

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK CITY OF PORTLAND

BUILDING INSPECTION

PERMIT

Permit Number: 040286

Please Read Application And Notes, If Any, Attached

This is to certify that Dsd Real Estate Inc

has permission to Foundation only for 40,000 sq. Ft. car d

AT 191 Riverside St L 268 A002001

provided that the person or persons who accept this permit shall comply with all of the provisions of the Statutes of the State and of the Ordinances of the City of Portland regulating the construction, maintenance and use of buildings and structures, and of the application on file in this department.

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

Notification of inspection must be given and when permission is procured before this building or part thereof is occupied or otherwise closed-in. 4 HOUR NOTICE REQUIRED.

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

OTHER REQUIRED APPROVALS
Fire Dept. [Signature]
Health Dept. _____
Appeal Board _____
Other _____
Department Name

[Signature]
Director - Building & Inspection Services

PENALTY FOR REMOVING THIS CARD

City of Portland, Maine - Building or Use Permit Application

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

Permit No: 04-0286	Issue Date:	CBL: 268 A002001
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Location of Construction: 191 Riverside St	Owner Name: Dsd Real Estate Inc	Owner Address: Po Box 207	Phone: 1603-752-6644
Business Name: n/a	Contractor Name:	Contractor Address:	Phone:
Lessee/Buyer's Name n/a	Phone: n/a	Permit Type: Additions - Commercial	Zone: B4

Past Use: Commercial / Vacant	Proposed Use: Car Dealership / Foundation only for 40,000 sq. Ft. car dealership.	Permit Fee: \$4,521.00	Cost of Work: \$500,000.00	CEO District: 5
Proposed Project Description: Foundation only for 40,000 sq. Ft. car dealership.		FIRE DEPT: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: Type:	

FOUNDATION
OK
4/9/04

Signature: *[Handwritten Signature]*

Signature: *[Handwritten Signature]*

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: gg	Date Applied For: 03/18/2004	Zoning Approval	
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- This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.
- Building permits do not include plumbing, septic or electrical work.
- Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work..

Special Zone or Reviews <input type="checkbox"/> Shoreland <i>NA</i> <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <i>Panel 6 Zone X</i> <input type="checkbox"/> Subdivision <input checked="" type="checkbox"/> Site Plan <i>#2003-0095</i> Maj <input type="checkbox"/> Minor <input checked="" type="checkbox"/> MM <input type="checkbox"/> <i>OK with conditions</i> Date: <i>3/25/04</i>	Zoning Appeal <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied	Historic Preservation <input checked="" type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Date: <i>[Handwritten Signature]</i>
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CERTIFICATION

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application is issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provision of the code(s) applicable to such permit.

SIGNATURE OF APPLICANT ADDRESS DATE PHONE

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE DATE PHONE



Commercial Building Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Location/Address of Construction: <u>191 RIVERSIDE ST.</u>		
Total Square Footage of Proposed Structure <u>52,000</u>	Square Footage of Lot	
Tax Assessor's Chart, Block & Lot Chart# <u>268</u> Block# <u>A</u> Lot# <u>002</u>	Owner: <u>DSD Realstate</u>	Telephone: <u>603-752-6644</u>
Lessee/Buyer's Name (If Applicable)	Applicant name, address & telephone: <u>Daniel Hebert Inc.</u> <u>1 Pleasant St.</u> <u>Colebrook, N.H. 03576</u>	Cost Of <u>Foundation only</u> Work: \$ <u>500,000</u> Fee: \$ <u>4521.</u>
Current Specific use: _____		
Proposed Specific use: <u>Toyota Lexus Dealership</u>		
Project description: <u>FOUNDATION ONLY AS</u> <u>PER PLAN SITE PLAN # 2003-0193</u> <u>FOR 40,000 SF CAR DEALERSHIP</u>		
Contractor's name, address & telephone:		
Who should we contact when the permit is ready: <u>DAN Hebert JR</u>		
Mailing address: <u>1 Pleasant St.</u> <u>Colebrook, N.H.</u>		
Phone: <u>603-237-4454</u>		

Please submit all of the information outlined in the Residential Application Checklist. Failure to do so will result in the automatic denial of your permit.

At the discretion of the Planning and Development Department, additional information may be required prior to permit approval. For further information stop by the Building Inspections office, room 315 City Hall or call 874-8703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature of applicant:	Date: <u>3/18/04</u>
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Permit Fee: \$30.00 for the first \$1000.00 Construction Cost, \$9.00 per additional \$1000.00 cost

This is not a Permit; you may not commence any work until the Permit is issued.

City of Portland, Maine - Building or Use Permit

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

Permit No: 04-0286	Date Applied For: 03/18/2004	CBL: 268 A002001
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Location of Construction: 191 Riverside St	Owner Name: Dsd Real Estate Inc	Owner Address: Po Box 207	Phone: 1603-752-6644
Business Name: n/a	Contractor Name:	Contractor Address:	Phone:
Lessee/Buyer's Name n/a	Phone: n/a	Permit Type: Foundation Only/Commercial	

Proposed Use: Car Dealership / Foundation only for 40,000 sq. Ft. car dealership.	Proposed Project Description: Foundation only for 40,000 sq. Ft. car dealership.
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Dept: Zoning **Status:** Approved with Conditions **Reviewer:** Marge Schmuckal **Approval Date:** 03/25/2004

Note: **Ok to Issue:**

- 1) Separate permits shall be required for any new signage.
- 2) 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:** Approved with Conditions **Reviewer:** Mike Nugent **Approval Date:** 04/09/2004

Note: **Ok to Issue:**

- 1) Bill Needleman/Planning gave verbal ok for the foundation phase of this project.
- 2) Ben Walters agreed that the geotechnical designer (R.W. Gillespie) will provide field supervision of this installation and provide reports to this office.

Dept: Fire **Status:** Approved **Reviewer:** Lt. MacDougal **Approval Date:** 04/06/2004

Note: **Ok to Issue:**

City of Portland, Maine - Building or Use Permit

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

Permit No: 04-0286	Date Applied For: 03/18/2004	CBL: 268 A002001
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Location of Construction: 191 Riverside St	Owner Name: Dsd Real Estate Inc	Owner Address: Po Box 207	Phone: 1603-752-6644
Business Name: n/a	Contractor Name:	Contractor Address:	Phone:
Lessee/Buyer's Name: n/a	Phone: n/a	Permit Type: Additions - Commercial	

Proposed Use: Car Dealership / Foundation only for 40,000 sq. Ft. car dealership.	Proposed Project Description: Foundation only for 40,000 sq. Ft. car dealership.
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Note: **Ok to Issue:**



CITY OF PORTLAND
BUILDING CODE CERTIFICATE
389 Congress St., Room 315
Portland, Maine 04101

TO: Inspector of Buildings City of Portland, Maine
Department of Planning & Urban Development
Division of Housing & Community Service

FROM DESIGNER: BECKER STRUCTURAL ENGINEERS | CWS ARCHITECTS
75 YORK ST, PORTLAND, ME 04101 | 434 CUMBERLAND AVE
PORTLAND, ME 04101 | 774-4441
DATE: 3/18/04
Job Name: MAINE MALL MOTORS TOYOTA LEXUS
Address of Construction: EXIT 8, RIVERSIDE DRIVE, PORTLAND, ME

THE BOCA NATIONAL BUILDING CODE / 1999 (FOURTEENTH EDITION)

Construction project was designed according to the building code criteria listed below:

Building Code and Year BOCA 1999 Use Group Classification(s) BUSINESS, STORAGE 2, STORAGE 2
Type of Construction TYPE 2C

Structural Systems

Roof Snow Load 60 PSF Ground Snow Load (Pg) 0.11 Earthquake Loads Peak velocity-related acceleration, Av
46 PSF If Pg > 10 psf, Flat Roof snow load, Pf 0.11 Peak acceleration, Aa
1.00 If Pg > 10 psf, snow exposure factor, Ce I Seismic hazard exposure group
1.10 If Pg > 10 psf, roof thermal factor C Seismic performance category
1.0 If Pg > 10 psf, snow-load importance factor, I S4, S=2.0 Soil profile type
N/A Sloped Roof Snowload Ps CONCENTRIC BRACE FRAMES Basic structural system / seismic-resisting system
ORDINARY MOM. FRAMES.
CBF -> R=5, Cd=4.5 Response modification factor, R, and deflection
OMF -> R=4.5, Cd=4.0 amplification factor, Cd,
YES The documents must account for Drift snow load, unbalanced snow load and Sliding snow loads as required.

Wind Loads 85 MPH Basic Wind Speed 1/0.25 Internal Pressure Coefficient
B Wind Exposure Category 20.0 PSF Wind Design Pressure 1.10 Wind Importance Factor



CITY OF PORTLAND
BUILDING CODE CERTIFICATE
389 Congress St., Room 315
Portland, Maine 04101

TO: Inspector of Buildings City of Portland, Maine
Department of Planning & Urban Development
Division of Housing & Community Service

FROM: BEN WALTER

RE: Certificate of Design

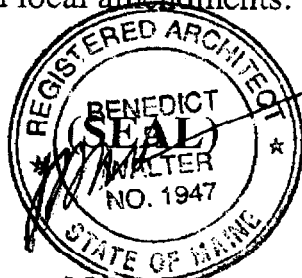
DATE: 3/18/04

These plans and / or specifications covering construction work on:

MAINE MALL MOTORS TOYOTA / LEXUS

EXIT 8 RIVERSIDE DRIVE PORTLAND, ME

Have been designed and drawn up by the undersigned, a Maine registered Architect / Engineer according to the BOCA National Building Code / 1999 (Fourteenth Edition) and local amendments.



As per Maine State Law:

\$50,000.00 or more in new construction, repair expansion, addition, or modification for Building or Structures, shall be prepared by a registered design Professional.

Signature: BW

Title: ARCHITECT

Firm: CWS ARCHITECTS

Address: 434 CUMBERLAND AVE
PORTLAND, ME 04101



CITY OF PORTLAND
BUILDING CODE CERTIFICATE
389 Congress St., Room 315
Portland, Maine 04101

ACCESSIBILITY CERTIFICATE

Designer: BEN WALTER

Address of Project: MAINE MALL MOTORS TOYOTA/LEXUS
EXIT B, RIVERSIDE DRIVE, PORTLAND ME

Nature of Project: VEHICAL SHOW ROOM, SALES & REPAIR
WITH SUPPORT OFFICES & STORAGE

The technical submissions covering the proposed construction work as described above have been designed in compliance with applicable referenced standards found in the Maine Human Rights Law and Federal Americans with Disability Act.

Signature: BW

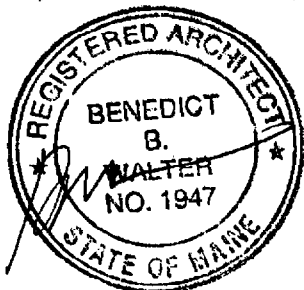
Title: ARCHITECT

Firm: CWS ARCHITECTS

Address: 434 CUMBERLAND AVE
PORTLAND, MAINE 04101

Phone: 207-774-4441

(SEAL)





CURTIS WALTER STEWART
ARCHITECTS

434 Cumberland Ave.
Portland ME 04101-2325
(207)-774-4441
fax (207)-774-4016

LETTER OF TRANSMITTAL

DATE: 03/19/04	JOB NO: 03.409.mlt
ATTENTION: Michael J. Nugent	
RE: Maine Mall Motors Toyota \ Lexus	

TO: **Housing & Neighborhood Services**
Planning & Development Department
Room 315
City of Portland

WE ARE SENDING YOU Attached Under separate cover via _____
_____ the following items:

- Shop drawings Prints Plans Samples Specifications
 Copy of letter Change order _____

COPIES	DATE	NO.	DESCRIPTION
1 Set	Progress 12/19/03		Site Drawings for Maine Mall Motors

THESE ARE TRANSMITTED as checked below:

- For approval Approved as submitted Resubmit _____ copies for approval
 For your use Approved as noted Submit _____ copies for distribution
 As requested Returned for corrections Return _____ corrected prints
 For review and comment _____
 FOR BIDS DUE _____ PRINTS RETURNED AFTER LOAN TO US

REMARKS:

Mr. Hebert

Attached is a set of Site Drawings for your use in your review of Maine Mall Motors.
Any questions or comments, please feel free to contact Ben or myself.

Ted

COPY TO: File,

SIGNED:

Ted Krush

If enclosures are not as noted, kindly notify us at once.

Applicant: Dsd Real Estate Inc

Date: 3/25/04

Address: 191 Riverside St

C-B-L: 260-A-002

CHECK-LIST AGAINST ZONING ORDINANCE

Permit # 04-0206

Date - New Construction

Zone Location - B-4

Interior or corner lot -

Proposed Use/Work - foundation only for new/used car dealership repair area / CAR WASH Bldg

Sevage Disposal - City

Lot Street Frontage - 60' min - 232' Feet shown

Front Yard - 20' min - 60' AT The closest

Rear Yard - 20' min 105' AT The closest (75' for car wash)

Side Yard - 10' min - 67' & 75' shown
1-2 streets

Projections -

Width of Lot - 60' min

Height - 65' max - 390' scale

Lot Area - 10,000 sq ft min 336,818 sq ft

Lot Coverage/ Impervious Surface - 80% MAX $\approx 269,454.4$ sq ft MAX
given impervious = 242,487 sq ft

Area per Family - N/A

Off-street Parking - 21 bays req - 463 spaces shown

Loading Bays - 1 bays req - 2+ bays shown
ST foot 39,193 - Above
-2000 2nd floor 12,050 ÷ 400
37,193 ÷ 200 = 185.965 30.125
retail 185.965
216.090

Site Plan - Major #2003-0095

Shoreland Zoning/ Stream Protection - N/A

Flood Plains - Panel 6 - Zone X

Floor AREA Ratio = .65 max - total Bldg area 51,963 ÷ 336,818 = .15

Separate Permits are required for any New Signage

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

2003-0095
Application I. D. Number
05/15/2003
Application Date
Maine Mall Motors Toyota/Lexus Deale
Project Name/Description

Maine Mall Motors
Applicant
255 Maine Mall Road, South Portland, ME 04106
Applicant's Mailing Address

Consultant/Agent
Applicant Ph: (207) 774-1429 Agent Fax:
Applicant or Agent Daytime Telephone, Fax

191 - 191 Riverside St, Portland, Maine
Address of Proposed Site
268 A002001
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) _____

34,400 s.f. Proposed Building square Feet or # of Units **_____** Acreage of Site **_____** **B4** 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 **\$500.00** Subdivision _____ Engineer Review _____ Date **05/20/2003**

Zoning Approval Status: Reviewer Merge Schmuckler

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	

MITCHELL & ASSOCIATES
LANDSCAPE ARCHITECTS

May 15, 2003

Ms. Sarah Hopkins, Development Program Manager
and Planning Board Members
Planning & Urban Development
City of Portland
389 Congress Street
Portland, Maine 04101

**RE: Maine Mall Motors Toyota/Lexus
191 Riverside Street, Portland**

Dear Sarah and Board Members:

On behalf of Maine Mall Motors, we would like to request an opportunity to meet with the Portland Planning Board to present a Sketch Plan for a proposed automobile dealership, to be located at 191 Riverside Street in Portland.

Site Description

The subject parcel is an 7.73 acre site located on the easterly side of Riverside Street. It is bounded on the north by Tire Warehouse and single family residences with frontages on Campbell Road (owned by Maine Mall Motors), on the east by the Maine Turnpike, on the south by land owned by H.J. Associates, LTD (occupied by Verrillo's), and on the west by Riverside Court and Riverside Street.

The site, which is highly visible and located on a well-traveled road, was developed during the 1990's as the Keenan Auction Co. and Keenan's Sporting Goods. Twenty years prior to Keenan's, the property was used by various auto dealerships. The previously existing buildings were demolished and removed from the site.

Project Description

The proposed automobile dealership will consist of a one and two story building, a primary access drive off Riverside Street, a secondary access off Campbell Road, and parking areas for inventory vehicles, employees, customers and service. The dealership will serve three automotive franchises: Lexus, Toyota and Scion (a sister company of Toyota). The site's primary focus will be a contemporary showroom structure sited prominently in the center rear of the parcel with the new car inventory in the foreground. This structure will include showrooms for the three franchises, a parts area, service center drop-off areas for Lexus and Toyota, and a service facility at the rear. Deliveries and new vehicle drop-off will be made at the rear of the building. The building's exterior design will replicate the international corporate standards and images of the Lexus and Toyota architectural and signage standards.

The primary access drive at Riverside Street is located opposite Chabot Street and extends into the site, aligned to focus on the center of the building. The intersection of Riverside Court and Riverside Street has been reconfigured slightly as shown on the Sketch Plan.

Verrillo's Property

Maine Mall Motors is currently undergoing negotiations with H.J. Associates, Ltd. about a parcel of land abutting the subject property, approximately one acre in size, to be used as additional parking for inventory. The negotiations would be for either a sale and purchase agreement or lease of the land to Maine Mall Motors. The enclosed 11"x 17" plan shows how the abutting land would be used for inventory parking.

Submission

This submission includes an application fee of \$500.00 and nine copies of the following information:

1. Cover letter, dated May 14, 2003
2. Site Plan Application
3. Warranty Deed of the former Keenan property
4. Warranty Deed of Campbell Road
5. Project Data
6. U.S.G.S. Map
7. List of Property Abutters and Tax Map
8. Verrillo's Property Exhibit (11" x 17")
9. Sketch Plan (24" x 36")

Ms. Sarah Hopkins and Planning Board Members
Page 3

If you desire any additional information, please do not hesitate to call. We look forward to meeting with the Board at their earliest convenience.

Sincerely,
Mitchell & Associates


John D. Mitchell

Enclosure

cc: Stephen M. Roach

City of Portland Site Plan Application

If you or the property owner owe real estate taxes, personal property taxes or user charges on any property within the City of Portland, payment arrangements must be made before permit applications can be received by the Inspections Dept.

Address of Construction: 191 Riverside Street		Zone: B-4
Total Square Footage of Proposed Structure Approximately 34,400 Sq. Ft.		Square Footage of Lot 377,547 Sq. Ft.
Tax Assessor's Chart, Block & Lot Chart# 268 Block# A Lot# 2	Property owner, mailing address: DSD Real Estate, Inc. 485 Main Street Gorham, NH 03581	Telephone: 207-774-1429
Consultant/Agent, mailing address, phone & contact person John D. Mitchell 207-774-4427 Mitchell & Associates 70 Center Street, Portland, ME 04101	Applicant name, mailing address, telephone #/Fax#/Pager#: Maine Mall Motors 255 Maine Mall Road South Portland, ME 04106	Project name: Maine Mall Motors Toyota/Lexus
Proposed Development (check all that apply) <input checked="" type="checkbox"/> New Building <input type="checkbox"/> Building Addition <input type="checkbox"/> Change of Use <input type="checkbox"/> Residential <input type="checkbox"/> Office <input checked="" type="checkbox"/> Retail <input type="checkbox"/> Manufacturing <input type="checkbox"/> Warehouse/Distribution <input checked="" type="checkbox"/> Parking lot <input type="checkbox"/> Subdivision, amount of lots _____ \$25.00 per lot \$ _____ <input type="checkbox"/> Site Location of Development \$3,000, except for residential lots which are then \$200 per lot _____ <input type="checkbox"/> Traffic Movement \$1,000 <input type="checkbox"/> Stormwater Quality \$250.00 <input type="checkbox"/> Other _____ <input type="checkbox"/> After the fact review - Major project \$1,500.00 <input type="checkbox"/> After the fact review - Minor project \$1,200.00 Major Development <input checked="" type="checkbox"/> \$500.00 Minor Development _____ \$400.00 Plan Amendments: _____ Board review \$200.00 _____ Staff review \$100.00		
Who billing will be sent to: Maine Mall Motors Mailing address: 255 Maine Mall Road State and Zip: South Portland, ME 04106 Contact person: Andrew Bradford Phone: 207-774-1429		

Submittals shall include (9) separate folded packets of the following:

- a. copy of application
- b. cover letter stating the nature of the project
- c. site plan containing the information found in the attached sample plans check list

Amendment to Plans: Amendment applications should include 6 separate packets of the above (a, b, and c)

ALL PLANS MUST BE FOLDED NEATLY AND IN PACKET FORM

Section 14-522 of the Zoning Ordinance outlines the process, copies are available at the counter at .50 per page (8.5 x11) you may also visit the web site: ci.portland.me.us chapter 14

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: <u>John D. Mitchell</u> , AUTHORIZED REPRESENTATIVE	Date: <u>MAY 15, 2003</u>
---	---------------------------

This application is for site review ONLY, a building Permit application and associated fees will be required prior to construction.

0093756 EX 1704 976346

SHORT FORM WARRANTY DEED

WATERFORD OF PORTLAND, LLC, a New York domestic limited liability company with a place of business at East Syracuse, New York, **FOR CONSIDERATION PAID**, grants to **DSD REAL ESTATE, INC.**, a Maine corporation with a mailing address of 545 Main Street, Gorham, New Hampshire 03581, with **WARRANTY COVENANTS**, certain real property, together with any improvements thereon, located in the City of Portland, County of Cumberland, State of Maine and more particularly described on Exhibit A attached hereto and made a part hereof.

Being the same premises conveyed to the grantor herein by deed from New Kaj, Inc. dated July 30, 1999 and recorded in the Cumberland County Registry of Deeds in Book 14957, Page 238.

IN WITNESS WHEREOF, Waterford of Portland, LLC has caused this instrument to be executed by Michael Lucarelli, its duly authorized agent, this 26 day of November, 2001.

MAINE REAL ESTATE TAX PAID

WITNESS:

WATERFORD OF PORTLAND, LLC

Linda M. Ineater

By: *Michael Lucarelli*

Name:

Michael Lucarelli
Its duly authorized agent

STATE OF NEW YORK
COUNTY OF ONONDAGA, SS.

November 26, 2001

PERSONALLY APPEARED the above-named Michael Lucarelli, the duly authorized agent of Waterford of Portland, LLC as aforesaid, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said limited liability company.

Before me,

Valerie L. Tarbell

Name:

Notary Public

VALERIE L. TARSELL
Notary Public, State of New York
Qualified in Onondaga County
No. 429041
My Commission Expires April 29, 2003

PK 170119 EG 317

EXHIBIT A

A certain lot or parcel of land, with the buildings thereon, situated in Portland, Cumberland County, Maine, bounded and described as follows:

Beginning at an iron set in the ground at the southerly side line of Campbell Road and the northerly side line of land of the Maine Turnpike Authority; thence South $34^{\circ}12'45''$ West by said Maine Turnpike Authority land 655.53 feet to an iron set in the ground; thence North $85^{\circ}13'45''$ West 105.94 feet to an iron set in the ground; thence North $2^{\circ}14'$ East 214.77 feet to an iron set in the ground; thence North $87^{\circ}46'45''$ West 405.60 feet to an iron set in the ground on the southeasterly side line of Riverside Court; thence North $2^{\circ}14'$ East by the southeasterly side line of said Riverside Court 50 feet to another iron; thence continuing on the same course 19.3 feet by said Riverside Court to an iron and an angle in said road; thence North $6^{\circ}11'$ East continuing by the southeasterly side line of said Riverside Court 205.57 feet to an iron pipe; thence continuing by the southeasterly side line of said Riverside Court 75 feet, more or less, to an iron stake and a row of 8 inch pine trees; thence South $80^{\circ}04'20''$ East partially through said row of 8 inch pine trees 300 feet to an iron stake; thence North $17^{\circ}37'25''$ East 105.35 feet to an iron stake and the southerly side line of said Campbell Road; thence South $80^{\circ}10'20''$ East by the southerly side line of said Campbell Road 509 feet to the point of beginning.

Being subject to the following:

1. Easement for poles and wires described in an easement deed from Oliver Wendell Holmes to Central Maine Power Company and New England Telephone and Telegraph Company dated October 20, 1964, recorded in said Registry of Deeds in Book 2877, Page 305.
2. Easements for poles and wires described in deeds from Fletcher Brown to Central Maine Power Company and New England Telephone and Telegraph Company dated November 10, 1972 and September 15, 1975, recorded respectively in said Registry of Deeds in Book 3346, Page 322 and in Book 3770, Page 137.
3. Right of way for sewer described in a deed from Donald S. White and Edwin C. White to the City of Portland described in a deed dated October 21, 1963, recorded in said Registry of Deeds in Book 2785, Page 416.
4. Being subject to the terms and conditions of an order of the State of Maine Department of Environmental Protection dated April 6, 1995, recorded in said Registry of Deeds in Book 11878, Page 52.

EX 1704856

5. Utility easements which serve the premises, zoning and building restrictions, other easements, covenants, conditions and restrictions of record affecting the premises, and real estate taxes, which grantee by acceptance of this deed assumes and agrees to pay.

6. Terms and conditions of a Department of Environmental Protection Order, dated November 18, 1999 and recorded in the Cumberland County Registry of Deeds in Book 15212, Page 49.

7. Lawsuit filed in the Cumberland County Superior Court captioned, Forest City Chevrolet v. Waterford of Portland, LLC, Docket No. CY-01-637, as evidenced by a Clerk's Certificate dated November 15, 2001 and recorded in the Cumberland County Registry of Deeds in Book 16968, Page 198.

8. Lawsuit filed in the United States District Court, District of Maine captioned, Forest City Chevrolet v. Waterford of Portland, LLC, Docket No. 01-282-P-H.

Also conveying all right, title and interest of the grantor herein, whether hereinabove described or not, in and to the parcel of land shown on plan captioned "ALTA/ACSM Land Title Survey of Keenan Auction Company Riverside Street Portland, Maine For: Waterford of Portland, L.L.C." dated April 29, 1999 by Sebago Technics Inc.

RECEIVED
RECORDED REGISTRY OF DEEDS

2001 DEC -6 AM 9:48

CUMBERLAND COUNTY

John B O'Brien

WARRANTY DEED Maine Statutory Short Form

Know All Persons by these Presents,

That **THE UNIVERSALIST CHURCH OF WESTBROOK, MAINE**, a Maine nonprofit corporation, with an address of 719 Main Street, Westbrook, County of Cumberland, State of Maine, for consideration paid, grants to **DSD REAL ESTATE, INC.**, a New Hampshire corporation, whose mailing address is 485 Main Street, Gorham, New Hampshire 03581, with **warranty covenants**, the land in Portland, County of Cumberland, State of Maine, described as follows:

SEE EXHIBIT A ATTACHED HERETO


Witness my hand and seal this 11th day of the month of January, 2002.

Signed, Sealed and Delivered
in presence of

The Universalist Church of Westbrook, Maine



Witness




By: Andrew Oliver
Its: Trustee and Moderator

State of Maine
County of Cumberland, ss.

January 11, 2002

Then personally appeared the above named Andrew Oliver, of The Universalist Church of Westbrook, Maine and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said corporation.

Before me,



Notary Public/Attorney at Law
Samuel H. Merrill

Printed Name