- 1) Entire structure shall comply with NFPA 101

Comments:

12/28/2006-amachado: Left message for Edward Demetriou at Preti Flaherty. Need to know how long the two units were vacant.

12/28/2006-amachado: Spoke to Edward Demetriou. He will get me the names of the tenants who vacated the two units. He also will get me a copy of the letter with the notice of intent to convert for Janice Murphy.

Submit with Condominium Conversion Permit Application

Project Data:

Address: 1023 Washington Avenue, Portland

C-B-L: 172-H-7

Number of Units in Building: 4 now to become 3, with 2 residential units becoming 1

Tenant Name	Tenant Tel#	Occup. Length	Date of Notice	Eligible for \$?
Unit 1 Janice Murphy (2nd floor) <i>ten</i>	632-1559	5 years		
Unit 2 residential <i>1st floor house</i> — vacant			<i>See attached</i>	
Unit 3 residential <i>2nd floor house</i> — vacant				
Unit 4 J. Murphy PA <i>office</i>	879-1040	5 years		
Unit 5				
Unit 6				
Unit 7				
Unit 8				

If more units, submit same information on all units

Length of time building owned by applicant 7 1/2 years

Are any building improvements, renovations, or modifications being made associated with this conversion that requires a building, plumbing, electrical, or heating permit?

YES _____ NO _____ (check one)

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

\$ 40,000 Exterior walls, windows, doors, roof

\$ 5,000 Insulation

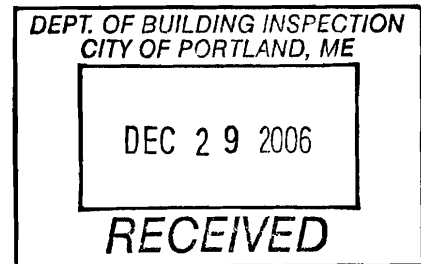
\$ 30,000 Interior cosmetics (walls/floors/hallways/refinishing, etc.)

\$ _____ Other (specify)

December 29, 2006

Via Hand Delivery

Ms. Ann Machado
Planning and Development Department
City of Portland - Zoning Administration
389 Congress Street, Room 308
Portland, ME 04101



RE: 1023 Washington Ave – Change of Use and Condominium Conversion Application.

Dear Ann:

Thank you for your call yesterday afternoon requesting (i) a copy of the notice given to Janice Murphy regarding the condominium conversion and (ii) the circumstances under which the prior tenants of units 2 and 3 left the property.

In response to the first item, please find attached a copy of the notice given to Janice Murphy earlier this month.

In response to the second item, the former tenant of unit 2, Mr. Sullivan Day, notified the Murphys in April of 2006 that he was looking for a house to buy. He gave the Murphys notice in May of 2006 that he had found a house and would be moving. Mr. Day moved at the end of June 2006. Mr. Day currently resides on Summit Street in Portland. We do not have Mr. Day's exact address or contact information. The former tenant of unit 3, Suzanne Giobbi, gave the Murphys thirty days' notice on October 1, 2006, that she had found a nicer apartment that was more convenient to her place of work. Ms. Giobbi vacated the unit on October 31, 2006. She currently resides on Ocean Avenue in Portland. We do not have Ms. Giobbi's exact address or contact information.

As always, if there is anything else you need, please do not hesitate to contact me.

Sincerely yours,



Edward F. Demetriou

encls.

1186852.1

JAMES AND JANE MURPHY

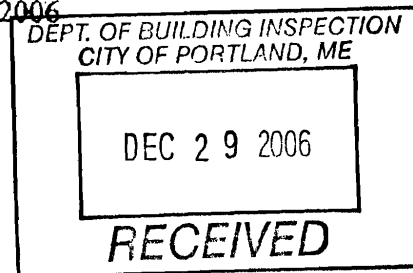
1 Sawyer Road

Westbrook, Maine 04092

1

December 7, 2006

Janice Murphy
Suite B
1023 Washington Ave
Portland, Maine 04102



RE: Notice of Condominium Conversion

Dear Ms. Murphy

We are writing to provide you with notice of your rights under both Maine law and the ordinances of the City of Portland as an occupant of an apartment that will be converted into a condominium unit. As developers of a condominium conversion in the City of Portland we are obligated to inform you that the condominium, to be known as Farmhouse Condominiums at 1023 (the "Condominium"), will be created by the conversion of your rental property.

We must also formally offer you the opportunity to purchase the condominium that you are occupying. This offer must be open to you for up to 60 days. This offer is an exclusive to you and any other occupants of your unit as of December 7, 2006, and is an irrevocable option to buy that is not assignable. If you do not accept the offer within 60 days, we, for 180 days afterwards, may not offer or convey the condominium unit you occupy to another person on terms more favorable than yours, unless we have first made the same offer to you and such other occupants as of December 7, 2006, and left it open for 60 more days. In addition, we cannot alter the terms of your lease for 120 days. The law also requires that we tell you the following:

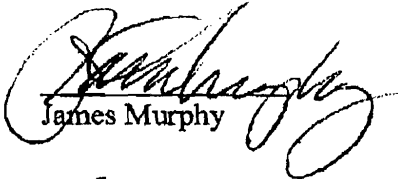
If you do not buy your apartment, the developer of this project is required by law to assist you in finding another place to live and in determining your eligibility for relocation payments. If you have questions about your rights under the law, or complaints about the way you have been treated by the 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).

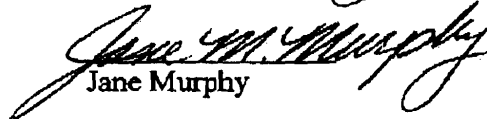
In addition, if for some reason you were to reject the unit and not purchase it, we could have an obligation to make a cash payment to you if you meet the eligibility requirements for such payment. This payment would be equivalent to the amount of rent you paid (or would have) for the 2 months preceding your leaving your unit. In order to be eligible for such a payment your income must be less than 80% of the median income of the Portland SMSA as determined by the U.S. Department of Housing and Urban Development. Please also remember, as discussed above, that we must assist you in determining your eligibility for relocation payments and, furthermore, upon your request, we must furnish you with referrals to other accommodations.

Page 2

Finally, you have a right to a copy of our conversion permit for the Condominium once obtained. Please be aware that none of the rights discussed in this letter are waivable under any circumstances. We hope that we have made your rights sufficiently clear to you.

Very truly yours,

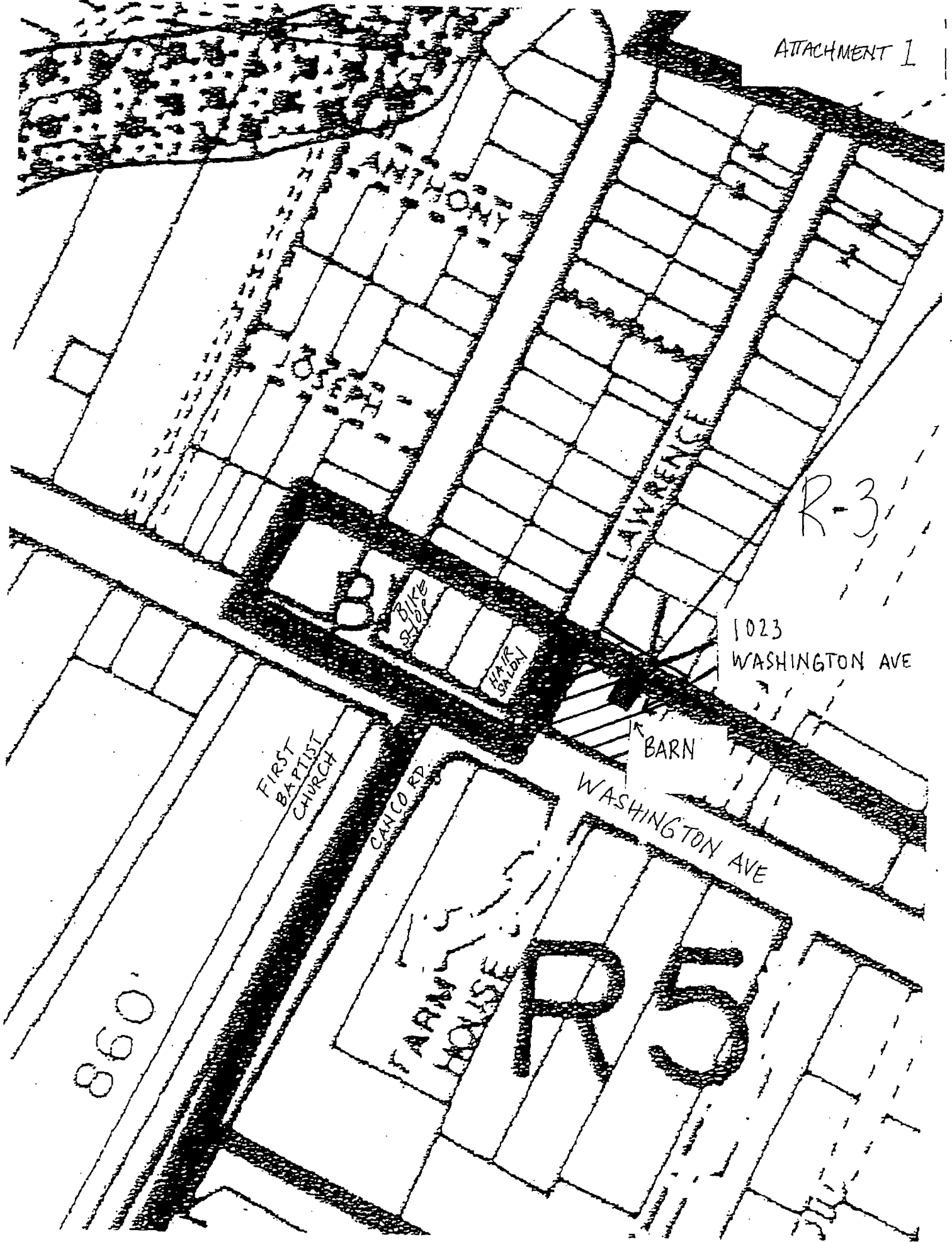

James Murphy


Jane Murphy

Received by:

James E. Murphy 12/07/06

ATTACHMENT 1



R-3

1023 WASHINGTON AVE

BARN

WASHINGTON AVE

CANCO RD

FIRST BAPTIST CHURCH

FARM HOUSE

R5

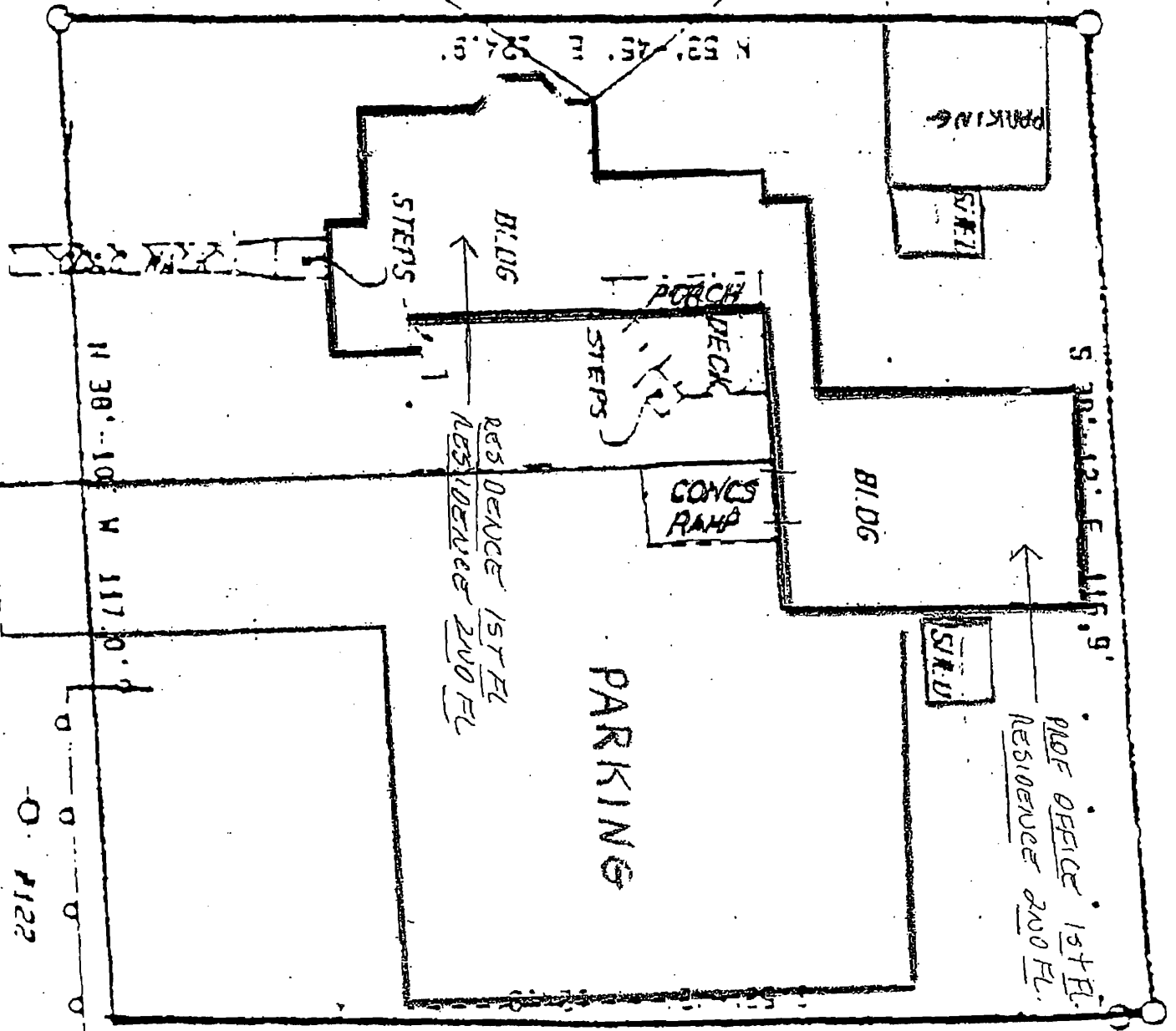
860

Attachment 2

LAWRENCE AVENUE

WASHINGTON AVENUE

#121



#122

1" = 12.5'

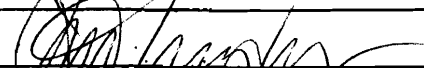
All Purpose Building Permit Application

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>1023 Washington Avenue</u>		
Total Square Footage of Proposed Structure 3600 sq. ft. +/-	Square Footage of Lot 14,804 sq. ft.	
Tax Assessor's Chart, Block & Lot Chart# 172 Block# H Lot# 7	Owner: James and Jane Murphy	Telephone: 856-1090
Lessee/Buyer's Name (if Applicable)	Applicant name, address & telephone: 856-1090 James and Jane Murphy 1 Sawyer Rd., Westbrook, ME	Cost Of Work: \$ _____ Fee: \$ _____
Current use: <u>residential and professional</u>		
If the location is currently vacant, what was prior use: _____		
Approximately how long has it been vacant: _____		
Proposed use: <u>residential and professional</u>		
Project description: _____		
Contractor's name, address & telephone: _____		
Who should we contact when the permit is ready: <u>Bonnie L. Martinolich</u>		
Mailing address: Preti Flaherty One City Center Portland, ME 04101		
We will contact you by phone when the permit is ready. You must come in and pick up the permit and review the requirements before starting any work, with a Plan Reviewer. A stop work order will be issued and a \$100.00 fee if any work starts before the permit is picked up. PHONE: (207) 791-3252		

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: 	Date: <u>12/5/06</u>
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This is NOT a permit, you may not commence ANY work until the permit is issued.
If you are in a Historic District you may be subject to additional permitting and fees with the Planning Department on the 4th floor of City Hall.

