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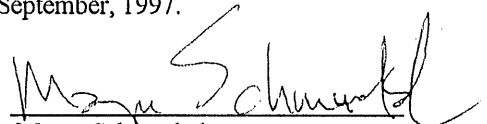
CITY OF PORTLAND

CERTIFICATE OF SETBACK REDUCTION

I, Marge Schmuckal, Zoning Administrator for the City of Portland, Cumberland County, State of Maine, hereby certify that on the 26th day of September, 1997, the following setback reduction was granted pursuant to the provisions of Section 14-437 of the City of Portland's Land Use Code.

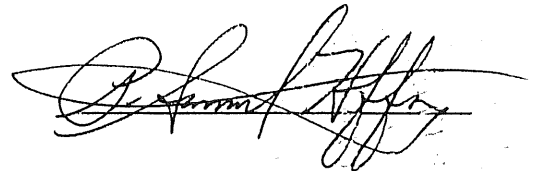
1. Property Owner: JoAnn DiPietro
2. Address and Assessor's Chart, Block and Lot of subject property:
109 East Kidder Street, Portland, Maine
425-I-24 and 25
3. Property: Cumberland County Registry Book 2909, Page 194.
(Last recorded _____ Deed in Chain of Title): and including easement recording: Cumberland County Registry Book 13027, Page 233
4. Setback Reduction Granted: This is to authorize a zero (0) foot side yard setback in an R-5 residential zone as indicated on Council easement approval, recorded date April 10, 1997 instead of the 20 foot side yard setback required.

IN WITNESS WHEREOF, I have hereto set my hand and seal this 26th day of September, 1997.


Marge Schmuckal
Zoning Administrator
September 26, 1997

STATE OF MAINE
Cumberland, ss.

Then personally appeared the above-named Marge Schmuckal and acknowledged the above certificate to be her free act and deed in her capacity as Zoning Administrator for the City of Portland.



P. SAMUEL HOFFSES

Printed or Typed Name
Notary Public

THIS CERTIFICATE MUST BE RECORDED BY THE PROPERTY OWNER IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS FOR THE SETBACK REDUCTION TO BE VALID.

425-I-24



CITY OF PORTLAND, MAINE

SETBACK REDUCTION APPLICATION FOR EXISTING STRUCTURES

Applicant's name and address:

Joann DiPietro 761-1945
109 E. Kidder St 773-3518

Applicant's interest in property (e.g. owner, purchaser, etc.):

Owner's name and address (if different):

Address of property and Assessor's chart, block, and lot number:

109 E. Kidder St.

425-I-24#25

Zone:

R-5

Present Use:

Single fam w/gar

Setback Reduction from: Section 14-120

Future Use:

Same

Please attach Plot Plan as outlined in Section 14-437. The required fee is \$50.00.

The undersigned hereby makes application for a setback reduction as above described, and certifies that all information herein supplied by him/her is true and correct to the best of his/her knowledge and belief.

Dated:

9/20/97

Joann DiPietro
Signature of Applicant

File
Enst Kidder St 17891

BK 13027 PG 223

DIPIETRO.DED.NLB.2
04.10.97

EASEMENT DEED

KNOW ALL PERSONS BY THESE PRESENTS, that the City of Portland, a body politic and corporate, hereby quitclaims to Joann DiPietro of Portland, Maine, an easement described as follows:


The right perpetually to enter, exclusively utilize, and maintain, at any and all times, property situated on Providence Street Portland, Maine, said property more particularly described in Schedule A, attached hereto and incorporated herein by reference. The purpose of this easement is to allow Grantee to maintain a structure, a portion of which was inadvertently placed upon the easement area herein conveyed.

Meaning and intending to convey an easement over a portion of the street right-of-way of Providence Street.

TO HAVE AND TO HOLD the same, together with all the rights and privileges appurtenant thereto.

WITNESS my hand and seal this 10th day of April, 1997.

Lynne A. Benoit

CITY OF PORTLAND

Duane G. Kline
Its Director of Finance

State of Maine
Cumberland, ss.

April 10, , 1997

Personally appeared the above named Duane G. Kline in his capacity as Director of Finance for the City of Portland and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of the City of Portland.

BK 13027PG224

DIPIETRO.DED.NLB.2
04.10.97

Before me,

Natalie L. Burns
~~Notary Public/Attorney-at-Law~~

Natalie Burns

Schedule A

A certain lot or parcel of land situated on the northeasterly side of Providence Street in the City of Portland, County of Cumberland, State of Maine, bounded and described as follows:

Beginning at a point on the northeasterly sideline of said Providence Street, said point being S 38°39'13" E along the northeasterly sideline of Providence Street a distance of twenty-four and 00/100 (24.00) feet from the intersection formed by the northeasterly sideline of Providence Street and the southeasterly sideline of East Kidder Street. Thence:

- 1) S 38°39'13" E along the northeasterly sideline of Providence Street and through an existing garage a distance of twenty-nine and 00/100 (29.00) feet to a point.
- 2) S 51°20'47" W into Providence Street a distance of five and 00/100 (5.00) feet to a point.
- 3) N 40°37'43" W a distance of twenty-nine and 02/100 (29.02) feet to a point.
- 4) N 51°20'47" E a distance of six and 00/100 (6.00) feet to the point of beginning.

The above described easement contains 160 square feet. Bearings are based on magnetic north 1997.

Reference is made to a plan of "Washington Avenue Gardens" as recorded in the Cumberland County Registry of Deeds in Plan Book 14, Page 46, reference is also made to a "Garage Easement Plan" made for JoAnn DiPietro dated March 24, 1997, by Titcomb Associates.

RECEIVED
RECORDED REGISTRY OF DEEDS

97 APR 11 PM 1:40

CUMBERLAND COUNTY

John B. O'Brien

East Kidder St

S 39°-04'-13" E 85.43'

POSSIBLE IRON
BURIED

105

N 54°-56'-00" E 62.00'

HO. #109

POOL AREA

S 51°-20'-47" W 62.50'

BACK STEPS
NOT LOCATED

PAVED DRIVE

104

OVERHANG

S 38°-39'-13" E 24.00'

29.00'

S 51°-20'-47" W 6.00'

N 38°-39'-13" W 89.31'

N 51°-20'-47" E 5.00'

S 40°-37'-43" E 29.02'

STOP
SIGN

Providence St

PROPOSED EASEMENT
AREA = 160 sq

Approved
by City Council
4/8/97

Standard Boundary Survey
Garage Easement Plan
109 East Kidder Street, Portland, Maine

made for

JoAnn DiPietro
109 East Kidder Street, Portland, Maine

Job 97026 Book 604 File 3098 Disc 500

March 24, 1997

TITCOMB ASSOCIATES
LAND SURVEYORS / LAND PLANNERS
#8 Portland North Business Park, Falmouth, Maine

the location
only.

DIPietro.DED.NLB.2
04.10.97 RAS

EASEMENT DEED

KNOW ALL PERSONS BY THESE PRESENTS, that the City of Portland, a body politic and corporate, hereby grants to Joane DiPietro of Portland, Maine, an easement described as follows:

The right perpetually to enter, exclusively utilize, and maintain, at any and all times, property situated on Providence Street Portland, Maine, said property more particularly described in Schedule A, attached hereto and incorporated herein by reference. The purpose of this easement is to allow Granted to maintain a structure, a portion of which was inadvertently placed upon the easement area herein conveyed.

Meaning and intending to convey an easement over a portion of the street right-of-way of Providence Street.

TO HAVE AND TO HOLD the same, together with all the rights and privileges appurtenant thereto.

WITNESSED my hand and seal this 10th day of April, 1997.

Lynn A. Lord

CITY OF PORTLAND
Thane G. Kline
Its Director of Finance

State of Maine
Cumberland, ss.

April 10th, 1997

Personally appeared the above named Thane G. Kline in his capacity as Director of Finance for the City of Portland and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of the City of Portland.

Book 13027
Page 233

109 East Kidder Street

This is an R-5 Residential Zone. The Portland City Council gave a special easement to the present owner, JoAnn DiPietro, to allow the presently nonconforming setback on the sideyard. This recorded (BK: 13027, PG:233, 4-10-97) easement was approved by Council on or about 4/8/97.

Normally a 20 foot sideyard setback on a side street is required.

- 1) Section 14-433 allows me to give a setback of five (5) feet.
- 2) Then Section 14-437 allows a reduction of five (5) feet, thus resulting in a zero (0) foot side lot line setback.

This will then allow the City Council's easement to be allowable.

The setback reduction is a recordable instrument.