

115-125 AUBURN STREET

*Handwritten notes:*  
Pit  
with file  
copy

AP-115-125 Auburn Street

February 11, 1959

Mr. Wilbur R. Ingalls, Jr.  
45 Exchange Street  
Willey Construction Co.  
Black Point Road  
Scarborough, Maine

cc to: Norman H. Winch, Sanitary Eng.  
Health Department  
cc to: Clinton E. Rose, Scout Executive  
142 Free Street

Gentlemen:

In examining plans for proposed Boy Scout Headquarters Building to be erected at the above named location we note that a septic tank sewage disposal system is planned. Section 103-C-3 of the Building Code provides that, where connection of a sanitary drainage system to a public sewer is not feasible or does not exist, the method of sewage disposal shall be approved by the Health Officer before issuance of a building permit. We therefore suggest that you consult Mr. Winch of that department as to requirements so that necessary details can be worked out and approval secured in order that there may be no delay caused in issuance of the permit on that score.

Very truly yours,

Albert J. Sears  
Inspector of Buildings

AJS/SB



B1 BUSINESS ZONE

### APPLICATION FOR PERMIT

Class of Building or Type of Structure Third Class

Portland, Maine, February 9, 1959

PERMIT ISSUED

APR 1 1959

CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect ~~alter repair & demolish~~ install the following building structure equipment in accordance with the Laws of the State of Maine, the Building Code and Zoning Ordinance of the City of Portland, plans and specifications, if any, submitted herewith and the following specifications:

Location 115-119 Auburn St. (115-125) Within Fire Limits? no Dist. No. \_\_\_\_\_  
 Owner's name and address Boy Scouts of America, Pine Tree Council Telephone \_\_\_\_\_  
Clinton E. Rose, scout exec. 142 Free St.  
 Lessee's name and address \_\_\_\_\_ Telephone \_\_\_\_\_  
 Contractor's name and address Wiley Construction Co. Fleck Point Rd. Scarborough Me. Telephone TU-3-4883  
 Architect \_\_\_\_\_ Specifications \_\_\_\_\_ Plans yes No. of sheets 7  
 Proposed use of building Boy Scout Headquarters Building No. families \_\_\_\_\_  
 Last use \_\_\_\_\_ No. families \_\_\_\_\_  
 Material \_\_\_\_\_ No. stories 1 Heat \_\_\_\_\_ Style of roof \_\_\_\_\_ Roofing \_\_\_\_\_  
 Other building on same lot \_\_\_\_\_  
 Estimated cost \$ 41,500.00 Fee \$ 42.00

#### General Description of New Work

To construct 1-story cc crete block, brick & wooden building 32' x 80'6" as per plans and specifications.

#### Permit Issued with Letter

It is understood that this permit does not include installation of heating apparatus which is to be taken out separately by and in the name of the heating contractor. **PERMIT TO BE ISSUED TO** contractor

#### Details of New Work

Is any plumbing involved in this work? \_\_\_\_\_ Is any electrical work involved in this work? \_\_\_\_\_  
 Is connection to be made to public sewer? \_\_\_\_\_ If not, what is proposed for sewage? \_\_\_\_\_  
 Has septic tank notice been sent? \_\_\_\_\_ Form notice sent? \_\_\_\_\_  
 Height average grade to top of plate \_\_\_\_\_ Height average grade to highest point of roof \_\_\_\_\_  
 Size, front \_\_\_\_\_ depth \_\_\_\_\_ No. stories \_\_\_\_\_ solid or filled land? \_\_\_\_\_ earth or rock? \_\_\_\_\_  
 Material of foundation \_\_\_\_\_ Thickness, top \_\_\_\_\_ bottom \_\_\_\_\_ cellar \_\_\_\_\_  
 Material of underpinning \_\_\_\_\_ Height \_\_\_\_\_ Thickness \_\_\_\_\_  
 Kind of roof \_\_\_\_\_ Rise per foot \_\_\_\_\_ Roof covering \_\_\_\_\_  
 No. of chimneys \_\_\_\_\_ Material of chimneys \_\_\_\_\_ of lining \_\_\_\_\_ Kind of heat \_\_\_\_\_ fuel \_\_\_\_\_  
 Framing Lumber—Kind \_\_\_\_\_ Dressed or full size? \_\_\_\_\_ Corner posts \_\_\_\_\_ Sills \_\_\_\_\_  
 Size Girder \_\_\_\_\_ Columns under girders \_\_\_\_\_ Size \_\_\_\_\_ Max. on centers \_\_\_\_\_  
 Kind and thickness of outside sheathing of exterior walls? \_\_\_\_\_  
 Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.  
 Joists and rafters: 1st floor... \_\_\_\_\_, 2nd... \_\_\_\_\_, 3rd... \_\_\_\_\_, roof \_\_\_\_\_  
 On centers: 1st floor... \_\_\_\_\_, 2nd... \_\_\_\_\_, 3rd... \_\_\_\_\_, roof \_\_\_\_\_  
 Maximum span: 1st floor... \_\_\_\_\_, 2nd... \_\_\_\_\_, 3rd... \_\_\_\_\_, roof \_\_\_\_\_  
 If one story building with masonry walls, thickness of walls? \_\_\_\_\_ height? \_\_\_\_\_

#### If a Garage

No. cars now accommodated on same lot \_\_\_\_\_, to be accommodated \_\_\_\_\_ number commercial cars to be accommodated \_\_\_\_\_  
 Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building? \_\_\_\_\_

APPROVED:  
with letter by AJJ  
 \_\_\_\_\_  
 \_\_\_\_\_

#### Miscellaneous

Will work require disturbing of any tree on a public street? no  
 Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed? yes  
Boys Scouts of America, Pine Tree Council  
Wiley Construction Co.

Signature of owner by: Wiley Const Co

INSPECTION COPY

(COPY)



CITY OF PORTLAND, MAINE  
Department of Building Inspection

# Certificate of Occupancy

LOCATION 115-119 Auburn St.

Issued to Boy Scouts of America  
115-119 Auburn St.

Date of Issue October 13, 1959

This is to certify that the building, premises, or part thereof, at the above location, built—altered—changed as to use under Building Permit No. 59/303, has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES

Entire

APPROVED OCCUPANCY

Boy Scout Headquarters

Limiting Conditions:

This certificate supersedes  
certificate issued

Approved:

*Earl Smith*  
Inspector

*Albert J. Sears*  
Inspector of Buildings

CS 147

Notice: This certificate identifies lawful use of building or premises, and ought to be transferred from owner to owner when property changes hands. Copy will be furnished to owner or lessee for one dollar.



115-118 Auburn Street

August 18, 1959

Wiley Construction Co.  
Black Point Road  
Scarboro, Maine  
Mr. Wilbur R. Ingalls Jr.  
45 Exchange Street

Gentlemen:

The following items need caring for before this office may issue the required certificate of occupancy.

1. No safety treads on stairs.
- ✓ 2. Main rear exit hardware has not been adapted to conform with Building Code requirements.
3. The exit light has not been provided over door opening #25.

When the above items have been cared for and this office notified for another inspection, when, if at that time, all is found in order the certificate of occupancy required by State Law will be issued.

Very truly yours,

Earle S. Smith  
Field Inspector

ESS/jg

WILBUR R. INGALLS, JR.  
A R C H I T E C T

45 EXCHANGE STREET, PORTLAND, MAINE  
SP 2-4073

March 25, 1959

Mr. Albert J. Sears  
Building Inspector  
Portland, Maine

Dear Mr. Sears;

Regarding your letter of February 17, 1959, concerning a building permit for the Boy Scout Office at 115-125 Burn St., Portland, Maine, the following changes have been made:

*Mr. Sears says OK*  
Items #2, #4 and #5. I have submitted the plans to Mr. Win h of the Health Department and he has requested a 750 gallon septic tank and a percolation test to be made in the spring. Should this test prove the soil unsuitable for a leeching bed, a suitable bed will be constructed or the sanitary waste will be taken to the nearest sewer. These items are shown on the revised plot plan.

Item #3 - Parking spaces, size and driveways are shown on the revised plot plan. Enclosed is the plot plan and a letter from the George C. Shaw Co. regarding additional parking.

Items #6 thru #17 - These will be incorporated into the building in the field to meet Building Code requirements.

Very truly yours,

*Wilbur R. Ingalls, Jr.*  
Wilbur R. Ingalls, Jr.

cc: H. Sawyer

WRI/m

OFFICES  
595 CONGRESS STREET  
DIAL SPRUCE 3-0211

## GEORGE C. SHAW COMPANY

Super Markets  
PORTLAND, MAINE

ESTABLISHED  
1860

RECEIVED  
MAR 23 1959  
MTGE. DEPT.

March 20, 1959

Mr. Heywood Sawyer  
Union Mutual Insurance Company  
400 Congress Street  
Portland, Maine

Dear Mr. Sawyer:

As I understand that you are about ready to take title of the land on Auburn Street, it might be well to clarify our understanding on use of our parking area by the Boy Scouts. Mr. Dana did not feel that any agreement should be included in the deed or for that matter, in any formal agreement as it has to be somewhat indefinite and flexible.

We are perfectly agreeable to having any of your people use our parking area without charge, until such time as either our use or yours has grown to the point where there is a conflict of interest. In as much as the part that you are more likely to use is some distance from any of our shopping center stores, this probably will not occur for some time. By that time, you probably will want to develop part of your own land for parking anyway, so I feel certain that we will have no problems arising out of this joint use.

Yours very truly,

GEORGE C. SHAW COMPANY

*H. H. Davis*  
H. H. Davis  
PRESIDENT

NHD/mt

Associated with Brockton Public Market, Inc.

WILBUR R. INGALLS, JR.  
A. R. C. H. I. T. E. C. T.

45 EXCHANGE STREET, PORTLAND, MAINE  
SP 2-4073

March 30, 1959

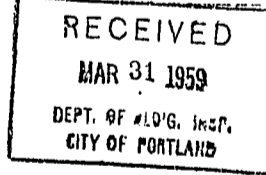
Mr. Albert J. Sears  
Building Inspector  
Portland, Maine

Dear Mr. Sears;

The following adjustments will be made concerning items # 6 through #17 listed in your letter regarding the permit for the construction of a Boy Scout Office Building at 115-125 Auburn St., Portland, Maine:

6. Wall will be carried down 4' below bottom of area way.
7. Increase to 2 x 6 at 16" O.C.
8. 3/8" round bolts at 4' O.C. through tile, 1/2" cement asbestos board and canopy framing.
- 9.10.11. 1/2" bolts at 6' O.C.
12. Vestibule latch set will be used.
13. No locking device on door #14
- 14 & 15. Exit lights will be installed at door 25 and hall side of door 14.
16. Non-slip tape tread will be used.
- ? 17. Space will be lined with cement asbestos board..

WRI/m



Very truly yours,

*Wilbur R. Ingalls, Jr.*  
Wilbur R. Ingalls, Jr.



AP-115-125 Auburn Street

April 1, 1959

Wiley Construction Co.  
Black Point Road  
Scarboro, Maine  
Mr. Wilbur R. Ingalls Jr.  
45 Exchange Street

cc to: Clinton E. Rose, Scout Executive  
142 Free Street

Gentlemen:

Building permit for construction of a one story building 33 feet by 60 feet to be used as Boy Scout Headquarters at the above named location is issued herewith to contractor based on plans filed with application for permit and architect's letters dated March 25 and 30, 1959, but subject to the following conditions:

*Sam Conroy says this is not built near use and hence Ordinance does not apply.*

1. Curbing and sidewalk along the front of the lot satisfactory to the Department of Public Works are to be provided. The Traffic Engineer has indicated his approval of the location and width of driveway entrances to the lot as shown on the revised plot plan.
2. In order to meet requirement Section 14 of the Zoning Ordinance, it is necessary that rear parking arrangements to be provided on the lot shall with the following details:
  - a. A chain link, picket or sapling fence not less than 48 inches high is required along the rear lot line and the side line farther from Allen's Corner.
  - b. Surface drainage of area is to be provided so that water will not run over or across the public sidewalk.
  - c. Surface of driveways, maneuvering areas and parking areas is to be uniformly graded to a depth of at least six inches with gravel or equivalent materials.
3. Before partitions are constructed at sides of recess in front of chimney in basement, information is to be furnished this office as to size of smokepipe of heater so that determination can be made as to minimum clearance from sides of smokepipe to studs of partition and type of shield needed to meet requirements.
4. Separate permits issuable only to the actual installers are required for installation of the heating equipment, any cooking equipment, and any system of mechanical ventilation.
5. The usual notices to this department for form and "closing-in" inspections are required, and a certificate of occupancy is required before building is put into use.

Very truly yours,

Abbott J. Sears, Inspector of Buildings

AJB/jg

AP - 115-125 Auburn Street

Feb. 17, 1959

Mr. Wilbur H. Ingalls, Jr.  
45 Exchange Street

cc to: Wilay Construction Co.  
Black Point Road, Scarborough  
cc to: Clinton L. Rose, Scout Executive  
142 Free Street

Dear Mr. Ingalls:

Examination for compliance with Zoning Ordinance and Building Code requirements of plans filed with application for permit for construction of a one-story building 32 feet by 80 feet to be used as Boy Scout Headquarters at the above named location discloses the following questions:

1. Since the recent amendment to the Zoning Ordinance placing the lot in question in a B-1 Business Zone does not become effective until March 4, 1959, no permit authorizing construction of the building can be issued until that date. There is no reason, however, why the information needed to show compliance with requirements should not be furnished as soon as possible so that everything may be in readiness for issuance of permit when the amendment to the Ordinance becomes effective.
2. Approval of the septic tank sewage disposal system needs to be secured from the Health Department, as indicated in a previous letter.
3. Plot plan needs to be revised to show number, location, and size of off-street parking spaces (not less than 8 feet wide and 18 feet long), as well as width of driveway across public sidewalk and surfacing of driveway and parking area in accordance with requirements of Sec. 14 of the Zoning Ordinance. Because this property is located on a street where a 40 foot setback from the street line is required by Sec. 21 of the Zoning Ordinance, approval of the Public Works Department as to the provision of curbing and sidewalk and location and width of driveway approaches must be secured and required details shown on plot plan.
4. Ventilation for inside kitchen in basement satisfactory to the Health Department is required and needs to be indicated. See Sec. 205-g-1 of the Building Code.
5. Ventilation of the inside toilet rooms in basement is controlled by the Health Department, but there is some question as to whether the gravity ventilation with horizontal runs will be acceptable.
6. Foundation walls surrounding area way at rear exit from cellar are required to extend at least 4 feet below the concrete floor of area way.
7. Studs in that portion of rear wall below the first floor are to be 2x4's, and is the inside member of the double 3x6 girt on which floor joists are to rest to be supported?

Mr. Wilbur Ingalls, Jr.

(2)

Feb. 17, 1959

- OK 8. How is masonry wall screen at front entrance to be anchored to canopy framing?
- OK 9. Anchorage from first floor timbers to masonry walls needs to be indicated.
- OK 10. How are the end studs of the wooden rear wall to be anchored to the masonry side walls of building?
- OK 11. How is required anchorage to be provided from roof framing to top of masonry walls?
- OK 12. Vestibule latch sets are required on doors in openings #1, #24 and #25.
- OK 13. Since opening #25 must serve as a second means of egress from the basement, doors on opening #14 must have no locking devices on them.
- OK 14. An exit light with white light outside is required for opening #25.
- OK 15. Exit signs are required on the hall side of opening #14 and over the rear exit door on stair landing.
- OK 16. Non-slip treads are required on inside stairs since they serve as part of the means of egress for the Conference Room #2, which must be equipped as for a minor assembly hall.
- ? 17. It appears doubtful if the required clearances can be provided at sides of smokepipe of heater where it passes between the combustible partitions in basement at recess in front of chimney.

It is necessary before a permit can be issued that information be furnished indicating compliance with Building Code and Zoning Ordinance requirements as regards the above mentioned details.

Very truly yours,

Albert J. Sears  
Inspector of Buildings

J3:m



FILE IN AND SIGN WITH INK

APPLICATION FOR PERMIT FOR HEATING, COOKING OR POWER EQUIPMENT

Portland, Maine, July 7, 1959

PERMIT ISSUED JUL 8 1959 CITY OF PORTLAND

To the INSPECTOR OF BUILDINGS, PORTLAND, ME.

The undersigned hereby applies for a permit to install the following heating, cooking or power equipment in accordance with the Laws of Maine, the Building Code of the City of Portland, and the following specifications:

Location 115-125 Auburn St. Use of Building Boy Scout Headquarters, 1 New Building
Name and address of owner of appliance Boy Scouts of America Pine Tree Council
Installer's name and address Harris Oil Co., 202 Commercial St. Telephone 2-8304

General Description of Work

To install forced hot water heating system and oil burning equipment.

IF HEATER, OR POWER BOILER

Location of appliance basement Any burnable material in floor surface or beneath? none
If so, how protected? Kind of fuel? oil
Minimum distance to burnable material, from top of appliance or casing top of furnace 4 1/2
From top of smoke pipe 5 From front of appliance over 4 From sides or back of appliance over 3
Size of chimney flue 8x10 Other connections to same flue none
If gas fired, how vented? Rated maximum demand per hour
Will sufficient fresh air be supplied to the appliance to insure proper and safe combustion? yes

IF OIL BURNER

Name and type of burner Quiet-Heat-gun type Labelled by underwriters' laboratories? yes
Will operator be always in attendance? Does oil supply line feed from top or bottom of tank? bottom
Type of floor beneath burner concrete Size of vent pipe 1 1/2
Location of oil storage basement Number and capacity of tanks 1-275 gal.
Low water shut off Make No.
Will all tanks be more than five feet from any flame? yes How many tanks enclosed? none
Total capacity of any existing storage tanks for furnace burners one

IF COOKING APPLIANCE

Location of appliance Any burnable material in floor surface or beneath?
If so, how protected? Height of Legs, if any
Skirting at bottom of appliance? Distance to combustible material from top of appliance?
From front of appliance From sides and back From top of smokepipe
Size of chimney flue Other connections to same flue
Is hood to be provided? If so, how vented? Forced or gravity?
If gas fired, how vented? Rated maximum demand per hour

MISCELLANEOUS EQUIPMENT OR SPECIAL INFORMATION

Amount of fee enclosed? 2.00 (\$2.00 for one heater, etc., 50 cents additional for each additional heater, etc., in same building at same time.)

APPROVED: O.K. E.S.S. 7/7/59

Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed? yes

Harris Oil Co. by: [Signature]

017 MAINE PRINTING CO.

INSPECTION COPY

Signature of Installer

F.M.



**CITY OF PORTLAND, MAINE**  
**SITE PLAN REVIEW**  
 Processing Form

March 12, 1986  
 Date

Applicant: Dr. M. G. Rothen  
 327 Allen Avenue, Portland, 04103  
 Mailing Address  
 Proposed Use of Site: Professional Office Building  
 39,709 / 4,857  
 Acreage of Site / Ground Floor Coverage

117 Auburn Street  
 Address of Proposed Site  
375-C-1  
 Site Identifier(s) from Assessors Maps  
B-1  
 Zoning of Proposed Site

Site Location Review (DEP) Required: ( ) Yes (  ) No  
 Board of Appeals Action Required: (  ) Yes ( ) No  
 Planning Board Action Required: ( ) Yes (  ) No

Proposed Number of Floors 2  
 Total Floor Area 9,900 sq. ft.

Other Comments: Access Variance approved by Board of Appeals on 2/27/86  
 Date Dept. Review Due: \_\_\_\_\_

**BUILDING DEPARTMENT SITE PLAN REVIEW**  
 (Does not include review of construction plans)

- Use does NOT comply with Zoning Ordinance
  - Requires Board of Appeals Action
  - Requires Planning Board/City Council Action

Explanation \_\_\_\_\_  
 Use complies with Zoning Ordinance — Staff Review Below

Zoning: SPACE & BULK,  
 as applicable

	CATE	ZONE LOCATION	INTERIOR OR CORNER LOT	40 FT. SETBACK AREA (SEC. 21)	USE	SEWAGE DISPOSAL	REAR YARDS	SIDE YARDS	FRONT YARDS	PROJECTIONS	HEIGHT	LCT AREA	BUILDING AREA	AREA PER FAMILY	WIDTH OF LOT	LOT FRONTAGE	OFF-STREET PARKING	LOADING BAYS	
COMPLIES																			
COMPLIES CONDITIONALLY																			CONDITIONS SPECIFIED BELOW
DOES NOT COMPLY																			REASONS SPECIFIED BELOW

REASONS: Access via ROW to Auburn Street  
Parking arranged with Shaw's Realty Co on shopping center lot.

Harriet Turner  
 SIGNATURE OF REVIEWING STAFF/DATE

**CITY OF PORTLAND, MAINE  
SITE PLAN REVIEW  
Processing Form**

Applicant \_\_\_\_\_ Date \_\_\_\_\_  
 Mailing Address \_\_\_\_\_ Address of Proposed Site \_\_\_\_\_  
 Proposed Use of Site \_\_\_\_\_ Site Identifier(s) from Assessors Maps \_\_\_\_\_  
 Acreage of Site / Ground Floor Coverage \_\_\_\_\_ Zoning of Proposed Site \_\_\_\_\_  
 Site Location Review (DEP) Required: ( ) Yes ( ) No Proposed Number of Floors \_\_\_\_\_  
 Board of Appeals Action Required: ( ) Yes ( ) No Total Floor Area \_\_\_\_\_  
 Planning Board Action Required: ( ) Yes ( ) No  
 Other Comments: \_\_\_\_\_  
 Date Dept. Review Due: \_\_\_\_\_


**FIRE DEPARTMENT REVIEW**

(Date Received) \_\_\_\_\_

	ACCESS TO SITE	ACCESS TO STRUCTURES	SUFFICIENT VEHICLE TURNING ROOM	SAFETY HAZARDS	HYDRANTS	SIAMOSE CONNECTIONS	SUFFICIENCY OF WATER SUPPLY	OTHER	
APPROVED									
APPROVED CONDITIONALLY									CONDITIONS SPECIFIED BELOW
DISAPPROVED									REASONS SPECIFIED BELOW

REASONS: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

(Attach Separate Sheet if Necessary)

  
 SIGNATURE OF REVIEWING STAFF/DATE  
 FIRE DEPARTMENT COPY 3-13-86

**CITY OF PORTLAND, MAINE  
SITE PLAN REVIEW  
Processing Form**

March 12, 1986  
Date

Applicant: 327 Allen Ave. No., Portland, ME 04103  
 Mailing Address: \_\_\_\_\_  
 Proposed Use of Site: \_\_\_\_\_  
 Acreage of Site: \_\_\_\_\_ / Ground Floor Coverage: \_\_\_\_\_

Address of Proposed Site: 327 Allen Ave.  
 Site Identifier(s) from Assessors Maps: \_\_\_\_\_  
 Zoning of Proposed Site: \_\_\_\_\_

Site Location Review (DEP) Required: ( ) Yes (  ) No  
 Board of Appeals Action Required: (  ) Yes ( ) No  
 Planning Board Action Required: ( ) Yes (  ) No

Proposed Number of Floors: \_\_\_\_\_  
 Total Floor Area: \_\_\_\_\_

Other Comments: \_\_\_\_\_  
 Date Dept. Review Due: \_\_\_\_\_

**PLANNING DEPARTMENT REVIEW**

(Date Received)

- Major Development — Requires Planning Board Approval; Review Initiated  
 Minor Development — Staff Review Below

	LOADING AREA	PARKING	CIRCULATION PATTERN	ACCESS	PEDESTRIAN WALKWAYS	SCREENING	LANDSCAPING	SPACE & BULK OF STRUCTURES	LIGHTING	CONFLICT WITH CITY PROJECTS	FINANCIAL CAPACITY	CHANGE IN SITE PLAN
APPROVED	X	X	X	X	X	X		X	X			
APPROVED CONDITIONALLY							X					
DISAPPROVED												

CONDITIONS SPECIFIED BELOW  
 REASONS SPECIFIED BELOW

REASONS: ALL PRESERVATION TO BE AS PER CITY ARBORIST SPECS.

(Attach Separate Sheet if Necessary)

*David J. Clark* 5/20/86  
 SIGNATURE OF REVIEWING STAFF/DATE

PLANNING DEPARTMENT COPY

**CITY OF PORTLAND, MAINE**

**SITE PLAN REVIEW**

**Processing Form**

March 12, 1986

Applicant: Notched Date: \_\_\_\_\_  
 Mailing Address: 327 Allen Avenue, Portland, 04103 Address of Proposed Site: 117 Auburn Street  
 Proposed Use of Site: Professional Office Building Site Identifier(s) from Assessors Maps: 15-0-1  
 Acreage of Site: 39,700 / Ground Floor Coverage: 4,857 Zoning of Proposed Site: R-1  
 Site Location Review (DEF) Required: ( ) Yes (  ) No Proposed Number of Floors: 2  
 Board of Appeals Action Required: ( ) Yes (  ) No Total Floor Area: 9,900 sq. ft.  
 Planning Board Action Required: ( ) Yes (  ) No  
 Other Comments: \_\_\_\_\_  
 Date Dept. Review Due: \_\_\_\_\_

**PUBLIC WORKS DEPARTMENT REVIEW**

(Date Received)

	TRAFFIC CIRCULATION	ACCESS	CURB CUTS	ROAD WIDTH	PARKING	SIGNALIZATION	TURNING MOVEMENTS	LIGHTING	CONFLICT WITH CITY CONSTRUCTION PROJECT	DRAINAGE	SOIL TYPES	SEWERS	CURBING	SIDEWALKS	OTHER	
APPROVED	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	
APPROVED CONDITIONALLY																CONDITION SPECIFIED BELOW
DISAPPROVED																REASONS SPECIFIED BELOW

REASONS: *If you are a contractor you shall be obtained in order to...  
 with the...  
 (Attach Separate Sheet if Necessary)*

*[Handwritten signature]*





**APPLICATION FOR PERMIT**  
**DEPARTMENT OF BUILDING INSPECTIONS SERVICES**  
**ELECTRICAL INSTALLATIONS**

8/13/86  
 Date Aug 13, 1986  
 Receipt and Permit number D 24422

To the CHIEF ELECTRICAL INSPECTOR, Portland, Maine:

The undersigned hereby applies for a permit to make electrical installations in accordance with the laws of Maine, the Portland Electrical Ordinance, the National Electrical Code and the following specifications:

LOCATION OF WORK: 117 Auburn St.  
 OWNER'S NAME: Donbury Inc. ADDRESS: Portland, Me.

	FEES
<b>OUTLETS:</b>	
Receptacles _____	
Switches _____	
Plugmold _____ ft. TOTAL _____	
<b>FIXTURES: (number of)</b>	
Inca idescent _____	
Flourescent _____ (not strip) TOTAL _____	
Strip Flourescent _____ ft. _____	
<b>SERVICES:</b>	
Overhead _____	
Underground _____	
Temporary <b>XX</b> TOTAL amperes <u>100</u> ..	3.00
<b>METERS: (number of)</b> <u>1</u> ..	.50
<b>MOTORS: (number of)</b>	
Fractional _____	
1 HP or over _____	
<b>RESIDENTIAL HEATING:</b>	
Oil or Gas (number of units) _____	
Electric (number of rooms) _____	
<b>COMMERCIAL OR INDUSTRIAL HEATING:</b>	
Oil or Gas (by a main boiler) _____	
Oil or Gas (by separate units) _____	
Electric Under 20 kws _____	
Over 20 kws _____	
<b>APPLIANCES: (number of)</b>	
Ranges _____	Water Heaters _____
Cook Tops _____	Disposals _____
Wall Ovens _____	Dishwashers _____
Dryers _____	Compactors _____
Fans _____	Others (denote) _____
TOTAL _____	
<b>MISCELLANEOUS: (number of)</b>	
Branch Panels _____	
Transformers _____	
Air Conditioners Central Unit _____	
Separate Units (windows) _____	
Signs 20 sq. ft. and under _____	
Over 20 sq. ft. _____	
Swimming Pools Above Ground _____	
In Ground _____	
Fire/Burglar Alarms Residential _____	
Commercial _____	
Heavy Duty Outlets, 220 Volt (such as welders) 30 amps and under _____	
over 30 amps _____	
Circus, Fairs, etc. _____	
Alterations to wires _____	
Repairs after fire _____	
Emergency Lights, battery _____	
Emergency Generators _____	

INSTALLATION FEE DUE: \_\_\_\_\_  
 FOR ADDITIONAL WORK NOT ON ORIGINAL PERMIT ..... DOUBLE FEE DUE: \_\_\_\_\_  
 FOR REMOVAL OF A "STOP ORDER" (304-16.b) ... \_\_\_\_\_  
 TOTAL AMOUNT DUE: 3.50

INSPECTION: \_\_\_\_\_ min \_\_\_\_\_  
 Will be ready on \_\_\_\_\_, 19\_\_ or Will Call **XX**  
 CONTRACTOR'S NAME: Mancini Electric  
 ADDRESS: 179 Sheridan St.  
 TEL.: 774-5829  
 MASTER LICENSE NO.: 2436 SIGNATURE OF CONTRACTOR: Mancini  
 LIMITED LICENSE NO.: \_\_\_\_\_

INSPECTOR'S COPY — WHITE  
 OFFICE COPY — CANARY  
 CONTRACTOR'S COPY — GREEN



APPLICATION FOR PERMIT

PERMIT ISSUED

B.O.C.A. USE GROUP 00912

JUL 10 1986

B.O.C.A. TYPE OF CONSTRUCTION

ZONING LOCATION PORTLAND, MAINE

March 12, 1986 City Of Portland

To the CHIEF OF BUILDING & INSPECTION SERVICES, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect, alter, repair, demolish, move or install the following building, structure, equipment or change use in accordance with the Laws of the State of Maine, the Portland B.O.C.A. Building Code and Zoning Ordinance of the City of Portland with plans and specifications, if any, submitted herewith and the following specifications:

LOCATION 117 Auburn Street Fire District #1  #2

1. Owner's name and address Dr. M. C. Hochen - 327 Allen Avenue 04103 Telephone 797-4148

2. Lessee's name and address Telephone

3. Contractor's name and address Donbury Inc. - P. O. Box 792 04104 Telephone 774-6254

No. of sheets

Proposed use of building Professional Offices No. families

Last use vacant lot No. families

Material Heat Style of roof Roofing

Other buildings on same lot

Estimated contractual cost \$ 507,100.00

FIELD INSPECTOR--Mr. @ 775-5451

Appeal Fees \$

Base Fee 5-23-86 2,555.00

Late Fee (Minor) 300.00 Site Plan Review

TOTAL \$

Minor Site Plan Review

Construct 9,900 sq. ft. professional building for offices. Stamp of Special Conditions
masonry building with steel frame as per plans.
20 sheets of plans.

ISSUE PERMIT TO #1

NOTE TO APPLICANT: Separate permits are required by the installers and subcontractors of heating, plumbing, electrical and mechanicals.

DETAILS OF NEW WORK

Is any plumbing involved in this work? Is any electrical work involved in this work?
Is connection to be made to public sewer? yes
Has septic tank notice been sent? yes
Height average grade to top of plate
Material of foundation
Kind of roof
No. of chimneys
Framing Lumber--Kind
Size Girder
Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.
Joists and rafters: 1st floor 2nd 3rd
On centers: 1st floor 2nd 3rd
Maximum span: 1st floor 2nd 3rd
If one story building with masonry walls, thickness of walls? height?

IF A GARAGE

No. cars now accommodated on same lot to be accommodated number commercial cars to be accommodated
Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building?

APPROVALS BY: DATE MISCELLANEOUS
BUILDING INSPECTION--PLAN EXAMINER Will work require disturbing of any tree on a public street? no
ZONING:
BUILDING CODE: Will there be in charge of the above work a person competent
Fire Dept.: to see that the State and City requirements pertaining thereto
Health Dept.: are observed? yes
Others:

Signature of Applicant Gregory Johnson Phone # 774-4984

Type Name of above Gregory Johnson for Dr. M. C. Hochen
Other and Address

FIELD INSPECTOR'S COPY

APPLICANT'S COPY

OFFICE FILE COPY

II - NEW SUBDIVISION OR EXISTING LOT REFERENCE

Name \_\_\_\_\_

Block \_\_\_\_\_

Rk. & pg. reg / deeds \_\_\_\_\_

Date recorded \_\_\_\_\_

III. PROPOSED USE: 3712 - medical office CODE if other, explain \_\_\_\_\_ Seasonal \_\_\_\_\_ Condominium \_\_\_\_\_ Apartment \_\_\_\_\_

IV. PAST USE: \_\_\_\_\_

V. OWNERSHIP: CITY OF IRVING (Federal/State/local government) PRIV (Individual/corp./nonprofit)

VI. DESCRIPTION OF WORK: of Building Inspection \_\_\_\_\_



LOCATION: 117 Auburn School

VII. BUILDING DIMENSIONS: length \_\_\_\_\_ width \_\_\_\_\_ square footage \_\_\_\_\_ height \_\_\_\_\_ # stories \_\_\_\_\_

VIII. RESIDENTIAL BUILDINGS ONLY: 1 RESIDENTIAL UNITS: 1 BUILDING

IX. RESIDENTIAL BUILDINGS ONLY: 1 BEDROOMS 2 BDRMS 3 BDRMS

X. NEW DWELLING UNITS WITH: APPROVED OCCUPANCY

XI. EXISTING DWELLING UNITS WITH: APPROVED OCCUPANCY

XII. SIGNATURE OF APPLICANT: \_\_\_\_\_ DATE: 11/11/07

DO NOT WRITE BELOW THIS LINE

XIII. ZONING: DISTRICT \_\_\_\_\_ STREET FRONTAGE \_\_\_\_\_

SETBACKS: front \_\_\_\_\_ back \_\_\_\_\_ side \_\_\_\_\_ s/de \_\_\_\_\_

ZONING BOARD APPROVAL: no  yes  (date) \_\_\_\_\_

PLANNING BOARD APPROVAL: no  yes  (date) \_\_\_\_\_

XIV. OFFICE USE: TAX MAP \_\_\_\_\_

LOT \_\_\_\_\_

VALUE/STRUCTURE PERMIT EXPIRATION \_\_\_\_\_

XV. CONDITIONAL USE: variance \_\_\_\_\_ site plan \_\_\_\_\_ subdivision \_\_\_\_\_ shore and floodplain mgmt \_\_\_\_\_

special exception \_\_\_\_\_ other \_\_\_\_\_ (explain) \_\_\_\_\_

XVI. SIGNATURE OF FIELD INSPECTOR (CEO): \_\_\_\_\_ DATE: \_\_\_\_\_

XVII. FEES:

base fee \_\_\_\_\_

subdivision fee \_\_\_\_\_

site plan review fee \_\_\_\_\_

other fees \_\_\_\_\_

late fee \_\_\_\_\_

TOTAL \_\_\_\_\_

XVIII. SPACE FOR FIGURING / ADDITIONAL COMMENTS:

1. WATER SUPPLY:  public  private

2. SEWER:  public  private type \_\_\_\_\_

3. HEAT type \_\_\_\_\_

4. FOUNDATION type \_\_\_\_\_

5. POE type \_\_\_\_\_

6. PLUMBING \_\_\_\_\_

7. ELECTRICAL service entrance \_\_\_\_\_

NUMBER OF OFF-CORNER RAINING SPACES \_\_\_\_\_

9. FRAMING \_\_\_\_\_

10. 1-2 story building w/ masonry walls \_\_\_\_\_

11. 3-4 story building w/ masonry walls \_\_\_\_\_

PLOT PLAN/DETAILS OF WORK ON REVERSE



APPLICATION FOR PERMIT

B.O.C.A. USE GROUP

B.O.C.A. TYPE OF CONSTRUCTION

ZONING LOCATION B-1 PORTLAND, MAINE Jan. 30, 1986.

To the CHIEF OF BUILDING & INSPECTION SERVICES, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect, alter, repair, demolish, move or install the following building, structure, equipment or change use in accordance with the laws of the State of Maine, the Portland B.O.C.A. Building Code and Zoning Ordinance of the City of Portland with plans and specifications, if any, submitted herewith and the following specifications:

LOCATION 125 East Auburn Street Fire District #1 , #2

Owner's name and address Dr. Maurice C. Hothem, 1 Mountain Rd., Portland Telephone

Contractor's name and address Telephone

Proposed use of building No. of sheets

Last use No. families

Material No. stories Heat Style of roof Roofing

Other buildings on same lot

Estimated contractual cost \$ Appeal Fees \$ 50.00

FIELD INSPECTOR Mr. Base Fee

@ 775-5451 Late Fee

Variance for the right to use the northerly entrance of the Northgate Shopping Center Off Auburn St. for access to the property.

Stamp of Special Conditions

April 9, 1987

Dr. M. C. Hothem, 117 Allen Avenue, Portland, ME 04103

Appeal sustained 2/27/87

RE: 117 Auburn Street. Dear Dr. Hothem: Enclosed please find Certificate of Occupancy for the first floor of the Fallbrook Professional Building located at 117 Auburn Street.

Please note that any plumbing involved in this work is for the first floor only and a permit must be obtained for the second floor. Has septic tank notice been sent? Form notice sent?

Thank you for your cooperation. Enclosure cc: P. Samuel Hoffa, Chief of Inspection Services, David Klensk, Planner

IF A GARAGE: No cars now accommodated on same lot to be accommodated number commercial cars to be accommodated Will automobile repairing be done other than minor repair, to cars habitually stored in the proposed building?

APPROVALS BY: BUILDING INSPECTION PLAN EXAMINER ZONING: BLDG CODE: Fire Dept: Health Dept: Others:

MISCELLANEOUS: Will work require disturbing of any tree on a public street? Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed?

Signature of Applicant: Dr. Maurice C. Hothem. Name of Applicant: James E. Gagan, his Attorney.

FIELD INSPECTOR'S COPY APPLICANT'S COPY OFFICE FILE COPY

117 Auburn

CITY OF PORTLAND, MAINE  
MEMORANDUM

TO: Richard Flewelling, Assist. Corp. Counsel  
FROM: Kathleen Taylor, Code Enforcement Officer, Inspection Services Division  
SUBJECT: Fallbrook Medical Building - 117 Auburn Street

DATE: 3/31/87  
*kat*

This office is currently holding Certificate of Occupancy for the above-referenced building. The Fire Prevention Bureau has not yet done its final inspection, and the site work has not yet been completed.

Despite several conversations with the contractor, architect and owner not to occupy the building until approval has been given, inspection this date revealed the first floor occupied and apparently receiving patients as there were people sitting in the waiting room, coats in the coat rack, etc.

/kat  
cc: Joseph E. Gray, Jr., Director, Planning & Urban Development  
P. Samuel Hoffses, Chief of Inspection Services  
David Klenk, Planning

*Ⓞ*

*l*

Applicant: *Gregory K. Johnson*  
Address: *117 Rear Auburn St.*  
Assessors No.: *375-C-1*

Date: *June 30, 1986*

Owner  
*Dr. M. C. Hottem*  
*327 Allen Ave.*

CHECK LIST AGAINST ZONING ORDINANCE

Date -

Zone Location - *B-1 Zone*

Interior or corner lot - *Interior*

Use - *Office Bldg*

Sewage Disposal - *A.K.*

Rear Yards - ~~None~~ *86'* *20 required*

Side Yards - *None Required* *4' and 18'*

Front Yards - *38'* *15 required*

Projections -

Height - *2 story (9200 sq. ft.)*

Lot Area - *39,709 sq. ft.*

Building Area - *4857 sq. ft.*

Area per Family - *NA*

Width of Lot - *200±*

Lot Frontage - *Access Variance granted for ROW to Auburn St.*

Off-street Parking - *38 spaces*

Loading Bays - *NA*

*7/8/86 H.D.T.*

Site Plan -

Shoreland Zoning -

Flood Plains -





## CITY OF PORTLAND

DEPARTMENT OF PLANNING & URBAN DEVELOPMENT  
INSPECTION SERVICES DIVISION

July 16, 1986

Dr. M. C. Hothem  
327 Allen Avenue  
Portland, Maine 04103

Re: 117 Auburn Street, Portland, Maine

Dear Sir:

Your application to construct a 9,900 sq. ft. professional building for office use has been reviewed and a building permit is herewith issued subject to the following requirements:

### Site Plan Review

Inspection Services Division	Approved with conditions:	
Access via Row to Auburn Street Parking arranged with Shaw's Realty Co. on Shopping Center Lot.		
Fire Department	Approved	Mr. W. J. Turner 2/27/86
Planning Division	Approved with conditions:	Lt. Collins 3/13/86
All preservation to be as per City Arborist Specs.		Mr. D. J. Klenk 5/25/86
Public Works	Approved with conditions:	
1. A sewer connection permit shall be obtained prior to connecting the building drain to the City Sewer.		
2. No permanent structures of any kind shall be built within the City Sewer right-of-ways.		Robert J. Roy 5/10/86

### Building and Fire Code Requirements

1. All lot lines shall be clearly marked before calling for a foundation inspection.
2. Waived granted for section 26-3.1.1 of the Life Safety Code.
3. A permit must be obtained before the unfinished space is completed.
4. The roof system must be designed to support a 50 PSF live load.
5. Handicapped and aged requirements must be complied with as per State Law and the City Building Code Section 512.

If you have any questions on these requirements please call this office.

Sincerely,

P. Samuel Hoffses  
Chief of Inspection Services

Approved \_\_\_\_\_

Denied \_\_\_\_\_

REVIEW OF WAIVER REQUEST

To: Fire Prevention Bureau  
Board of Review

Subject: 117 Auburn St.

Pursuant to Section 1-5.2 of the 1985 Life  
Safety Code the undersigned hereby requests a waiver from section  
26-3.1.1 of the Code.

The reasons for this waiver request and additional safety features we  
propose are as follows:

See attached letter

*Waiver granted on 7-16-86  
Permit issued on 7-16-86  
conditional to this waiver*

Signed: \_\_\_\_\_

Date: \_\_\_\_\_



**GREGORY K. JOHNSON - ARCHITECT**

519 CONGRESS STREET, PORTLAND, MAINE 04101

(207) 774-4984

July 14, 1986

Lt. James P. Collins  
Fire Prevention Bureau  
City Hall  
Portland, Maine 04101

Re: Fall Brook Professional Building  
117 Auburn St., Portland, Maine 04103

Dear Lt. Collins:

This letter is to formally request a waiver from standard sprinkler requirements and allow us to use a NFPA 13 D fast response system for this building.

We feel that with the type of use and small size of the building this sprinkler system will provide more than adequate protection for occupants exiting through the lobby. Approval for this has been granted by Dick Dolby of the State Fire Marshall's Office.

If you have any questions, please feel free to call. Thank you for your consideration.

Sincerely,

*Greg Johnson*  
Gregory K. Johnson

cc: Dr. M.C. Hothem

GAGAN & DESMOND

Attorneys at Law

846 Main Street

P. O. Box 336

Westbrook, Maine 04090

James E. Gagan  
Daniel J. Desmond

Area Code 407  
Telephone 854-9761

March 26, 1986

COPY

Mr. Gregory K. Johnson  
Architect  
519 Congress St.  
Portland, ME 04101

Re: Dr. M.C. Hothem's Medical Building Project  
Northgate Shopping Center/125 Rear Auburn St.

Dear Mr. Johnson:

This is in response to your telephone call as to the Portland Planning Board staff's request for some documentation relative to Dr. Hothem's legal interest as to his ownership or right to the use of the land for his proposed medical building including the entrance access from Auburn Street and its adjoining auto parking for the patients and visitors as per your site plan.

The following is a resume' of that documentation as per the enclosed copies of same.

Dr. Hothem first obtained a six (6) months Option to purchase the property, dated 5/14/85 from Shaw's Realty Co. who owns the Northgate Shopping Center and the Option has been extended for an additional six (6) months period to May 14, 1986. Enclosed herewith (marked #1 & #2) are copies of the Option Agreement and the notice of extension dated 11/4/85. For explanatory purposes, I have labeled the parcels covered by the Option as lots "A", "B" and "C" on the attached plot plan (marked #2).

Parcel "A" is the basic parcel of land for the construction of the medical building, Parcel "B" is the 50 ft. wide easement area for the driveway access to the building from Auburn Street, as per the variance granted by the Board of Zoning Appeals on 2/27/86, and Parcel "C" is the easement area to provide parking for the adjoining medical building.

In developing your architectural site plan for the project, you must appropriately provide for handicapped parking in Parcel "C" along with a brick paved walkway and some plantings, along with additional parking spaces around a proposed new parking island on Parcel "D" as shown on the attached plot plan (marked #3).

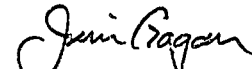
Mr. Gregory K. Johnson  
Re: Dr. M.C. Hothem's Medical Building Project  
Page 2

As you will recall, you brought this supplemental change in plans to the attention of Mr. Jack Thornton of Shaw's Realty Co. and as per his reply letter to you of 1/30/86, copy enclosed (marked #4) it certainly has been agreed that Dr. Hothem's Option rights are to include the right to have his building's walkway and plantings in Parcel "C" and also to provide for additional parking spaces for his patients et al in Parcel "D" as part of his construction project.

Incidentally, in Warren Turner's letter to me of 3/4/86 relative to the Board of Appeals approval of the access variance, he mentioned our understanding that a parking arrangement had been made with Shaw's Realty for use of a portion of their parking lot by patients and visitors to Dr. Hothem's medical office building, so I am sending him a copy of this letter and enclosed documentation to confirm that arrangement.

I trust this information puts Dr. Hothem's medical building project in proper scope for the City's site plan review, but if there are any questions in this regard, please let me know.

Sincerely,

  
James E. Gagan

JEG/gma  
Enc.

cc: Mr. Warren J. Turner ✓  
Dr. Maurice C. Hothem  
Mr. Jack C. Thornton, Jr.  
John L. Sullivan, Esq.



OPTION AGREEMENT

AGREEMENT made as of this 18th day of May, 1985, by and between Shaw's Realty Co., hereinafter referred to as "OPTIONOR" and M. C. HOTHEM, D.O., 327 ALLEN AVENUE, PORTLAND, MAINE 04103, hereinafter referred to as "OPTIONEE".

WITNESSETH:

In consideration of One Thousand Dollars (\$1,000.00), hereinafter referred to as the "OPTION CONSIDERATION," the receipt of which is hereby acknowledged by OPTIONOR, and the mutual covenants and promises hereinafter set forth, OPTIONOR and OPTIONEE agree as follows:

1. GRANT OF OPTION. OPTIONOR hereby grants to OPTIONEE, or his nominee, the exclusive and irrevocable option to purchase, on the terms and conditions contained in this AGREEMENT, As Is, a certain Parcel of land situated in Portland, Maine, adjacent and contiguous to the extreme northerly end of the North Gate Shopping Center, Auburn Street, Portland, Maine (the "SHOPPING CENTER"), all as more particularly shown and outlined in red on a plan attached hereto as Exhibit A; said Parcel hereinafter referred to as the "PREMISES".
2. TERM. This option shall be for a period of six (6) months from the date of this agreement. This option may be extended for up to six (6) months upon payment, as additional OPTION CONSIDERATION, of One Thousand Dollars (\$1,000.00) not less than seven (7) days in advance of the then current expiration date, along with written notice of OPTIONEE'S intent to extend the option.
3. NOTICE OF EXERCISE. This option may be exercised only by OPTIONEE giving written notice of election to purchase the PREMISES to OPTIONOR by first class mail, postage prepaid, registered or certified, return receipt requested, addressed to OPTIONOR at the addresses set forth in Paragraph 9 below, or to such other addresses as OPTIONOR may designate to OPTIONEE in writing. Said notice shall be deemed to have been duly given if postmarked prior to the expiration date and time specified herein.
4. FAILURE TO EXERCISE. In the event that OPTIONEE fails to exercise this option, the OPTION CONSIDERATION shall be retained by OPTIONOR and neither OPTIONOR or OPTIONEE shall have any further rights or claims against the other.
5. EXERCISE. In the event that OPTIONEE exercises this option as provided here, the following provisions shall be applicable:
- 5.1 Purchase Price. Subject to any adjustments and prorations hereinafter described, the purchase price for the PREMISES shall be Fifty Five Thousand Eight Hundred Dollars (\$55,800.00) which shall be paid by cash or certified or bank check on the closing date upon delivery and recording of the deed in accordance with this agreement, less a credit for the CONSIDERATION referred to above.
- 5.2 Title. OPTIONOR shall convey the PREMISES to OPTIONEE at the closing in fee simple with good and marketable title, free and clear of all liens and encumbrances except for easements and encumbrances which do not adversely affect the value of the premises. OPTIONEE shall cause the title to be examined within five (5) months of the date hereof, but no later than the date of the exercise of this option and provide OPTIONOR with a copy of said title report to the PREMISES. In the event that OPTIONOR'S title does not enable OPTIONOR to convey title as aforesaid OPTIONOR shall be given notice

COPY

#1

Parcel A

thereof by OPTIONEE and OPTIONOR shall have a reasonable time to attempt to remedy any title defects other than obligations to pay money which OPTIONOR may remedy by payment at the closing from the proceeds. OPTIONOR shall keep OPTIONEE advised as to the status of the effort to remedy. In the event that said defects cannot be corrected or remedied despite OPTIONOR'S efforts to do so, then (1) the OPTION CONSIDERATION shall be returned to OPTIONEE and neither OPTIONOR nor OPTIONEE shall be under any further obligation to the other or (2) OPTIONEE may elect to close notwithstanding such defects as may exist and take title subject to such defects at no reduction in the Purchase Price.

5.3 Closing. The closing shall take place thirty (30) days after the date this option is exercised, at a time and on a date set by OPTIONEE and OPTIONOR, at the offices of Verrill & Dana, Two Canal Plaza, Portland, Maine 04112. At the closing, OPTIONOR shall execute and deliver to OPTIONEE, against payment of the balance of the purchase price, a Quit Claim Deed to the PREMISES, hereinafter referred to as the "DEED", in the usual form according to Maine practice subject to the title exception referred to in 5.2 above.

5.4 Adjustments, Prorations and Closing Costs.

i. Real estate taxes and assessments shall be prorated as of the Closing on the basis of the latest tax bill.

ii. The Maine real estate transfer tax shall be paid for by OPTIONOR, except if Closing occurs after the thirty day closing period, then such tax shall be shared by OPTIONOR and OPTIONEE.

iii. The recording fee for the DEED and any mortgages which OPTIONEE may grant to any lender in connection with the purchase price of the PREMISES shall be paid for by OPTIONEE.

5.5 Possession. OPTIONOR shall deliver possession of the PREMISES to OPTIONEE at the closing, free of all leases, tenancies or occupancies by any person.

5.6 Default; Remedies. In the event the OPTIONEE fails to close hereunder for a reason other than the default of OPTIONOR, OPTIONOR shall retain the OPTION CONSIDERATION, if any, as full and complete liquidated damages in lieu of any other legal or equitable remedy.

6. EASEMENT. This conveyance is conditional upon OPTIONOR granting to OPTIONEE the right to use the Entrance Way located on the Shopping Center as shown on Exhibit A, more specifically outlined in green, attached hereto and made a part hereof for purposes of ingress and egress to the PREMISES from Auburn Street and the Shopping Center for pedestrian and vehicular traffic. In addition OPTIONOR grants to OPTIONEE an easement for the purpose of installing utilities in the northerly ten (10') feet of said Entrance Way running easterly from Auburn Street, provided however any such installation and use of utilities shall not interfere with pedestrian and/or vehicle traffic in the Entrance Way and OPTIONEE covenants and agrees not to install any utilities that interfere with such pedestrian and/or vehicle traffic in the Entrance Way. In addition, OPTIONOR grants to OPTIONEE an easement for the purpose of providing additional parking in support of the Medical Office Building. Said parking shall be limited to an area of the Shopping Center, more specifically outlined in blue on Exhibit A attached hereto and made a part hereof. OPTIONOR and OPTIONEE agree that the foregoing easements shall run with the land, shall be in effect for the maximum period allowed by law; and shall be incorporated into the DEED. OPTIONEE covenants and agrees that OPTIONOR may change and alter said

← Parcel B

← Parcel C



Entrance Way in said Shopping Center so long as OPTIONOR does not unreasonably interfere with OPTIONEE'S access to said PREMISES, provided however that the Entrance Way shall not be voluntarily relocated. In the event said Entrance Way is required to be relocated by the appropriate governmental authority, said Entrance Way shall be located as close to the PREMISES as reasonably possible as to provide reasonable access to the PREMISES. The right-of-way and easements hereby established shall be for the benefit of and restricted solely to owners from time to time of said PREMISES and said Shopping Center and their tenants and to any other parties granted or allowed rights of way and easements by Shaw's Realty Co., its successors and assigns.

7. ACCESS. OPTIONOR authorizes OPTIONEE or his representatives to enter the PREMISES during the option period for the purposes of inspection, surveying, soils analysis, or any other governmental requirement with respect to site approval, provided said PREMISES shall not be damaged or left in a disorderly or unsightly condition from such access. All costs associated with such access shall be the sole responsibility of OPTIONEE and OPTIONEE covenants and agrees to indemnify and hold harmless OPTIONOR from all claims, damages and liabilities associated with such access, including OPTIONOR'S reasonable attorney fees. This clause shall survive closing. In the event subdivision approval for said PREMISES is required, OPTIONOR shall obtain such at its own expense. OPTIONEE recognizes that any subdivision approval may delay closing a reasonable time.

8. BROKERAGE. OPTIONEE and OPTIONOR each represent, warrant and covenant that there are no real estate brokers involved in the transaction and consequently no broker's commission is due as a result thereof.

9. MISCELLANEOUS.

9.1 Time. Time is of the essence hereof.

9.2 Notices. All notices, demands and other communications hereunder shall be in writing and shall be deemed to have been duly given on the date of service if served personally on the party to whom notice is given, or on the first business day after mailing if mailed to the party to whom notice is to be given by first class mail, postage prepaid, registered or certified, return receipt requested, addressed as follows;

TO OPTIONOR: Shaw's Realty Co.  
P. O. Box 3566  
Portland, Maine 04104  
ATTN: Jack C. Thornton, Jr.

TO OPTIONEE: M. C. C. Hothem, D.O.  
327 Allen Avenue  
Portland, Maine 04103

Either party may change its addresses for purposes of this subparagraph by giving the other party notice of the new address in the manner described herein.

9.3 Entire Agreement. This AGREEMENT constitutes the entire agreement between OPTIONOR and OPTIONEE and there are no agreements, understandings, warranties, or representations between the parties except as set forth herein.

9.4 Binding Effect. This AGREEMENT will inure to the benefit of, and bind, each of the parties and the respective successors and assigns of OPTIONOR and OPTIONEE, provided however, this AGREEMENT shall not be assigned by OPTIONEE without OPTIONOR'S prior written consent.

9.5 Construction. As used in this AGREEMENT, the singular shall include the plural, the plural the singular, and the use of one gender shall be deemed applicable to all genders. This AGREEMENT shall be governed by and construed in accordance with the laws of Maine. If any provision of this AGREEMENT is determined to be invalid or unenforceable, it shall not affect the validity or enforcement of the remaining provisions hereof.

9.6 No Recording. OPTIONOR and OPTIONEE covenant and agree that THIS OPTION Agreement shall not be recorded in the Registry of Deeds.

9.7 Conditions Affecting Premises. It is the intent of the OPTIONEE and OPTIONOR that the Premises shall be subject to certain restrictions and conditions designed to encourage a broad range of diverse retail and service facilities and to enhance the overall commercial potential and vitality of the North Gate Shopping area. OPTIONEE intends to develop the Premises as a Medical Care Office building and OPTIONOR will assist, as reasonably requested, in obtaining necessary local governmental approvals for such a use. Said DEED shall contain a clause with regard to the following restrictions and conditions as covenants running with the land and which restrictions and conditions are as follows:

A. The PREMISES shall not be used for the operation of a supermarket, convenience food store, dairy store, nor for the sale of bakery products, fresh fruit and vegetables, fresh meat, delicatessens, frozen foods, including desserts, milk or other food products customarily sold for consumption off premises.

B. No business similar in product or services offered by the Tenants of the SHAW's North Gate Shopping Center shall be allowed on the PREMISES, without the prior written consent of OPTIONOR.

C. In the event OPTIONEE desires to sell the Premises in whole or in part, with or without improvements thereon, OPTIONEE shall give written notice to OPTIONOR of the terms and conditions of all offers for same from third parties which it intends to accept, OPTIONOR shall have the right of first refusal for thirty (30) days from the receipt of said notice to purchase same from OPTIONEE at the price offered and upon the terms and conditions specified in such offer from third parties. Moreover, this right of first refusal shall not apply to leases without option to purchase of all or part of the PREMISES nor improvements thereon, nor to sales to third parties in whom OPTIONEE or its nominees, successors or assigns maintain an ownership interest, or mergers, consolidations, reorganizations, mortgages, or sales by mortgagees who foreclose or take a deed in lieu of foreclosure, or sales by their successors and assigns.

IN WITNESS WHEREOF, OPTIONOR and OPTIONEE have executed this AGREEMENT as of the date first above written.

WITNESSETH:

Edna L. Bridges

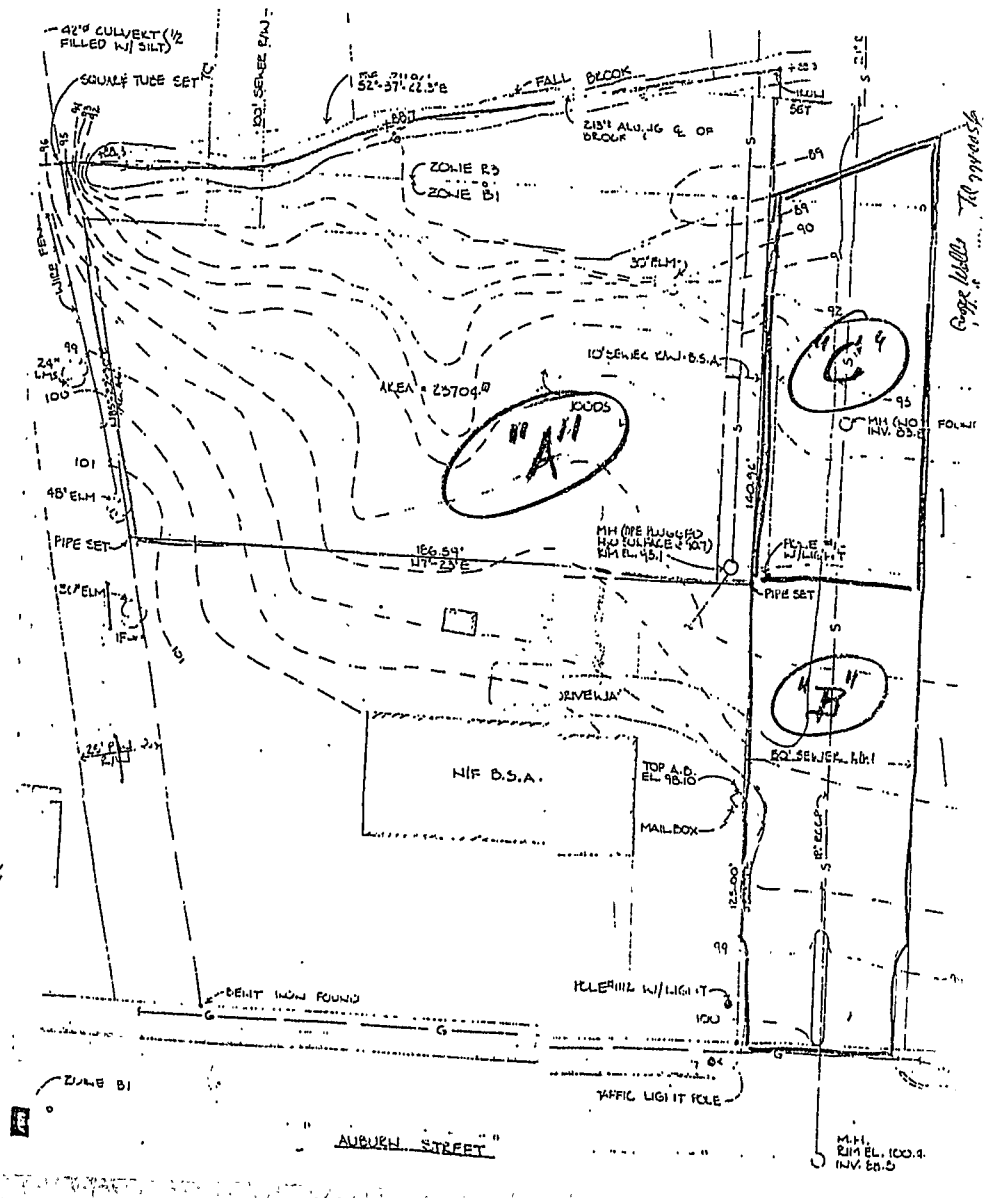
John L. Latta

OPTIONEE:

H. C. ROTHEN, D.O.

Jack C. Thornton, Jr.  
Jack C. Thornton, Jr., duly  
Authorized Vice President of  
Shaw's Realty Co.

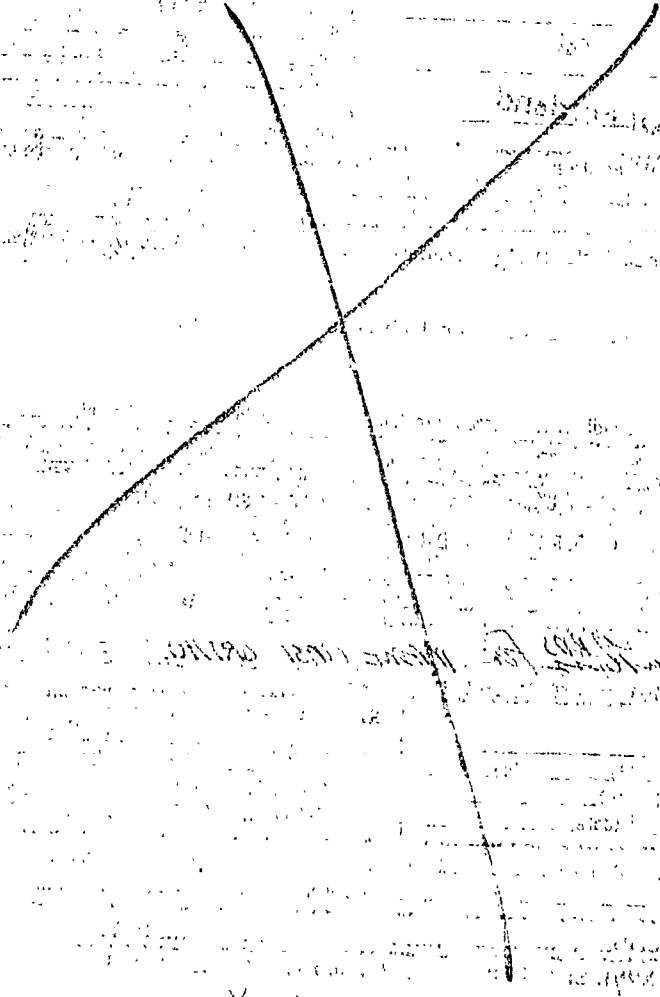
#2





1257 - Main Coast Ortho not  
moving in. Permit  
void. No work.

117 Spelman  
200 ft.



APPLICATION FOR PERMIT

PERMIT ISSUED

B.O.C.A. USE GROUP .....

B.O.C.A. TYPE OF CONSTRUCTION ..... 00912

JUL 16 1986

ZONING LOCATION ..... PORTLAND, MAINE March 12, 1986.

To the CHIEF OF BUILDING & INSPECTION SERVICES, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect, alter, repair, demolish, move or install the following building, structure, equipment or change use in accordance with the Laws of the State of Maine, the Portland B.O.C.A. Building Code and Zoning Ordinance of the City of Portland with plans and specifications, if any, submitted herewith and the following specifications:

LOCATION ..... 117 Auburn Street ..... Fire District #1  #2

1. Owner's name and address Dr. M. C. Hothem - 327 Allen Avenue 04103 Telephone 797-4148

2. Lessee's name and address ..... Telephone .....

3. Contractor's name and address Donbury, Inc., P. O. Box 792 04104 Telephone 774-6254

Proposed use of building Professional Offices ..... No. of sheets .....

Last use vacant lot ..... No. families .....

Material ..... No. stories ..... Heat ..... Style of roof ..... Roofing .....

Other buildings on same lot .....

Estimated contractual cost \$ 507,110.00 - 000.00 Appeal Fees \$ .....

FIELD INSPECTOR - Mr. @ 775-5451 Base Fee 6-23-86 300.00 Site

Minor Site Plan Review Late Fee (Minor) Review

Construct 9,900 sq. ft. professional building for offices. Stamp of Special Conditions

masonry building with steel frame as per plans. 20 sheets of plans. PERMIT ISSUED WITH LETTER

ISSUE PERMIT TO #1

NOTE TO APPLICANT: Separate permits are required by the installers and subcontractors of heating, plumbing, electrical and mechanicals.

DETAILS OF NEW WORK

Is any plumbing involved in this work? yes Is any electrical work involved in this work? yes

Is connection to be made to public sewer? yes If not, what is proposed for sewage? Form notice sent?

Has septic tank notice been sent? Form notice sent? Height average grade to highest point of roof

Size, front depth No. stories solid or filled land? earth or rock? Material of foundation

Kind of roof Rise per foot Roof covering No. of chimneys

Material of chimneys of lining Kind of heat fuel Framing Lumber - Kind

Dressed or full size? Corner posts Sills Size Girder Columns under girders

Size Max. on centers Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.

Joists and rafters: 1st floor 2nd 3rd roof On centers: 1st floor 2nd 3rd roof

Maximum span: 1st floor 2nd 3rd roof If one story building with masonry walls, thickness of walls? height?

IF A GARAGE

No. cars now accommodated on same lot to be accommodated number commercial cars to be accommodated

Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building?

APPROVALS BY: DATE MISCELLANEOUS Will work require disturbing of any tree on a public street? DD

BUILDING INSPECTION - PLAN EXAMINER ZONING: Will there be in charge of the above work a person competent

BUILDING CODE: Fire Dept. Health Dept. Others: to see that the State and City requirements pertaining thereto are observed? Yes

Signature of Applicant Gregory K. Johnson Phone # 774-4984

Type Name of above Gregory Johnson for Dr. M. C. Hothem 2 3 4

Other and Address

PERMIT ISSUED WITH LETTER

LU MA IAWA

FIELD INSPECTOR'S COPY APPLICANT'S COPY OFFICE FILE COPY



NOTES

7/25/86 OK'd to place  
 Foundation - location  
 appears OK as per survey  
 stakes

8/85 - Foundation work  
 progressing as per  
 plan

9/85 - Foundation work  
 completed - compacting  
 fill with start of  
 steel structure 9/14/86

10/9/86 Steel structure well in progress -  
 proceeding as per plans

10/15/86 Overall of the work completed

11/18/86 Steel structure being erected & a  
 roof system being placed

12/86 Same - erecting steel

1/87 Starting masonry work. Contractor  
 will provide winter protection of masonry a  
 heated temp as per code to prevent the  
 freezing of concrete at elevations

2/23/87 Exterior brick work completed,  
 drywalling the interior, all work going as per  
 plan

3/24 - Temp for final. No site work done yet  
 Near stairway needs to be completely enclosed

3/26 - Holding for site work.

3/31 - Open for business - 10. City O. Turned over to  
 Planning/legal

4/7 - Remaining site work, landscaping covered  
 by local. OK for City O. ~~temp~~ for 1<sup>st</sup>  
 floor only. Separate permit must be applied  
 for to finish 2<sup>nd</sup> fl. ~~cat~~

Permit No.	86/912
Location	117/117
Owner	C. J. [unclear]
Date of permit	3-12-86
Approved	7-16-86
Dwelling	
Garage	
Alteration	Plumbing, Electrical

00 Plat