

June 14, 2005

Mr. Tim Levine
Olympia Equity Investors, LLC
280 Fore Street, STE 202
Portland, ME 04101

RE: Coordinated Site Plan applications, OEI I, II, III, and XIII, Co-Applicants
Traffic Movement Permit Application, OEI II, Applicant

CBLs: 189A031, 189A014, 189A013, 189A010 Former DOT Land not yet mapped by Assessor

Dear Mr. Levine:

On May 24, 2005, the Portland Planning Board voted unanimously to approve the coordinated site plans for the Olympia Equity campus in the vicinity of Congress And Sewall Streets. The approval was granted for the project with the following condition(s):

- i. The project shall conform to all terms contained in Conditional Zoning Agreement C38.
- ii. The applicant shall provide evidence that five utility easements, as described in the site plan section of Panning Report 32-05, have been recorded and shall show these easements on the plan, subject to final review and approval by the Planning Authority and Corporation Counsel.
- iii. The applicant shall revise the plans to address all concerns express in a 5/18/2005 memo from Jim Seymour P.E. subject to final review and approval by the Planning Authority including revisions to the site plan to reflect the snow removal plan.
- iv. Any future addition of exterior lighting on or in proximity to the proposed medical office building or elsewhere on the site shall be in conformance with the City's exterior lighting standards and shall be subject to final review and approval by the Planning Authority.
- v. All existing, non-conforming exterior lighting fixtures on the subject sites shall be removed prior to issuance of a certificate of occupancy.
- vi. The applicant shall provide a detail of the proposed "decorative aluminum fence" along the project's Sewall Street frontage, subject to final review and approval by the Planning Authority.

- vii. Any future commercial signage on the Congress Street right of way shall conform to the standards of the site plan ordinance and shall be subject to final review and approval by the Planning Authority.
- viii. Any future architectural or free-standing signage associated with the proposed medical office building shall conform to the standards of the site plan ordinance and shall be subject to final review and approval by the Planning Authority.
- ix. Olympia Equity XIII shall ensure drainage easements over its property acceptable to the City and deeded prior to Certificate of Occupancy.
- x. Should the landscape plan require revision due to the requirements of the Maine Department of Transportation, the applicant shall submit such changes for final review and approval of the City Arborist.
- xi. The applicants shall submit a brief wayfinding plan for final review and approval by the Planning Authority.
- xii. The applicant, in-lieu of providing a sidewalk on the East side of Sewall Street shall close an existing +/- 50 foot gap in the curb and sidewalk on the West side of Sewall Street.

On May 24, 2005, the Portland Planning Board, acting under its delegated authority, also voted unanimously to approve the Traffic Movement Permit for the proposed medical office building at 50 Sewall Street. The approval was granted for the project with the following condition(s):

- i. So as to help remedy an identified high crash location in the project's traffic scoping area, the applicant shall install a new traffic signal to control right turn movements from the I-295 off-ramp which channels North bound interstate traffic onto East bound Congress Street.
- ii. The applicant shall install new LED pedestrian signal heads with countdowns at all four crossing points of the Congress / Sewall / Whitney intersection. Although no crosswalk currently exists at the Eastern Congress street crossing, the City will install this crosswalk once the signal head is in place. The applicant shall coordinate with the department of Public Works on this installation.

The approval includes an approximately 45,000 square foot medical office building at 50 Sewall Street, an approximately 70 space surface parking lot in the vicinity of 1100 Congress Street, and revisions to approved site plans on the abutting OEI I and OEI III lots, currently the sites of the DoubleTree Hotel and Norway Savings Bank Building respectively. The approval is based on plans prepared by DeLuca-Hoffman Associates, Inc., revision #8, dated 5/13/05.

The approval is based on the submitted site plan and the findings related to site plan review standards as contained in Planning Report #32-05, which is attached.

Please note the following provisions and requirements for all site plan approvals:

1. Where submission drawings are available in electronic form, the applicant shall submit any available electronic Autocad files (*.dwg), release 14 or greater, with seven (7) sets of the final plans.
2. A performance guarantee covering the site improvements as well as an inspection fee payment of 2.0% of the guarantee amount and 7 final sets of plans must be submitted to and approved by the Planning Division and Public Works prior to the release of the building permit. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.
3. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the expiration date.
4. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
5. Prior to construction, a pre-construction meeting shall be held at the project site with the contractor, development review coordinator, Public Work's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.
6. If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)

The Development Review Coordinator must be notified five (5) working days prior to date required for final site inspection. The Development Review Coordinator can be reached at the Planning Division at 874-8632. Please make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This is essential as all site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

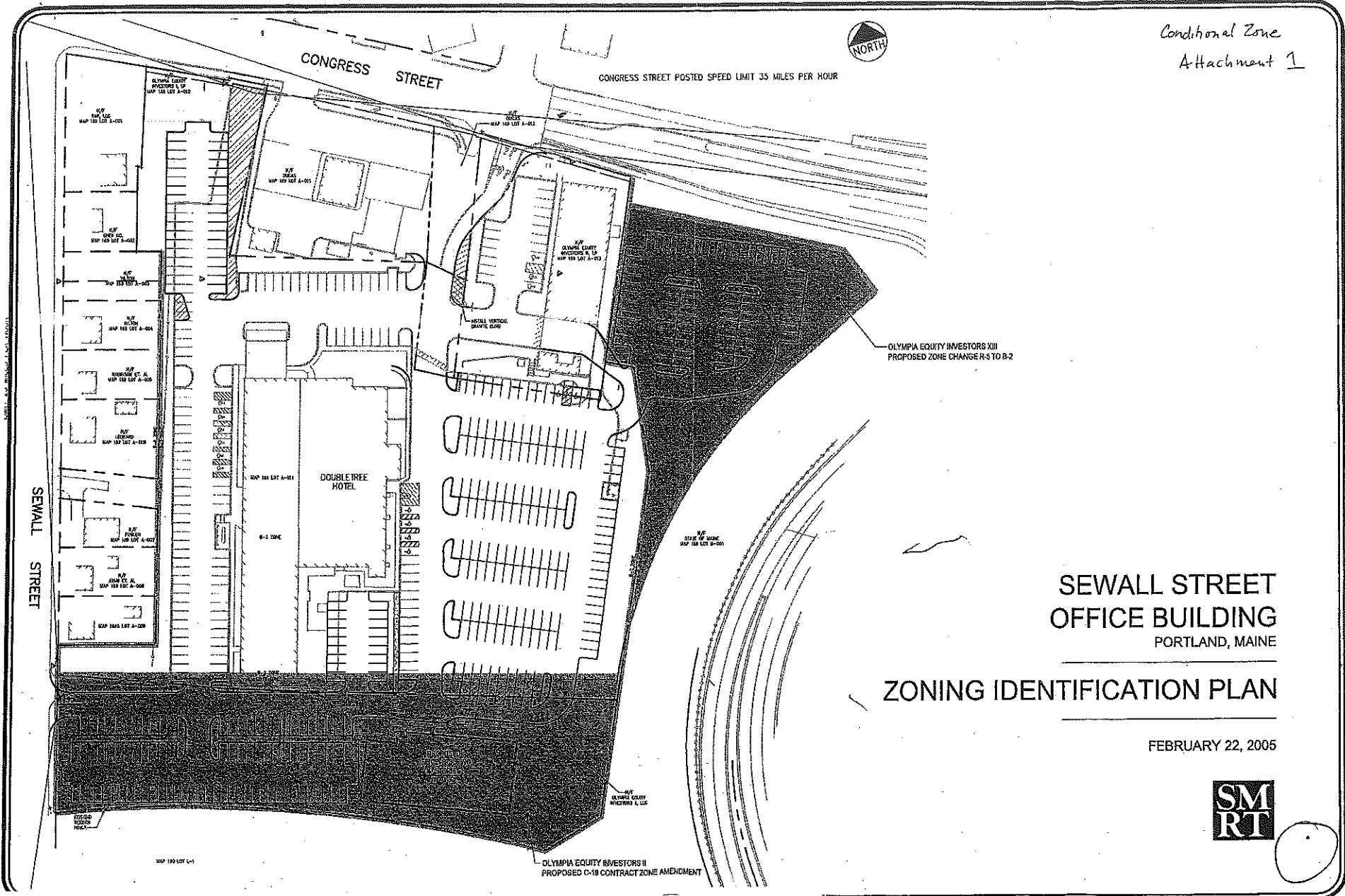
If there are any questions, please contact Ethan Boxer-Macomber, Planner at 756-8083.

Sincerely,

Lee Lowry III, Chair
Portland Planning Board

cc: Lee D. Urban, Planning and Development Department Director
Alexander Jaegerman, Planning Division Director

Sarah Hopkins, Development Review Services Manager
Ethan Boxer-Macomber, Planner
Jay Reynolds, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Inspections Division
Michael Bobinsky, Public Works Director
Traffic Division
Eric Labelle, City Engineer
Jeff Tarling, City Arborist
Penny Littell, Associate Corporation Counsel
Fire Prevention
Assessor's Office
Approval Letter File



SEWALL STREET
OFFICE BUILDING
PORTLAND, MAINE

ZONING IDENTIFICATION PLAN

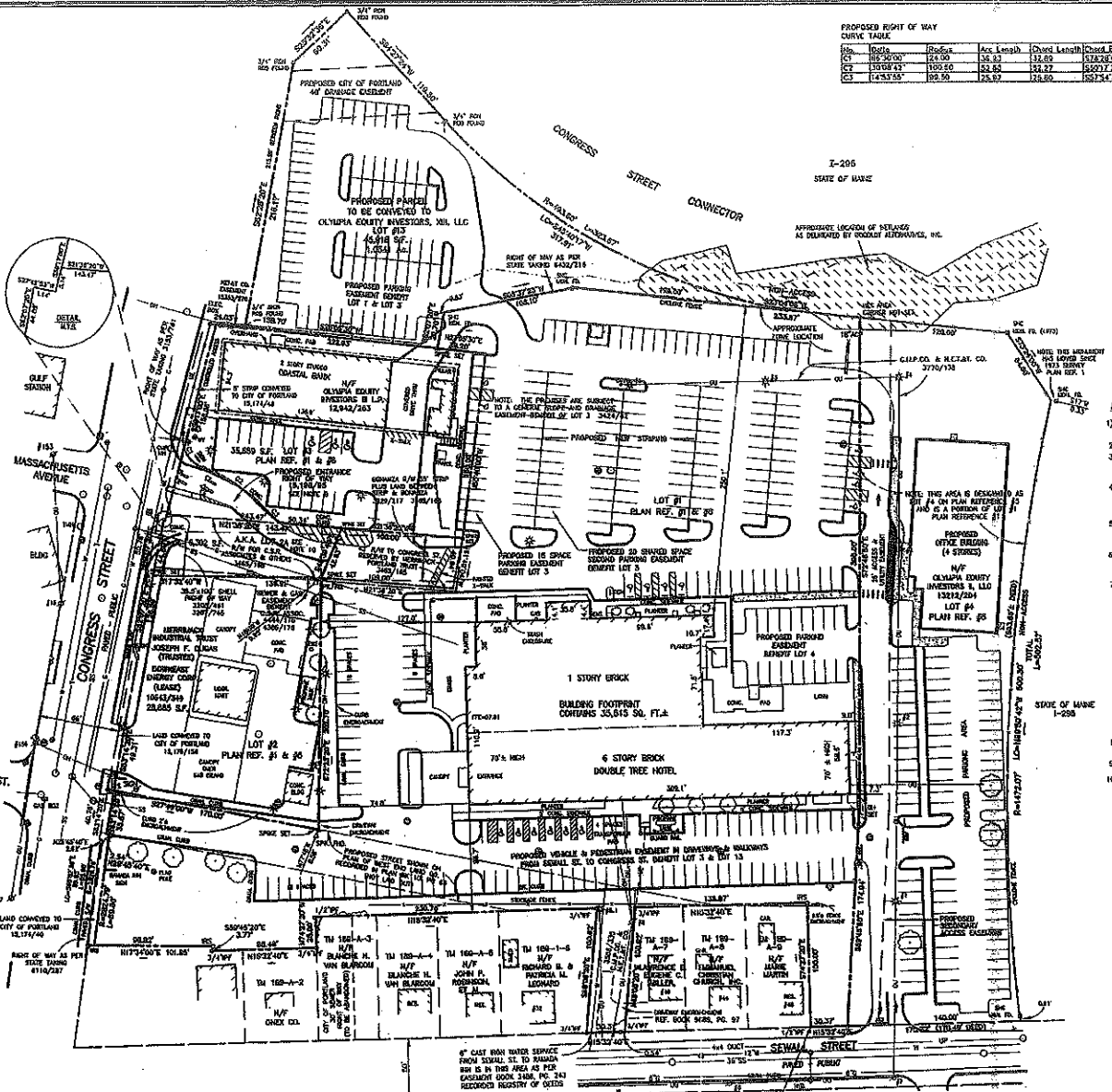
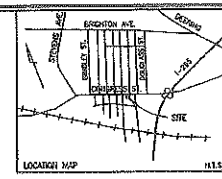
FEBRUARY 22, 2005



- PLAN REFERENCES:**
- 1) "PLAN OF LAND IN PORTLAND, MAINE, FOR C.S.R. ASSOCIATES" BY OWEN HASKELL, INC. RECORDED IN THE CLARKE/AND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 104, PAGE 33.
 - 2) PLAN SHOWING LAND AND HOUSE LOTS BELONGING TO WEST END LAND CO. AND PAUL AND JIM BROWN RECORDED IN THE CLARKE/AND COUNTY REGISTRY OF DEEDS IN PLAN BOOK 10, PAGE 63.
 - 3) PLAN MADE BY E.C. JORDAN RECORDED IN SAID REGISTRY OF DEEDS IN PLAN BOOK 8, PAGE 1.
 - 4) STATE OF MAINE DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP 1972, RECORDED IN REGISTRY PLAN BOOK 155, PAGE 37 & 40.
 - 5) STATE OF MAINE DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP MAY 1977 RECORDED IN REGISTRY PLAN BOOK 112, PAGE 41.
 - 6) AMENDED SUBDIVISION PLAN IN PORTLAND, MAINE, FOR C.S.R. ASSOCIATES DATED SEPT. 24, 1972, APPROVED JAN. 13, 1977, AND RECORDED IN REGISTRY PLAN BOOK 187 PAGE 32.
 - 7) ALTA/SURVEY LAND TITLE SURVEY ON CONGRESS STREET & SEWALL STREET, PORTLAND, MAINE, MADE FOR OLYMPIA EQUITY INVESTORS I, L.P., JUL. 24, 1997, REV. MAY 6, 1997, BY OWEN HASKELL, INC.
 - 8) PLAN OF LAND ON CONGRESS STREET & SEWALL STREET, PORTLAND, MAINE MADE FOR OLYMPIA EQUITY INVESTORS I, L.P. DATED JULY 22, 1998 (REV. 8-5-98) RECORDED IN REGISTRY PLAN BOOK 190, PAGE 45B.
 - 9) STATE OF MAINE RIGHT OF WAY MAP PORTLAND OUTSIDE TO OLYMPIA EQUITY INVESTORS, INC. JULY 2004 OUT FILE NO. 3-1058.

PROPOSED RIGHT OF WAY CURVE TABLE

No.	Inside	Radius	Arc Length	Chord Length	Chord Bearing
1	186.50'00"	24.00'	25.33'	32.89'	S27°20'00"W
2	1170'00"	100.00'	151.82'	183.02'	S107°25'00"W
3	1433'00"	80.00'	125.87'	152.86'	S27°34'30"W



- NOTES:**
- 1) THIS PLAN IS COMPILED FROM NUMEROUS PLANS BY OWEN HASKELL, INC. AND STATE OF MAINE.
 - 2) THE SURVEYED PREMISES DO NOT LIE WITHIN A FLOOD ZONE (FNU).
 - 3) VISIBLE UTILITIES HAVE BEEN LOCATED. UNDERGROUND UTILITIES ARE APPROXIMATE AND SHOULD BE FIELD VERIFIED BY UTILITY COMPANIES PRIOR TO EXCAVATION OR CONSTRUCTION.
 - 4) ANY DISCREPANCIES IN MEASUREMENTS BETWEEN THIS SURVEY AND PLAN REFERENCES #1 AND #2 ARE DUE TO THE ACCURACY REQUIREMENTS OF THIS SURVEY AND MANIPULATION FORWAS WITH RESPECT TO THE STATE OF MAINE STATUTES.
 - 5) FORMER CITY SEWER EASEMENTS AREA PREMISES HAVE BEEN RECORDED BY CITY COUNCIL MARCH 7, 1979, REF. BOOK 1337, PAGE 137.
 - 6) THE BECKE RECORDING NUMBER OF UNACCEPTED W/ RECORDS IN REGISTRY OF DEEDS IN BOOK 1348 PAGE 202 HAS NO ADEQUATE EVIDENCE ON THE SUBMITTED PREMISES.
 - 7) THE PROPOSED ENTRANCE RIGHT OF WAY SHOWN ON PLAN REFERENCE #8 HEREON HAS BEEN CONVEYED BY "MUTUAL CHARGE" DEED RECORDED IN BOOK 15108 PAGE 95. BY VIRTUE OF THE "MUTUAL CHARGE" DEED ENTERED INTO BETWEEN OLYMPIA EQUITY INVESTORS I, L.P.; OLYMPIA EQUITY INVESTORS II, L.L.C.; OLYMPIA EQUITY INVESTORS III, L.P.; AND JOSEPH DUNAS, TRUSTEE OF THE HERBACRE INDUSTRIAL TRUST, THE OWNERS OF LOTS 1, 2, 3 AND 4 OF THE PLAN WALL, EACH HAVE A NON-EXCLUSIVE RIGHT OF WAY FOR PEDESTRIAN AND VEHICULAR TRAFFIC OVER EACH ROADWAY AND WALKWAYS AS MAY EXIST FROM TIME TO TIME ON LOTS 1, 2 AND 4. THE OWNERS OF LOTS 1, 2 AND 4 WILL RELINQUISH THE UNRESTRICTED RIGHT TO RECONSTRUCT ALL DRIVEWAYS AND WALKWAYS WITHIN THEIR LOT, PROVIDED THAT THE OTHER LOT OWNERS WILL RETAIN ACCESS RIGHTS OVER ALL RECONSTRUCTED AND RELOCATED DRIVEWAYS AND WALKWAY AREAS. THE PROPOSED ENTRANCE RIGHT OF WAY AREA HEREON IS DESIGNATED BY SHORT HEAVY DASHED LINES HEREON.
 - 8) LOTS 1, 2, 3A, 3 & 4 ARE SUBJECT TO RIGHTS AND RESTRICTIONS AS SET FORTH IN BOOK 15108, PAGE 103.
 - 9) LOT 2A OWNERSHIP N/E HERBACRE INDUSTRIAL TRUST.
 - 10) THE PROPOSED DEED DESCRIPTION OF PROPOSED LOT 13 DOES NOT AGREE WITH PAST SURVEYS FOR OLYMPIA EQUITY INVESTORS AND PAST STATE HIGHWAY RECONSTRUCTION.

- LEGEND:**
- SPRICE NAIL OR FOUND (1000)
 - 5/8" IRON ROD SET (1000)
 - IRON PIPE OR ROD FOUND (1000)
 - WATER VALVE
 - GAS VALVE
 - INTERMEDIATE UTILITY POLE
 - UTILITY POLE
 - LIGHT POLE
 - MANHOLE
 - CATCH BASIN
 - SOAK
 - SEMI-DWARF TREE
 - SHRUB
 - FENCE
 - CLUMP
 - OVERHEAD UTILITIES
 - UNDERGROUND ELECTRIC
 - UNDER HIGH
 - SANITARY SEWER
 - GAS MAIN
 - TELEPHONE

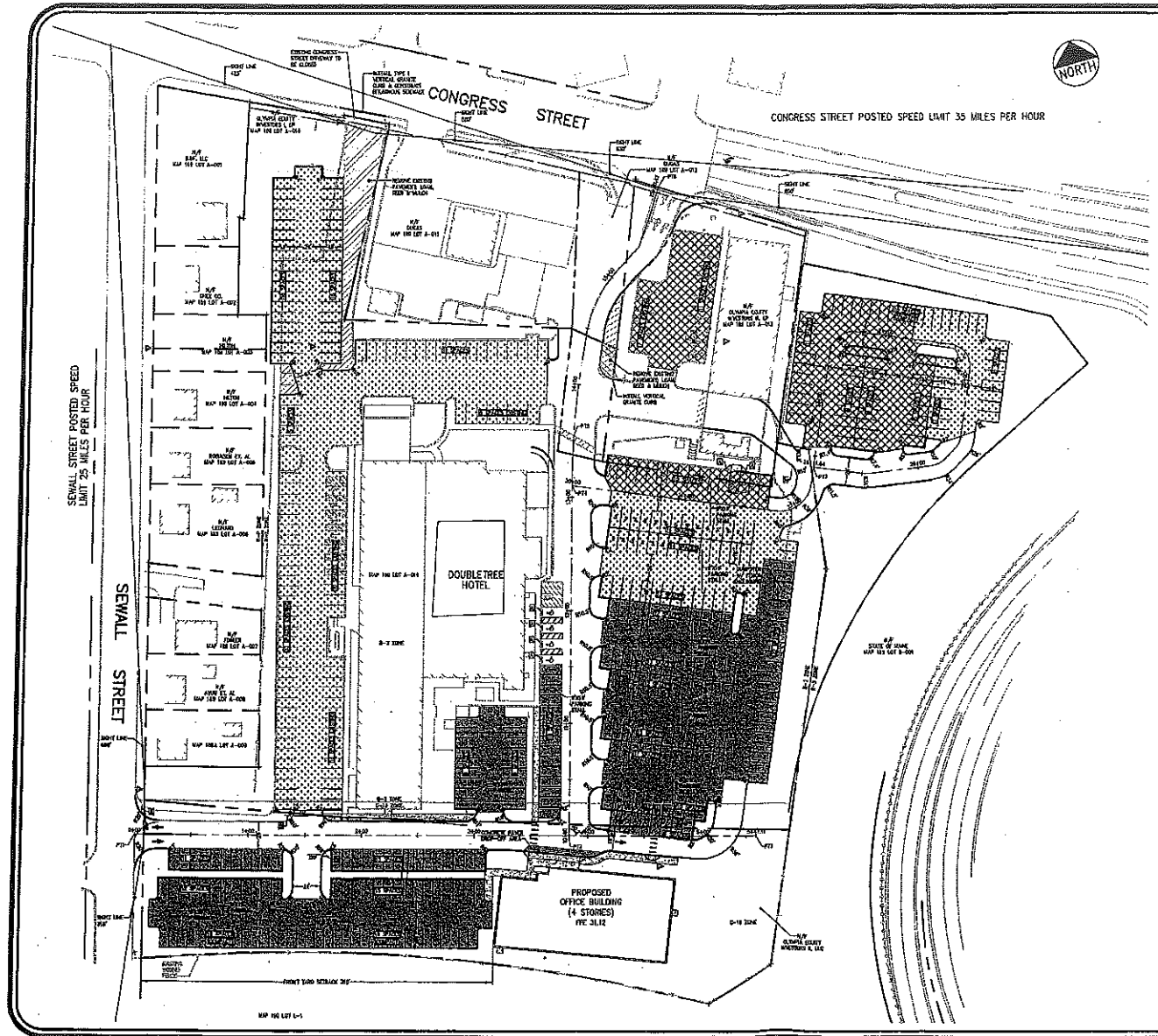


Y15
SEE H. SURV. FILE #108

COMPILED PLAN OF LAND
 CONGRESS STREET & SEWALL STREET
 PORTLAND, MAINE
 OLYMPIA EQUITY INVESTORS I, L.P.
 500 MAIN STREET BANGOR, MAINE

OWEN HASKELL, INC.
 10 CLACK ST., PORTLAND, ME 04101 (807)774-0424
 PROFESSIONAL LAND SURVEYORS

Drawn By: SS	Date: MAY 10, 2005	Scale: 5/8"=1'-0"
Check By: SSS	Scale: 5/8"=1'-0"	Scale: 5/8"=1'-0"
Field No: 1017	Scale: 5/8"=1'-0"	Scale: 5/8"=1'-0"



USE	PARKING REQUIRED	PARKING PROVIDED
BANK	85	83
HOTEL	202	202
OFFICE (P-2M)	116	808
TOTAL	393	493

- NOTES:**
1. SPACES MARKED WITH 'S' ARE SHARED SPACES BETWEEN DEB I & DEB III.
 2. 98 OF THE 116 SPACES DESIGNATED FOR 50 SEWALL STREET OFFICE BUILDING ARE TO BE MADE AVAILABLE TO DEB I DURING NON-BUSINESS HOURS (6PM TO 7AM).

**SEWALL STREET
OFFICE BUILDING**
PORTLAND, MAINE

PARKING PLAN

MARCH 3, 2005

