

# PORTIAND MAINE

Strengthening a Remarkable City, Building a Community for Life . www.portlandmaine.gov

Lee Urban-Director of Planning and Development Marge Schmuckal, Zoning Administrator

January 20, 2006

EquiTrust Life Insurance Company 5400 University Avenue and West Des Moines, IA 50266 Perkins, Thompson, Hinckley and Keddy One Canal Plaza, PO Box 426 Portland, ME 04112-0426

RE: 190 Riverside Street – 267-A-5 - B-4 Business Zone (the "Premises")

#### Ladies and Gentlemen:

- 1. The zoning ordinance affecting the Premises is: Land Use Ordinance of the City of Portland, Maine revised through 1-06-2006, with accompanying zoning maps adopted by the City Council, last revised June 29, 2005.
- 2. The Premises are located in the following zone under the applicable zoning code: B-4 business zone.
- 3. The Premises and its current use thereof as office space **does comply** with the applicable City of Portland zoning codes.
- 4. To the best of my knowledge there are no known, existing, or unresolved violations of any applicable zoning codes or regulations regarding the Premises.

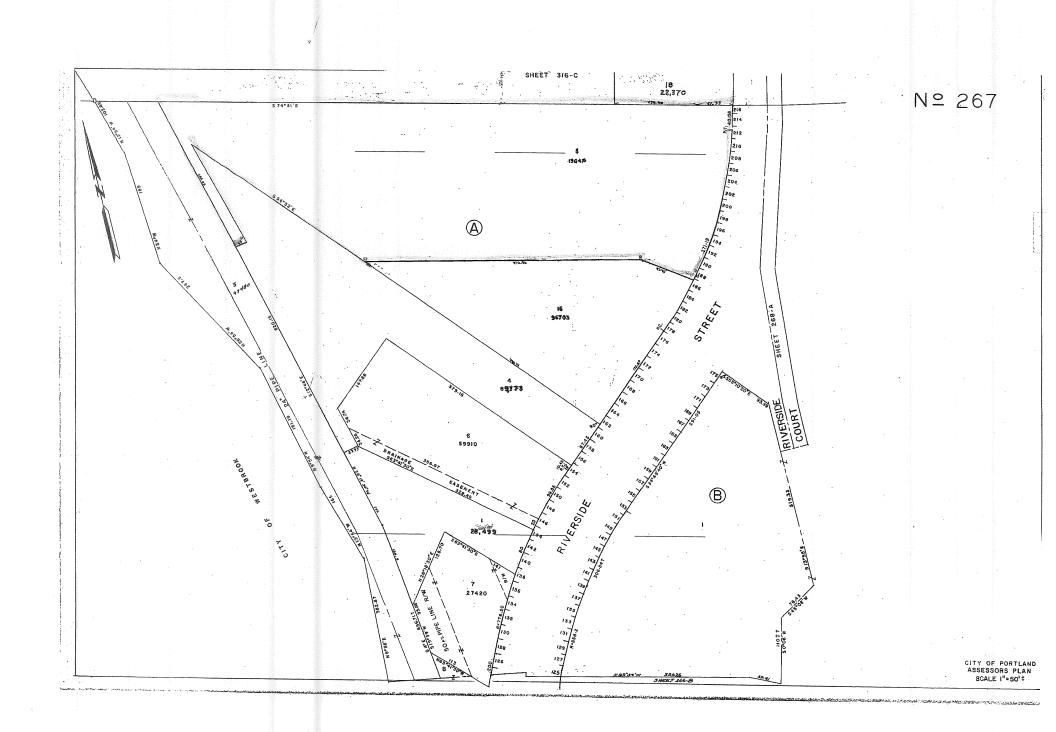
Copies of permits and certificates of occupancy from our files are attached.

Very truly yours,

Marge Schmuckal Zoning Administrator

Cc: file

enclosures



#### CITY OF PORTLAND, MAINE Department of Building Inspection



Certificate of Occupancy

LOCATION 190 Riverside Street - Bldg. B

Issued to Bounty Realty

Date of Issue September 15, 1989

This is to certify that the building, premises, or part thereof, at the above location, built - altered - changed as to use under Building Permit No. 89-2488, has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

entire

APPROVED OCCUPANCY

offices/commercial

Limiting Conditions:

This certificate supersedes certificate issued

Inspector

Inspector of Building

Carry a Good-

CITY OF PORTLAND, MAINE Department of Building Inspection

ertificate of Occupancy

LOCATION 190 Riverside Street

Issued to Bounty Realty

Date of Issue April 25, 1990

This is to certify that the building, premises, or part thereof, at the above location, built — altered - changed as to use under Building Permit No. 90-192, has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES Building B

APPROVED OCCUPANCY

office/warehouse

Limiting Conditions:

This certificate supersedes certificate issued

Approved:

4/25/90 (Ďate)

Inspector

Inspector of Buildings



#### CITY OF PORTLAND, MAINE

Department of Building Inspection

# Lertificate of

LOCATION 190 Riverside Street

The Thaxter Company Issued to

Date of Issue November 30, 1990

This is to certify that the building, premises, or part thereof, at the above location, built - altered - changed as to use under Building Permit No. 90-963, has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

APPROVED OCCUPANCY

entire

dry cleaning - commercial

Limiting Conditions:

Permit for awning must be applied for by December 31, 1990.

This certificate supersedes certificate issued

Approved:



CITY OF PORTLAND, MAINE

Department of Building Inspection

# Certificate of Occupancy

LOCATION 190 Riverside Street

Issued to Boun ty Real ty

Date of Issue September 17, 1990

This is to certify that the building, premises, or part thereof, at the above location, built — altered - changed as to use under Building Permit No. 90-1788, has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

APPROVED OCCUPANCY

entire

offices

Limiting Conditions:

This certificate supersedes certificate issued

#### CITY OF PORTLAND, MAINE

Department of Building Inspection

# Certificate of

LOCATION 190 Riverside Street

Bounty Realty Issued to

October 13, 1989 Date of Issue

This is to certify that the building, premises, or part thereof, at the above location, built - altered - changed as to use under Building F-rmit No. 89-2631, has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

APPROVED OCCUPANCY

Ruilding B - Unit 1 and part of 2

offices

I imiting Conditions:

This certificate supersedes certificate issued

Approved:

Inspector of Buildings

CITY OF PORTLAND, MAINE Department of Building Inspection

Certificate of Occupancy

LOCATION 190 Riverside Street

Issued to Bounty Realty Date of Issue January 311 1991

This is to certify that the building, premises, or part thereof, at the above location, built - altered - changed as to use under Building Permit No. 90-2265, has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

Building A

APPROVED OCCUPANCY

office, service, storage

Limiting Conditions:

This certificate supersedes certificate issued



CITY OF PORTLAND, MAINE Department of Building Inspection

# Certificate of Occupancy

LOCATION 190 Riverside St. - Rldg 'A'

Issued to Bounty Rhalty/Boulos Co.

Date of Issue Septe. 27, 1988

This is to certify that the building, premises, or part thereof, at the above location, built-altered -changed as to use under Building Permit No. 87/348 , has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

APPROVED OCCUPANCY

Entire

Office & Warehouse space

Limiting Conditions:

As noted in letter from Kim Farrar . Paul Nieboff

Re: site plan work

Challen Stop of

This certificate supersedes certificate issued

owner when property changes hands. Copy will be furnished to owner of



CITY OF PORTLAND, MAINE Definition of Building Laspection

## Certificate of Occupancy

COCATION 190 REVENUE SE., BIGE 1197

Dale of Leave Harch 28, 1989

sued to Bounty Realty/Boulou Company. 1. Dele of Leve Harch 26, 1989
This is to certify that the building, premises, or part thereof, at the above location, built—skered. -changed as to use under Building Permit No. 87/348, has had final inspection, has been found to conform substantially to sequirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

APPROVED OCCUPANCY

Entire "

Vector Core Structure

Umiting Conditions:

Individual permits are required prior to any interior finish work being started.

This certificate supersedes certificate issued

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267 A 005

#### PERKINS, THOMPSON, HINCKLEY & KEDDY

A PROFESSIONAL CORPORATION

ATTORNEYS AND COUNSELORS AT LAW

www.perkinsthompson.com

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JULIANNE C. RAY

ONE CANAL PLAZA P.O. BOX 426 PORTLAND, ME 04112 PHONE (207) 774-2635 FAX (207) 871-8026

January 9, 2006

#### VIA HAND DELIVERY

Ms. Marge Schmuckal City of Portland Department of Planning & Development 389 Congress Street Portland, ME 04101

RE:

Zoning Letter – 190 Riverside Street

Dear Ms. Schmuckal:

Enclosed is the Zoning Letter I contacted you about regarding the property at 190 Riverside Street in Portland, together with a check in the amount of \$100.00 to cover the administrative fee for issuing the letter. Please supply the information requested in the letter and return it to me as soon as possible so that we may proceed with the pending loan transaction.

Thank you very much for your assistance with this matter. If you have any questions or concerns, please feel free to contact me at 774-2635 or by email at <a href="mailto:jray@perkinsthompson.com">jray@perkinsthompson.com</a>.

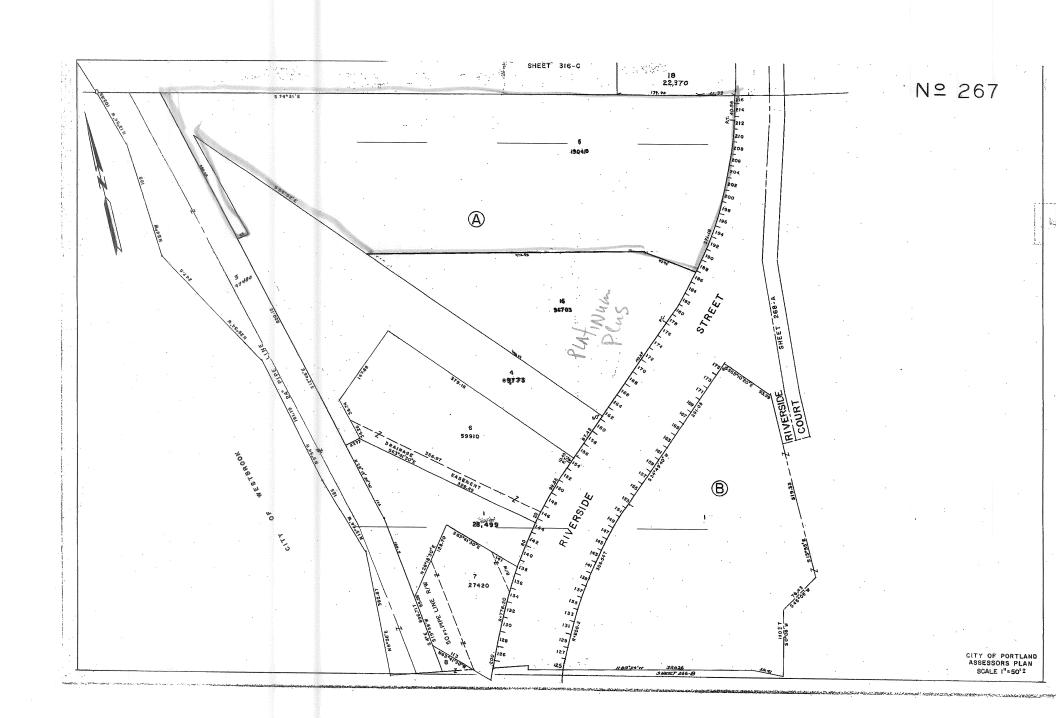
Sincerely,

Julianne C. Ray

Enclosures

cc: Mark P. Snow, Esq. (w/enclosure)

JAN - 5 2006



#### CITY OF PORTLAND ZONING LETTER

EquiTrust Life Insurance Company Perkins, Thompson, Hinckley & Keddy 5400 University Avenue One Canal Plaza, PO Box 426 and West Des Moines, IA 50266 Portland, ME 04112-0426 267- A-005 Re: Premises: 190 Riverside Street Portland, Maine Ladies and Gentlemen: The undersigned hereby certifies with respect to the property legally described in Exhibit A attached hereto (the "Premises") as follows: 1. The zoning code affecting the Premises is: Zoning Ordinance of the City of Portland revised through 1-6, 2006. MAP June 29, 2005 The Premises are located in the following zone under the applicable zoning code: 2. 3. The Premises and its current use thereof as office space complies with the applicable zoning codes, city ordinances and building, environmental and energy codes, ordinances and regulations, or is a grandfathered, non-conforming use. [ ] YES (complies) [ ] YES (grandfathered) [ ] NO (does not comply) Comments: 4. There are no known, existing, unresolved violations of any applicable zoning codes. City ordinances, or building, environmental, or energy codes, ordinances, or regulations. []NONE [ ] RESOLVED [ ] UNRESOLVED If there are resolved or unresolved violations, please specify the same and their nature (and, if resolved, the nature of the resolution):

If additional space is required for any of the above, please attach additional pages.

Signature of Authorized Person:		
Typed or Printed Name of Signatory:		
Title of Signatory:	Date:	, 2006
City or Other Governmental Agency: C	City of Portland, Maine	

#### EXHIBIT A

#### PARCEL ONE:

A certain lot or parcel of land situated on the westerly side of relocated Riverside Street in the City of Portland, County of Cumberland, and State of Maine, being more particularly bounded and described as follows:

Beginning at a 1 1/2 inch iron pipe found 8 inches below grade on the southerly sideline of land now or formerly owned by H & B Realty by a deed recorded at the Cumberland County Registry of Deeds in Book 13619, Page 350, on the westerly sideline of Riverside Street as relocated by the Maine Turnpike Authority and shown on their plan of land entitled "Property Plan - Riverside Street, Laying Out and Discontinuance between Brighton Avenue and Portland Portland Rovernber 4, 1955, Drawing No. 481/11:

Thence \$ 01'-49' E, by and along Riverside Street, a distance of 44.42 feet to a 5/8 inch capped iron rebor set at a point of curvature where formerly a manument stood;

Thence southeasterly and turning southwesterly along a curve to the right with a radius of 576.62 feet, a central angle of 26'-28'-41", by and along Riverside Street, an arc distance of 266.47 feet to a 5/8 inch copped iron rebar set at the northeasterly corner of land now or formerly owned by Mahaney Holdings by a deed recorded at said Registry in Book 12287,

Thence N  $69^{\circ}-47^{\circ}-47^{\circ}$  W, by and along said land of Mahaney Holdings, a distance of 97.57 feet to a 5/8 inch capped from rebar set at an angle point:

Thence S 89°-56′-00° W, by and along said land of Mahaney Holdings, a distance of 472.92 feet to a 5/8 inch capped iron rebar set on the northeasterly sideline of land now or formerly owned by J Properties by deeds recorded at said Registry in Book 6572, Page 257 and Book 7619, Page 120;

Thence N  $54^{\circ}-48^{\circ}-44^{\circ}$  W, by and along said land of J Properties, a distance of 353.00 feet, more or less, to a 5/8 inch capped iron rebar:

Thence \$ 27'-55'-14" E, on a line parallel with and 50 feet distant from the centerline of poles on lands now or formerly awned by Central Maine Power Company, by and along said land of J Properties, a distance of 193.32 feet to a 5/8 inch capped iron rebar:

Thence S  $62^{\circ}-04^{\circ}-46^{\circ}$  W, by and along said land of J Properties, a distance of 25.00 feet to the base of a 5/8 inch iron rebar found 6 inches high;

Thence N 27'-55'-14" W, by and along said land of Central Maine Power Company, a distance of 280.72 feet to a 5/8 inch iron rebar with cap #1205 found 13 inches high on the southerly sideline of land now or formerly owned by Portland Terminal Company by deeds recorded at said Registry in Book 228, Pages 387 and 390 and Book 235, Page 537;

Thence N 89'-56'-00" E, by and along sold land of Portland Terminal Company, land now ar formerly owned by Riverside Corporation by a deed recorded in Book 9255, Page 231 and by said lands of H & B Realty, a total distance of 939.51 feet to a 5/8 inch capped iron rebar set a point of curvature,

Thence easterly and turning more northerly along a curve to the left with a radius of 5,776.33 feet, a central angle of 01'-16'-18'', by and along said land of H<sub>s</sub> & B Realty, a distance of 27.38 feet to the point of beginning.

### AS TO PARCEL TWO:

An easement for drainage purposes and to construct and maintain a basin for retention of surface water and other rights and easements over a certain lot or parcel of land located off the westerly sideline of Riverside Street, so called, in the City of described as follows:

Beginning at an iron pipe located on the southwesterly sideline of land now or formerly owned by Bounty Realty and described in a deed recorded at the Cumberland County Registry of Deeds in Book 7056, Page 115, said iron pipe being N 54°-52′-00" W, Riverside Street;

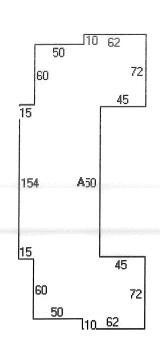
Thence N  $54^{\circ}-52'-00^{\circ}$  W, 216.77 feet by and along land of said Bounty Realty to a point;

Thence S 27°-58'-30° E, 193.33 feet by and along land of said Bounty Realty to a point and the northeasterly corner of land now or formerly owned by J. Properties as described in a deed recorded at said Registry in Book 7619, Page 120, said point also being at the northwesterly corner of land of said J. Properties as described in a deed recorded at said Registry in Book 6572, Page 257;

Thence N  $62^{\circ}-01'-30"$  W, 98.04 feet through land of said J. Properties to the point of beginning.

## AS TO PARCEL THREE:

Rights and easements over a certain lot or parcel of land located westerly of Riverside Street, so-called, in the City of Portland, County of Cumberland and State of Maine, granted to Bounty B.T. at Riverside as more particularly described in an Agreement dated August 1, 1987 and recorded in the Cumberland County Registry of Deeds in Book 8015, Page 315.



<u>Descriptor/Area</u> A:1 ST BRK / SLAE 27488 sqft This page contains a detailed description of the Parcel ID you selected. Press the New Search button at the bottom of the screen to submit a new query.

Current Owner Information

Card Number

Parcel ID

Location

Land Use

1 of 2 267 A005001

190 RIVERSIDE ST

OFFICE & BUSINESS SERVICE

Owner Address

BOUNTY DEVELOPMENT LLC ONE CANAL PLAZA 5TH FLOOR

PORTLAND ME 04101

Book/Page

Legal

15178/254

267-A-5

RIVERSIDE ST 188-214

190418 SF

Current Assessed Valuation For Fiscal Year 2006

\$857,540

Building \$2,037,830

Total \$2,895,370

Estimated Assessed Valuation For Fiscal Year 2007\*

Land \$1,052,200

Building \$2,514,100

Total \$3,566,300

\* Value subject to change based upon review of property status as of 4/1/06. The tax rate will be determined by City Council in May 2006.

**Building Information** 

Bldg #

Year Built 1988

# Units 1

Bldg Sq. Ft. 27488

Identical Units 1

Total Acres 4.371

Total Buildings Sq. Ft. Structure Type

45421

RETAIL - MULTI OCCUPANCY

Building Name 190 RIVERSIDE PLAZA

Identical Units

8

1

Exterior/Interior Information

Section	Levels	Size	Use
1	01/01	8784	RETAIL STORE
1	01/01	6754	MULTI-USE OFFICE
1	01/01	11950	WAREHOUSE

<b>Height</b> 16 16 16	Walls BRICK/STONE BRICK/STONE METAL-LIGHT	Heating HOT AIR HOT AIR UNIT HEAT NONE NONE NONE NONE	A/C CENTRAL CENTRAL NONE NONE NONE NONE NONE NONE
		NONE	NONE

**Building Other Features** 

Structure Type OVERHEAD DOOR - WD/MT 3 1 SPRINKLER - WET 3

This page contains a detailed description of the Parcel ID you selected. Press the **New Search** button at the bottom of the screen to submit a new query.

Current Owner Information

Card Number

Parcel ID

Location

Land Use

2 of 2

267 A005001

190 RIVERSIDE ST

OFFICE & BUSINESS SERVICE

Owner Address

BOUNTY DEVELOPMENT LLC ONE CANAL PLAZA 5TH FLOOR

PORTLAND ME 04101

Book/Page

Legal

15178/254

267-A-5

RIVERSIDE ST 188-214

190418 SF

Current Assessed Valuation For Fiscal Year 2006

\$857,540

Building \$2,037,830

Total \$2,895,370

Estimated Assessed Valuation For Fiscal Year 2007\*

Land

\$1,052,200

Building \$2,514,100

Total \$3,566,300

\* Value subject to change based upon review of property status as of 4/1/06. The tax rate will be determined by City Council in May 2006.

**Building Information** 

Bldg #

Year Built

# Units 1.

Bldg Sq. Ft. 17933

Identical Units 1.

Total Acres

4.371

Total Buildings Sq. Ft. Structure Type

45421

RETAIL - MULTI OCCUPANCY

Building Name

Exterior/Interior Information

Section	Levels	Size	Use
1	01/01	13449	OFFICE BUILDING
1	01/01	4484	WAREHOUSE

Height	Walls	Heating	A/C
18	BRICK/STONE	HOT AIR	CENTRAL
18	METAL-LIGHT	HOT AIR	NONE
		NONE	NONE

#### **Building Other Features**

Line Structure Type OVERHEAD DOOR - WD/MT 1 1 SPRINKLER - WET 1 CANOPY - ROOF/SLAB

Identical Units 1

THE SECURITY FEATURES ON THE FACE OF THIS DOCUMENT INCLUDE BORDER MICROPRINTING AND A COLORED BACKGROUND DESIGN ON WHITE PAPER

## PERKINS, THOMPSON, HINCKLEY & KEDDY, P.A.

T211

ONE CANAL PLAZA, P.O. BOX 426 PORTLAND, ME 04112 CHECK NO.

BANK of Maine
PORTLAND, MAINE

52-60/112

FIFTY AND 00/100 DOLLARS

DATE

CHECK NO.

AMOUNT

01-23-06

151160

50.00

PERKINS, THOMPSON, HINCKLEY & KEDDY, P.A.

PAY TO THE ORDER OF CITY OF PORTLAND P. O. BOX 544 PORTLAND, ME 4112-0544

By Cloude AUTHORIZED SIGNATURES

SECURITY FEATURES INCLUDED DETAILS ON BACK.

#151160# #011200608#7#009##0754 6#

#### PERKINS, THOMPSON, HINCKLEY & KEDDY

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ATTORNEYS AND COUNSELORS AT LAW

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ONE CANAL PLAZA P.O. BOX 426 PORTLAND, ME 04112 PHONE (207) 774-2635 FAX (207) 871-8026

January 23, 2006

#### VIA HAND DELIVERY

Ms. Marge Schmuckal
City of Portland
Department of Planning & Development
389 Congress Street
Portland, ME 04101

RE:

Zoning Letter – 190 Riverside Street

Dear Ms. Schmuckal:

Enclosed is a check in the amount of \$50 to cover the fee for the zoning determination letter for 190 Riverside Street.

Thank you for your assistance.

Sincerely,

Julianne C. Ray

Enclosure

cc: Mark P. Snow, Esq.

