

**City of Portland, Maine - Building or Use Permit Application**  
 389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

<b>PERMIT ISSUED</b>		CBL: <u>217A038</u>
Permit No: <u>02-0174</u>	Issue Date: <u>MAY 3 2002</u>	<u>217 A008001</u>

Location of Construction: <u>1825 Congress St. (Lot 8) Riverside</u>	Owner Name: Stroudwater Farms Association	Owner Address: 18 Carroll St. <b>CITY OF PORTLAND</b>	Phone: 207-781-2071
Business Name: n/a	Contractor Name: C & S Properties	Contractor Address: PO Box 262 Saco	Phone: 2072296649
Lessee/Buyer's Name: n/a	Phone: n/a	Permit Type: Single Family	Zone: <u>R-3 Contract C-8</u>

Past Use: Vacant	Proposed Use: New Single Family / 36' x 28' colonial with 24' x 24' two car garage and 20' x 74" breezeway.	Permit Fee: \$1,073.00	Cost of Work: \$150,000.00	CEO District: 3
		FIRE DEPT: <input type="checkbox"/> Approved <input checked="" type="checkbox"/> Denied <u>N/A</u>	INSPECTION: Use Group: <u>R-3</u> Type: <u>CE</u> <u>BILL 1/1/11</u>	

Proposed Project Description: Build Single Family 36' x 28' Colonial with 24' x 24' two car garage and 20' x 74" breezeway.	Signature: <u>[Signature]</u>	Signature: <u>[Signature]</u>
PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)		
Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied		
Signature: <u>N/A</u>	Date:	

Permit Taken By: gg	Date Applied For: 02/28/2002	<b>Zoning Approval</b>	
------------------------	---------------------------------	------------------------	--

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 <u>outside of</u> <input type="checkbox"/> Wetland <u>N/A</u> <input type="checkbox"/> Flood Zone <u>Panel 12 Zone X</u> <input type="checkbox"/> Subdivision <u>originally</u> <input checked="" type="checkbox"/> Site Plan <u>2002-0056</u> Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input checked="" type="checkbox"/> - Date: <u>3/27/02</u>	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: <u>[Signature]</u>
	Date: <u>3/27/02</u>		

**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



**CITY OF PORTLAND**

January 24, 2002

Mr. Peter Kennedy  
18 Carroll Street  
Falmouth, Maine 04105

Subject: River's Edge Subdivision  
(ID#2000-0050)(CBL#217-A-008)

Dear Mr. Kennedy:

It has been noticed that your excavating contractor is using a different plan than what was approved by the City. The city requests that you apply for an amendment to your subdivision approval. Please submit four copies of the revised plan to the city for review and approval. Please direct this submittal to Jonathan Spence at the City's Planning Department.

Secondly, I was looking at the storm drainage design for the two catch basins at Congress Street, and feel that this design could be changed to benefit you from a cost and a maintenance standpoint. I have discussed this with Gary Smith, your excavator, and he mentioned that he would pass this information along to you.

Please contact me if you wish to discuss this further.

Thank You for Your Time.

Sincerely,

  
Jay Reynolds

Development Review Coordinator

cc: Alexander Jaegerman, Chief Planner  
Sarah Hopkins, Development Review Services Manager  
Jonathan Spence, Planner  
✓ Inspections Department  
file

# CITY OF PORTLAND, MAINE

---

## PLANNING BOARD

Jaimey Caron, Chair  
Deborah Krichels, Vice Chair  
Kenneth M. Cole III  
Cyrus Y. Hagge  
Erin Rodriguez  
Mark Malone  
Orlando E. Delogu

July 31, 2001

Mr. Peter D. Kennedy  
Stroudwater Farms Associates  
18 Carroll Street  
Falmouth, ME 04105

RE: River's Edge Subdivision  
(CBL 217-A-008)

Dear Mr. Kennedy:

On July 24, 2001, the Portland Planning Board voted 4-1 (Caron opposed, Delogu and Rodriguez absent) on the following motions regarding the River's Edge subdivision:

- a. That the plan was in conformance with the Shoreland Regulations of the Land Use Code.
- b. That the plan was in conformance with the Subdivision Review Ordinance of the City Land Use Code with the following condition(s):
  1. A note be added to the general notes on the erosion control plan that states that the applicant will be responsible maintaining all permanent sedimentation and erosion control measures until the Homeowners Association assumes control of the development.
  2. A level spreader be provided at the end of the stormdrain from DMH 9.
  3. A maintenance and construction easement for the stormwater drain located on the Portland Trails' property be executed prior to start of any construction.
  4. The plan be modified to include a granite transition stone on each side of the granite curb inlet required at each catch basin.
  5. The applicant will be responsible for maintenance of all stormwater control systems until such time as the homeowner's association assumes responsibility.
  6. That the applicant modify the subdivision plat to include the following:
    - The location of all existing wetlands and those wetlands that will be altered by this development under the Tier 1 permit will be shown in a more clear fashion.

- The metes and bounds of all easements will be shown.
  - The numerical numbering of all drainage easements.
  - The dimensioning of all building envelopes and the buffer areas.
  - The current and proposed location of the Stroudwater Trail.
  - The limits of the Stroudwater Historic District and a note added addressing the review requirements for development within effected lots.
  - The term “grading” be added to the list of prohibited activities in the buffer zone on note 11.
  - To reduce potential disturbance, the buffer line on lots 26, 27, 28 and 29 be moved further up the slope and the impacted building envelopes reduced to generally reflect the preliminary individual lot grading plans submitted.
7. The references of “land to be conveyed” included on sheet C-1 be revised as the land has been conveyed.
  8. A plan showing necessary signage and crosswalks will be provided for review by staff.
  9. The catalog cuts for the proposed light fixtures will be provided for review by staff.
  10. The site plan for the Portland Trails’ perking lot and trail reconstruction will be submitted to the planning staff for administrative site review.
  11. The snowplowing of the Portland Trails’ parking lot will be provided by the applicant until such time as the homeowners association assumes control and responsibility.
  12. The proposed subdivision be approved by the Portland Fire Department.
  13. A note be added to the subdivision that the passive and active recreation lots be left in their natural state with the exception that the active lot include a walking trail and canoe storage racks.

The approval is based on the submitted plan and the findings related to subdivision review standards as contained in Planning Board # 30-01, which is attached.

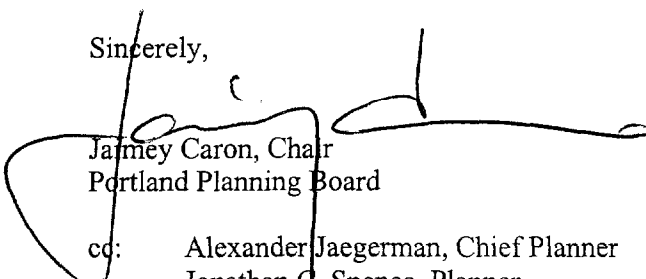
Please note the following provisions and requirements for all subdivision approvals:

1. Mylar copies of the construction drawing for the subdivision must be submitted to the Public Works Department prior to the release of the plat.

2. A performance guarantee covering the site improvements as well as an inspection fee payment of 2.0% of the guarantee amount must be submitted to and approved by the Planning Division and Public works prior to the recording of the subdivision plat. The subdivision approval is valid for three (3) years.
3. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
4. Prior to construction, a preconstruction 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 preconstruction 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.)
7. 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 Department at 874-8721 or 874-8719. 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 regarding the Board's actions, please contact the planning staff.

Sincerely,



Jaimy Caron, Chair  
Portland Planning Board

cc: Alexander Jaegerman, Chief Planner  
Jonathan C. Spence, Planner  
P. Samuel Hoffses, Building Inspector  
Marge Schmuckal, Zoning Administrator  
Tony Lombardo, Project Engineer  
Jay Reynolds, Development Review Coordinator  
William Bray, Director of Public Works  
Eric Labelle, City Engineer  
Jeff Tarling, City Arborist  
Penny Littell, Associate Corporation Counsel  
Lt. Gaylen McDougall, Fire Prevention  
✓ Inspection Department  
Lee Urban, Director of Economic Development  
Don Hall, Appraiser, Assessor's Office

# CITY OF PORTLAND, MAINE

---

## PLANNING BOARD

Jaimey Caron, Chair  
Deborah Krichels, Vice Chair  
Kenneth M. Cole III  
Cyrus Y. Hagge  
Erin Rodriguez  
Mark Malone  
Orlando E. Delogu

November 28, 2001

Mr. Peter D. Kennedy  
Stroudwater Farms Associates  
18 Carroll Street  
Falmouth, ME 04105

RE: River's Edge Subdivision  
(CBL 217-A-008)

Dear Mr. Kennedy:

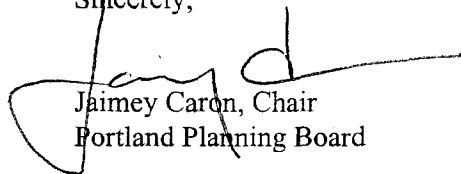
On November 27, 2001, the Portland Planning Board voted 5-0 (Cole absent, Rodriguez resigned) on the following motion regarding the River's Edge subdivision:

1. On the basis of plans and material submitted by the applicant and on the basis of information contained in Planning Report #30-01a, relevant to the applicable standards of the City of Portland, the approved headstone detail and the condition of approval requiring granite transition stones be modified to allow continuous bituminous curbing behind catch basin drains installed in accordance with the recommendations of the attached memos.

All other conditions and requirements of the original approval remain.

If there are any questions regarding the Board's actions, please contact the planning staff.

Sincerely,



Jaimey Caron, Chair  
Portland Planning Board

cc: Alexander Jaegerman, Chief Planner  
Jonathan C. Spence, Planner  
Marge Schmuckal, Zoning Administrator  
Tony Lombardo, Project Engineer  
Jay Reynolds, Development Review Coordinator  
William Bray, Director of Public Works  
Eric Labelle, City Engineer  
Jeff Tarling, City Arborist  
Penny Littell, Associate Corporation Counsel  
Lt. Gaylen McDougall, Fire Prevention  
✓ Inspection Department  
Lee Urban, Director of Economic Development  
Don Hall, Appraiser, Assessor's Office  
Susan Doughty, Assessor's Office  
Approval Letter File

# 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.

**Pre-construction Meeting:** Must be scheduled with your inspection team upon receipt of this permit. Jay Reynolds, Development Review Coordinator at 874-8632 must also be contacted at this time, before any site work begins on any project other than single family additions or alterations.

**Footing/Building Location Inspection:** Prior to pouring concrete 3 days preferred

**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

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

**CERIFICATE OF OCCUPANICES MUST BE ISSUED AND PAID FOR, BEFORE THE SPACE MAY BE OCCUPIED**

X Bayard Dady 5/9/02  
Signature of applicant/designee Date  
[Signature] 5/9/02  
Signature of Inspections Official Date

CBL: 017 A008 Building Permit #: 020174

5009 0056  
02 0174

# 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: <del>\$1823</del> <del>CONGLED</del> #58 RIVER'S EDGE DRIVE, PORTLAND LOT 8		
Total Square Footage of Proposed Structure 2500	Square Footage of Lot 22,259	
Tax Assessor's Chart, Block & Lot Chart# 217 Block# A Lot# 8	Owner: Stroudwater Farms Ass. 18 Carrol St. Falmouth, Me	Telephone: 781-2071
Lessee (Buyer's) Name (If Applicable) DOUGLAS + BAYARD DOUTY PART	Applicant name, address & telephone: DOUGLAS + BAYARD DOUTY PART 10 PORTLAND FISH PIER PORTLAND, ME.	Cost Of Work: \$150,000 Fee: \$ 0 Bldg. Fee 1073, Site Fee 300,
Current use: VACANT	If the location is currently vacant, what was prior use: FARM	
Approximately how long has it been vacant: FOR EVER	Total 1,373.00	
Proposed use: SINGLE FAMILY DWELLING breezeway 20' x 7'4"	Project description: COLONIAL 36' x 28' 2-CAR GARAGE 24' x 24' FIREPLACE <del>DECK</del>	
Contractor's name, address & telephone: CTS PROPERTIES (207) 229-6649 PO BOX 262 SACO, ME 04072		
Who should we contact when the permit is ready: DICK DOUTY		
Mailing address: 10 PORTLAND FISH PIER 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) 773-2829 → Call		

**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: Bayard Douty	Date: 2.28.02
--------------------------------------	---------------

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 FEB 28



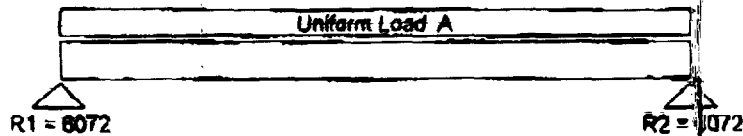
Garage beam  
58 Rivers Edge

Date: 5/28/03 BeamChk 2.2

<u>Choice</u>	W 12x 26 A36 Wide Flange Steel		Lateral Support at: Lc = 6.9 ft max	
<u>Conditions</u>	Actual Size is 8-1/2 x 12-1/4 in.,			
	Min Bearing Length	R1= 0.9 in. R2= 0.9 in.	DL Defl	0.18 in Suggested Camber 0.28 in
<u>Data</u>	Beam Span	24.0 ft	Reaction 1	6072 # Reaction 1 LL 4320 #
	Beam Wt per ft	26.0 #	Reaction 2	6072 # Reaction 2 LL 4320 #
	Beam Weight	624 #	Maximum V	6072 #
	Max Moment	36432 #	Max V (Reduced)	N/A
	TL Max Defl	L / 240	TL Actual Defl	L / 452
	LL Max Defl	L / 360	LL Actual Defl	L / 635
<u>Attributes</u>	Section (in <sup>2</sup> )	Shear (in <sup>2</sup> )	TL Defl (in)	LL Defl
Actual	33.40	2.81	0.64	0.45
Critical	18.40	0.42	1.20	0.80
Status	OK	OK	OK	OK
Ratio	55%	15%	53%	57%
		Fb (psi)	Fv (psi)	E (psi x mil)
<u>Values</u>	Base Value Fy	36000	36000	29.0
	Base Adjusted	23760	14400	29.0
<u>Adjustments</u>	YP Factor, Lc	0.66	0.40	

BeamChk has automatically added the beam self-weight into the calculations.

Loads Uniform TL: 480 = A Uniform LL: 360



Uniform and partial uniform loads are lbs per lineal ft.

Attn: Mr K Hopkins

58 Riverside

CBL \_\_\_\_\_ STREET ADDRESS \_\_\_\_\_

DATE TIME CONTACT NARRATIVE INITIALS

DATE	TIME	CONTACT	NARRATIVE	INITIALS
			10 Spokes-	
			10 Safety gathering in 2nd fl. bath	
			Carrying beam - 3 2x12 76"	
			7'-1" Max Span	
			W/ 26"x26" Footing	
			4 Guards? height?	
			5 Garage walls - 5/8" Type X	
			6 Deck framing	
			7 Headers	
4-12-02			Left message	
4-26			Spoke w/ builder - went over all of the above - he'll fax some more info to us.	
			Spoke w/ Steve on 4-24	
4-29			Spoke w/ Dick Dougherty - told him to get info.	

879 300 160

**NEW ENGLAND EXCAVATION  
PO BOX 262  
SACO, MAINE 04072  
(207) 229-6649**

April 30, 2002

Code Enforcement Office  
City of Portland  
389 Congress Street  
Portland, Maine 04101

Attention: Tammy

Please note the following additional information regarding the project I will be building for Mr. Dick Doughty.

**OUTSIDE DECK**

Size: 10 X 12

Material: Pressure Treated Lumber

Sonna Tubes: no further apart than 7' 1"

Rail: 36" minimum with 3½ inch opening between balusters

**HEADER SCHEDULE**

Exterior windows: 2 X 12 triple laminated

Exterior doors: 2 X 12 triple laminated

Interior doors: 2 X 4 double plated header

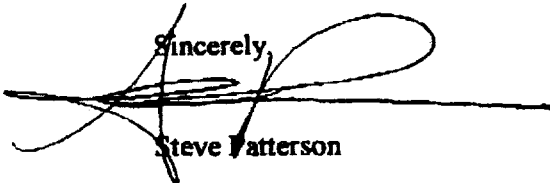
**SHEET ROCK**

5/8 fire rated inside and outside walls ceiling to living area

*Garage area*

If you have any questions please feel free to call me at (207) 229-6649.

Sincerely,



Steve Patterson

*\* Told Dick Doughty -  
All open stairs need 36"  
guardrail system.*

**NEW ENGLAND EXCAVATION  
 PO BOX 262  
 SACO, MAINE 04072  
 (207) 229-6649**

April 29, 2001

Code Enforcement Office  
 City of Portland  
 389 Congress Street  
 Portland, Maine 04101

Attention: Tammy

Please note the following information regarding the project I will be working on for Mr. Dick Doughty.

The window in the bathroom by the tub will be tempered glass.

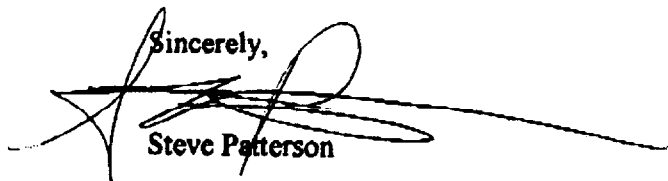
Smoke detectors are going to be in all bedrooms, hallways, stairs, room above the garage, parking area and in the cellar.

The main girder will be 2 X 12 triple plated. The lally columns in the main girder will be no further than 7 feet 1 inch apart.

The exterior decks will b of 2 X 10 framing with a 36" handrail.

If you have any questions or need any additional information please feel free to call me at (207) 229-6649.

Sincerely,



Steve Patterson

Post-It® Fax Note	7671	Date	4/29	# of pages	1
To	TAMMY	From	STEVE PATTERSON		
Co./Dept.	CODE ENFORCEMENT	Co.	NPE		
Phone #		Phone #	229-6649		
Fax #	874-07878716				

Applicant: Dick Dauty - C: S Properties Date: 3/27/02  
Address: 58 Ribas Edge Drive (lot #8) C-B-L: 217-A-8

CHECK-LIST AGAINST ZONING ORDINANCE

Date - New Development # 02-0174

Zone Location - R-3 contract zone

Interior or corner lot -

Proposed Use/Work - New single family dwelling with attached garage

Sevage Disposal - city

Lot Street Frontage - 50' req - 105' shown

Front Yard - 25' req - 60' shown

Rear Yard - 25' req - 88' shown

Side Yard - 14' req - 21' & 30' shown

Projections - 2 story front porch - rear Deck - chimney on left no left side Deck

Width of Lot - 75' min - 100'+ shown

Height - 35' MAX 25.5' scaled

Lot Area - 6,500 # 22,259 # given

Lot Coverage/ Impervious Surface - 25% MAX = 5564.75 # MAX

Area per Family - 6,500 #

Off-street Parking - 2 required - 2 shown

Loading Bays - N/A

Site Plan - 2002 - 0056

Shoreland Zoning/ Stream Protection - N/A

Flood Plains - Panel 12 Zone X

Handwritten calculations in a circle:

- $20 \times 8.25 = 165$
- $28 \times 36 = 1008$
- $24 \times 24 = 576$
- R deck  $6 \times 17 = 102$
- F porch  $6 \times 38 = 228$
- 2679 #**

NO Deck on left hand side of BDG  
NOT A city street - NO City Services provided

Application ID Number: 2-0174

Department: Zoning Status: Approved with Conditions Reviewer: Marge Schmuckal

Comments: 58 Riversedge (lot #8) Approval Date: 03/27/2002

Given On Date: 03/05/2002

OK to Issue Permit Name: Marge Schmuckal Date: 03/27/2002 Date 2:

Conditions Section:

This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.

Separate permits shall be required for future decks, sheds, pools, and/or garages. NO DECK ON THE LEFT SIDE OF THIS STRUCTURE IS SHOWN AND IS THEREFORE NOT APPROVED UNDER THIS PERMIT.

Riversedge is not a City Street - It is a private street - There shall be no City services to this property. This information shall be passed on to the future owner of this property.

Create Date: 03/04/2002 By: gg Update Date: 03/27/2002 By: mes

## CONTRACT FOR SALE OF REAL ESTATE

This Agreement made and entered into this 4<sup>th</sup> day of February, 2002 by and between STROUDWATER FARMS ASSOCIATES, a Maine general partnership, whose mailing address is 18 Carroll Street, Falmouth, Maine, (the "Seller"), and DOUGLAS AND BAYARD DOUTY, PARTNERS, a Maine general partnership with a place of business in Portland, Maine (The "Buyer").

The parties hereto agree as follows:

1. **PREMISES.** Subject to Paragraph 4 hereof, Seller agrees to sell and Buyer agrees to buy certain real estate located in Portland, Cumberland County, Maine, known as River's Edge and more particularly described as Lot Number 8 on a plan entitled "Final Subdivision Plan, River's Edge, Congress Street, Portland, Maine Made for Stroudwater Farms Associates" prepared by Owen Haskell, Inc. dated April 10, 2001 and recorded in the Cumberland County Registry of Deeds in Plan Book 201, Page 494, together with all appurtenant rights and easements, (hereinafter the "Premises").
2. **PURCHASE PRICE.** Buyer agrees to pay for the Premises the sum of Sixty-Thousand Dollars (\$60,000.00), payable as follows:
  - a. **Deposit.** Two Thousand Dollars and 00/100 (\$2,000.00) as a Deposit at the time of the execution of this Agreement (the "Deposit"). The Deposit shall be credited toward the Purchase Price at the time of Closing.
  - b. **Cash and Closing.** The balance of the Purchase Price, Fifty-Eight Thousand Dollars and 00/100 (\$58,000.00) shall be paid by cash or certified check at the time of closing.
3. **TITLE.** Seller shall convey the Premises to Buyer at Closing in fee simple with good, marketable and insurable title subject to easements, privileges, restrictions and agreements of record. If seller is unable to convey title as aforesaid, seller shall be given a reasonable period of time in which to remedy any title defects. If such defects cannot be corrected or remedied, or if Seller elects not to remedy the same, then the Deposit shall be returned to Buyer and this Agreement, and Seller's and Buyer's obligations to each other hereunder will terminate. Buyer may, at Buyer's option, elect to close notwithstanding such defects as may exist.
4. **CLOSING.** The closing of this transaction shall take place on or before August 15, 2002 at the offices of Cumberland Title, or at such time at place as Seller and Buyer shall mutually agree upon in writing. At the Closing, Seller shall execute and deliver to Buyer, against payment of the balance of the Purchase Price, a warranty deed to the Premises.

5. POSSESSION. Seller shall deliver possession of the Premises to Buyer free and clear of all leases, tenancies and occupancies by any person.
6. ADJUSTMENTS, PRO-RATION AND CLOSING COSTS.
  - a. Real estate taxes and assessments shall be pro-rated as of the Closing on the basis of the latest available tax bill.
  - b. The Maine Real Estate Transfer Tax shall be paid by Seller and Buyer. The recording fee for the deed will be paid by Buyer.
7. DEFAULT AND REMEDIES. In the event that Buyer fails to close hereunder for a reason other than the default of Seller, Seller shall have the option of either retaining the Deposit plus accrued interest as full and complete liquidated damages in lieu of any other legal or equitable remedy, or of employing all available legal and equitable remedies. Upon retention of the Deposit as set forth in this paragraph, this Agreement will terminate and neither party will be under any further obligation hereunder.
8. GENERAL PROVISIONS. Time is of the essence of this Agreement. All notices, demands and other communications hereunder shall be in writing and shall be deemed to have been duly given on the date of service if served personally on the party to whom notice is to be given, or on the date of mailing. If mailed, all notices are to be sent by First Class Mail, postage prepaid, certified, return receipt requested, addressed as follows:

(1) To Seller: Stroudwater Farms Associates  
18 Carroll Street  
Falmouth, Maine 04105

(2) To Buyer: Douglas and Bayard Douty, Partners  
10 Portland Fish Pier  
Portland, Maine 04101

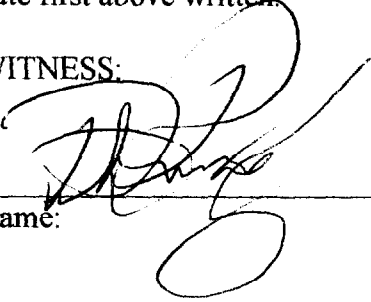
Either party may change its address for purposes of this paragraph by giving the other party notice of the new address in the manner described herein. The rights of Buyer under this Agreement may not be assigned in whole or in part without written consent of Seller. This Agreement constitutes the entire Agreement between Seller and Buyer and there are no other agreements, understandings, warranties or representations between Seller and Buyer. This Agreement shall be governed by and construed in accordance with the laws of the State of Maine. If any provision of this



Agreement is determined to be invalid or unenforceable, it shall not affect the validity and enforcement of the remaining provisions hereof.

IN WITNESS WHEREOF, Seller and Buyer have executed this Agreement as of the date first above written.

WITNESS:

  
Name: \_\_\_\_\_ Seller Soc. Sec. # \_\_\_\_\_

\_\_\_\_\_  
Name: \_\_\_\_\_ Buyer Soc. Sec. # \_\_\_\_\_

:

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

2002-0056  
Application I. D. Number

2/28/02  
Application Date

1823 Congress St.  
Project Name/Description

Stroudwater Farms Association  
Applicant

18 Carroll St, Falmouth, ME 04105  
Applicant's Mailing Address

Douty, Dick  
Consultant/Agent

1823 - 1823 Congress St, Portland, Maine  
Address of Proposed Site

Applicant Ph: (207) 781-2071 Agent Fax:  
Applicant or Agent Daytime Telephone, Fax

217 A008001  
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) \_\_\_\_\_

2,500 sq. ft. 22,259 sq. ft.  
Proposed Building square Feet or # of Units Acreage of Site Zoning

**Check Review Required:**

- |  |   |  |  |
|--|---|--|--|
| <input checked="" type="checkbox"/> Site Plan<br>(major/minor) | <input type="checkbox"/> Subdivision<br># 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<br>Use (ZBA/PB)    | <input type="checkbox"/> Zoning Variance                |  | <input type="checkbox"/> Other _____             |

Fees Paid: Site Plan \$50.00 Subdivision \_\_\_\_\_ Engineer Review \$250.00 Date 3/4/02

**Insp 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 | _____ date           | <input type="checkbox"/> Conditions (See Attached) | _____ 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**

2002-0056

Application I. D. Number

DRC Copy

*88 Amers Edge Drive*

02/28/2002

Application Date

**Stroudwater Farms Association**

Applicant

18 Carroll St, Falmouth, ME 04105

Applicant's Mailing Address

Douty, Dick

Consultant/Agent

Applicant Ph: (207) 781-2071 Agent Fax:

Applicant or Agent Daytime Telephone, Fax

1823 Congress St.

Project Name/Description

1823 - 1823 Congress St, Portland, Maine

Address of Proposed Site

217 A008001

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) \_\_\_\_\_

2,500 sq. ft.

22,259 sq. ft.

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 **03/04/2002**

**DRC Approval Status:**

Approved

*See Attached*

Denied

*Revised Plan Attached*

Approval Expiration **03/26/2003**

Extension to \_\_\_\_\_

Additional Sheets Attached

Condition Compliance

Jay Reynolds  
signature

03/26/2002  
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 | _____ date           | <input type="checkbox"/> Conditions (See Attached) | _____ 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**

**2002-0056**

Application I. D. Number

**02/28/2002**

Application Date

**1823 Congress St.**

Project Name/Description

**Stroudwater Farms Association**

Applicant

**18 Carroll St, Falmouth, ME 04105**

Applicant's Mailing Address

**Douty, Dick**

Consultant/Agent

**Applicant Ph: (207) 781-2071      Agent Fax:**

Applicant or Agent Daytime Telephone, Fax

**1823 - 1823 Congress St, Portland, Maine**

Address of Proposed Site

**217 A008001**

Assessor's Reference: Chart-Block-Lot

**Approval Conditions of DRC**

- 1 REMOVAL OF TREES OR VEGETATION IN THE NO CUT BUFFER WILL OCCUR ONLY FOR THE INSTALLATION OF THE FOUNDATION DRAIN.
- 2 APPLICANT/OWNER SHOULD BE AWARE THAT NO CERTIFICATE OF OCCUPANCY CAN BE ISSUED UNTIL ALL UNDERGROUND UTILITIES AND BASE COAT OF PAVEMENT HAVE BEEN INSTALLED IN THE ROADWAY.
- 3 Your new street address is now # 58 RIVER'S EDGE DRIVE, the number must be displayed on the street frontage of your house prior to issuance of a Certificate of Occupancy.
- 4 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.
- 5 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.
- 6 The building contractor shall check the subdivision recording plat for pre-determined first floor elevation and establish the first floor elevation (FFE) and sill elevation (SE) to be set above the finish street/curb elevation to allow for positive drainage away from entire footprint of building.
- 7 The site contractor shall establish finish grades at the foundation, bulkhead and basement windows to be in conformance with the first floor elevation (FFE) and sill elevation (SE) set by the building contractor to provide for positive drainage away from entire footprint of building.
- 8 The Development Review Coordinator reserves the right to require additional lot grading or other drainage improvements as necessary due to field conditions.
- 9 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.