

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

Location of Construction: <b>One Beanpot Circle</b>		Owner: <b>Burnham &amp; Morrill - Div/Pillsbury - Inc</b>		Phone: <b>772-3341</b>	Permit No: <b>9 509 66</b>
Owner Address: <b>One Beanpot Circle - Ptld, ME 04103</b>		Lease/Buyer's Name:		Phone: <b>772-3341</b>	Business Name:
Contractor Name: <b>G G Silley Inc</b>		Address: <b>Yarborough ME</b>		Phone:	
Past Use: <b>food manufacturing plant</b>	Proposed Use: <b>food manfg plant w containment structure</b>	COST OF WORK: <b>\$38,000</b>	PERMIT FEE: <b>\$ 210</b>		
		FIRE DEPT. <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: Type: /		
Proposed Project Description: <b>construct concrete barrier building</b>  <b>minor s p - \$300</b>		Signature: <i>[Signature]</i>		Signature: <i>[Signature]</i>	
Permit Taken By: <b>L Chase</b>		Date Applied For: <b>8/25/95</b>			

**PERMIT ISSUED**  
Permit Issued:  
**SEP 13 1995**  
**CITY OF PORTLAND**

Zone: **E-2** CBL: **447-A-001**  
Zoning Approval: *[Signature]*  
**Special Zone or Reviews:**  
 Shoreland  
 Wetland  
 Flood Zone  
 Subdivision  
 Site Plan maj  minor  mm

**Zoning Appeal**  
 Variance  
 Miscellaneous  
 Conditional Use  
 Interpretation  
 Approved  
 Denied

**Historic Preservation**  
 Not in District or Landmark  
 Does Not Require Review  
 Requires Review

**Action:**  
 Approved  
 Approved with Conditions  
 Denied  
 Date: *[Signature]*

**PERMIT ISSUED WITH LETTER**

**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 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 provisions of the code(s) applicable to such permit

08 Sept 1995 - Permit Routed

SIGNATURE OF APPLICANT	ADDRESS:	DATE:	PHONE:
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE			PHONE:

CEO DISTRICT /

COMMENTS

9-9-96 Check wall completed

Type

Inspection Record

Date

Foundation: \_\_\_\_\_

Framing: \_\_\_\_\_

Plumbing: \_\_\_\_\_

Final: \_\_\_\_\_

Other: \_\_\_\_\_

Applicant:

Date:

9/11/95

Address: ONE Bearpot Circle

Assessors No.: Name given

CHECK LIST AGAINST ZONING ORDINANCE

Date -

Zone Location - I-2

Interior or corner lot -

Use - to construct concrete barrier bldg around existing Sugar TAUB

Sewage Disposal -

Rear Yards - N/A

Side Yards - 25' Reg - 25' shown

Front Yards - N/A

Projections -

Height - 1 story

Lot Area -

Building Area -

Area per Family -

Width of Lot -

Lot Frontage -

Off-street Parking -

Loading Bays -

Site Plan - minor

Shoreland Zoning -

Flood Plains -

in Shore Land Area, Not within 75' of highway per contractor - site is already completely developed - No trees etc to be concerned of chopped down

Owner: Pillsbury, Underwood Div.  
200 South Sixth Street  
Minneapolis, Mn. 55402

Estimated cost of Liquid Sugar Containment approximately \$38,000

1. This site is used as a food manufacturing plant, the new addition that is being proposed will enclose a 9000 gallon and 3000 gallon liquid sugar tank. The purpose is to ensure that the sugar will be contained in the event of a spill.
2. Total land area + or - 23.8 acres to low water line, 13.6 acres to high water line. The proposed enclosure area is 723 sq. ft., 35' x 20' 8".
3. There are no known easements on existing property and none are being proposed as a result of this addition.
4. Type of solid waste to be generated : 28 yds. of filled gravel and asphalt.
5. This facility utilizes both city water and sewer, with a street entrance off Sherwood Street.
6. See attached Storm Pollution Prevention Plan.
7. Sept. 5, 1995 - Site preparation excavating and removal.  
Sept. 7, 1995 - Prepare forms for footings, steps and containment walls.  
Sept. 10, 11, 1995 - Add required reinforcement and pour containment walls.  
Sept. 12, 1995 - Backfill and add gravel as needed.  
Sept. 12-16, 1995 - Construct block wall, add reinforcement and install door opening.  
Sept. 16-18, 1995 - Pour floor and seal all wall and floor joints.  
Sept. 18-20, 1995 - Prepare and paint exterior of addition.  
Sept. 20-22, 1995 - Pave required area to match with existing grade.  
Sept. 20-22, 1995 - Add required overhead lighting and switches.  
Sept. 23, 1995 - Full completion.

Note: The above schedule is depending upon permit approval.

9. If required, financial and technical capacity will be provided by:  
Pillsbury Co., Underwood Division  
200 South Sixth Street  
Minneapolis, Mn. 55402
10. See attached deed or ownership information.
11. This property is located on ocean front in Casco Bay. Protection of this area is being addressed by both the enclosed Storm Pollution Prevention Plan and the Environmental Team at this plant. The proposed addition is part of a short term environment upgrade of this facility.

PROPOSAL

N. G. BAILEY, INC.

General Contractor  
 Yarmouth Road  
 GRAY, MAINE 04039  
 Phone 657-3200  
 FAX 657-3646

PROPOSAL SUBMITTED TO <b>Burnham &amp; Morrill</b>		PHONE <b>772-8341</b>	DATE <b>August 23, 1995</b>
STREET <b>One Beanpot Circle</b>		JOB NAME <b>Fuel Oil Containment Slab &amp; Sugar Tank Enc.</b>	
CITY, STATE AND ZIP CODE <b>Portland, Maine 04102</b>		JOB LOCATION <b>Same</b>	
ARCHITECT <b>R&amp;M</b>	DATE OF PLANS <b>----</b>	JOB PHONE <b>----</b>	

We hereby submit specifications and estimates for:

~~Fuel Oil Containment Slab  
 Excavate and remove approximately 10" of fill to allow for a finish 20" above slab to top of existing stairs:  
 Concrete slab will be 6" thick with 6x6/6 WWM;  
 1/4" expansion foam joint perimeter of walls and abutments:  
 Slab will be soft cut twice to form control joints:  
 Control and expansion joints will be filled with SL1 sealant by Sonobond:  
 Slab will have one coat of sealant by Sonobond - Eight Thousand Six Hundred Fifty Dollars (\$8,650.00).~~

Sugar Tank Enclosure - Excavation, backfill, pavement patch and concrete slab to continue from existing -  
 8" rein concrete foundation;  
 8" block wall around exterior of building;  
 Steel man door and frame;  
 Wood truss roof with metal deck;  
 9" of fiberglas insulation;  
 Two layers of 5/8" Gypsum green board, taped and painted;  
 Exterior of building, painted two coats;  
 Interior not painted except for ceiling - Twenty-Eight Thousand Dollars (\$28,000.00).

We Propose hereby to furnish material and labor - complete in accordance with above specifications, for the sum of :  
 above quoted prices \_\_\_\_\_ Dollars (\$ \_\_\_\_\_)

Payment to be made as follows  
 In full upon completion of our work.

A late charge of 1 1/2% per month on all past due accounts of thirty days.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delay beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized Signature \_\_\_\_\_  
 Note: This proposal may be withdrawn by us if not accepted within thirty days.

Acceptance of proposal  
 The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance \_\_\_\_\_

Signature \_\_\_\_\_  
 Signature \_\_\_\_\_

1 Beanpot Circle

## STORM POLLUTION PREVENTION PLAN

### 1. Fuel Oil Unloading

- A. Driver to stay with truck while unloading.
- B. Boiler Room Engineer to check tank level indicators while unloading to make sure proper tank is being filled.
- C. For significant spills:
  - 1. Knife valve at loading dock is to be closed to prevent oil from entering storm drains.
  - 2. Knife valve at end of dock to be closed to prevent discharge to bay.
  - 3. Plant Engineer to be notified.
  - 4. Maintenance Supervisor to be notified.
  - 5. Truck Driver to call his dispatcher.
- D. Tank Room should have floor area picked up at all times to prevent reduction of dike volume under tanks. Boiler Room Engineer leadman to inspect area once each month and log same.
- E. Yard Man to keep loading area knife valve clean of debris to prevent plugging valve.
- F. Overboard knife valve and loading dock knife valve inspected for free movement each month by Utility Engineer.
- G. Containment interceptor on yard drain line to overboard discharge knife valve will be inspected monthly by Utility Engineer. Pigs will be changed as needed.
- H. Plant Engineer will keep telephone list and call, as needed, Waste Cleanup Companies/
  - 1. Clean Harbors of Maine, Inc. Tel: 799-8111
  - 2. Jet-Line Services, Inc. Tel: 799-0850

2. Molasses Unloading or Significant Spill such as Tank Truck Hose Rupture
  - A. Driver to stay with truck while unloading.
  - B. For significant spills:
    1. Knife valve at loading dock is to be closed to prevent spill from entering storm drains.
    2. Knife valve at end of dock to be closed to prevent discharge to bay.
    3. Plant Engineer to be notified.
    4. Maintenance Supervisor to be notified.
    5. Truck Driver to call his dispatcher.
  
3. Liquid Sugar Unloading or Tank Rupture
  - A. Driver to stay with truck while unloading.
  - B. For significant spill open manhole cover to effluent holding pit.
  - C. Notify Plant Engineer.
  - D. Notify Maintenance Supervisor.
  - E. Driver to call dispatcher.
  
4. Cleaners:
  - A. All liquid barrels are kept on four-barrel containment pallets.
  - B. The Soap Room for these barrels has no floor drains and a containment capacity of approximately 75 gallons.

NON-STORM WATER DISCHARGES

#001 - Boiler Room Equipment Cooling Water

Located on south side of property  
next to R&D building, discharging  
into Portland Back Cove of Casco Bay.

#002 - Retort Cooling Water

Located on west side of property in  
front of main building, discharging  
into Portland Back Cove of Casco Bay

FEDERAL PERMIT NO: NPDES - ME -0001741

STATE PERMIT NO: W000980-57-A-R

Water Samples are sent to Northeast Laboratory  
P. O. Box 788  
Waterville, ME 04903-0788





POLLUTION PREVENTION TEAM

Plant Manager - Jonathan Tupper  
Office: 207-772-8341 ext. 235  
Home: 207-657-4737

Benefits Manager - Ronald Mattia  
Office: 207-772-8341 ext. 288  
Home: 207-353-5483

Plant Engineer - John Totman  
Office: 207-772-8341 ext. 269  
Home: 207-829-5852

Project Engineer - John Condon  
Office: 207-772-8341 ext. 224  
Home: 207-777-3040

Maintenance Supervisor  
- Gary Latuscha  
Office: 207-772-8341 ext. 228  
Home: 207-926-3609

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TRUSTEES' DEED

KNOW ALL MEN BY THESE PRESENTS, that WILLIAM B. JOHNSON, BOYD F. SCHENK and ROBERT F. SCHNOES, being the present Trustees under that certain Declaration of Trust dated May 27, 1966, recorded in the Cumberland County Registry of Deeds in Book 2961, Page 663, in consideration of one dollar and other valuable consideration paid by WILLIAM UNDERWOOD COMPANY, a Massachusetts Voluntary Association, the receipt whereof they do hereby acknowledge, do hereby remise, release, and forever quitclaim unto William Underwood Company, its successors and assigns forever:

I. Ten parcels of land with the buildings thereon situated in the State of Maine, City of Portland, in the district formerly known as East Deering, and being more particularly bounded and described as follows:

Parcel One - So-called Merrill Lot

A parcel of land bounded northeasterly and easterly by land now or formerly of Mark Jordan; southerly by the channel of Back Bay; westerly by land now or formerly of George P. Derr; northerly and westerly by land now or formerly of Alberta Pettengill.

There is hereby accepted from Parcel One (a) that part which William M. Merrill conveyed to Ralph Kelley by deed of quit-claim bearing date of May 23, 1853, and recorded in the Cumberland County Registry of Deeds in Book 269, Page 137, and (b) that part of the same which William M. Merrill conveyed to Silas M. Adams by deeds bearing date of April 17, 1869, and December 11, 1860, and recorded in said Registry in Book 298, Page 425, and in Book 314, Page 463.

Reference is hereby made to the deed from William Merrill et al. to Burnham & Morrill Company by deed dated January 23, 1912 and recorded in said Registry in Book 891, Page 440.

Parcel Two - So-called Jordan-Saunders Lot

A triangular parcel bounded and described as follows: beginning at a stake in the division line between land formerly of Sarah Jordan and Isabelle Jordan Saunders and land formerly of William Merrill, said stake being about eighty-eight (88) feet northerly of a street formerly known as Water Street on a line that passes through a stake five (5) feet northwest of the northwesterly corner of a house on said land of Merrill; thence from said first named stake north sixty-nine (69) degrees two (2) minutes east three hundred twenty-one (321) feet and thirty-five one hundredths (35/100) of a foot to a post in the westerly line of the right of way of Grand Trunk Railway Company of Canada; thence southerly by said westerly line of said right of way of said Railway Company five hundred sixty-eight (568) feet, more or less, to the northerly line of said land of Merrill; thence north forty (40) degrees thirty-seven (37) minutes west by said northerly line of Merrill's land five hundred ninety (590) feet, more or less, to point of beginning, containing about two (2) acres and twenty-two hundred (2200) square feet of land.

Being the same premises conveyed by Sarah Jordan et al. to Burnham & Morrill Company by deed dated April 1912 and recorded in said Registry of Deeds in Book 891, Page 439.

Parcel Three - So-called Derr Lot

A parcel bounded and described as follows, viz: beginning at a stake standing in the northerly side line of said Water Street, in the easterly corner of land formerly owned by Ephraim Sawyer; thence running south seventy-one (71) degrees east to a point where was situated an "Oak Stump" January 23, 1845, a distance of one (1) rod and eleven (11) links; thence south forty (40) degrees east five (5) rods and eight (8) links; thence north nine (9) degrees east twelve and one-half (12-1/2) rods to the line

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on which an old fence formerly stood; thence northwesterly by the line of said fence one hundred and thirty (130) feet to a point; thence on a straight line two hundred and thirty (230) feet, more or less, to the first bounds mentioned.

Also a certain log or parcel of upland and flats on the southerly side of said Water Street, so-called, directly opposite the above described lot, bounded and described as follows: beginning on said southerly side of said Water Street at the northeasterly corner of land now or formerly of Ephraim Sawyer; thence southerly by said Sawyer land to the channel; thence easterly by said channel to land formerly of Burnham & Morrill Company; thence northerly by said Burnham & Morrill Company's land to said Water Street; thence westerly by said Water Street to said Sawyer land and point of beginning.

Excepting and reserving from Parcel Three that portion which was conveyed by Lemuel Dyer to Jacob P. Shattuck by his deed dated January 23, 1865, and recorded in said Registry in Book 770, Page 141.

Being the same premises conveyed by George P. Derr to Burnham & Morrill Company by deed dated September 10, 1913 and recorded in said Registry of Deeds in Book 915, Page 430.

Parcel Four - So-called Pettengill Lot

A parcel of land bounded and described as follows: beginning on said Water Street where the said lot and the land now or formerly of L. W. Dyer intersects at a post firmly set in the ground; thence along said Water Street in a southeasterly direction about eighty feet (80') to a post where the said lot intersects with land formerly owned by William W. Merrill; thence in a northeasterly direction about 100 feet to a post and land formerly owned by Ralph Kelley; thence in a northwesterly direction about 120 feet to a post and land now or formerly of said L. W. Dyer; thence in a southwesterly direction along said Dyer land to the point of beginning; containing one-quarter of an acre, more or less.

Being the same premises conveyed by Alberta Pettingill to Burnham & Morrill Company by deed dated March 2, 1918 and recorded in said Registry in Book 1002, Page 318.

Parcel Five - So-called Shattuck Lot

Two parcels of land bounded and described as follows: beginning on the southerly side of said Water Street at the northeasterly corner of land and flats formerly belonging to Isaac Sturdivant and the heirs of Isaac Ilsley; thence running southwesterly by said land and flats owned as aforesaid to low water mark; thence easterly by low water mark to land and flats formerly belonging to Lemuel Dyer; thence northeasterly by said Dyer land and flats to said Water Street; thence westerly by said Water Street to place of beginning; being about one hundred (100) feet on said Water Street and extending to low water mark, holding the width of one hundred (100) feet; subject to the rights and limitations set forth in the Colonial Ordinances, 1641-1646.

Also another certain lot or parcel of land with the buildings thereon, situated on the northerly side of said Water Street, bounded and described as follows: beginning at a post standing on the northerly side of said Water Street, south forty (40) degrees west, fourteen (14) feet and six (6) inches from the most southwesterly corner of the cellar wall of the house formerly on said premises; thence running north two (2) degrees east by land formerly of the heirs of James Lunt, one hundred (100) feet to a post at the southeasterly corner of land formerly of S.B. Brackett; thence north seven and one-half (7-1/2) degrees east by said Brackett's land, and by land formerly of the heirs of James Lunt, one hundred fifty-two (152) feet, more or less, to land formerly of Ralph Kelley; thence southeasterly by said Kelley's land, one hundred fifty-five (155) feet, more or less, to land conveyed by James Lunt to John Randall and William M. Merrill, afterwards owned by Lemuel Dyer; thence southwesterly by said last mentioned land to said Water Street; thence westerly by said Water Street to the place of beginning.

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Reference is made to the deed from Leola Murphy, Guardian, to said Burnham & Morrill Company dated March 1, 1929 and recorded in said Registry in Book 1318, Page 32.

Parcel Six - So-called Dartmouth Real Estate Company Lot

A parcel of land with the buildings thereon bounded and described as follows: commencing at a stake standing in the northwesterly side line of a right of way granted to said Burnham & Morrill Company, which said stake is fifty-three and nine hundredths (53.09) feet on a course north 39 degrees 35 minutes west, from a concrete monument which stands on the southeasterly side line of said right of way and separating said right of way from other land of the said Burnham & Morrill Company; thence north 39 degrees 35 minutes west, three hundred forty-seven and sixty-eight hundredths (347.68) feet to a stake; thence at right angles on a course north 50 degrees 25 minutes east three hundred six and ninety-eight hundredths (306.98) feet to a stake; thence at right angles and running on a course south 39 degrees 35 minutes east two hundred nine and fifty-five hundredths (209.55) feet to a stake; thence on a course south 38 degrees 45 minutes east two hundred ninety-nine and eighteen hundredths (299.18) feet to a concrete monument standing in the line of the right of way of the Grand Trunk Railway of Canada; thence turning an interior angle of 71 degrees 11 minutes and running on a course south 70 degrees 04 minutes west one hundred sixty and sixty-eight hundredths (160.68) feet to a concrete monument at the easterly corner of the right of way of Burnham & Morrill Company; thence turning an angle of 90 degrees and running fifty (50) feet across the end of said right of way to a stake; thence in a course south 70 degrees 04 minutes west one hundred seventy-eight and fifty-two hundredths (178.52) feet to the point of beginning.

A plan of the above described premises entitled "The McLain Company Plan: is recorded in the Registry of Deeds for Cumberland County in Plan Book 15, Page 26.

Being the same premises conveyed by Dartmouth Real Estate Company to Burnham & Morrill Company by deed dated January 16, 1932 and recorded in said Registry in Book 1393, Page 40.

Parcel Seven - So-called McCracken Lot

A parcel of land situated on the southwesterly side of Sherwood Street (formerly Winslow Street) in said Portland, and more particularly bounded and described as follows:

beginning at a point on the southwesterly line of Sherwood Street at the easterly corner of Lot No. 7 on Plan of Property belonging to the Lunt Heirs, made by John D. Bailey, C. E., dated May 15, 1857, and recorded in Cumberland County Registry of Deeds in Plan Book 3, Page 48; thence southwesterly along the southeasterly line of said Lot No. 7 one hundred thirty-two (132) feet to a point on the southwesterly line of Lot No. 6 as shown on said Plan; thence southeasterly along said southwesterly line of Lot No. 6 and Lot No. 5 on said Plan one hundred (100) feet to the westerly corner of Lot No. 4 on said Plan; thence northeasterly along the northwesterly line of Lot No. 4 one hundred thirty-two (132) feet to a point on the southwesterly line of said Sherwood Street; thence along the southwesterly line of Sherwood Street in a northwesterly direction one hundred (100) feet to the point of beginning.

Being Lots Nos. 5 and 6 as shown on said Plan of Property belonging to the Lunt Heirs, recorded in Plan Book 3, Page 48.

Being the same premises conveyed by Florence B. McCracken to Burnham & Morrill Company by deed dated August 24, 1953 and recorded in said Registry in Book 2143, Page 482.

Parcel Eight - So-called Lunt Lot

A parcel of land consisting of lots numbered three (3) and four (4) on the southwesterly side of Sherwood Street, formerly called Winslow Street, as delineated upon a plan entitled "Plan of Property belonging to the Lunt Heirs" and duly recorded in Cumberland County Registry of Deeds, in Plan Book 3, Page 48, to which plan and record thereof reference is hereby made for a more particular description of the premises above described.

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Being the same premises conveyed by Alice Storer Lunt et al. to Burnham & Morrill Company by deed dated April 27, 1933 and recorded in said Registry in Book 1420, Page 140.

Parcel Nine - So-called Wells Lot

A parcel of land situated on the southwesterly side of Sherwood (formerly Winslow) Street in said Portland, bounded and described as follows: beginning on said southwesterly side of said Sherwood Street at the most easterly corner of lot number 3 and the most northerly corner of lot number 2 on a plan made by John D. Bailey dated May 15, 1857 for the James Lunt heirs recorded in Cumberland County Registry of Deeds in Plan Book 3, Page 48; thence running southeasterly by said Street 87 feet to a stake standing on the most westerly line of the location of the Grand Trunk Railroad; thence southerly on the line of said Grand Trunk Railroad location 251 feet, more or less, to a stake standing on the line of land now or formerly owned by Ralph Kelley; thence northwesterly by said Kelley land 300 feet, more or less, to the most southerly corner of lot number 3 on said plan; thence northeasterly 132 feet to the point of beginning; being lots number 1 and 2 on said plan.

Being the same premises conveyed by Charles S. Morrill to Burnham & Morrill Company by deed dated August 14, 1957 and recorded in said Registry in Book 2369, Page 298.

Parcel Ten - So-called Eastern Dredging Company Lot

A parcel of land conveyed by Charles B. Clarke, Trustee in Bankruptcy of Eastern Dredging Company, to Burnham & Morrill Company by deed dated May 22, 1916 and recorded in said Registry in Book 971, Page 270.

The conveyance of Parcels One through Ten is made subject to pole line easements granted by conveyances recorded in said Registry in Book 1989, Page 88, Book 2053, Page 394 and in Book 2491, Page 45.

The property encompassed by Parcels One through Ten borders on, and/or includes, streets and highways of the City of Portland and State of Maine; in connection with said streets and highways reference is hereby made to instruments recorded in said Registry in Book 1622, Page 134; Book 2146, Page 400; Book 2368, Page 345; Book 2369, Page 116; Book 2407, Page 418; Book 2471, Page 218; and Book 2563, Page 202.

II. Certain lots or parcels of land, with the buildings thereon, in said Portland on Commercial, Fore, Union and Cross Streets and being the same conveyed by Bessey Foods, a Maine corporation, to Burnham & Morrill Company by deed dated June 16, 1964 and recorded in said Registry in Book 2830, Page 266.

III. Also all other real estate, interests in real estate, rights of way, easements, streets, highways, flats, water rights, and interests in water, shore and flats, owned or possessed by the Trust in said County of Cumberland or elsewhere.

IV. EXCEPTING THEREFROM that portion of the above described property taken by the State of Maine as shown on a Right-of-Way Map, State Highway "295", City of Portland, Federal Aid Project No. 1-IR-295-3(91), dated April 1985, on file in the Office of the Department of Transportation, (D.O.T. File No. 3-336), recorded in the Registry of Deeds of Cumberland County.

TO HAVE AND TO HOLD the same, together with all the privileges and appurtenances thereunto belonging, to the said William Underwood Company, a Massachusetts Voluntary Association, its successors and assigns forever, so that neither the said Trustees, nor their heirs, nor any other person or persons, for them or in their name or behalf, shall or will hereafter claim or demand any right or title to the aforesaid premises or any part thereof, but they and each of them shall, by these presents, be excluded and forever barred.

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IN WITNESS WHEREOF, the Trustees have caused this instrument to be executed this \_\_\_ day of October, 1990.

William B. Johnson  
William B. Johnson Trustee  
Boyd F. Schenk  
Boyd F. Schenk Trustee  
Robert F. Schnoes  
Robert F. Schnoes Trustee

EX-10116-231

State of Illinois }  
County of COOK } SS.

I, OLGA ISZCZUK, a Notary Public, do hereby certify that William B. Johnson, acting as Trustee under a certain Declaration of Trust dated May 27, 1966, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed and delivered the said instrument as his free and voluntary act as such trustee, for the uses and purposes therein set forth.

Given under my hand and seal this 15 day of October, 1990.

Olga Iszczuk  
Notary Public  
"OFFICIAL SEAL"  
OLGA ISZCZUK  
Notary Public, State of Illinois  
My Commission Expires Sept. 5, 1993

State of Illinois }  
County of COOK } SS.

I, OLGA ISZCZUK, a Notary Public, do hereby certify that Boyd F. Schenk, acting as Trustee under a certain Declaration of Trust dated May 27, 1966, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed and delivered the said instrument as his free and voluntary act as such trustee, for the uses and purposes therein set forth.

Given under my hand and seal this 15 day of October, 1990.

Olga Iszczuk  
Notary Public  
"OFFICIAL SEAL"  
OLGA ISZCZUK  
Notary Public, State of Illinois  
My Commission Expires Sept. 5, 1993

State of Illinois }  
County of SOUTHWEST } SS.

I, PAMELA K. HASTING, a Notary Public, do hereby certify that Robert F. Schnoes, acting as Trustee under a certain Declaration of Trust dated May 27, 1966, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed and delivered the said instrument as his free and voluntary act as such trustee, for the uses and purposes therein set forth.

Given under my hand and seal this 16 day of October, 1990.

Pamela K. Hasting  
Notary Public  
"OFFICIAL SEAL"  
PAMELA K. HASTING  
NOTARY PUBLIC, STATE OF ILLINOIS  
MY COMMISSION EXPIRES 6/8/93

This instrument was prepared by

Ronald E. Toczyłowski  
Assistant General Counsel  
Pet Incorporated  
400 South Fourth Street  
St. Louis, Missouri 63102

DK97 00PG023Z

RECEIVED  
RECORDED & INDEXED IN MISSOURI  
30 NOV 30 PM 2:00  
CUMBERLAND COUNTY

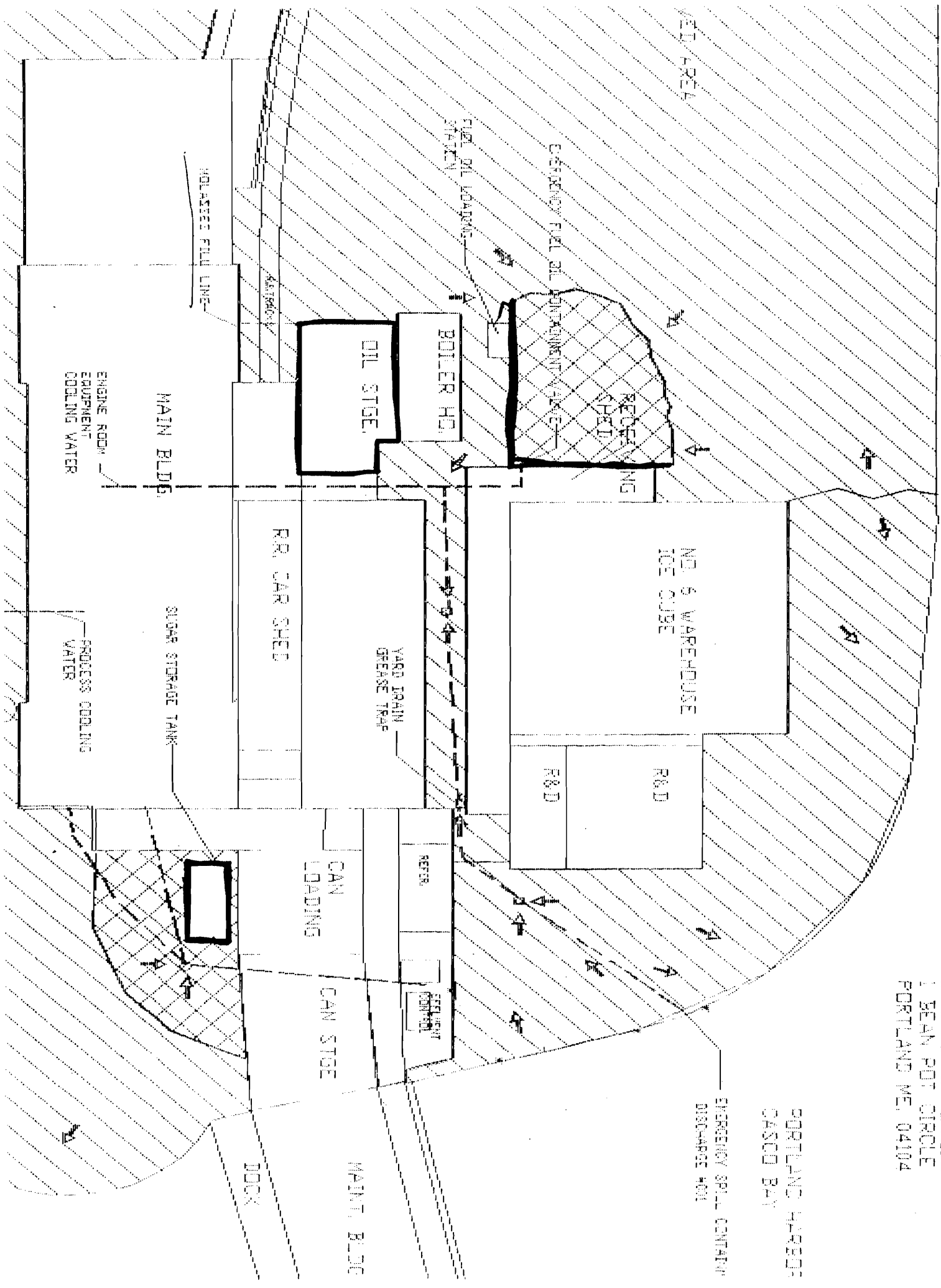
*[Handwritten signature]*



2 JUNYAN & NURKILL  
1 BEAN POT CIRCLE  
PORTLAND ME. 04104

PORTLAND HARBOUR  
CASCO BAY

EMERGENCY SPILL CONTAINMENT  
DISCHARGE HOOP



Inspection Services  
P. Samuel Hoffses  
Chief



Planning and Urban Development  
Joseph E. Gray Jr.  
Director

## CITY OF PORTLAND

September 13, 1995

Burnham and Morrill  
One Beanpot Circle  
Portland, ME 04104

RE: One Beanpot Circle

Dear Sir,

Your application to construct a concrete barrier building has been reviewed and a permit is herewith issued subject to the requirements listed below. This permit does not excuse the applicant from meeting applicable State and Federal law.

**No Certificate of Occupancy will be issued until all requirements of this letter are met.**

### Site Plan Review Requirements

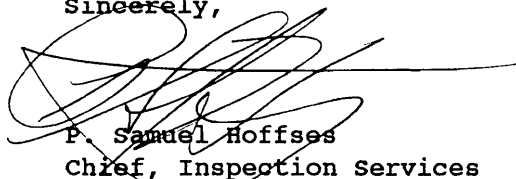
Building Inspection - Approved - M. Schmuckal  
Fire Department - Approved - Lt. McDougal  
Development Review Coordinator - Approved - M. O'Sullivan  
Planning Division - Approved with conditions (see approval letter) -  
M. O'Sullivan

### Building Code Requirements

All concrete construction shall be done in accordance with Chapter 19 of the City's Building Code, The BOCA National Building Code/1995.

If you have any questions regarding these requirements, please do not hesitate to contact this office.

Sincerely,



P. Samuel Hoffses  
Chief, Inspection Services

cc: M. Schmuckal, ACoFI  
M. O'Sullivan, DRC  
Lt. McDougal, PFD

389 Congress Street • Portland, Maine 04101 • (207) 874-8704 • FAX 874-8716 • TTY 874-8936



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

I. D. Number

Burnham & Morrill - Div/Pillsbury - Inc

8/25/95

Applicant  
One Beanpot Circle - Ptld, ME 04104

Application Date

Applicant's Mailing Address  
John Condon - 772-8341 x 224

Project Name/Description

One Beanpot Circle

Consultant/Agent

Address of Proposed Site

Applicant or Agent Daytime Telephone, Fax

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  Other (specify) \_\_\_\_\_

construct concrete barrier bldg 13.6 acres

I-2

Proposed Building Square Feet or # of Units

Acreage of Site @ high tide

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"/> Single-Family Minor   | <input type="checkbox"/> Other _____             |

Fees paid: site plan \$300 - minor<sup>SP</sup> subdivision \_\_\_\_\_

**Approval Status:**

Reviewer

Marge Schmuckel

- Approved  Approved w/Conditions listed below  Denied

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

Approval Date 9/14/95

Approval Expiration \_\_\_\_\_ date

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

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            |                       |
| Performance Guarantee Reduced                           | _____ date           | _____ remaining balance | _____ signature       |
| Performance Guarantee Released                          | _____ date           | _____ signature         |                       |
| Defect Guarantee Submitted                              | _____ submitted date | _____ amount            | _____ expiration date |
| Defect Guarantee Released                               | _____ date           | _____ signature         |                       |

Address: One Beanpot Circle



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

I. D. Number

Applicant: Wroham & Merrill - Div/Billsbury - Inc
120 Vermont Circle - Portland, ME 04104

3/25/95

Application Date

Applicant's Mailing Address: John Condon - 772-1341 x 223

Project Name/Description

120 Vermont Circle

Consultant/Agent

Address of Proposed Site

Applicant or Agent Daytime Telephone, Fax

Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply): [X] New Building [ ] Building Addition [ ] Change of Use [ ] Residential [ ] Office [ ] Retail [ ] Manufacturing [ ] Warehouse/Distribution [ ] Other (specify)

construct concrete barrier along 13.5 acres

Proposed Building Square Feet or # of Units

Acreage of Site

Zoning

Check Review Required:

- Site Plan (major/minor) [X]
Subdivision # of lots [ ]
PAD Review [ ]
14-403 Streets Review [ ]
Flood Hazard [ ]
Shoreland [ ]
Historic Preservation [ ]
DEP Local Certification [ ]
Zoning Conditional Use (ZBA/PB) [ ]
Zoning Variance [ ]
Single-Family Minor [ ]
Other [ ]

Fees paid: site plan \$300 - 11400 subdivision

Approval Status:

Reviewer: [Signature]

- Approved [X]
Approved w/Conditions listed below [ ]
Denied [ ]

- 1.
2.
3.
4.

Approval Date: 9/5/94
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

- Performance Guarantee Accepted [ ]
Inspection Fee Paid [ ]
Performance Guarantee Reduced [ ]
Performance Guarantee Released [ ]
Defect Guarantee Submitted [ ]
Defect Guarantee Released [ ]

Address:



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

I. D. Number \_\_\_\_\_

Burham & Morrill - Div/Pillsbury - Inc  
Applicant  
One Beanpot Circle - Portland, ME 04104

8/25/95

Application Date

Applicant's Mailing Address  
John Condon - 777-0311 x 224  
Consultant/Agent

Project Name/Description  
One Beanpot Circle

Address of Proposed Site

Applicant or Agent Daytime Telephone, Fax \_\_\_\_\_

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  Other (specify) \_\_\_\_\_

construct concrete barrier blvd 13.5 acres

Proposed Building Square Feet or # of Units \_\_\_\_\_

Acreage of Site high tide

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"/> Single-Family Minor   | <input type="checkbox"/> Other _____             |

Fees paid: site plan 5300 - 11450 subdivision

**Approval Status:**

Reviewer [Signature]

- Approved  Approved w/Conditions listed below  Denied

- see approval letter
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

Approval Date 08 Sept 95 Approval Expiration 08 Sept 96 Extension to \_\_\_\_\_  
date date

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

- |   |                |                   |                 |
|---|----------------|-------------------|-----------------|
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| <input type="checkbox"/> Inspection Fee Paid            | _____          | _____             |                 |
|   | date           | amount            |                 |
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|   | date           | signature         |                 |
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|   | submitted date | amount            | expiration date |
| Defect Guarantee Released                               | _____          | _____             |                 |
|   | date           | signature         |                 |

Address: \_\_\_\_\_



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

I. D. Number \_\_\_\_\_

Applicant \_\_\_\_\_

Application Date \_\_\_\_\_

Applicant's Mailing Address \_\_\_\_\_

Project Name/Description \_\_\_\_\_

Consultant/Agent \_\_\_\_\_

Address of Proposed Site \_\_\_\_\_

Applicant or Agent Daytime Telephone, Fax \_\_\_\_\_

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  Other (specify) \_\_\_\_\_

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"/> Single-Family Minor   | <input type="checkbox"/> Other _____             |

Fees paid: site plan \_\_\_\_\_ subdivision \_\_\_\_\_

**Approval Status:**

Reviewer *[Signature]*

- Approved  Approved w/Conditions listed below  Denied

1. SEE APPROVAL LETTER
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

Approval Date 03 Sept 95 Approval Expiration 08 Sept 96 Extension to \_\_\_\_\_ date date  Additional Sheets Attached

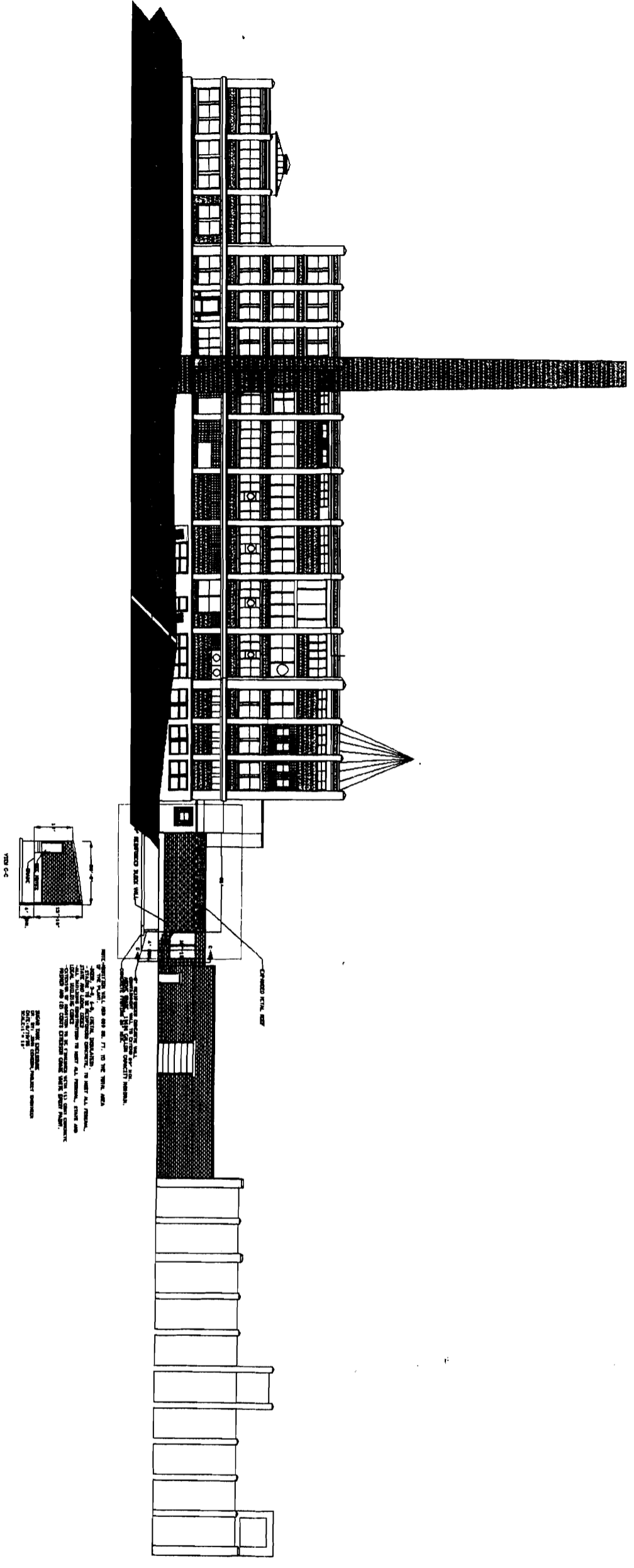
Condition Compliance \_\_\_\_\_ signature \_\_\_\_\_ date \_\_\_\_\_

Performance Guarantee  Required\*  Not Required

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- |   |                            |                               |                             |
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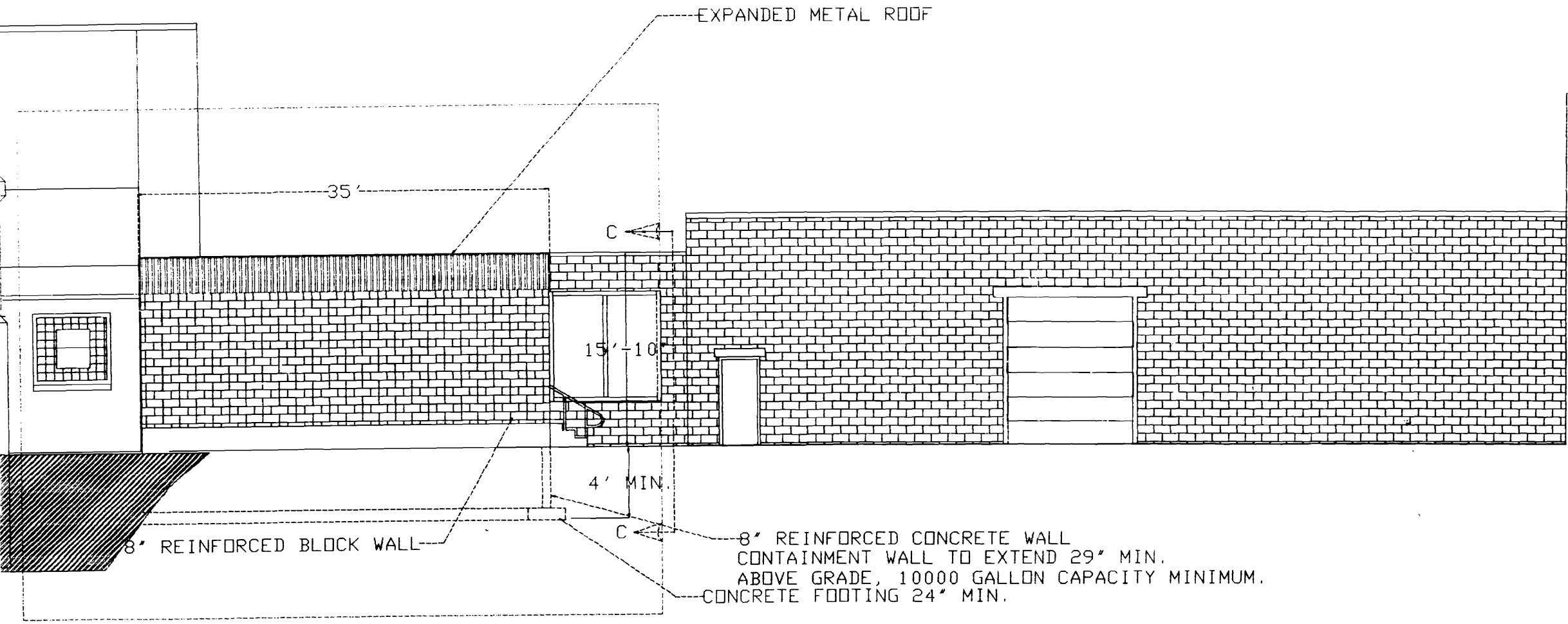
Address: \_\_\_\_\_



WEST ELEVATION

SCALE 1" = 40'

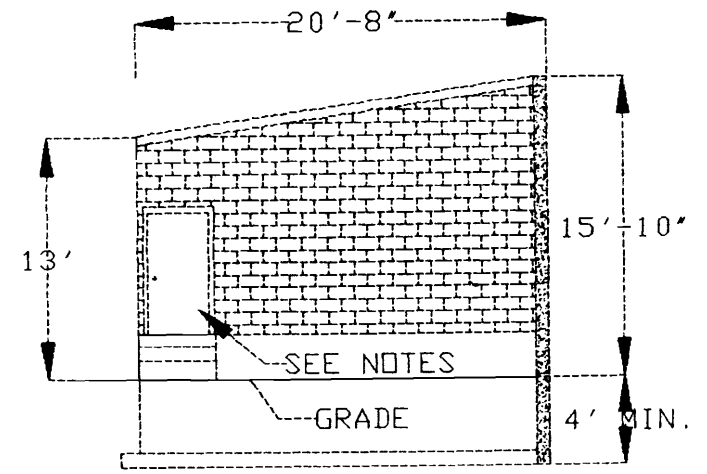
SEE ATTACHED DETAIL



8" REINFORCED CONCRETE WALL  
CONTAINMENT WALL TO EXTEND 29" MIN.  
ABOVE GRADE, 10000 GALLON CAPACITY MINIMUM.  
CONCRETE FOOTING 24" MIN.

NOTE: ADDITION WILL ADD 680 SQ. FT. TO THE TOTAL AREA OF THE PLANT.

- DOOR, 3-0, 6-8, (METAL INSULATED).
- STAIRS TO BE REINFORCED CONCRETE, TO MEET ALL FEDERAL, STATE AND LOCAL CODES
- ALL BUILDING CONSTRUCTION TO MEET ALL FEDERAL, STATE AND LOCAL BUILDING CODES
- EXTERIOR OF ADDITION TO BE FINISHED WITH (1) COAT CONCRETE PRIMER AND (2) COATS EXTERIOR GRADE WHITE EPOXY PAINT.



VIEW C-C

SUGAR TANK ENCLOSURE  
DR. BY: JOHN CONDON, PROJECT ENGINEER  
DATE: 8/19/95  
SCALE: 1" = 10'