

PERMIT ISSUED

City of Portland, Maine - Building or Use Permit Application

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

Permit No: 03-0693	Issue Date: AUG 01 2003	CBL: 212 A054001
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Location of Construction: 76 Tide Mill Rd	Owner Name: Kurzius Robert E	Owner Address: Po Box 562 CITY OF PORTLAND	Phone:
Business Name:	Contractor Name: East Coast Development LLC	Contractor Address: 33 Eastfield Rd. Portland	Phone: 2073189984
Lessee/Buyer's Name	Phone:	Permit Type: Single Family	Zone: R2

Past Use: Vacant Land	Proposed Use: Single Family: Build 2,647 +/- s.f. Single family w/ 24' x 24' garage	Permit Fee: \$1,428.00	Cost of Work: \$190,000.00	CEO District: 3
<p style="font-size: 2em; color: green; margin: 0;"><i>Mike Zogant</i></p> <p style="font-size: 1.5em; color: red; margin: 0;"><i>203-298-9984</i></p>		FIRE DEPT: <input type="checkbox"/> Approved <input checked="" type="checkbox"/> Denied 		INSPECTION: Use Group: R-3 Type: 5B BOCA 99
		Signature:		Signature:

Proposed Project Description:
Build 2,647 +/- s.f. Single family w/ 24' x 24' garage

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: kwd	Date Applied For: 06/16/2003	Zoning Approval
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<ol style="list-style-type: none"> 1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules. 2. Building permits do not include plumbing, septic or electrical work. 3. 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 YA <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone Panel 12 Zmek <input type="checkbox"/> Subdivision <input checked="" type="checkbox"/> Site Plan # 2003-0121 Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input checked="" type="checkbox"/> <i>ok with conditions</i> Date: 6/24/03	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:
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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

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND

Please Read Application And Notes, If Any, Attached

BUILDING DEPARTMENT

PERMIT

Permit Number: 030693

This is to certify that Kurzius Robert E/East Coast Developme
has permission to Build 2,647 +/- s.f. Single fam w/ 24' garage
AT 76 Tide Mill Rd Call 212 A054001

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.

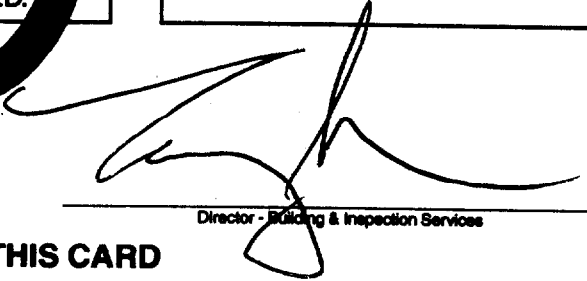
Apply to Public Works for street line and grade if nature of work requires such information.

Notification of inspection must be given and work on permit must be completed before this building or part thereof is leased or closed-in. **HEAVY 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. **PERMIT ISSUED**
Health Dept. _____
Appeal Board AUG 01 2003
Other _____
Department Name


Director - Building & Inspection Services

CITY OF PORTLAND

PENALTY FOR REMOVING THIS CARD

From: Michael Rogers <mcr@maine.com>
To: Portland.CityHall(TMM)
Date: Wed, Jul 30, 2003 4:11 PM
Subject: 76 Tide Mill Building Permit Outstanding Issues

Dear Tammy:

I answered your remaining outstanding issues below relating to our building permit application to build a single family dwelling at 76 Tide Mill Road:

Need 4-2x12

Max span 6'-5" in 1+2 family code

1. Size of built-up carrying beam in basement: (3) 2"x12" set in to a beam pocket.
2. There will no storage in the attic. There will be a scuttle in one of the closets.
3. Master Bath will have safety glazing for the window near the hot tub.
4. Joe Robinson will send the LVL certification again by FAX to 874-8716. He will address it to you.
5. Header specifications for opening between kitchen and dining room: 2"x10".
6. Hand Rail Detail: 42" Newell Post at base of stairs to second floor with graspable hand rail at 38" off the tread with baluster spacing not to exceed 4". Once the exposed railing ends, will continue with graspable rail to top of stairs. End points of graspable rail will turn in to wall. Basement stairs will have drywall on both sides with graspable rail 38" off the tread.
7. Will install fire blocking as needed.

Please respond by email or cell phone at 318-9984 should you have any questions. Thank you.

What time would you like me to come in Friday?

Thank you!

Regards,

Michael



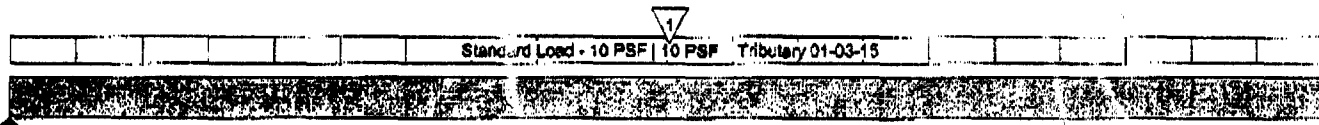
BC CALC® 2002 DESIGN REPORT - US

Tuesday, July 29, 2003 12:12

Single 5 1/4" x 9 1/2" VERSA-LAM® 3080 DF

Job Name - UGOSOLI ADDITION
 Address -
 City, State, Zip -
 Customer - EAST COAST DEVELOPMENT
 Code reports - ICBO 5883, NER 442

File Name - BC CALC Project: FB02
 Description -
 Specifier -
 Designer - EDWIN INNESS
 Company - HANCOCK LUMBER
 Misc - HEADER OVER HALF ROUND



1545 lbs LL
 727 lbs DL

1545 lbs LL
 727 lbs DL

Total Horizontal Length - 06-00-00

General Data

Version: US Imperial
 Member Type: - Floor Beam
 Number of Spans - 1
 Left Cantilever - No
 Right Cantilever - No
 Slope 0/12
 Tributary 01-03-15
 Repetitive n/a
 Construction Type n/a
 Live Load 10 PSF
 Dead Load 10 PSF
 Part Load 0 PSF
 Duration 100

Load Summary

ID	Description	Load Type	Ref.	Start	End	Live	Dead	Trib.	Dur.
8	Standard	Unf. Area Load	Left	00-00-00	06-00-00	10 PSF	10 PSF	01-03-15	100
1		Conc. Pt. Load	Left	03-00-00	03-00-00	3213 lbs	1297 lbs	n/a	115

Controls Summary

Control Type	Value	% Allowable	Duration	Loadcase	Span Location
Moment	6940 ft-lbs	29.0%	@ 115%	3	1 - Internal
End Shear	2342 lbs	21.5%	@ 115%	3	1 - Left
Total Deflection	L/1491 (0.048")	16.1%		3	1
Live Deflection	L/2128 (0.034")	22.6%		3	1
Max. Defl.	0.048" (Limit: 0.5")	9.7%		3	1
Span/Depth	7.6				1

NOTES:

Design meets Code minimum (L/240) Total load deflection criteria.
 Design meets User specified (L/480) Live load deflection criteria.
 Design meets arbitrary (0.5") Maximum load deflection criteria.
 Minimum bearing length for B0 is 1-1/2".
 Minimum bearing length for B1 is 1-1/2".
 Entered/Displayed Horizontal Span Length(s) = Clear Span + 1/2 min. end bearing + 1/2 intermediate bearing

Disclosure

The completeness and accuracy of the input must be verified by anyone who would rely on the output as evidence of suitability for a particular application. The output above is based upon building code-accepted design properties and analysis methods. Installation of BOISE engineered wood products must be in accordance with the current Installation Guide and the applicable building codes. To obtain an Installation Guide or if you have any questions, please call (800)232-0766 before beginning product installation.

BC CALC®, BC FRAMER®, BCi®, BC RIM BOARD™, BC OSB RIM BOARD™, BOISE GLULAM™, VERSA-LAM®, VERSA-RIM®, VERSA-RIM PLUS®, VERSA-STRAND™, VERSA-STUD®, ALLJOIST® and AJS™ are registered trademarks of Boise Cascade Corporation.

Mike Rogers
775-5200

76 Tide mill

212-A-54

		Soil type/Presumptive Load Value (Table 401.4.1)
		STRUCTURAL Footing Dimensions/Depth (Table 403.1.1 & 403.1.1(1), Section 403.1.2)
		Foundation Drainage Dampproofing (Section 406)
	OK OK	Ventilation (Section 409.1) Crawls Space ONLY
	OK	Anchor Bolts/Straps (Section 403.1.4)
	OK	Lally Column Type, Spacing and Footing sizes (Table 502.3.4(2))
	Not shown — Needs 4-2x12's or more lally's	Built-Up Wood Center Girder Dimension/Type (Table 502.3.4(2))
	OK	Sill/Band Joist Type & Dimensions
	OK	First Floor Joist Species Dimensions and Spacing (Table 503.3.1(1) & Table 503.3.2(1))
	OK	Second Floor Joist Species Dimensions and Spacing (Table 503.3.1(1) & Table 503.3.2(1))

①

2x6 shown - storage? No storage -

Attic or additional Floor Joist Species Dimensions and Spacing (Table 802.4.2 or 503.3.1(1) & Table 503.3.2(1))	2x6	OK
Roof Rafter; Pitch, Span, Spacing & Dimension (Table 802.3.2(7))	OK	
Sheathing; Floor, Wall and roof (Table 503.2.1(1))	OK	
Fastener Schedule (Table 602.3(1) & (2))		
Private Garage Section 309 and Section 407 1999 BOCA) Living Space? <i>Yes</i> (Above or beside)	OK	
Fire separation Fire rating of doors to living space Door Sill elevation (407.5 BOCA)	OK	
Egress Windows (Section 310)	OK 5.88	
Roof Covering (Chapter 9)	OK	
Safety Glazing (Section 308)	2x6	2nd Master Bath - OK will install
Attic Access (BOCA 1211.1)	OK	
Draft Stopping around chimney	OK	

3

2

Date July 29, 2003

1-of-2

To: Tammy Munson

From: Joe Robinson

Tide Mill Associates

Regarding: Permit

76 Tide Mill Rd.

Spec. For Versalun

Any Questions: Call

207-749-4444

Thank You
Joe Robinson



BC CALC 2002 DESIGN REPORT - US

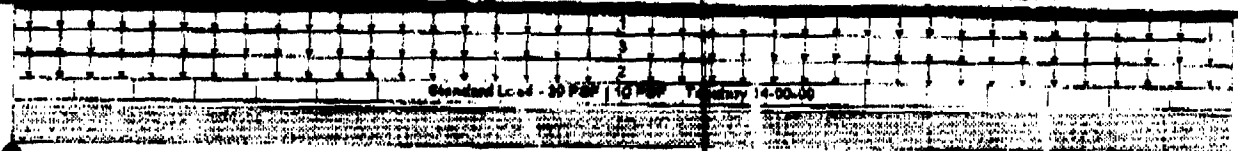
Thursday, July 24, 2003 09:14

Triple 1 3/4" x 14" VERSA-LAM 2900 SP

Job Name - ROBINSON RESIDENCE
Address
City, State, Zip
Customer - EAST COAST DEVELOPMENT
Code reports - ICBO 6612, BOCA 65-62, SBCCI 9652

Name - BC CALC Project: 7802
Description
Specifier
Designer - EDWIN INNESS
Company - HANCOCK LUMBER
Misc - DINING ROOM CEILING

2 of 2



7785 lbs LL
3937 lbs DL

7785 lbs LL
3937 lbs DL

Total Horizontal Length - 13'-00"

Table with columns: General Data, Load Summary, Controls Summary. Includes member types, load types, and control values.

Disclosure
The completeness and accuracy of the input must be verified by anyone who would rely on the output as evidence of suitability for a particular application.

NOTES:
Design meets Code minimum (L/240) Total load deflection criteria.
Design meets User specified (L/480) Live load deflection criteria.
Design meets arbitrary (0.5") Maximum load deflection criteria.
Minimum bearing length for 30 is 2'-0/8".
Minimum bearing length for B1 is 2'-0/8".
Entered/Displayed Horizontal Span Leng n(s) = Clear Span + 1/2 min. end bearing + 1/2 intermediate bearing

2 of 2

BC CALC®, BC FRAMES®, BC®, BC RIM BOARD™, BC OSS RIM BOARD™, BOISE GLULAM™, VERSA-LAM®, VERSA-RIMS®, VERSA-RIM PLUS®, VERSA-STRAND™, VERSA-STLCS®, ALLIANT® and AJS™ are registered trademarks of Boise Cascade Corporation.

Additional Specifications to Palanza Drafting May 19, 2003 Construction Plans

76 Tide Mill Road (Lot 9)

June 16, 2003

1. Soil profile: Mixture of loam, gravel and clay.
2. Filter Fabric: Muslin cloth.
3. Walls: 8" walls.
4. Anchor Bolts & Spacing: ½", 6" O/C.
5. Sill & Band: 2" X 6" PT, 2" X 10" rim joist.
6. Floor joists: 16" O/C.
7. Floor system specifications for room above garage: See the attached Romaro Structures trim 14"-24' truss design.
8. Adventec sheathing: ¾" T&G 50 year warranty.
9. Fasteners: 16D on framing, 8D on sheathing, 8D ring shank with adhesive on floor sheathing.
10. Type of Door from Garage to Mudroom: 90-minute fire rated metal with spring load hinges. Sill height above the garage door: At least 1' drop TBD.
11. Door & Window Schedule: All second floor bedrooms will have a minimum of one window with a rough opening of 32" X 24" for an egress opening of 5.88'. All windows are double hung with tilt out sashes. No safety glazing will be required in any window.
12. Structural headers not shown: 2" X 8" solid, except over garage doors which will have three LVLs (11 7/8" X 1 ¾") creating a paralam of 11 7/8" X 5 ¼".
13. There will be a scuttle in a bedroom closet to the attic.
14. Chimney specifications: Solid mass clay tile lined two flue chimney with fire rated brick and fire box and a minimum 2" air clearance around the structure and lead flashing at roof and fire stops on each floor.
15. Type of Heat: Oil fired FHW boiler meeting all codes.
16. Hand rail/Guard rail detail: 2" X 2" balusters per city code. First floor staircase will be open for a minimum of 6'. Railing shall continue along wall. Basement stairs will have enclosed risers and walls in addition to a railing.
17. Smoke detectors, type & location: Hard-wired with battery backup in all bedrooms, first & second floor hall, garage and basement.

July 8, 2003

Mr. Michael Nugent
Building Code Department
City of Portland
389 Congress Street
Portland, ME 04101

RE: Addendum to 76 Tide Mill Road (Lot 9) Building Permit Application

Dear Michael:

Please include this addendum to the single family home building permit application I submitted June 16, 2003, for Tide Mill Associates to construct a single family dwelling at 76 Tide Mill Road (Lot 9).

I want to clarify the structural header we propose installing over the garage doors. Specifically, we propose installing a 12" X 5 1/2" X 18' structural steel I beam supported on each end by a solid built up wood beam transferring weight to the foundation.

Please call should you have any questions. Thank you.

Very truly yours,



Michael C. Rogers

STATEMENT
OF
DESIGN
FOR THE COMPANY
Clyde
7/10/03

City of Portland, Maine - Building or Use Permit

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

Permit No: 03-0693	Date Applied For: 06/16/2003	CBL: 212 A054001
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Location of Construction: 76 Tide Mill Rd	Owner Name: Kurzius Robert E	Owner Address: Po Box 562	Phone:
Business Name:	Contractor Name: East Coast Development LLC	Contractor Address: 33 Eastfield Rd. Portland	Phone (207) 318-9984
Lessee/Buyer's Name	Phone:	Permit Type: Single Family	

Proposed Use: Single Family: Build 2,647 +/- s.f. Single family w/ 24' x 24' garage	Proposed Project Description: Build 2,647 +/- s.f. Single family w/ 24' x 24' garage
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Dept: Zoning **Status:** Approved with Conditions **Reviewer:** Marge Schmuckal **Approval Date:** 06/24/2003

Note: **Ok to Issue:**

- 1) Separate permits shall be required for future decks, sheds, pools, and/or garages. NO DECKS are being shown on your submittals. NO DECKS are being approved.
- 2) This property shall remain a single family dwelling. Any change of use shall require a separate permit application for review and approval.
- 3) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.

Dept: Building **Status:** Pending **Reviewer:** **Approval Date:**

Note: **Ok to Issue:**

Siteplan 2003-0121

03-0693

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: 76 Tide Mill Road (Lot 9)		
Total Square Footage of Proposed Structure 3,224 +/- SF	Square Footage of Lot 16,639 SF	
Tax Assessor's Chart, Block & Lot Chart# 212 Block# A Lot# 054	Owner: Robert Kurzius	Telephone: 633-6100
Lessee/Buyer's Name (If Applicable) Tide Mill Associates	Applicant name, address & telephone: Michael Rogers 440 Forest Ave, Portland 04101 775-5600	Cost Of Work: \$ 190,000.00 Fee: \$ 1,728.00

Current use: Undeveloped Lot

If the location is currently vacant, what was prior use: N/A

Approximately how long has it been vacant: N/A

Proposed use: Single family residence +/- 2647 SF

Project description: Construct a four bedroom, 2.5 bath Colonial with a two car garage.

Contractor's name, address & telephone: **East Coast Development
33 Eastfield Road, Portland 04102 776-8187**

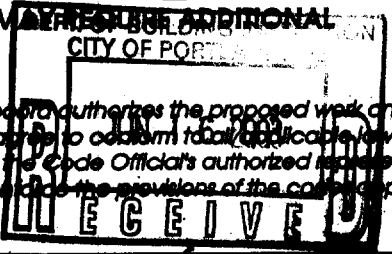
Who should we contact when the permit is ready: Michael Rogers, 318-9984

Mailing address: **440 Forest Avenue, Portland 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: 318-9984**

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 code applicable to this permit.



Signature of applicant: [Signature] Date: 6/16/03

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

June 16, 2002

Mr. Michael Nugent
Building Code Department
City of Portland
389 Congress Street
Portland, ME 04101

RE: 76 Tide Mill Road (Lot 9) Building Permit Application

Dear Michael:

Enclosed are the following items relating to my request to construct a single family dwelling on Lot 9 of the Harrow Farm estate subdivision at 76 Tide Mill Road:

1. Completed All Purpose Building Permit Application
2. Check for \$1,728.00 , representing the cost of the permit
3. Quit Claim Deed, Restrictive Deed Covenants, & Purchase & Sale Agreement
4. Palanza Drafting 5/19/03 Construction Plans and Addendum with additional specifications
5. Pinkham & Greer Consulting Engineers Site Plan (four copies)
6. R.P. Titcomb Associates, Inc. reduced size plan of Lot 9

I am a partner in Tide Mill Associates that has an option to purchase Lot 9 from the owner, Robert Kurzius. We seek to construct a 3,224 +/- SF four bedroom, 2 ½ bath, Colonial with a two car garage in the R-2 zone, 16,639 SF lot. There will be living space of 2,716 +/- SF. The 80' minimum lot width will be met.

I calculated the permit as follows:

* Site Plan Review (\$300), Basic Permit (\$30), C/O (\$75)	\$ 405
* Construction (\$7/\$1,000, therefore: \$7 X 189)	<u>1,323</u>
Total of Enclosed Check	\$ 1,728

Please call my cell phone (318-9984) should you have any questions. Thank you.

Very truly yours,



Michael C. Rogers

Enclosures

**CITY OF PORTLAND, MAINE
DEVELOPMENT REVIEW APPLICATION
PLANNING DEPARTMENT PROCESSING FORM
DRC Copy**

2003-0121
Application I. D. Number
06/18/2003
Application Date
76 Tide Mill Rd
Project Name/Description

Kurzlius Robert E
Applicant
Po Box 562, Boothbay Harbor, ME 04538
Applicant's Mailing Address

Consultant/Agent
Agent Ph: _____ Agent Fax: _____
Applicant or Agent Daytime Telephone, Fax

76 - 76 Tide Mill Rd, Portland, Maine
Address of Proposed Site
212 A054001
Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply): New Building Building Addition Change Of Use Residential Office Retail
 Manufacturing Warehouse/Distribution Parking Lot Other (specify) _____

2647 s.f. 16639 s.f. R2
Proposed Building square Feet or # of Units Acreage of Site Zoning

Check Review Required:

- | | | | |
|--|---|--|--|
| <input checked="" type="checkbox"/> Site Plan
(major/minor) | <input type="checkbox"/> Subdivision
of lots _____ | <input type="checkbox"/> PAD Review | <input type="checkbox"/> 14-403 Streets Review |
| <input type="checkbox"/> Flood Hazard | <input type="checkbox"/> Shoreland | <input type="checkbox"/> Historic Preservation | <input type="checkbox"/> DEP Local Certification |
| <input type="checkbox"/> Zoning Conditional
Use (ZBA/PB) | <input type="checkbox"/> Zoning Variance | | <input type="checkbox"/> Other _____ |

Fees Paid: Site Plan \$50.00 Subdivision _____ Engineer Review \$250.00 Date 06/16/2003

Approval Status: [Redacted] Reviewer Jay Reynolds
 Approved [Redacted] Denied

[Redacted] Approval Expiration 06/18/2004 Extension to _____ Additional Sheets Attached
 Condition Compliance Jay Reynolds 06/18/2003
signature date

Performance Guarantee Required* Not Required

* No building permit may be issued until a performance guarantee has been submitted as indicated below

<input type="checkbox"/> Performance Guarantee Accepted	_____	_____	_____
	date	amount	expiration date
<input type="checkbox"/> Inspection Fee Paid	_____	_____	
	date	amount	
<input type="checkbox"/> Building Permit Issue	_____		
	date		
<input type="checkbox"/> Performance Guarantee Reduced	_____	_____	_____
	date	remaining balance	signature
<input type="checkbox"/> Temporary Certificate of Occupancy	_____	<input type="checkbox"/> Conditions (See Attached)	_____
	date		expiration date
<input type="checkbox"/> Final Inspection	_____	_____	
	date	signature	
<input type="checkbox"/> Certificate Of Occupancy	_____		
	date		
<input type="checkbox"/> Performance Guarantee Released	_____	_____	
	date	signature	
<input type="checkbox"/> Defect Guarantee Submitted	_____	_____	_____
	submitted date	amount	expiration date
<input type="checkbox"/> Defect Guarantee Released	_____	_____	
	date	signature	

**CITY OF PORTLAND, MAINE
DEVELOPMENT REVIEW APPLICATION
PLANNING DEPARTMENT PROCESSING FORM
ADDENDUM**

2003-0121

Application I. D. Number

06/16/2003

Application Date

76 Tide Mill Rd

Project Name/Description

Kurzlius Robert E

Applicant

Po Box 562, Boothbay Harbor, ME 04538

Applicant's Mailing Address

Consultant/Agent

Agent Ph:

Agent Fax:

Applicant or Agent Daytime Telephone, Fax

76 - 76 Tide Mill Rd, Portland, Maine

Address of Proposed Site

212 A054001

Assessor's Reference: Chart-Block-Lot

Approval Conditions of DRC

- 1 PRIOR TO SOIL DISTURBANCE, EROSION CONTROL SHALL BE INSTALLED ALONG THE ' 25 FOOT NO-DISTURB ZONE'.
- 2 All damage to sidewalk, curb, street, or public utilities shall be repaired to City of Portland standards prior to issuance of a Certificate of Occupancy.
- 3 Two (2) City of Portland approved species and size trees must be planted on your street frontage prior to issuance of a Certificate of Occupancy.
- 4 Your new street address is now 76 TIDEMILL ROAD, the number must be displayed on the street frontage of your house prior to issuance of a Certificate of Occupancy.
- 5 The Development Review Coordinator (874-8632) must be notified five (5) working days prior to date required for final site inspection. 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.
- 6 A sewer permit is required for you project. Please contact Carol Merritt at 874-8300, ext . 8822. The Wastewater and Drainage section of Public Works must be notified five (5) working days prior to sewer connection to schedule an inspector for your site.
- 7 As-built record information for sewer and stormwater service connections must be submitted to Public Works Engineering Section (55 Portland Street) and approved prior to issuance of a Certificate of Occupancy.
- 8 The Development Review Coordinator reserves the right to require additional lot grading or other drainage improvements as necessary due to field conditions.

Applicant: Michael Rogers
Address: 76 Tide Mill Rd

Date: 6/24/03
C-B-L: 212-A-054

CHECK-LIST AGAINST ZONING ORDINANCE

Date - New

Zone Location - R-2

Interior or corner lot - end of cul-du-sac

Proposed Use/Work - construct new single family dwelling with garage
Sevage Disposal - City
Lot Street Frontage - 50' min - 65' shown

attached 24x24
daylight basement
~~front~~ left side

Front Yard - 25' min - 36' to front steps

Rear Yard - 25' min - 45' scaled

Side Yard - 2 stories - 14' req - 14' & 31' shown

Projections - front steps - left side entry - NO DECKS shown

Width of Lot - 80' min - 80.19' at front steps

Height - 35' max - 29' scaled on left side to lowest grade

Lot Area - 10,000 sq ft min 16,639 sq ft per Assessor

Lot Coverage/ Impervious Surface - 20% max of 3327.8 sq ft max

Area per Family - 10,000 sq ft

Off-street Parking - 2 PKG SPACES req - 2 car garage shown

Loading Bays - N/A

Site Plan - minor/minor # 2003-0121

Shoreland Zoning/ Stream Protection - N/A

Flood Plains - Panel 12 - Zone X

28x38 = 1064
24x24 = 576
4x6 = 24
2x6 = 12

1676 sq ft

**CITY OF PORTLAND, MAINE
DEVELOPMENT REVIEW APPLICATION
PLANNING DEPARTMENT PROCESSING FORM
Building Copy**

2003-0121

Application I. D. Number

6/16/2003

Application Date

76 Tide Mill Rd

Project Name/Description

Kurzius Robert E

Applicant

Po Box 562, Boothbay Harbor, ME 04538

Applicant's Mailing Address

Consultant/Agent

Agent Ph:

Agent Fax:

Applicant or Agent Daytime Telephone, Fax

76 - 76 Tide Mill Rd, Portland, Maine

Address of Proposed Site

212 A054001

Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply): New Building Building Addition Change Of Use Residential Office Retail
 Manufacturing Warehouse/Distribution Parking Lot Other (specify) _____

2847 s.f.

16639 s.f.

R2

Proposed Building square Feet or # of Units

Acreage of Site

Zoning

Check Review Required:

- | | | | |
|--|---|--|--|
| <input checked="" type="checkbox"/> Site Plan
(major/minor) | <input type="checkbox"/> Subdivision
of lots _____ | <input type="checkbox"/> PAD Review | <input type="checkbox"/> 14-403 Streets Review |
| <input type="checkbox"/> Flood Hazard | <input type="checkbox"/> Shoreland | <input type="checkbox"/> Historic Preservation | <input type="checkbox"/> DEP Local Certification |
| <input type="checkbox"/> Zoning Conditional
Use (ZBA/PB) | <input type="checkbox"/> Zoning Variance | | <input type="checkbox"/> Other _____ |

Fees Paid: Site Pla \$50.00 Subdivision _____ Engineer Review \$250.00 Date 6/16/2003

Building Approval Status:

Reviewer _____

- Approved Approved w/Conditions
See Attached Denied

Approval Date _____ Approval Expiration _____ Extension to _____ Additional Sheets
Attached

Condition Compliance _____
signature date

Performance Guarantee Required* Not Required

* No building permit may be issued until a performance guarantee has been submitted as indicated below

<input type="checkbox"/> Performance Guarantee Accepted	_____	_____	_____
	date	amount	expiration date
<input type="checkbox"/> Inspection Fee Paid	_____	_____	
	date	amount	
<input type="checkbox"/> Building Permit Issue	_____		
	date		
<input type="checkbox"/> Performance Guarantee Reduced	_____	_____	_____
	date	remaining balance	signature
<input type="checkbox"/> Temporary Certificate of Occupancy	_____	<input type="checkbox"/> Conditions (See Attached)	_____
	date		expiration date
<input type="checkbox"/> Final Inspection	_____	_____	
	date	signature	
<input type="checkbox"/> Certificate Of Occupancy	_____		
	date		
<input type="checkbox"/> Performance Guarantee Released	_____	_____	
	date	signature	
<input type="checkbox"/> Defect Guarantee Submitted	_____	_____	_____
	submitted date	amount	expiration date
<input type="checkbox"/> Defect Guarantee Released	_____	_____	
	date	signature	

CONTRACT FOR PURCHASE AND SALE OF REAL ESTATE

Effective Date: October 15, 2002

Received of **MICHAEL C. ROGERS** of Portland, Maine (hereinafter known as Purchaser) this 15th day of October, 2002 the sum of five thousand dollars (\$5,000.00) as earnest money deposit and in part payment on account of the purchase price of the following described real estate, owned by **ROBERT E. KURZIUS** of Boothbay Harbor, ME (hereinafter known as Seller) and located in the City of Portland, County of Cumberland, State of Maine, to wit:

1. Property Description A certain lot or parcel of land, together with buildings thereon situated on the southerly side of the Tide Mill Road cul-de-sac, in the City of Portland, County of Cumberland, State of Maine, and being Lot 9 as shown on Property Plan of Harrow Farm Estates made for Kelsar Corporation by R.P. Titcomb Associates, Inc. dated August 25, 1986 and recorded in the Cumberland County Registry of Deeds in Plan Book 160, Page 43.
2. Purchase Price and Payment Schedule The purchase price for the above-described property shall be eighty thousand dollars (\$80,000.00.) Payment shall be made as follows:
 - a. Five thousand dollars (\$5,000.) earnest money herewith, to be deposited upon the effective date of this contract.
 - b. Balance of the purchase price to be paid by cash, certified bank check, or wire-transferred funds to the Seller at the time of closing.
3. Interest Payments Interest of six percent per annum (6%) shall accrue on the unpaid balance and is due and payable on the 15th of each month hereafter until the day of closing at which time any interest outstanding shall be paid.
4. Closing Date It is agreed that this transaction shall be closed and Purchaser shall pay the balance due and execute all papers necessary for the completion of this purchase on or before ~~April 1~~, 2003. *RAC*
JUNE 1 NR
5. Deed Conveyance and Title Seller agrees to convey the property by Warranty Deed to be delivered to Purchaser at time of closing, evidencing good and merchantable title to the property in accordance with the Standards of title adopted by the Maine State Bar Association. Title shall be free and clear of all liens and encumbrances, excepting covenants, conditions, easements and restrictions of record and provisions for applicable zoning, building and land use laws and regulations applicable to the property. The property is conveyed subject to Harrow Farm Estates Declaration of Covenants and Restrictions, dated May 1, 1997 and recorded in Book 13107, page 224, in the Cumberland County Registry of Deeds. The cost of any title examination shall be borne solely by Purchaser.

If Seller is notified of a title defect he shall have a reasonable time period, (not to exceed 30 days from the date of notice) to cure said defect so that title is merchantable. After such time, if such defect is not corrected or Seller otherwise fails to fulfill any of Seller's agreements herein, then the Purchaser has the option of withdrawing all monies deposited under this contract and being relieved of all obligations. Seller hereby agrees to make a good faith effort to cure any title defect during such period.

6. Possession and Occupancy Possession and Occupancy of the premises shall be given to Purchaser at closing.
7. Prorations Real estate taxes shall be prorated based on the municipality's fiscal year. Purchaser and Seller will each pay half of the transfer tax as required by the State of Maine. Proration shall be calculated as of October 15, 2002, the date of this contract.

8. Default In the event of default by the Purchaser, Seller shall retain the earnest money as liquidated damages. In the event of default by the Seller, Purchaser is entitled to a full refund of all the monies paid hereunder.

9. Heirs/Assigns All contracts and agreements regarding this property shall extend to and be obligatory upon heirs, executors, administrators, *SUCCESSORS, AND ASSIGNS. WR*

10. Agency Disclosure Purchaser certifies that he was not introduced to the property by any broker and no commission is due on the sale. Introduction to this property includes providing any information concerning the property, showing the property or presenting offers on the property. Purchaser further agrees to indemnify and hold Seller harmless for any subsequent claims, including attorney's fees which arise from his contact with a broker in regard to this sale. Seller certifies that he reserved the right to sell the property himself and that no broker is involved in this transaction nor is any broker entitled to a fee. This provision shall survive closing and delivery of the deed.

A copy of this contract is to be received by all parties and, by signature, receipt of a copy is hereby acknowledged. When properly executed, this is a binding contract and shall be construed according to the laws of Maine. If not fully understood, contact an attorney.

[Handwritten Signature]

PURCHASER

DATE 10/19/07

005-54-0005
SS #/Taxpayer I.D. #

Purchaser's mailing address is: 1700 Westbrook St., Portland, ME 04102

Seller accepts the offer and agrees to deliver the above-described property at the price and upon the terms and conditions set forth.

[Handwritten Signature]

SELLER

DATE 10/24/07

099-22-2288
SS #/Taxpayer I.D.#

ROBERT E. KURZIUS
P.O. Box 562, Boothbay Harbor, ME 04538

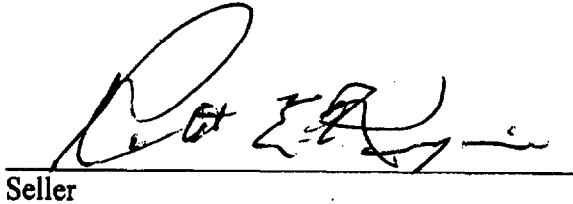
**Amendment to Contract For Purchase & Sale of Real Estate between
Michael C. Rogers and Robert E. Kurzius dated October 15, 2002**

REC
AUG 12

The Closing Date in Paragraph 4 is hereby extended to ~~September~~ 1, 2003.


Buyer

5/14/03
Date


Seller

5-28-03
Date

PL-113 s/

0.10

1. DIM - 40 FEET

10 20 30

REPRODUCED FROM THE ORIGINAL RECORDS OF THE BUREAU OF RECORDS AND MAPS, CITY OF PORTLAND, MAINE
9/20/66

PROPERTY PLAN

NARROW FARM ESTATES

Sarrison Street Portland, Maine

and for

Kaiser Corporation

1 India Street Portland, Maine

Job 0597 Book 285 File 507 Blac 70

AUGUST 22, 1965 SHEET 1 OF 6

R. P. TITCHEM ASSOCIATES, INC.

LAND SURVEYORS & ENGINEERS
50 BRAY ROAD, PORTLAND, MAINE

S 10° 41' 47" E 189.72'
189.72'

S 10° 41' 47" E 189.72'

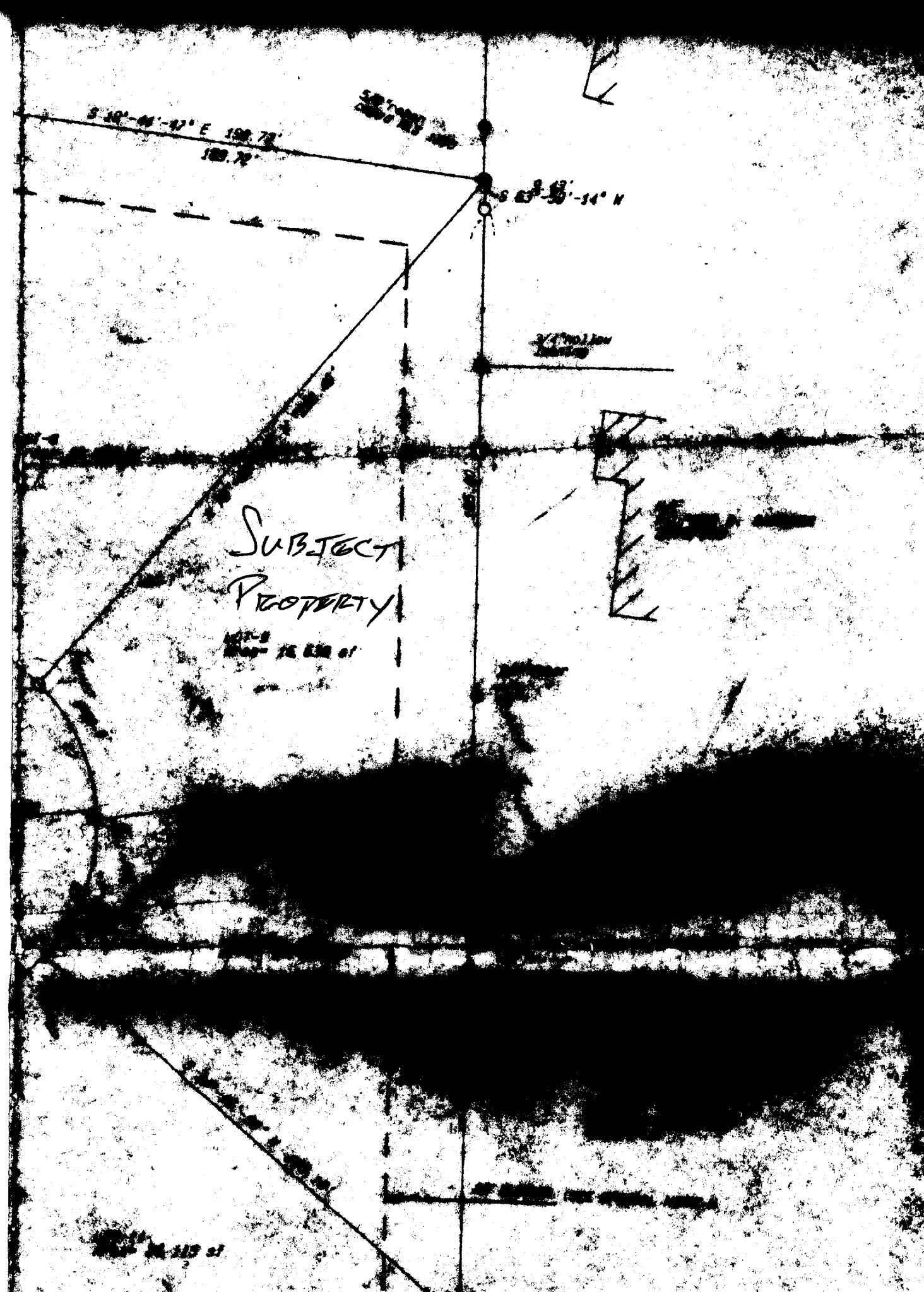
S 83° 50' 34" N

3/4" HO. 1/2" W. 1/2" H.

SUBJECT
PROPERTY

187-8
187-9 TO E. 1/2 of

187-8
187-9 TO E. 1/2 of



054927

QUITCLAIM DEED WITHOUT COVENANT
(Maine Statutory Short Form)

KNOW ALL MEN BY THESE PRESENTS, that PEOPLES HERITAGE SAVINGS BANK, a Banking corporation organized and existing under the laws of the State of Maine and having a place of business at One Portland Square, in the County of Cumberland and State of Maine, for consideration paid, does hereby remise, release, bargain, sell, convey, and forever quitclaim to Robert E. Kurzius, of Naples, Florida, whose mailing address is 4451 Gulf Shore Blvd. North, #605, Naples, FL 33940, the land in Portland, County of Cumberland and State of Maine, described as follows:

A certain lot or parcel of land, with the buildings thereon, situated near the southerly side of Congress Street in the City of Portland, County of Cumberland and State of Maine, more particularly bounded and described as follows:

Beginning at an iron pipe set in the ground at the intersection of the southerly sideline of Congress Street and the southerly sideline of Garrison Street; thence from said point of beginning along the southerly sideline of said Garrison Street N 88° 50' 47" E a distance of three hundred sixty and two hundredths (360.02) feet to an iron pipe found at land now or formerly of Anderson; thence along land of said Anderson S 4° 21' 48" E a distance of three hundred two and seventy-four hundredths (302.74) feet to an iron pin found; thence along land of said Anderson N 81° 58' 12" E a distance of one hundred thirty-two (132.00) feet to a tree and iron pipe found at land now or formerly of Wilkinson; thence along land of said Wilkinson and land now or formerly of Allied Construction Co., Inc. S 28° 30' 49" E a distance of five hundred twenty-one and forty-seven hundredths (521.47) feet to an iron pipe found in stone at land now or formerly of Dingley; thence along land of said Dingley S 62° 31' 24" W a distance of nine and four hundredths (9.04) feet to an iron pipe found; thence along land of said Dingley, land now or formerly of Gardner, land now or formerly of Wilkinson and land now or formerly of Brown S 62° 03' 24" W a

BK9385PG0187

distance of four hundred twenty-three and two hundredths (423.02) feet to an iron pipe set in the ground at land conveyed to Christ Church of Portland by deed dated September 16, 1977, and recorded in the Cumberland County Registry of Deeds in Book 4104, Page 18; thence along said land of Christ Church of Portland N 30° 02' 37" W a distance of nine hundred eighty-nine and forty-three hundredths (989.43) feet to an iron pipe set in the ground at the southerly sideline of Congress Street; thence along the southerly sideline of said Congress Street N 55° 09' 47" E a distance of one hundred thirty-nine and fifty-one hundredths (139.51) feet to an iron pipe set in the ground and the point of beginning.

Excepting therefrom Lots 2, 3, 4, 7 and 16 of Stroudwater Hill subdivision, formerly known as Harrow Farm Estates as shown on Property Plan of Harrow Farm Estates Subdivision dated August 25, 1986 and recorded in said Registry of Deeds in Plan Book 160, Page 43.

Being Lots 1, 5, 6, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, and 19 of said Harrow Farm Estates, plus any interest of KMS Management Corp. in Tide Mill Road and any and all other common elements.


Reference is made to a mortgage deed to the Grantor herein from Kelsar Corporation dated December 16, 1986 and recorded in the Cumberland County Registry of Deeds in Book 7540, Page 1, for the breach of the conditions of which, Grantor exercised the Statutory Power of Sale contained in said Mortgage and held a duly noticed public sale on September 8, 1990. Grantee herein, being the highest bidder for the above-described property, is given this deed for the price bid and duly paid.

IN WITNESS WHEREOF, the said PEOPLES HERITAGE SAVINGS BANK has caused this instrument to be sealed with its corporate seal and signed in its corporate name by Frederick G. Proctor, its Assistant Vice President, thereunto duly authorized, this 14 day of November 1990.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:



PEOPLES HERITAGE SAVINGS BANK

By: 
Frederick G. Proctor
Its: Assistant Vice President

See
Book 8262
Page 185

BK 7632 PG 0048

007989

RESTRICTIVE DEED COVENANTS

KNOW ALL MEN BY THESE PRESENTS, that KELSAR CORPORATION, a Maine corporation having its offices and place of business at One India Street, Portland, County of Cumberland, State of Maine, being owner of certain real estate situated in the City of Portland, County of Cumberland, State of Maine, which real estate is more particularly described as follows:

Beginning at an iron pipe set in the ground at the intersection of the southerly sideline of Congress Street and the southerly sideline of Garrison Street; thence from said point of beginning along the southerly sideline of said Garrison Street N 88° 50' 47" E a distance of three hundred and sixty and two hundredths (360.02) feet to an iron pipe found at land now or formerly of Anderson; thence along land of said Anderson S 4° 21' 48" E a distance of three hundred two and seventy-four hundredths (302.74) feet to an iron pipe found; thence along land of said Anderson N 81° 58' 12" E a distance of one hundred thirty-two (132.00) feet to a tree and iron pipe found at land now or formerly of Wilkinson; thence along land of said Wilkinson and land now or formerly of Allied Construction CO., Inc., S 28° 30' 49" E a distance of five hundred twenty-one and forty-seven hundredths (521.47) feet to an iron pipe found in stone at land now or formerly of Dingley; thence along said land of Dingley S 62° 31' 24" W a distance of nine and four hundredths (9.04) feet to an iron pipe found; thence along land of said Dingley, land now or formerly of Gardner, land now or formerly of Wilkinson and land now or formerly of Brown S 62° 03' 24" W a distance of four hundred twenty-three and two hundredths (423.02) feet to an iron pipe set in the ground at land conveyed to Christ Church of Portland by deed dated September 16, 1977, and recorded at the Cumberland County Registry of Deeds in Book 4104, Page 18; thence along said land of Christ Church of Portland N 30° 02' 37" W a distance of nine hundred eighty-nine and forty-three hundredths (989.43) feet to an iron pipe set in the ground at the southerly sideline of Congress Street; thence along the southerly sideline of said Congress Street N 55° 09' 47" E a distance of one hundred thirty-nine and fifty-one hundredths (139.51) feet to an iron pipe set in the ground and the point of beginning.

Said parcel contains 9.2 acres.

Being a portion of the premises conveyed by Horatio Maxfield to Arthur F. Maxfield by deed dated October 16, 1943, and recorded in the Cumberland County Registry of Deeds in Book 1730, Page 37.

Reference is made to the Estate of Arthur F. Maxfield, Cumberland County Probate Docket Number 75641. Arthur F. Maxfield devised his property to Agnes M. Maxfield, William R. Maxfield and Marion E. Connar. Reference is made to the probated estate of William R. Maxfield, Cumberland County Probate Docket Number 78512 and the probated estate of Marion E. Connar, Cumberland County Probate Docket Number 83-2406.

Reference is made to a Subdivision Plat entitled "HARROW FARM ESTATES" for KELSAR CORPORATION, dated August 25, 1986, and prepared by R.P. Titcomb

Associates, Inc., Falmouth, Maine, and recorded in the Cumberland County Registry of Deeds on January 30, 1987, in Plan Book 160, Page 43.

Being the same premises conveyed to KELSAR CORPORATION by warranty deed of Lawrence I. Miller and Charles S. Hoag, dated December 17, 1986 and recorded in the Cumberland County Registry of Deeds in Book 7539, Page 348

Whereas, the owner has created a subdivision of said real estate containing nineteen single family house lots in an R-2 Zone of the City of Portland, which subdivision has been duly authorized and approved by the said City of Portland, and the plats and plan of which subdivision entitled as above stated are recorded in the Cumberland County Registry of Deeds in Plan Book 160, Page 43.

Whereas, it is the desire and intention of the owner to sell the said Nineteen (19) lots above described and to impose on them mutual, beneficial restrictions under a general plan or scheme of improvement for the benefit of all the lots in the said subdivision and the future owners of said lots;

Now, therefore, the owner hereby declares that all of the property above described is held and shall be held, conveyed, and improved subject to the following limitations, restrictions, conditions, and covenants, all of which are declared and agreed to be in furtherance of a plan for the subdivision, and improvement and sale of the lots, and are established and agreed upon for the purpose of enhancing and protecting the value, desirability, and attractiveness of the lots and every part thereof. All of the limitations, restrictions, conditions, and covenants shall run with the land and shall be binding on all parties having or acquiring any right, title, interest or estate in the above described real estate or any part thereof:

1. Municipal Restrictions. No building shall be erected, placed, modified, or altered, and no other act shall be undertaken on a lot in the erection, placement, modification, or alteration of buildings or landscaping which would be in violation of a) the Municipal Building Code of the City of Portland, Maine, as written on the date hereof for R-2 Residential Zoning, b) any restriction described on the Subdivision Plats hereinabove referenced, or c) the terms and conditions of the Conservation Letter approved by the City of Portland, attached hereto as Schedule A and incorporated herein by reference. No variance of any of the above shall be sought by any future owner of a lot, unless, without such variance, a lot would be rendered entirely unimprovable.

2. Single Family Residences. All lots shall be known, described, and used for residential purposes only. Only one (1) private, single family residential dwelling house may be erected, placed, altered or permitted to remain on any lot. Occupancy is limited to one (1) family related by blood, marriage, or adoption. Lots shall not be used for any business purpose of any kind whatsoever, including, but not limited to, commercial, manufacturing or apartment house purposes.

3. Garages. Each and every residence erected, placed, altered or permitted to remain on any lot shall have an attached garage adequate for housing no less than two (2) and no more than (3) automobiles. The garage shall: a) be architecturally compatible with the residential building, b) have operating overhead doors, and c) be used for substantially garage purposes only.

4. Dwelling Size and Quality. No residential dwelling shall be permitted on any lot:

- a) containing less than two thousand (2,000) square feet of living area exclusive of garage, breezeway, and open porches and decks,
- b) having an architectural style other than Colonial or other Traditional New England architectural styles, it being the intention of these covenants to exclude certain architectural styles including, but not limited to, cottages, bungalows, and styles traditional to other geographical areas of the World but not to New England,
- c) having exterior siding on both dwelling and garage of other than red or white cedar shingles, shakes or clapboards, clear, stained or painted, brick or stone veneer, or a combination of any of the above,
- d) having other than a poured concrete foundation or slab, which is no more than four (4) feet above gradation along the front side of the dwelling,
- e) having a height of more than thirty-four (34) feet at its peak (excluding chimneys only), said restriction also to apply to the garage,
- f) having a roof pitch on both dwelling and garage of less than an eight/twelve (8/12) pitch,
- g) having other than a finished roof of asphalt, wood shake, or slate shingles,
- h) having exposed chimneys and front entry stairs of other than brick or stone construction,
- i) unless the quality of workmanship and materials shall be substantially the same or better quality than that which can be produced on the date of these covenants for the minimum permitted dwelling size.

5. Time for Completion. Every residential dwelling, including garage, landscaping, and paved driveway, shall be fully completed and finished within six (6) months of the date of pouring and backfilling of the foundation therefor.

6. Driveways. All dwellings shall have a paved driveway of stable and permanent construction of at least sixteen (16) feet in width at the entrance to the garage.

7. Utilities. Building connections for all utilities, including, but not limited to, water, electricity, telephone, and television cables, shall be run underground from the proper connecting points to the building structure.

8. Signs. No signs of any kind shall be displayed to the public view

on any lot except for one professional sign advertising the property for sale by the original owner, an original builder or an owner of a single family structure.

9. Temporary Structures and Outbuildings. No structure of a temporary character, trailer, basement, tent, shack, garage, barn, or other outbuilding shall be used on any lot at any time as a residence either temporarily or permanently.

10. Garbage and Trash Containers. No lot shall be used or maintained as a dumping ground for rubbish, trash or other waste. All trash, garbage and other waste shall be allowed to exist on a lot only in connection with the construction or occupancy of a dwelling, and shall be kept in sanitary containers and, except during pickup, if required to be placed at the curb, all containers shall be kept within an enclosure.

11. Shrubs. For the purpose of concealing the exposed foundation wall on the front side on a dwelling structure, there shall be planted or placed in front of said foundation wall a minimum of eight (8) shrubs or other natural vegetation suitable and adequate to accomplish said purpose.

12. Nuisances. Nothing shall be done or maintained on any lot which may be or become a nuisance or hazard to the neighborhood or subdivision.

13. Boats and Motor Vehicles. No boats, recreational vehicles, or other motor vehicles, except registered four-wheel passenger automobiles, shall be placed, parked or stored upon any lot, nor shall any maintenance or repair be performed upon any boat or motor vehicle upon any lot, except within a garage where totally isolated from public view.

14. Artificial Vegetation. No artificial grass, plants or other artificial vegetation shall be placed or maintained upon the exterior portion of any lot.

15. Landscaping. All open spaces on a lot, excluding driveways, shall be landscaped with loam and seeded for lawns. No trees or other natural barriers may be removed in violation of the aforementioned Conservation Letter or details described on the recorded plats.

16. Antennae. No aerial or antenna or satellite message receiving dish or device shall be placed or erected upon any lot, or affixed in any manner to the exterior of any building permitted by these covenants.

17. Animals. No animals, livestock, or poultry of any kind shall be raised, bred, kept or permitted on any lot. However, dogs, cats and other common household pets may be kept on lots so long as they are not kept, bred, or maintained for commercial purposes. No animals shall be allowed to run loose at any time.

BK7632PG0052

18. Easements. Easements, if any, for the installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat. Within these easements, no structure, planting, or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities, or which may change the direction of flow of drainage channels in the easements, or which may obstruct or retard the flow of water through drainage channels. The easement area and drainage channels and all improvements, if any, in it shall be maintained continuously by the owner of the lot, except for those improvements for which a public authority or utility company is responsible.

19. Sewage Disposal. Each lot is supplied with access to public sewer. No individual sewage-disposal system shall be permitted on any lot.

20. Resubdivision. No lot shall be re-subdivided into building lots other than those shown on the recorded plats heretofore referred to.

21. Architectural Control. No building shall be erected, placed, or altered on any lot until the construction plans and specifications and a plan showing the location of the structure have been approved by the KELSAR CORPORATION as to quality of workmanship and materials, harmony of external design with existing structures, and as to location with respect to topography and finish grade elevation. Approval shall not be unreasonably withheld.

22. Enforcement. If any person or persons or any other legal entity shall violate any of the restrictions and covenants herein, it shall be lawful for any person, persons or other legal entities owning any lot or lots in this Subdivision to prosecute proceeding at law or in equity against the person, persons or legal entity violating or attempting to violate or planning to violate any such restriction and covenant, either to prevent him, them or it from so doing or to correct such violation or to recover damages or other relief for such violation. KELSAR CORPORATION may, but shall not be obligated to, nor shall any person seek to obligate same, prosecute proceedings to enforce these covenants. Invalidation of any one of these restrictions by court order or judgment shall in nowise affect any of the other provisions or parts of provisions hereof which shall remain in full force and effect.

IN WITNESS WHEREOF, the said KELSAR CORPORATION, by and through its President, Christopher C. Holt, has caused these presents to be signed, acknowledged and delivered in its name and behalf as the duly authorized officer of same this 10th day of February 1986, 1987.

KELSAR CORPORATION

By Christopher C. Holt
Christopher C. Holt, President

BK7632PG0053

STATE OF MAINE
CUMBERLAND, ss.

Date: *February 6, 1987*

Then personally appeared the above named Christopher C. Holt, President of the said KELSAR CORPORATION, and acknowledged the foregoing instrument to be his free act and deed in his said capacity, and the free act and deed of said KELSAR CORPORATION.

Anthony Holt

Anthony Holt, Attorney at Law

Exhibit A

BK7832PG0054

Kelsar Corporation

One India Street
Portland, Maine 04101.

January 13, 1987

Carmela Barton
City Arborist
Portland Public Works Department
389 Congress Street
Portland, ME 04101

Re: Harrow Farm Estates Conservation Letter

Dear Ms. Barton,

This letter is submitted in accordance with Exhibit O to the Technical Supplement to the City of Portland Subdivision Ordinance.

The above-referenced subdivision plan contains a designated zone entitled "25' Buffer" for the conservation and preservation of existing tree and shrub growth. All trees or shrubs which are to be preserved shall be clearly marked by the Developer, Kelsar Corporation, and inspected by the City Arborist for preliminary acceptance prior to the onset of any construction. Fencing or other protective barriers shall surround these trees or shrubs near construction sites and shall be retained throughout the construction period. Grade changes shall not occur within the drip line of trees to be preserved. Changes in the normal drainage pattern shall be avoided. All trees marked for preservation are subject to continuous inspection throughout the construction period.

Sincerely,


Christopher Holt
President

jb

RECEIVED
RECORDED REGISTRY OF DEEDS

1987 FEB 11 PM 4:08

CUMBERLAND COUNTY

James J. Welch

Developers (207) 773-5949