

Inspection Services
Michael J. Nugent
Manager



Department of Urban Development
Joseph E. Gray, Jr.
Director

CITY OF PORTLAND
NOTICE OF VIOLATION

June 16, 1999

Arthur R Gary
P.O. Box 8212
Portland ME 04104

RE: 78 Veranda St
CBL: 431-K-001
DU: 1

Certified Mail Receipt # Z 397 901 696

Dear Mr. Gary:

An evaluation of your property at on revealed that the structure fails to comply with Section 12-78 and 22-3 of the Garbage, Waste & Junk Ordinance of the City of Portland.

Blue Ford Tempo License # 6112UU, Tan Chrysler Mini Van License # 7847BE, 2 junk motorcycles, old tires, lawnmower, rusted bicycles, and miscellaneous rubble/debris

This is a notice of violation pursuant to Section 12-79 of the Ordinance. All referenced violations shall be corrected within 30 days of the date of this notice. A reinspection of the premises will occur July 16, 1999 at which time compliance will be required. Failure to comply will result in this office referring the matter to the City of Portland Corporation Counsel for legal action and possible civil penalties, as provided for in Section 1-15 of the Code and in Title 30-A M.R.S.A. ss 4452.

This constitutes an appealable decision pursuant to Section 12-80 of the Code. Please feel free to contact me at 874-8693, if you wish to discuss the matter or have any questions.

Sincerely

Tammy Munson
Code Enforcement Officer
/sap

PROPERTY ADDRESS 78 VERANDA ST
OWNER NAME1 GARY ARTHUR R (L, F, I)
NAME2

ADDRESS P O BOX 8212
CITY/STATE/ZIP PORTLAND ME 04104

ENTRANCE CODE 3 LAND USE 11 # OF UNITS 1

ROUTE 16 ZONE R5 NBHD 105 DISTRICT 8 TRAFFIC 2
TOTAL SQ FT

UTILITIES 2 3 4 DESC 431-K-1 LIVING AREA 1,601
VERANDA ST 78
DALTON ST 1-7
1871 SF

HOUSE STYLE 5 YEAR BUILT 1904 TOTAL RMS 07 TOTAL BEDRMS 03

BATHS FULL 1 HALF 0 KITCHEN REMODELED 2 BATH REMODELED 2 BASEMENT 4

ATTIC 2 PHY COND 4 CDU PR HEATING TYPE 2 3 3 WOOD/COAL BURN 0
NEXT SCREEN BLDG SKETCH SCREEN RETURN

AINSWORTH & THELIN, P.A.
COUNSELLORS AT LAW

PAUL E. THELIN
THOMAS G. AINSWORTH
DAVID P. CHAMBERLAIN
ROBERT M. RAFTICE, JR.

TELEPHONE NO. (207) 767-4824
TELEFAX NO. (207) 767-4829
EMAIL ADDRESS: AINSTHELIN@AOL.COM
WEB PAGE: WWW.AINSTHELIN.COM

KATHRYN MONAHAN AINSWORTH, OF COUNSEL

September 2, 1999

Tammy Munson, Code Enforcement Officer
City of Portland
Department of Urban Development
380 Congress Street
Portland, ME 04101

RE: *78 Veranda Street*
CBL: 431-K-001
DU: 1/Edward A. Oakes/Arthur R. Gary
Violation of Garbage, Waste & Junk Ordinance Sec. 12-78, 22-3
Our File No. 99330

Dear Ms. Munson:

This letter is to inform you that title to the above referenced property has now been transferred to Edward A. Oakes, Jr. A copy of the deed is enclosed herewith. Because Mr. Oakes resided in the premises during the time of the alleged violations and because he now owns the premises, it is our position that he had and has full responsibility for all of the violations and that Mr. Gary has no further involvement.

Please contact me within five (5) days of the date of this letter if you do not agree with the contents herein.

Thank you for your attention to this matter.

Sincerely,
AINSWORTH & THELIN, P.A.


David P. Chamberlain

DPC:pws
Enclosure
cc w/o encs: Arthur R. Gary



COPY

WARRANTY DEED


KNOW ALL BY THESE PRESENTS, that I, **Arthur R. Gary**, in consideration of One and No/100 Dollars (\$1.00) and other valuable consideration paid by Edward A. Oakes, Jr., whose mailing address is 78 Veranda Street, Portland, County of Cumberland, State of Maine, the receipt whereof I do hereby acknowledge, do hereby **GIVE, GRANT, BARGAIN, SELL AND CONVEY, WITH WARRANTY COVENANTS** unto the said, Edward A. Oakes, Jr. and Robin R. Oakes, their heirs, successors and assigns forever, the following described premises:

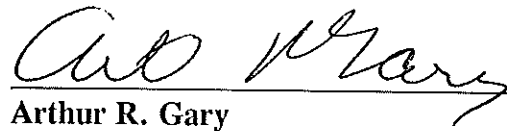
See Exhibit A, attached

TO HAVE AND TO HOLD the same, together with all the privileges and appurtenances thereunto belonging, to the said Edward A. Oakes, Jr. and Robin R. Oakes, their successors and assigns forever.

IN WITNESS WHEREOF, I, the said Arthur R. Gary have caused these presents to be signed this 31 day of August, 1999.

**SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF**

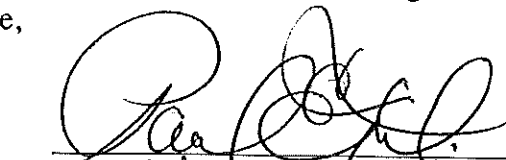

Witness


Arthur R. Gary

STATE OF MAINE
Cumberland, ss.

August 31, 1999

PERSONALLY APPEARED the above-named **Arthur R. Gary** and acknowledged the foregoing instrument to be his free act and deed before me,


Attorney-at-law
Paul E. Thelin

AINSWORTH & THELIN, P.A.
COUNSELLORS AT LAW

PAUL E. THELIN
THOMAS G. AINSWORTH
DAVID P. CHAMBERLAIN
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KATHRYN MONAHAN AINSWORTH, OF COUNSEL

July 8, 1999

Tammy Munson, Code Enforcement Officer
City of Portland
Department of Urban Development
380 Congress Street
Portland, ME 04101

RE: *78 Veranda Street*
CBL: 431-K-001
DU: 1/Edward A. Oakes/Arthur R. Gary
Violation of Garbage, Waste & Junk Ordinance Sec. 12-78, 22-3
Our File No. 99330

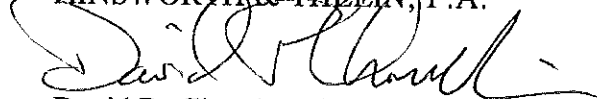
Dear Ms. Munson:

This letter is to inform you that this office represents the interests of Arthur R. Gary in reference to the above captioned matter. Mr. Gary does not reside at the property which is occupied by Edward A. Oakes, Jr. and perhaps his wife Robin J. Oakes. Mr. Oakes has possession of the property pursuant to an Installment Land Contract and thus has a bond for deed associated therewith. Therefore, we provided Mr. Oakes with the enclosed notice to correct the violations. We are working expeditiously to have Mr. Oakes effectuate the correction of the violations. These violations were in fact created by Mr. Oakes as he has had possession of the property since 1981.

Therefore, we are taking all steps reasonably possible to correct the violations. Please contact me at your earliest convenience to discuss how to proceed from here.

I look forward to hearing from you.

Sincerely,
AINSWORTH & THELIN, P.A.



David P. Chamberlain

DPC:pws
Enclosure
cc w/o encs: Arthur R. Gary



AINSWORTH & THELIN, P.A. **COPY**
COUNSELLORS AT LAW

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KATHRYN MONAHAN AINSWORTH, OF COUNSEL

July 8, 1999

VIA CERTIFIED MAIL/RETURN RECEIPT REQUESTED

No. Z 017 099 977

Edward A. Oakes, Jr.
78 Veranda Street
Portland, ME 04102

RE: *Violation of City of Portland Garbage, Waste & Junk Ordinance Sec.12-78, 22-3*
Property located at 78 Veranda Street, Portland, Maine
Our File No. 99330

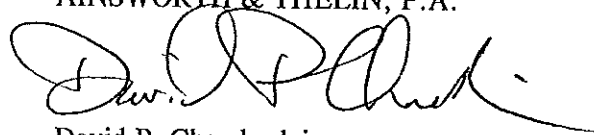
Dear Mr. Oakes:

This office represents the interests of Arthur R. Gary in regard to the above referenced matter. A copy of the City of Portland Notice of Violation dated June 16, 1999 is enclosed herewith.

Pursuant to the terms of said notice, you have until July 15, 1999 to correct the violations stated in the letter from the City. If you fail to do so, we have been authorized, and intend to pursue, all appropriate remedies available under the law and accordingly, I give you notice of this fact. Mr. Gary will exercise his rights under the Installment Land Contract executed by you on April 17, 1981 and recorded in the Cumberland County Registry of Deeds at Book 9021, Page 0208, and pursuant to the bond for deed created therein, will take possession of the subject property to rectify the violations stated in the City's letter. In this event, all subsequent fees, charges, and costs associated with correcting the various violations stated in the City's letter dated June 16, 1999, including reasonable attorneys' fees, shall accrue to you and you shall be responsible for payment to Mr. Gary for all amounts associated therewith.

We look forward to your immediate cooperation with this request to conform to the City of Portland's ordinances. This letter is being mailed to you both by certified mail, return receipt requested and via regular mail with proof of mailing.

Sincerely,
AINSWORTH & THELIN, P.A.



David P. Chamberlain

DPC:pws
Enclosure

cc w/o encs: Arthur R. Gary
cc w/enc: Tammy Munson, Code Enforcement Officer
City of Portland, Department of Urban Development



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KATHRYN MONAHAN AINSWORTH, OF COUNSEL

July 8, 1999

VIA CERTIFIED MAIL/RETURN RECEIPT REQUESTED

No. Z 017 099 979

Robin J. Oakes
78 Veranda Street
Portland, ME 04102

RE: *Violation of City of Portland Garbage, Waste & Junk Ordinance Sec.12-78, 22-3*
Property located at 78 Veranda Street, Portland, Maine
Our File No. 99330

Dear Ms. Oakes:

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Sincerely,
AINSWORTH & THELIN, P.A.



David P. Chamberlain

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Enclosure

cc w/o encs: Arthur R. Gary

cc w/enc: Tammy Munson, Code Enforcement Officer
 City of Portland, Department of Urban Development

