

**LEWISTON CITY COUNCIL AGENDA
CITY COUNCIL CHAMBERS
SEPTEMBER 16, 2014**

6:30 p.m. Executive Session - To discuss Real Estate Negotiations of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.

7:00 p.m. Regular Meeting

Pledge of Allegiance to the Flag.
Moment of Silence.

Mayoral Proclamation supporting the Clean Air Act

Public Comment period - Any member of the public may make comments regarding issues pertaining to Lewiston City Government (maximum time limit is 15 minutes for all comments)

ALL ROLL CALL VOTES FOR THIS MEETING WILL BEGIN WITH THE COUNCILOR OF WARD 2.

CONSENT AGENDA: All items with an asterisk (*) are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member or a citizen so requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

- * 1. Adoption of meeting schedule for the month of November.
- * 2. Appointment to the Lewiston Housing Authority Board of Commissioners.

REGULAR BUSINESS:

3. Public Hearing on a new liquor license application and special amusement permit for Rails, LLC, 103 Lincoln Street.
4. Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for Sparetime Recreation, 24 Mollison Way.
5. Public Hearing for approval of an Outdoor Entertainment Permit for the Dempsey Challenge.
6. Public Hearing on an application from Dana's Garage, 193 Crowley Road, for an Automobile Graveyard/Junkyard permit.
7. Public Hearing on an application from Gary St. Laurent/Maine Heavy Equipment Rental, 1445 Sabattus Street, for an Automobile Graveyard/Junkyard permit.
8. Public Hearing on an application from Grimmel's Industries, 50 River Road, for an Automobile Graveyard/Junkyard permit.
9. Public Hearing on an application from the Lewiston Public Works Department, 424-482 River Road, for an Automobile Graveyard/Junkyard permit.
10. Public Hearing on an application from ReEnergy Lewiston, LLC, 38 Alfred A. Plourde Parkway for an Automobile Graveyard/Junkyard permit.
11. Public Hearing on an Application for a Business License renewal for the Merrimack River Medical Services, Inc. for an Outpatient Addiction Treatment Clinic at 18 Mollison Way.

12. Condemnation Hearing for the building located at 251 Lincoln Street.
 13. Condemnation Hearing for the building located at 398 Lincoln Street.
 14. Condemnation Hearing for the building located at 162 Oxford Street.
 15. Condemnation Hearing for the building located at 267 ½ Lincoln Street.
 16. Condemnation Hearing for the building located at 7 Lincoln Drive.
 17. Condemnation Hearing for the building located at 68 River Street.
 18. Condemnation Hearing for the building located at 245 Lincoln Drive.
 19. Condemnation Hearing for the building located at 7 Willow Circle.
-
20. Resolve Amending the Composition and Appointment Requirements for the Downtown Neighborhood Action Committee.
-
21. Reports and Updates.
 22. Any other City Business Councilors or others may have relating to Lewiston City Government.

LEWISTON CITY COUNCIL
MEETING OF SEPTEMBER 16, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 6:30pm

SUBJECT:

Executive Session to discuss Real Estate Negotiations of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.

INFORMATION:

The Maine State Statutes, Title 1, section 405, define the permissible grounds and subject matters of executive sessions for public meetings.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/Kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To enter into an Executive Session, pursuant to MRSA Title 1, section 405(6)(c), to discuss Real Estate Negotiations, of which the premature disclosure of the information would prejudice the competitive bargaining position of the City.

**LEWISTON CITY COUNCIL
MEETING OF SEPTEMBER 16, 2014**

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 1

SUBJECT:

Adoption of meeting schedule for the month of November.

INFORMATION:

Due to the November election, it is recommended the City Council cancel their first regular meeting of the month. It is past practice to not hold a Council meeting on the election day. A special Council meeting might be called at the end of October if needed. Councilors are asked to keep the date of Oct. 28 available in case a special meeting is called.

The November Council meeting date will be Tuesday, November 18.

Note: The December meetings will be held as regularly scheduled - Tuesday, December 2nd and Tuesday, December 16th.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/Kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To suspend Section 1,(a) of the Rules Governing the City Council, to cancel the November 4, 2014 Council meeting due to the conflict with Election Day and to hold one regular meeting during the month of November on Tuesday, November 18th.

LEWISTON CITY COUNCIL

MEETING OF SEPTEMBER 16, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 2

SUBJECT:

Appointment to the Lewiston Housing Authority Board of Commissioners.

INFORMATION:

There is one opening on the Lewiston Housing Authority Board of Commissioners. The Mayor is recommending the following reappointment to the Lewiston Housing Authority Board of Commissioners:

- 1) Cecile Mathieu, 10 Seville Place, term to expire Sept. 17, 2019

This is a five year appointment.

James Dowling, Executive Director of the Housing Authority, endorses this appointment. These appointments do require Council confirmation.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

Appointments to Boards and Committees are a policy decision of the Council.

EATB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To confirm the Mayor's nomination and to appoint the following resident as a member of the Board of Commissioners of the Lewiston Housing Authority:

Cecile Mathieu of 10 Seville Place (term to expire September 17, 2019)

LEWISTON CITY COUNCIL
MEETING OF SEPTEMBER 16, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 3

SUBJECT:

Public Hearing on a new liquor license application and special amusement permit for Rails, LLC, 103 Lincoln Street.

INFORMATION:

We have received an application for a liquor license application and special amusement permit for Rails, LLC, 103 Lincoln Street. The liquor license application is for malt, spirituous & vinous.

The police department has reviewed and approved the application.

The business owner has been notified of the public hearing and requested to attend.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To authorize the City Clerk's Office to approve a new liquor license application and special amusement permit for Rails, LLC, 103 Lincoln Street.

Department of Public Safety
Division



Liquor Licensing & Inspection

Promise by any person that he or she can expedite a liquor license through influence should be completely disregarded. To avoid possible financial loss an applicant, or prospective applicant, should consult with the Division before making any substantial investment in an establishment that now is, or may be, attended by a liquor license.

BUREAU USE ONLY	
License No. Assigned:	
Class:	
Deposit Date:	
Amt. Deposited:	

PRESENT LICENSE EXPIRES _____

INDICATE TYPE OF PRIVILEGE: MALT SPIRITUOUS VINOUS

INDICATE TYPE OF LICENSE:

- | | |
|--|--|
| <input type="checkbox"/> RESTAURANT (Class I,II,III,IV) | <input checked="" type="checkbox"/> RESTAURANT/LOUNGE (Class XI) |
| <input type="checkbox"/> HOTEL-OPTIONAL FOOD (Class I-A) | <input type="checkbox"/> HOTEL (Class I,II,III,IV) |
| <input type="checkbox"/> CLASS A LOUNGE (Class X) | <input type="checkbox"/> CLUB-ON PREMISE CATERING (Class I) |
| <input type="checkbox"/> CLUB (Class V) | <input type="checkbox"/> GOLF CLUB (Class I,II,III,IV) |
| <input type="checkbox"/> TAVERN (Class IV) | <input type="checkbox"/> OTHER: _____ |

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

1. APPLICANT(S) (Sole Proprietor, Corporation, Limited Liability Co., etc.) STEPHEN DICK DOB: 6/20/49	2. Business Name (D/B/A) RAILS, LLC
DOB:	103
DOB:	Location (Street Address) 103 LINCOLN ST
Address 495 EMPIRE RD	City/Town LEWISTON State ME Zip Code 04240
	Mailing Address 493 EMPIRE RD
City/Town POLAND State ME Zip Code 04274	City/Town POLAND State ME Zip Code 04274
Telephone Number 998-2562 Fax Number	Business Telephone Number 333-3070 Fax Number
Federal I.D. # 47-1264507	Seller Certificate #

3. If premises are a hotel, indicate number of rooms available for transient guests: N/A
4. State amount of gross income from period of last license: ROOMS \$ N/A FOOD \$ _____ LIQUOR \$ _____
5. Is applicant a corporation, limited liability company or limited partnership? YES NO

complete Supplementary Questionnaire ,If YES

6. Do you permit dancing or entertainment on the licensed premises? YES NO
7. If manager is to be employed, give name: NONE AT THIS TIME
8. If business is NEW or under new ownership, indicate starting date: NOVEMBER 2014
Requested inspection date: OCTOBER 2014 Business hours: 11AM TO 10PM
9. Business records are located at: 493 EMPIRE ROAD, POLAND, ME 04274
10. Is/are applicants(s) citizens of the United States? YES NO

11. Is/are applicant(s) residents of the State of Maine? YES NO
12. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
STEPHEN WALLACE DIEK	6/20/49	LEWISTON, ME

Residence address on all of the above for previous 5 years (Limit answer to city & state)

RICHMOND, TX 77406

13. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES NO

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

14. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?
Yes No If Yes, give name: _____

15. Has/have applicant(s) formerly held a Maine liquor license? YES NO

16. Does/do applicant(s) own the premises? Yes No If No give name and address of owner: _____

17. Describe in detail the premises to be licensed: (Supplemental Diagram Required) BAR AREA AT REAR OF BUILDING

18. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?
YES NO Applied for:

19. What is the distance from the premises to the NEAREST school, school dormitory, church chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? 1.2M Which of the above is nearest? ST PETERS BASILICA

20. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES NO

If YES, give details: _____

The Division of Liquor Licensing & Inspection is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: LEWISTON MAINE on AUGUST 26, 20 1A
Town/City, State Date

Stephen Diek
Signature of Applicant or Corporate Officer(s)

Please sign in blue ink

Signature of Applicant or Corporate Officer(s)

STATE OF MAINE
Liquor Licensing & Inspection Unit
164 State House Station
Augusta, Maine 04333-0164
Tel: (207) 624-7220 Fax: (207) 287-3424

SUPPLEMENTARY QUESTIONNAIRE FOR CORPORATE APPLICANTS, LIMITED LIABILITY COMPANIES AND LIMITED PARTNERSHIPS

1. Exact Corporate Name: RAILS LLC
Business D/B/A Name: RAILS, LLC

2. Date of Incorporation: JULY

3. State in which you are incorporated: MAINE

4. If not a Maine Corporation, date corporation was authorized to transact business within the State of Maine:

5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list percent of stock owned:

Name	Address Previous 5 Years	Birth Date	% of Stock	Title
STEPHEN DICK	1738 LAKE CHARLOTTE LANE RICHMOND, TX 77406	6/20/49	50	SR MEMBER
CLAIRE DICK	SAME AS ABOVE	7/4/49	50	MEMBER

6. What is the amount of authorized stock? _____ Outstanding Stock? _____

7. Is any principal officer of the corporation a law enforcement official? () YES (X) NO

8. Has applicant(s) or manager ever been convicted of any violation of the law, other than a minor traffic violation(s), of the United States? () YES (X) NO.

9. If yes, please complete the following: Name: _____

Date of Conviction: _____ Offense: _____

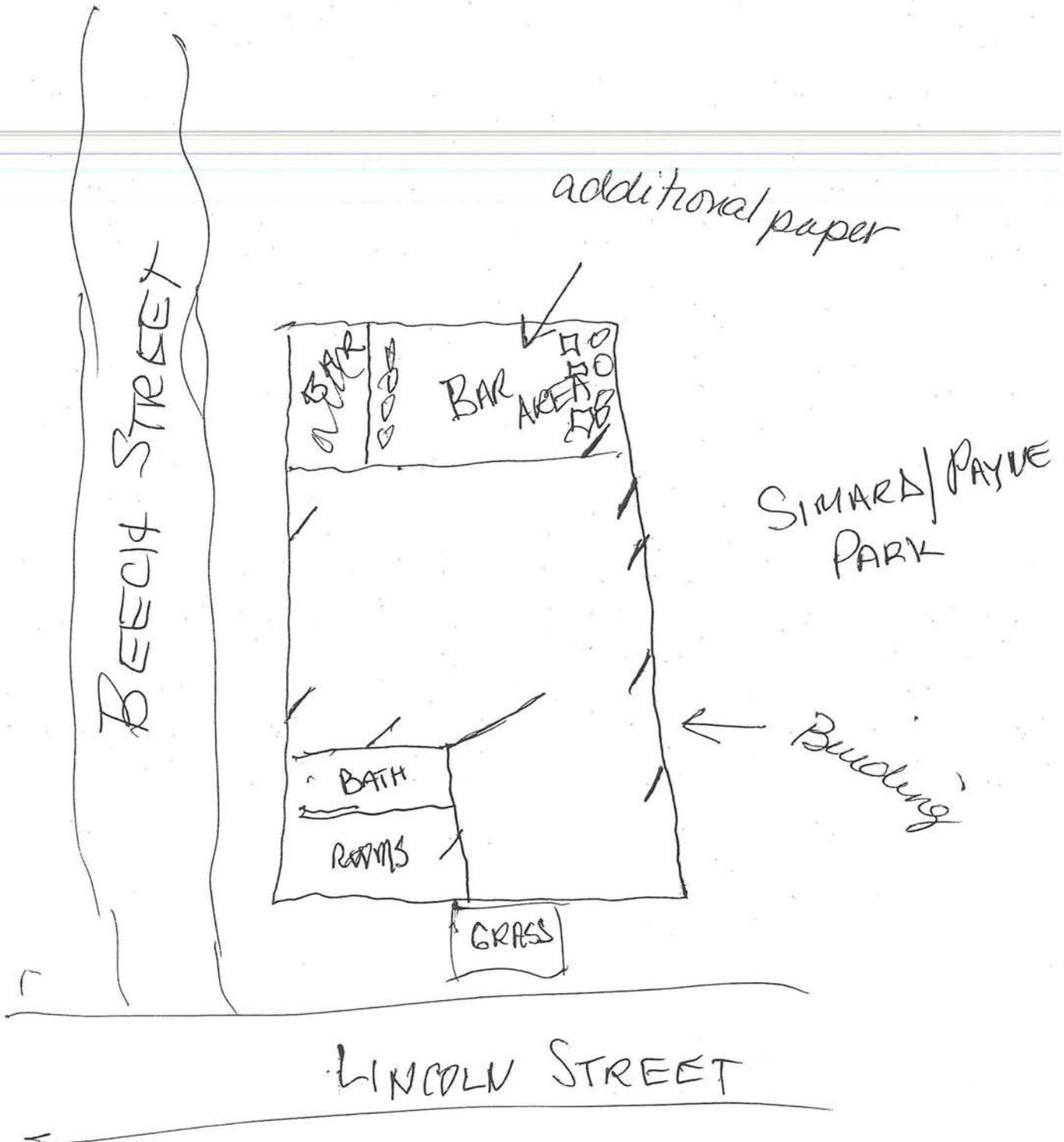
Location: _____ Disposition: _____

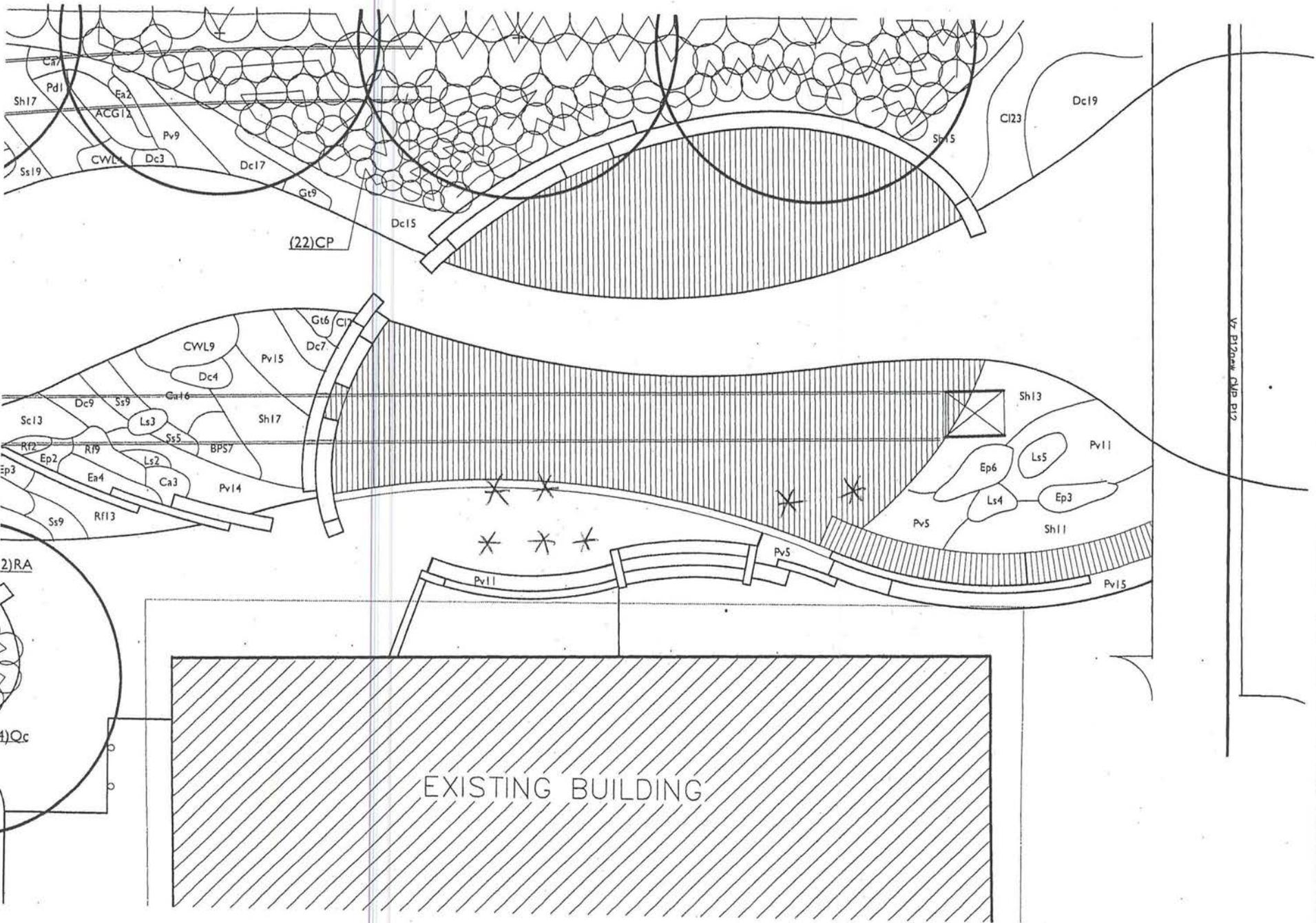
Dated at: _____ City/Town _____ On: _____ Date _____

Signature of Duly Authorized Officer: [Signature] Date: 8/26/14

Print Name of Duly Authorized Officer: STEPHEN DICK, SENIOR MEMBER

PREMISE DIAGRAM





(22)CP

Vz B120aw Clp B12

2)RA

4)Qc

EXISTING BUILDING

**CITY OF LEWISTON
APPLICATION FOR SPECIAL AMUSEMENT PERMIT**

Date of Application: 8/25/14 Expiration Date: _____

- Class A - \$125.00 - restaurants with entertainment, which **does not have dancing**
- Class B - \$125.00 - lounges/bars with entertainment, which **does not have dancing**
- Class C - \$150.00 - either restaurants or lounges/bars with entertainment, including dancing
- Class D - \$150.00 - function halls with entertainment, including dancing
- Class E - \$150.00 - dance hall or nightclub that admits persons under the age of 21
- Class F - \$150.00 - "chem-free" dance hall or nightclub for patrons aged 18 yrs and older, with no liquor

Renewal Applicants: Has any or all ownership changed in the 12 months? Yes No

****PLEASE PRINT****

Business Name: RAILS, LLC Business Phone: 330-3070

Location Address: 103 LINCOLN STREET, LEWISTON, ME 04277

(If new business, what was formerly in this location: GRAND TRUCK RAILWAY DEPOT

Mailing Address: 493 EMPIRE ROAD, POLAND, ME 04274

Email address: ILESHEA1@GMAIL.COM

Contact Person: ILESHEA STOWE Phone: 330-0518

Owner of Business: STEPHEN W DICK Date of Birth: 6/20/1949

Address of Owner: 495 EMPIRE RD, POLAND, ME 04274

Manager of Establishment: _____ Date of Birth: _____

Owner of Premises (landlord): LA RAILROAD

Address of Premises Owner: 415 LISBON STREET, LEWISTON, ME

Does the issuance of this license directly or indirectly benefit any City employee(s)? Yes No
If yes, list the name(s) of employee(s) and department(s): _____

Have any of the applicants, including the corporation if applicable, ever held a business license with the City of Lewiston? Yes No If yes, please list business name(s) and location(s): _____

Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of the law? ___ Yes X No If yes, please explain: _____

CORPORATION APPLICANTS: Please attach a list of all principal officers, date of birth & town of residence

Corporation Name: RAILS, LLC

Corporation Mailing Address: 493 EMPIRE RD, POLAND, ME 04274

Contact Person: I LESHEA STOWE Phone: 330-0518

Do you permit dancing on premises? X Yes ___ No (If yes, you must first obtain a dance hall permit from the State Fire Marshall's Office) If yes, do you permit dancing or entertainment after 1:00 AM? ___ Yes X No

What is the distance to the nearest residential dwelling unit both inside and outside the building from where the entertainment will take place? 200 YARDS, APARTMENT BLOCK

Please describe the type of proposed entertainment:

- dancing
- stand up comedian
- piano player
- music by DJ
- karaoke
- other, please list _____
- live band/singers
- magician
- other, please list _____

If new applicant, what is your opening date?: NOVEMBER 2014

Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above licensee and further agrees that any misstatement of material fact may result in refusal of license or revocation if one has been granted. Applicant agrees that all taxes and accounts pertaining to the premises will be paid prior to issuance of the license.

It is understood that this and any application(s) shall become public record and the applicant(s) hereby waive(s) any rights to privacy with respect thereto.

I/We hereby authorize the release of any criminal history record information to the City Clerk's Office or licensing authority. I/We hereby waive any rights to privacy with respect thereto.

Signature: [Signature] Title: SENIOR MEMBER Date: 8/25/14

Printed Name: STEPHEN DICK

Hearing Date: 9-16-14



POLICE DEPARTMENT

Michael J. Bussiere
Chief of Police



TO: Kelly Brooks, Deputy City Clerk

FR: Lt. Adam D. Higgins, Support Services

DT: September 8, 2014

RE: Liquor License/Special Amusement Permit – **Rails, LLC**

We have reviewed Liquor License/Special Amusement Permit Application and have no objections to the following establishment;

Rails, LLC
103 Lincoln St.



171 Park St • Lewiston, Maine • 04240 • Phone 207-513-3137 • Fax 207-795-9007
www.lewistonpd.org



Professionalism

Integrity

Compassion

Dedication

Pride

Dependability

CITY OF LEWISTON

PUBLIC NOTICE

A hearing on the following liquor license application will be held by the Lewiston City Council in the Council Chambers, City Hall on ***Tuesday, September 16, 2014, at 7:00 p.m.***, or as soon thereafter as they may be heard. Any interested person may appear and will be given the opportunity to be heard before final action on said application.

Rails, LLC

103 Lincoln Street

Stephen Dick & Claire Dick, owners

The City of Lewiston is an EOE. For more information, please visit our website @ www.lewistonmaine.gov and click on the Non-Discrimination Policy.

Kathleen Montejo, MMC
City Clerk
Lewiston, Maine

PUBLISH ON: September 10, 11 & 12, 2014

Please bill the City Clerk's Dept. account. Thank you.

LEWISTON CITY COUNCIL

MEETING OF SEPTEMBER 16, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 4

SUBJECT:

Public Hearing on the renewal application for a Special Amusement Permit for Live Entertainment for Sparetime Recreation, 24 Mollison Way.

INFORMATION:

We have received a renewal application for a Special Amusement Permit for Live Entertainment from Sparetime Recreation, 24 Mollison Way.

The Police Department has reviewed and approved the application.

There was no reference to this business or property address in the Council Constituent Concern log, as maintained by the Administrator's Office.

The business owner has been notified of the public hearing and requested to attend.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/Kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To grant a Special Amusement Permit for Live Entertainment to Sparetime Recreation, 24 Mollison Way.

**CITY OF LEWISTON
APPLICATION FOR SPECIAL AMUSEMENT PERMIT**

Date of Application: 8-04-14

Expiration Date: 8-10-14

- Class A - \$125.00 - restaurants with entertainment, which **does not have dancing**
- Class B - \$125.00 - lounges/bars with entertainment, which **does not have dancing**
- Class C - \$150.00 - either restaurants or lounges/bars with entertainment, including dancing
- Class D - \$150.00 - function halls with entertainment, including dancing
- Class E - \$150.00 - dance hall or nightclub that admits persons under the age of 21
- Class F - \$150.00 - "chem-free" dance hall or nightclub for patrons aged 18 yrs and older, with no liquor

Renewal Applicants: Has any or all ownership changed in the 12 months? Yes No

****PLEASE PRINT****

Business Name: ENCORE BOWLING, INC - SPARETIME RECREATION **Business Phone:** 786-2695

Location Address: 24 MOLLISON WAY, LEWISTON, ME 04240

(If new business, what was formerly in this location: _____)

Mailing Address: P.O. BOX 426, HALLOWELL, ME 04347

Email address: ANDREW2@SPARETIMEREQ.COM

Contact Person: ANDREW COULTURE **Phone:** 242-8161

Owner of Business: ANDREW COULTURE **Date of Birth:** 03/26/48

Address of Owner: _____

Manager of Establishment: TOM GIBERTI **Date of Birth:** 04/26/54

Owner of Premises (landlord): LEWISTON PROPERTIES, LLC

Address of Premises Owner: 76 MERRIMACK STREET, SUITE 19, HAVERHILL, MA 01830

Does the issuance of this license directly or indirectly benefit any City employee(s)? Yes No
If yes, list the name(s) of employee(s) and department(s): _____

Have any of the applicants, including the corporation if applicable, ever held a business license with the City of Lewiston? Yes No If yes, please list business name(s) and location(s): _____

Have applicant, partners, associates, or corporate officers ever been arrested, indicted, or convicted for any violation of the law? ____ Yes No If yes, please explain: _____

CORPORATION APPLICANTS: *Please attach a list of all principal officers, date of birth & town of residence*

Corporation Name: ENCORE BOWLING, INC.

Corporation Mailing Address: P.O. BOX 426, HALLOWELL, ME 04347

Contact Person: ANDY COULTURE Phone: 242.8161

Do you permit dancing on premises? ____ Yes No *(If yes, you must first obtain a dance hall permit from the State Fire Marshall's Office)* If yes, do you permit dancing or entertainment after 1:00 AM? ____ Yes ____ No

What is the distance to the nearest residential dwelling unit both inside and outside the building from where the entertainment will take place? 1/2 MILE

Please describe the type of proposed entertainment:

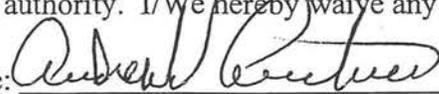
- | | | |
|---|--|---|
| <input type="checkbox"/> dancing | <input type="checkbox"/> stand up comedian | <input type="checkbox"/> piano player |
| <input checked="" type="checkbox"/> music by DJ | <input type="checkbox"/> karaoke | <input type="checkbox"/> other, please list _____ |
| <input type="checkbox"/> live band/singers | <input type="checkbox"/> magician | <input type="checkbox"/> other, please list _____ |

If new applicant, what is your opening date?: _____

Applicant, by signature below, agrees to abide by all laws, orders, ordinances, rules and regulations governing the above licensee and further agrees that any misstatement of material fact may result in refusal of license or revocation if one has been granted. Applicant agrees that all taxes and accounts pertaining to the premises will be paid prior to issuance of the license.

It is understood that this and any application(s) shall become public record and the applicant(s) hereby waive(s) any rights to privacy with respect thereto.

I/We hereby authorize the release of any criminal history record information to the City Clerk's Office or licensing authority. I/We hereby waive any rights to privacy with respect thereto.

Signature:  Title: OWNER/PRESIDENT Date 8-04-14

Printed Name: ANDREW W. COULTURE

Hearing Date: _____



POLICE DEPARTMENT

Michael J. Bussiere
Chief of Police



TO: Kelly Brooks, Deputy City Clerk

FR: Sgt. Robert P. Ullrich, Support Services

DT: June 11, 2014

RE: Liquor License/Special Amusement Permit – **Sparetime Recreation**

We have reviewed Liquor License/Special Amusement Permit Application and have no objections to the following establishment;

Sparetime Recreation
24 Mollison Way



171 Park St • Lewiston, Maine • 04240 • Phone 207-513-3137 • Fax 207-795-9007
www.lewistonpd.org



Professionalism

Integrity

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LEWISTON CITY COUNCIL
MEETING OF SEPTEMBER 16, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 5

SUBJECT:

Public Hearing for approval of an Outdoor Entertainment Permit for The Dempsey Challenge.

INFORMATION:

The Dempsey Challenge is now an annual event in Lewiston and this year's event will be held on Saturday, September 27 and Sunday, September 28. As part of the athletic events, the function will also have live music entertainment. As such, the organizers are required to obtain an Outdoor Entertainment permit from the city.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EATB/Kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To conduct a public hearing on an application from The Dempsey Challenge Committee for outdoor musical concerts to be held at Simard-Payne Memorial Park on September 27th and 28th, as part of The Dempsey Challenge, and to authorize a permit for an Outdoor Entertainment Event, as required by the City Code of Ordinances, Chapter 10, Article 1, Section 10-3, to the organizing committee for the outdoor music concerts, contingent upon positive recommendations from the Recreation Department, Police Department, Fire Department, Code/Land Use Officer and Code/Health Officer regarding compliance with all regulations, and compliance with all City ordinances.

5.45.1.3 2014

CITY OF LEWISTON

Special Event Application

Applications must be submitted at least 14 days prior to the event, unless an * appears next to the permit type. *Application must be turned in 30 days prior to the event due to public hearing requirement.

Application Date 2/18/14

SPONSOR INFORMATION

Name of Sponsoring Organization: Dempsey Center

Name of Contact Person for Event: Jeff Corbett

Title of Contact Person: Technical Director

Mailing Address: 29 Lowell St. 5th Floor Lewiston, ME 04240

Daytime Telephone: _____ Cell Phone: 803-447-4068

Email Address: jeff.corbett@medalistsports.com

Contact Name and Cell Phone Number DURING the Event: Jeff Corbett 803-447-4068

Is your organization incorporated as a non-profit organization? Yes No

Non-Profit Number: 01-0211494

EVENT INFORMATION

Name of Event: The Dempsey Challenge

Type of Event (walk, festival, concert, etc.): Charity 5K/10K and bike ride

Date of Event: 9/27 and 9/28 Rain Date: none

Times of Event: Start Time including set-up: 9/22 Ending time including clean up: 9/30
Actual Event Start Time: 9/27-8:00a Actual Event End Time: 9/28- 5:00pm

Estimated Attendance: 5000

Location of Event: Simard-Payne Park

If location is a city park, have you applied for use of the property with the Recreation Department and has your request been approved? Yes No Pending

Date request submitted to the Recreation Department: _____

TYPES OF PERMITS/PERMISSIONS NEEDED – PROVIDE AN ANSWER FOR EACH LINE:

Permit Fee	Permission/Permit Type	YES	NO	NOT SURE
Separate fee and permit possible	FOOD – Will food or beverages be sold or given away? If yes, list what types of food or beverages: Too many types to name. Same basics as 2013 Note - A food service license may be required.	X		
Separate fee and permit possible	NON-FOOD ITEMS – Will products be sold or given away (such as t-shirts, crafts, cds, etc.)? If yes, list what items: Merchandise, including t-shirts, hats, jackets, etc. Note- A peddling permit may be required.	X		
\$11	*LIVE MUSIC – Will there be any outdoor musical performances? If yes, please describe: As in past years, live music on Sunday afternoon	X		
\$16/day	SOUND AMPLIFICATION – Will there be a microphone or speaker system to project sound?	X		
Separate fee and permit required	ALCOHOLIC BEVERAGES – Will alcoholic beverages be served?	X		
Separate fee and permit required	*CARNIVAL – Will carnival rides be offered? If yes, attach a copy of the state permit. A city permit is required as well.		X	
Separate fee and permit required	FIREWORKS – Will there be a fireworks display? If yes, a permit from the Fire Department is required.		X	
N/A	PARADE – Will there be a parade? If yes, describe route: Note – A permit from the Police Department is required.		X	
N/A	RUN/WALK/CYCLE – Will event involve participants doing a walk-a-thon, road race, etc? If yes, describe route: see attached maps, same as 2013	X		
Separate permit required	BURN PERMIT – Will there be any open flame such as a bon fire? If yes, describe activity: open pit for lobster bake Note - A permit from the Fire Department is required.	X		
N/A	TENT/CANOPY – Will you be setting up a tent or canopy? If yes, list number and sizes: Dozens of tents, will submit list when finalized	X		
N/A	ROAD/INTERSECTION CLOSURE – Will any roads need to be closed to accommodate your event? If yes, please list: Same as 2013, will work with PD on list	X		
N/A	MAP/DIAGRAM – Is a map or diagram attached detailing this event and depicting the placement of such items as tables, tents, port-a-potties, stage, parking, etc.? This is a mandatory requirement for this application and must be included with the application form.	X		

	PARKING ACCOMMODATIONS – What will be the anticipated need for parking and what is your parking plan? On Street parking and both Lincoln St garages for participants. Staff at Roy Continental Mill lot	X		
N/A	TOILETS – Please list amount at event and/or nearest location: 40 toilets / 5 ADA toilets and handwashing stations spread around Simard Payne Park	X		
N/A	WASTE DISPOSAL – Please list process and location: Trash cans and recycling around park, 2 30yard dumpsters and 1 for recycling	X		
N/A	HAND WASHING FACILITIES – Please list amount at event and/or nearest location:	X		
N/A	POTABLE WATER – Please list amount at event and location: Over 2000 gallons of bottled water donated by Poland Springs	X		
N/A	FIRST AID FACILITIES – Please list location at event: Medical tent of site, staffed by CMMC	X		
\$	TOTAL FEE AMOUNT INCLUDED – Checks payable to “City of Lewiston”			

EVENT LIABILITY INSURANCE COVERAGE FOR EVENT

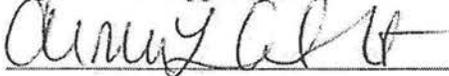
For an event such as a walk-a-thon, race, festival, concert, etc. the City requires insurance coverage – general liability. The City of Lewiston needs to be named as additionally insured in regards to the event activities on that date. Once the event is approved, the Certificate of Insurance will need to be received before the event permits can be issued. Please have “City of Lewiston” listed as additionally insured on the Certificate of Insurance (minimum coverage \$1,000,000) and have your insurance company fax a copy to: City Clerk 207-777-4621

DESCRIPTION OF EVENT – Please describe what will occur during your event

9/27 - 5K and 10K followed by hospitality and expo until mid-afternoon

9/28 - Charity bike ride followed by hospitality and expo until late afternoon

Signature of Applicant:



Printed Name:

Arnie Arsenault

Date Submitted:

2-26-14

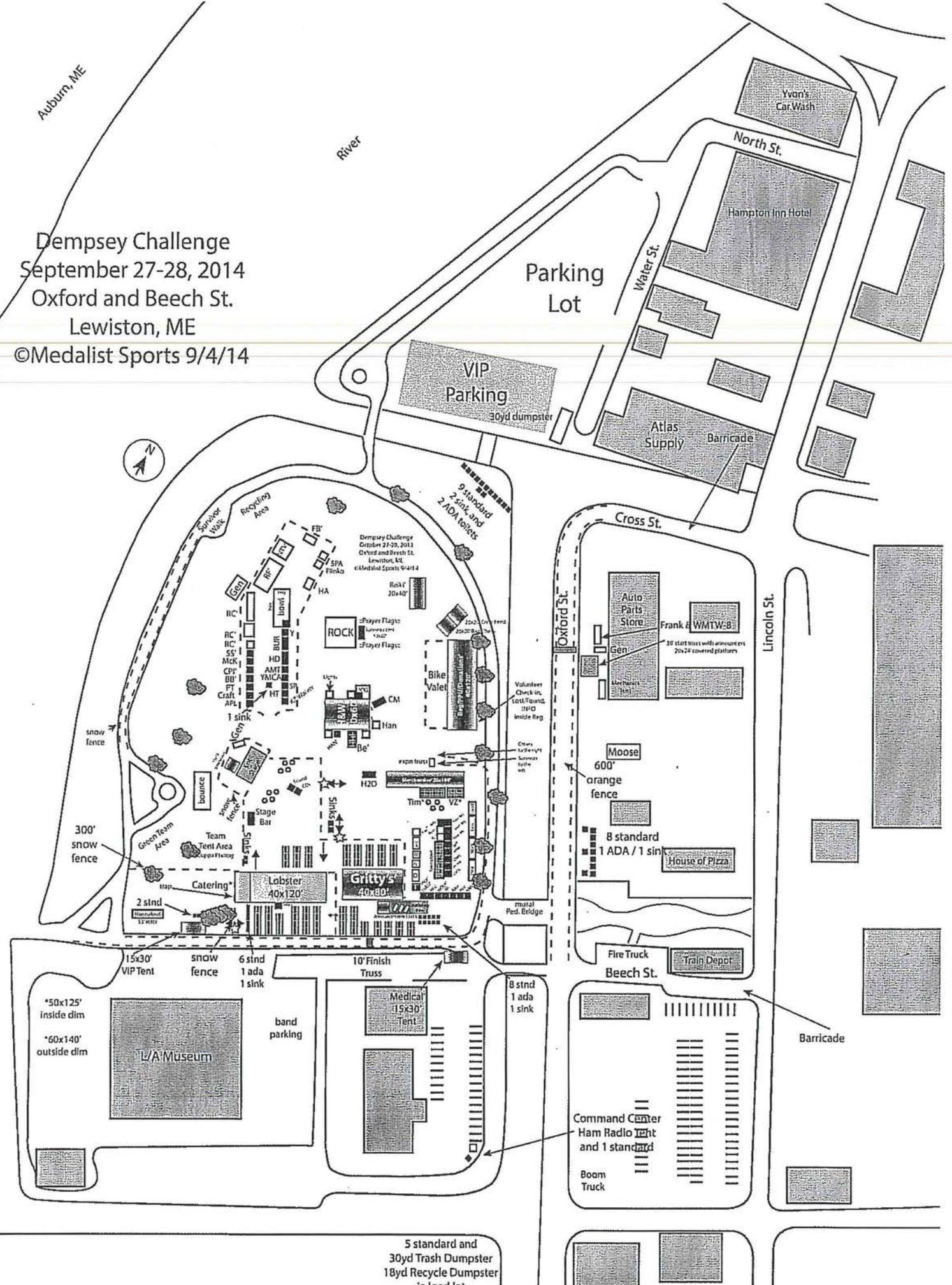
Please note that you will be contacted by City Staff if you require additional permitting.

Auburn, ME

River

Dempsey Challenge
September 27-28, 2014
Oxford and Beech St.
Lewiston, ME

©Medalist Sports 9/4/14



LEWISTON CITY COUNCIL

MEETING OF SEPTEMBER 16, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 6

SUBJECT:

Public Hearing on an application from Dana's Garage, 193 Crowley Road, for an Automobile Graveyard/Junkyard permit.

INFORMATION:

Dana's Garage, 193 Crowley Road, is requesting renewal of their Automobile Graveyard/Junkyard permit.

The Police Department, Code Enforcement Division and Fire Department have approved the application.

The yard has been inspected and meets all local and state requirements.

Approval is recommended.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To grant an Automobile Graveyard/Junkyard permit to Dana's Garage, 193 Crowley Road, subject to the condition that no more than 1,000 tires may be stored on the property.

**CITY OF LEWISTON
RENEWAL APPLICATION
FOR AUTOMOBILE GRAVEYARD/JUNKYARD PERMIT**

DATE OF APPLICATION: 9-4-14

PUBLICATION FEE: \$25.00 LICENSE FEE: \$75.00

LICENSE EXPIRES: September 30, 2015

PUBLIC HEARING DATE: SEPTEMBER 16, 2014

NAME OF BUSINESS DANA'S Garage

BUSINESS ADDRESS 193 CROWLEY ROAD

CITY/STATE LEWISTON, ME

BUSINESS TELEPHONE 7820777

NAME OF OWNER(S) NORMAN JALBERT

CONTACT PERSON/GENERAL MANAGER NORMAN JALBERT

HOME ADDRESS 199 CROWLEY ROAD

CITY/STATE LEWISTON, ME

HOME TELEPHONE 7821143

CITY & STATE REGULATIONS

(In accordance with Title 30 A, M.R.S.A., Sections 3751 to 3760, and Chapter 22 of the Code or Ordinances of the City of Lewiston)

Location of Automobile Graveyard/Junkyard 193 CROWLEY ROAD
LEWISTON, ME.

(Street address)

How is yard "screened" - Fence? (Type) _____ Height? _____

Trees? (Type) HARD WOOD PINES, SPRUCE Embankment?

Gully? _____ Hill? Other? _____

How far is edge of "yard" from center of highway? 250 YARDS

Can junk be seen from any part of highway? Yes _____ No

Was junkyard law, requirements and fees explained to you?

Yes No

When was last permit issued? 2013

To whom? NORMAN JALBERT

How does applicant intend to dispose of tires, fuel tanks, batteries, engine lubricant, transmission fluid, brake fluid and engine coolant:

TIRES TO B.P.S. FUEL TANKS, BATTERIES TO
GRIMMEL INDR. ALL FLUID TO RECYCLING Co.

The undersigned certifies that all of the requirements listed below will be complied with:

1. A visual screen at least six (6) feet in height shall be maintained around all sides of the area where vehicles and junk will be located.
2. All screening & location requirements of Title 30 A, M.R.S.A., Section 3755 have been satisfied.
3. Upon receiving a motor vehicle, the fuel tank, battery shall be removed and the fuel, engine lubricant, transmission fluid, brake fluid and engine coolant shall be drained into watertight, covered containers and shall be recycled or disposed of according to all applicable Federal and State laws, rules and regulations regarding disposal of waste oil and hazardous materials.
4. All federal and state hazardous waste laws and regulations will be satisfied.
5. All required state and/or federal permits will be obtained.
6. No noise, vibration, glare, fumes or odor shall be emitted which is detectable to the normal senses from any abutting property.

SIGNED BY *Norman Jalbert*

FOR DANA'S GARAGE

(Name of Company, corporation, partnership or individual)

Lewiston Fire Department



Paul M. LeClair
Fire Chief

Bruce McKay
Assistant Chief



August 14, 2014

Kelly Mercier
Deputy City Clerk
City Clerk's Office
27 Pine Street
Lewiston ME 04240

RE: 193 Crowley Rd., Dana's Garage Auto Grave Yard 2014 Permit

Dear Kelly,

I have no issues or concerns regarding **Dana's Auto Grave Yard** located at **193 Crowley Rd.** at this time that prohibits the issuance of their city permit.

Respectfully,

A handwritten signature in black ink, appearing to read 'Paul Ouellette'.

Paul Ouellette
Certified Fire Inspector / Certified Fire Investigator
Lewiston Fire Prevention Bureau

Paul / General Files / 2014 Letters / Dana's Garage Graveyard-Junkyard 2014 Letter / Msw



CITY OF LEWISTON

Planning & Code Enforcement



TO: City Clerks
FROM: David Hediger, City Planner
SUBJECT: Automobile Graveyard/Junkyard Permits
DATE: September 10, 2014

Planning and Code Enforcement staff has inspected the following property for renewal of their license with the following recommendations:

Dana's Garage-193 Crowley Road: This facility is in substantial compliance with the City's requirements and it is recommended the license is granted.



POLICE DEPARTMENT

Michael Bussiere
Chief of Police



TO: Kelly J. Brooks, Deputy City Clerk

FROM: Lt. Adam D. Higgins, Lewiston PD

REF: Automobile Graveyard/Junkyard Permits (Renewals)

DATED: September 5, 2014

We have researched our records, and have no objections to the issuance of an automobile graveyard/junkyard permit to the following:

Dana's Garage, 193 Crowley Road

PUBLIC NOTICE

CITY OF LEWISTON

Notice is hereby given that a public hearing will be held by the Municipal Officers of the City of Lewiston on the following applications for Automobile Graveyard/Junkyard Permits. The public hearing will be held on *Tuesday, September 16, 2014*, in the Council Chambers, City Hall, at 7:00 P.M. or as soon thereafter as it may be heard. Any interested person may appear and will be given the opportunity to be heard before final action is taken on said applications.

Grimmel's Industry, 50 River Road

ReEnergy Lewiston, LLC, 38 Alfred A. Plourde Parkway

City of Lewiston, Public Works Dept., 424-482 River Road

Gary St. Laurent/Maine Heavy Equipment, 1445 Sabattus Street

Dana's Garage, 193 Crowley Road

Kathleen M. Montejo, MMC
City Clerk
Lewiston, Maine

The City of Lewiston is an EOE. For more information, please visit our website @ www.lewistonmaine.gov and click on the Non-Discrimination Policy.

PUBLISH ON: Monday, September 8, 2014

LEWISTON CITY COUNCIL

MEETING OF SEPTEMBER 16, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 7

SUBJECT:

Public Hearing on an application from Gary St. Laurent/Maine Heavy Equipment Rental, 1445 Sabattus Street, for an Automobile Graveyard/Junkyard permit.

INFORMATION:

Gary St. Laurent/Maine Heavy Equipment Rental, 1445 Sabattus Street are requesting renewal of their Automobile Graveyard/Junkyard permit.

The Police Department, Code Enforcement Division and Fire Department have approved the renewal application.

The yard has been inspected and meets all local and state requirements.

Approval is recommended.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To grant an Automobile Graveyard/Junkyard permit to Gary St. Laurent/Maine Heavy Equipment Rental, 1445 Sabattus Street.

**CITY OF LEWISTON
RENEWAL APPLICATION
FOR AUTOMOBILE GRAVEYARD/JUNKYARD PERMIT**

DATE OF APPLICATION: 8-15-14

PUBLICATION FEE: \$25.00 LICENSE FEE: \$75.00

LICENSE EXPIRES: September 30, 2015

PUBLIC HEARING DATE: SEPTEMBER 16, 2014

NAME OF BUSINESS: Gary St. Laurent / Maine Heavy Equipment

BUSINESS ADDRESS: 20 Highland Spring Rd

CITY/STATE: Lewiston ME 04240

BUSINESS TELEPHONE: 207-784-7944

NAME OF OWNER(S): Gary St. Laurent

CONTACT PERSON/GENERAL MANAGER: Gary St. Laurent

HOME ADDRESS: 160 Pinewoods Rd

CITY/STATE: Lewiston ME 04240

HOME TELEPHONE: 207-784-7944

CITY & STATE REGULATIONS

(In accordance with Title 30 A, M.R.S.A., Sections 3751 to 3760, and Chapter 22 of the Code or Ordinances of the City of Lewiston)

Location of Automobile Graveyard/Junkyard 1445 Sabattus Street
Lewiston ME
(Street address)

How is yard "screened" - Fence? (Type) _____ Height? _____

Trees? (Type) Pine Embankment? _____

Gully? _____ Hill? _____ Other? _____

How far is edge of "yard" from center of highway? 600 yards

Can junk be seen from any part of highway? Yes _____ No

Was junkyard law, requirements and fees explained to you?

Yes No

When was last permit issued? 2013

To whom? Gary St. Laurent

How does applicant intend to dispose of tires, fuel tanks, batteries, engine lubricant, transmission fluid, brake fluid and engine coolant:

Tires, Batteries sold and disposed of at redemption yard. All fluids are not allowed on the premises including fuel tanks.

The undersigned certifies that all of the requirements listed below will be complied with:

1. A visual screen at least six (6) feet in height shall be maintained around all sides of the area where vehicles and junk will be located.
2. All screening & location requirements of Title 30 A, M.R.S.A., Section 3755 have been satisfied.
3. Upon receiving a motor vehicle, the fuel tank, battery shall be removed and the fuel, engine lubricant, transmission fluid, brake fluid and engine coolant shall be drained into watertight, covered containers and shall be recycled or disposed of according to all applicable Federal and State laws, rules and regulations regarding disposal of waste oil and hazardous materials.
4. All federal and state hazardous waste laws and regulations will be satisfied.
5. All required state and/or federal permits will be obtained.
6. No noise, vibration, glare, fumes or odor shall be emitted which is detectable to the normal senses from any abutting property.

SIGNED BY

Gary R. St. Laurent

8/11/14

FOR

Gary St. Laurent / Maine Heavy Equipment

(Name of Company, corporation, partnership or individual)

Lewiston Fire Department



Paul M. LeClair
Fire Chief

Bruce McKay
Assistant Chief



August 14, 2014

Kelly Mercier
Deputy City Clerk
City Clerk's Office
27 Pine St.
Lewiston, ME 04240

RE: Gary St. Laurent / Heavy Equipment – Auto Graveyard/ Junkyard 2014 Permit

Dear Kelly,

I have no issues or concerns regarding **Gary St. Laurent / Heavy Equipment Auto Graveyard / Junkyard** located at **1445 Sabattus St.** at this time that prohibits the issuance of their city permit.

Respectfully,

A handwritten signature in black ink that reads 'Paul Ouellette'.

Paul Ouellette
Certified Fire Inspector / Certified Fire Investigator
Lewiston Fire Prevention Bureau

Paul / General Files / 2014 Letters / Gary St. Laurent / Heavy Equipment Auto Graveyard / Junkyard 2014 Letter / Msw



POLICE DEPARTMENT

Michael Bussiere
Chief of Police



TO: Kelly J. Brooks, Deputy City Clerk

FROM: Lt. Adam D. Higgins, Lewiston PD

REF: Automobile Graveyard/Junkyard Permits (Renewals)

DATED: September 5, 2014

We have researched our records, and have no objections to the issuance of an automobile graveyard/junkyard permit to the following:

Maine Heavy Equipment, 1445 Sabattus Street



CITY OF LEWISTON

Planning & Code Enforcement



TO: City Clerks
FROM: David Hediger, City Planner
SUBJECT: Automobile Graveyard/Junkyard Permits
DATE: September 10, 2014

Planning and Code Enforcement staff has inspected the following property for renewal of their license with the following recommendations:

Gary St. Laurent/Maine Heavy Equipment-1445 Sabattus Street: This facility is in substantial compliance with the City's requirements and it is recommended the license is granted.

PUBLIC NOTICE

CITY OF LEWISTON

Notice is hereby given that a public hearing will be held by the Municipal Officers of the City of Lewiston on the following applications for Automobile Graveyard/Junkyard Permits. The public hearing will be held on *Tuesday, September 16, 2014*, in the Council Chambers, City Hall, at 7:00 P.M. or as soon thereafter as it may be heard. Any interested person may appear and will be given the opportunity to be heard before final action is taken on said applications.

Grimmel's Industry, 50 River Road

ReEnergy Lewiston, LLC, 38 Alfred A. Plourde Parkway

City of Lewiston, Public Works Dept., 424-482 River Road

Gary St. Laurent/Maine Heavy Equipment, 1445 Sabattus Street

Dana's Garage, 193 Crowley Road

Kathleen M. Montejo, MMC
City Clerk
Lewiston, Maine

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PUBLISH ON: Monday, September 8, 2014

LEWISTON CITY COUNCIL
MEETING OF SEPTEMBER 16, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 8

SUBJECT:

Public Hearing on an application from Grimmel's Industries, 50 River Road, for an Automobile Graveyard/Junkyard permit.

INFORMATION:

Grimmel's Industries, 50 River Road is requesting renewal of their Automobile Graveyard/Junkyard permit.

The Police Department, Code Enforcement Division and Fire Department have approved the renewal application.

The yard has been inspected and meets all local and state requirements.

Approval is recommended.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To grant an Automobile Graveyard/Junkyard permit to Grimmel's Industries, 50 River Road, subject to the following conditions:

1. The hours of operation shall be limited to 7:00 a.m. to 5:00 p.m., Monday through Saturday.
2. Maintain screening from the Maine Turnpike.

**CITY OF LEWISTON
RENEWAL APPLICATION
FOR AUTOMOBILE GRAVEYARD/JUNKYARD PERMIT**

DATE OF APPLICATION: 8-8-14

PUBLICATION FEE: \$25.00 LICENSE FEE: \$75.00

LICENSE EXPIRES: September 30, 2015

PUBLIC HEARING DATE: SEPTEMBER 16, 2014

NAME OF BUSINESS Grimmel Industries

BUSINESS ADDRESS 50 River Rd.

CITY/STATE Lewiston, Me.

BUSINESS TELEPHONE 784-6754

NAME OF OWNER(S) Gary + Betty Grimmel

CONTACT PERSON/GENERAL MANAGER Tim Garrity

HOME ADDRESS 14 Buttonwood Lane

CITY/STATE Lewiston, Me.

HOME TELEPHONE 784-6369

CITY & STATE REGULATIONS

(In accordance with Title 30 A, M.R.S.A., Sections 3751 to 3760, and Chapter 22 of the Code or Ordinances of the City of Lewiston)

Location of Automobile Graveyard/Junkyard 50 River Rd.

(Street address)

How is yard "screened" - Fence? (Type) Cyclone Height? 8' / 11' Turnpike

Trees? (Type) Pine Embankment? _____

Gully? _____ Hill? _____ Other? _____

How far is edge of "yard" from center of highway? _____

Can junk be seen from any part of highway? Yes _____ No _____

Was junkyard law, requirements and fees explained to you?

Yes X No _____

When was last permit issued? 2013

To whom? Same

How does applicant intend to dispose of tires, fuel tanks, batteries, engine lubricant, transmission fluid, brake fluid and engine coolant:

We recycle Batteries, Tires, and Gas tanks cut in Half. We Do not accept any Engine Fluids or Transmission Fluids. Oil or other Contaminats we Do not accept

The undersigned certifies that all of the requirements listed below will be complied with:

1. A visual screen at least six (6) feet in height shall be maintained around all sides of the area where vehicles and junk will be located.
2. All screening & location requirements of Title 30 A, M.R.S.A., Section 3755 have been satisfied.
3. Upon receiving a motor vehicle, the fuel tank, battery shall be removed and the fuel, engine lubricant, transmission fluid, brake fluid and engine coolant shall be drained into watertight, covered containers and shall be recycled or disposed of according to all applicable Federal and State laws, rules and regulations regarding disposal of waste oil and hazardous materials.
4. All federal and state hazardous waste laws and regulations will be satisfied.
5. All required state and/or federal permits will be obtained.
6. No noise, vibration, glare, fumes or odor shall be emitted which is detectable to the normal senses from any abutting property.

SIGNED BY Cory A. P. [Signature]

FOR Frimmel Industries
(Name of Company, corporation, partnership or individual)

Lewiston Fire Department



Paul M. LeClair
Fire Chief

Bruce McKay
Assistant Chief



August 14, 2014

Kelly Mercier
Deputy City Clerk
City Clerk's Office
27 Pine Street
Lewiston ME 04240

RE: 50 River Road, Grimmel's Auto Grave Yard / Junkyard 2014 Permit

Dear Kelly:

I have no issues or concerns regarding **Grimmel's Auto Graveyard / Junkyard** located at **50 River Rd.** at this time that prohibits the issuance of their city permit.

Respectfully,

A handwritten signature in black ink, appearing to read "Paul Ouellette".

Paul Ouellette
Certified Fire Inspector / Certified Fire Investigator
Lewiston Fire Prevention Bureau

Paul / General Files/ Letters / 2014 Letters / Grimmel's Junkyard - Graveyard 2014 Letter / Msw



POLICE DEPARTMENT

Michael Bussiere
Chief of Police



TO: Kelly J. Brooks, Deputy City Clerk

FROM: Lt. Adam D. Higgins, Lewiston PD

REF: Automobile Graveyard/Junkyard Permits (Renewals)

DATED: September 5, 2014

We have researched our records, and have no objections to the issuance of an automobile graveyard/junkyard permit to the following:

Grimmel's industries, 50 River Road



CITY OF LEWISTON

Planning & Code Enforcement



TO: City Clerks
FROM: David Hediger, City Planner
SUBJECT: Automobile Graveyard/Junkyard Permits
DATE: September 10, 2014

Planning and Code Enforcement staff has inspected the following property for renewal of their license with the following recommendations:

Grimmel's Industry – 50 River Road: This facility is in substantial compliance with the City's requirements and it is recommended the license is granted.

PUBLIC NOTICE

CITY OF LEWISTON

Notice is hereby given that a public hearing will be held by the Municipal Officers of the City of Lewiston on the following applications for Automobile Graveyard/Junkyard Permits. The public hearing will be held on *Tuesday, September 16, 2014*, in the Council Chambers, City Hall, at 7:00 P.M. or as soon thereafter as it may be heard. Any interested person may appear and will be given the opportunity to be heard before final action is taken on said applications.

Grimmel's Industry, 50 River Road

ReEnergy Lewiston, LLC, 38 Alfred A. Plourde Parkway

City of Lewiston, Public Works Dept., 424-482 River Road

Gary St. Laurent/Maine Heavy Equipment, 1445 Sabattus Street

Dana's Garage, 193 Crowley Road

Kathleen M. Montejo, MMC
City Clerk
Lewiston, Maine

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PUBLISH ON: Monday, September 8, 2014

LEWISTON CITY COUNCIL

MEETING OF SEPTEMBER 16, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 9

SUBJECT:

Public Hearing on an application from the Lewiston Public Works Department, 424-482 River Road, for an Automobile Graveyard/Junkyard permit.

INFORMATION:

Lewiston Public Works Department, 424-482 River Road, is requesting renewal of their Automobile Graveyard/Junkyard permit.

The Police Department, Code Enforcement Division and Fire Department have approved the renewal application.

The yard has been inspected and meets all local and state requirements.

Approval is recommended.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kms

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To grant an Automobile Graveyard/Junkyard permit to the Lewiston Public Works Department, 424-482 River Road.

**CITY OF LEWISTON
RENEWAL APPLICATION
FOR AUTOMOBILE GRAVEYARD/JUNKYARD PERMIT**

DATE OF APPLICATION: August 12, 2014
PUBLICATION FEE: Fee Waived \$25.00 LICENSE FEE: Fee Waived \$75.00
LICENSE EXPIRES: September 30, 2015

PUBLIC HEARING DATE: SEPTEMBER 16, 2014

NAME OF BUSINESS City of Lewiston - Public Works
BUSINESS ADDRESS 424 River Rd.
CITY/STATE Lewiston, Maine
BUSINESS TELEPHONE 513-3006
NAME OF OWNER(S) David A. Jones, P.E.
Dir., Public Works
CONTACT PERSON/GENERAL MANAGER Rob Stafford - Superintendent
HOME ADDRESS 103 Adams Ave.
CITY/STATE Lewiston, Maine
HOME TELEPHONE 513-3006

CITY & STATE REGULATIONS

(In accordance with Title 30 A, M.R.S.A., Sections 3751 to 3760, and Chapter 22 of the Code or Ordinances of the City of Lewiston)

Location of Automobile Graveyard/Junkyard City of Lewiston,
Solid Waste Facility, 424 River Rd.
(Street address)

How is yard "screened" - Fence? (Type) Chain Link w/ slats Height? 10'

Trees? (Type) White Pine Spruce Embankment? 8' Berm

Gully? _____ Hill? _____ Other? Building

How far is edge of "yard" from center of highway? 480 LF

Can junk be seen from any part of highway? Yes _____ No X

Was junkyard law, requirements and fees explained to you?

Yes X No _____

When was last permit issued? 10-1-2013

To whom? _____

How does applicant intend to dispose of tires, fuel tanks, batteries, engine lubricant, transmission fluid, brake fluid and engine coolant:

Tires - recycled, Batteries - recycled,
Engine Lubricant - recycled, Engine coolant - recycled,
Other waste items - not accepted.

The undersigned certifies that all of the requirements listed below will be complied with:

1. A visual screen at least six (6) feet in height shall be maintained around all sides of the area where vehicles and junk will be located.
2. All screening & location requirements of Title 30 A, M.R.S.A., Section 3755 have been satisfied.
3. Upon receiving a motor vehicle, the fuel tank, battery shall be removed and the fuel, engine lubricant, transmission fluid, brake fluid and engine coolant shall be drained into watertight, covered containers and shall be recycled or disposed of according to all applicable Federal and State laws, rules and regulations regarding disposal of waste oil and hazardous materials.
4. All federal and state hazardous waste laws and regulations will be satisfied.
5. All required state and/or federal permits will be obtained.
6. No noise, vibration, glare, fumes or odor shall be emitted which is detectable to the normal senses from any abutting property.

SIGNED BY Robert Stalford

FOR City of Lewiston, Dept. of Public Works

(Name of Company, corporation, partnership or individual)

Lewiston Fire Department



Paul M. LeClair
Fire Chief

Bruce McKay
Assistant Chief



August 14, 2014

Kelly Mercier
Deputy City Clerk
City Clerk's Office
27 Pine St.
Lewiston, ME 04240

RE: Lewiston Public Works Dept. Auto Graveyard / Junkyard 2014 Permit

Dear Kelly,

I have no issues or concerns regarding **Lewiston Public Works Dept. Auto Graveyard / Junkyard** located at **424-482 River Road** at this time that prohibits the issuance of their city permit.

Respectfully,

A handwritten signature in black ink that reads "Paul Ouellette".

Paul Ouellette
Certified Fire Inspector / Certified Fire Investigator
Lewiston Fire Prevention Bureau

Paul / General Files / 2014 Letters / Lewiston Public Works Dept. Auto Graveyard / Junkyard 2014 Letter / Msw



POLICE DEPARTMENT

Michael Bussiere
Chief of Police



TO: Kelly J. Brooks, Deputy City Clerk

FROM: Lt. Adam D. Higgins, Lewiston PD

REF: Automobile Graveyard/Junkyard Permits (Renewals)

DATED: September 5, 2014

We have researched our records, and have no objections to the issuance of an automobile graveyard/junkyard permit to the following:

City of Lewiston, Public Works Dept., 424-482 River Road



CITY OF LEWISTON

Planning & Code Enforcement



TO: City Clerks
FROM: David Hediger, City Planner
SUBJECT: Automobile Graveyard/Junkyard Permits
DATE: September 10, 2014

Planning and Code Enforcement staff has inspected the following property for renewal of their license with the following recommendations:

Public Works Department-424-482 River Road: This facility is in substantial compliance with the City's requirements and it is recommended the license is granted.

PUBLIC NOTICE

CITY OF LEWISTON

Notice is hereby given that a public hearing will be held by the Municipal Officers of the City of Lewiston on the following applications for Automobile Graveyard/Junkyard Permits. The public hearing will be held on *Tuesday, September 16, 2014*, in the Council Chambers, City Hall, at 7:00 P.M. or as soon thereafter as it may be heard. Any interested person may appear and will be given the opportunity to be heard before final action is taken on said applications.

Grimmel's Industry, 50 River Road

ReEnergy Lewiston, LLC, 38 Alfred A. Plourde Parkway

City of Lewiston, Public Works Dept., 424-482 River Road

Gary St. Laurent/Maine Heavy Equipment, 1445 Sabattus Street

Dana's Garage, 193 Crowley Road

Kathleen M. Montejo, MMC
City Clerk
Lewiston, Maine

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PUBLISH ON: Monday, September 8, 2014

LEWISTON CITY COUNCIL

MEETING OF SEPTEMBER 16, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 10

SUBJECT:

Public Hearing on an application from ReEnergy Lewiston, LLC, 38 Alfred A. Plourde Parkway for an Automobile Graveyard/Junkyard permit.

INFORMATION:

ReEnergy Lewiston, LLC, 38 Alfred A. Plourde Parkway is requesting renewal of their Automobile Graveyard/Junkyard permit.

The Police Department, Code Enforcement Division and Fire Department have approved the renewal application.

The yard has been inspected and meets all local and state requirements.

Approval is recommended.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/Kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To grant an Automobile Graveyard/Junkyard permit to ReEnergy Lewiston, LLC, 38 Alfred A. Plourde Parkway, subject to the attached conditions.

ReEnergy Lewiston, LLC
(10-1-2014 through 9-30-2015)

1. Permit is granted for storage of construction and demolition debris (CDD), wood waste (includes demolition debris) and oversized bulky waste (OBW). CDD and OBW will consist of wood waste, sheetrock, insulation, metal, wire, aggregate products, dirt, sand, furniture, rugs, plastics, roofing materials, cardboard and any other large burnable household goods. Unacceptable materials are units containing CFC's, universal waste, municipal solid waste (MSW), hazardous materials, asbestos, and medical waste.
2. All wood waste and OBW which is to be placed in storage shall be piled no higher than 30'.
3. The width and length of the piles will be sized as indicated on the plan view of the back yard, but shall be no wider than 90' and no longer than 150'.

4. There shall be no more than nine (9) piles of wood waste and OBW at any time. OBW will not exceed two (2) piles.
5. Access rows or fire lanes shall be maintained between piles with a minimum distance of 30' between piles.
6. The main entrance roadway must be kept at a minimum of 24' of travel way at all times.
7. An additional access road or fire lane shall be maintained from Alfred A. Plourde Parkway at a minimum width of 20' to the storage area at all times.
8. All roads and fire lanes on the facility shall be of all weather surface adequately constructed to support fire apparatus likely to be operated on site at all times.
9. All storage pile locations shall be properly identified by the placement of a pole at the corner of the pile. A mark shall be placed at a height of 30' on the pole.
10. The site shall be designated no smoking throughout except office areas and control room. A no smoking sign shall be placed at the entrance to the facility.
11. Training of employees shall be provided on the use of fire protection equipment and fire reporting procedures on an annual basis.
12. ReEnergy Lewiston, LLC shall conduct a self-inspection of their activities and inspections shall be conducted on a weekly basis. Records of inspections shall be kept on site for Fire Prevention Bureau review when requested.
13. Pine trees shall be planted along the perimeter to provide a buffer and dead and/or missing trees shall be replaced promptly.
14. That the processing of pressure treated wood be done in full compliance with the EPA & DEP regulations.
15. An effective visual screen at least six feet in height shall be located and maintained around all sides of the area where junk is located such that these areas are entirely screened from ordinary view from all directly abutting properties and public ways at all times. The existing 'wood and pole' fence that was adjacent to 32 Plourde Parkway will be replaced with a 'screen-mesh and pole' fence of similar length and height. This new fence shall be properly maintained at all times, including the replacement of the 'screen-mesh and pole' should the material degrade such that an effective visual screen is no longer provided. Given that the proposed screening material represents a non-standard design with limited history on its performance, the City reserves the right to evaluate the screening integrity of the fence bi-annually and if it is determined that it no longer meets the requirements of the City Code of Ordinances, Article XII, Section 22-75(c) (1) and (2) and MRSA Title 30-A §3754-A it will need to be replaced.

**CITY OF LEWISTON
RENEWAL APPLICATION
FOR AUTOMOBILE GRAVEYARD/JUNKYARD PERMIT**

DATE OF APPLICATION: 8-19-14

PUBLICATION FEE: \$25.00 LICENSE FEE: \$75.00

LICENSE EXPIRES: September 30, 2015

PUBLIC HEARING DATE: SEPTEMBER 16, 2014

NAME OF BUSINESS ReEnergy Lewiston, LLC

BUSINESS ADDRESS 38 Alfred A. Plouffe Parkway

CITY/STATE Lewiston, ME 04240

BUSINESS TELEPHONE 207-783-2941

NAME OF OWNER(S) ReEnergy Lewiston, LLC

CONTACT PERSON/GENERAL MANAGER Jason Grant

HOME ADDRESS 38 Alfred Plouffe Parkway

CITY/STATE Lewiston, ME 04240

HOME TELEPHONE 207-500-1077

CITY & STATE REGULATIONS

(In accordance with Title 30 A, M.R.S.A., Sections 3751 to 3760, and Chapter 22 of the Code or Ordinances of the City of Lewiston)

Location of Automobile Graveyard/Junkyard _____

38 Alfred A. Plouffe Parkway
(Street address)

How is yard "screened" - Fence? (Type) Wood Height? 25'

Trees? (Type) White Pine Embankment? Earthen Berm

Gully? _____ Hill? _____ Other? _____

How far is edge of "yard" from center of highway? 300' ±

Can junk be seen from any part of highway? Yes X No _____

Was junkyard law, requirements and fees explained to you?

Yes X No _____

When was last permit issued? October 1, 2013

To whom? Re Energy Lewiston, LLC

How does applicant intend to dispose of tires, fuel tanks, batteries, engine lubricant, transmission fluid, brake fluid and engine coolant:

Applicant is a Construction and Demolition (C/D) and Wood Processing/Recycling Company and does not solicit nor accepts the materials listed above. It is the Applicant's intent to continue to operate facility in a manner consistent with current license.

The undersigned certifies that all of the requirements listed below will be complied with:

1. A visual screen at least six (6) feet in height shall be maintained around all sides of the area where vehicles and junk will be located.
2. All screening & location requirements of Title 30 A, M.R.S.A., Section 3755 have been satisfied.
3. Upon receiving a motor vehicle, the fuel tank, battery shall be removed and the fuel, engine lubricant, transmission fluid, brake fluid and engine coolant shall be drained into watertight, covered containers and shall be recycled or disposed of according to all applicable Federal and State laws, rules and regulations regarding disposal of waste oil and hazardous materials.
4. All federal and state hazardous waste laws and regulations will be satisfied.
5. All required state and/or federal permits will be obtained.
6. No noise, vibration, glare, fumes or odor shall be emitted which is detectable to the normal senses from any abutting property.

SIGNED BY Jerem M. Brown

FOR Re Energy Lewiston, LLC
(Name of Company, corporation, partnership or individual)

Lewiston Fire Department



Paul M. LeClair
Fire Chief

Bruce McKay
Assistant Chief



August 14, 2014

Kelly Brooks
Deputy City Clerk
City Clerk's Office
27 Pine St.
Lewiston, ME 04240

RE: ReEnergy of Lewiston, 38 Alfred Plourde Parkway. Auto Graveyard / Junkyard 2014 Permit

Dear Kelly,

I have no issues or concerns regarding **ReEnergy of Lewiston** located at **38 Alfred Plourde Parkway** at this time that prohibits the issuance of their city license.

Respectfully,

A handwritten signature in black ink, appearing to read 'Paul Ouellette'.

Paul Ouellette
Certified Fire Inspector / Certified Fire Investigator
Lewiston Fire Prevention Bureau

Paul / General Files / 2014 Letters / KTI Auto Graveyard / Junkyard 2014 Letter / Msw



CITY OF LEWISTON

Planning & Code Enforcement



TO: City Clerks
FROM: David Hediger, City Planner
SUBJECT: Automobile Graveyard/Junkyard Permits
DATE: September 10, 2014

Planning and Code Enforcement staff has inspected the following property for renewal of their license with the following recommendations:

ReEnergy Lewiston. – 38 Alfred A Plourde Parkway: This facility is in substantial compliance with the City's requirements and it is recommended the license is granted.



POLICE DEPARTMENT

Michael Bussiere
Chief of Police



TO: Kelly J. Brooks, Deputy City Clerk

FROM: Lt. Adam D. Higgins, Lewiston PD

REF: Automobile Graveyard/Junkyard Permits (Renewals)

DATED: September 5, 2014

We have researched our records, and have no objections to the issuance of an automobile graveyard/junkyard permit to the following:

Re-Energy Lewiston LLC. 38 Alfred A. Plourde Pkwy

PUBLIC NOTICE
CITY OF LEWISTON

Notice is hereby given that a public hearing will be held by the Municipal Officers of the City of Lewiston on the following applications for Automobile Graveyard/Junkyard Permits. The public hearing will be held on *Tuesday, September 16, 2014*, in the Council Chambers, City Hall, at 7:00 P.M. or as soon thereafter as it may be heard. Any interested person may appear and will be given the opportunity to be heard before final action is taken on said applications.

Grimmel's Industry, 50 River Road

ReEnergy Lewiston, LLC, 38 Alfred A. Plourde Parkway

City of Lewiston, Public Works Dept., 424-482 River Road

Gary St. Laurent/Maine Heavy Equipment, 1445 Sabattus Street

Dana's Garage, 193 Crowley Road

Kathleen M. Montejo, MMC
City Clerk
Lewiston, Maine

The City of Lewiston is an EOE. For more information, please visit our website @ www.lewistonmaine.gov and click on the Non-Discrimination Policy.

PUBLISH ON: Monday, September 8, 2014

LEWISTON CITY COUNCIL

MEETING OF SEPTEMBER 16, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 11

SUBJECT:

Public Hearing on an Application for a Business License renewal for Merrimack River Medical Services, Inc. for an Outpatient Addiction Treatment Clinic at 18 Mollison Way.

INFORMATION:

Merrimack River Medical Services which operates an outpatient addiction treatment clinic (methadone clinic) at 18 Mollison Way is seeking a renewal of their annual license. The Police Department, Fire Department and Planning & Code Enforcement Department do not have any concerns with the renewal of this license.

The business license was approved last year with a set of conditions and it is recommended the Council approve the license with the same set of conditions which are attached.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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1) To conduct a public hearing to receive citizen input and comment regarding the application submitted by Merrimack River Medical Services, Inc. for renewal of their business license to operate an Outpatient Addiction Treatment Clinic at 18 Mollison Way, Lewiston.

2) To approve the License for an Outpatient Addiction Treatment Clinic for Merrimack River Medical Services, Inc. to operate a Clinic at 18 Mollison Way, Lewiston, subject to the attached conditions.

**Conditions for Outpatient Addiction Treatment Clinic License
Merrimack River Medical Services, Inc.
September 16, 2014 City Council meeting**

Conditions for License to operate an Outpatient Addiction Treatment Clinic in Suite #2 on the
first floor of the existing building at 18 Mollison Way:

- 1) Provide adequate interior client waiting space to eliminate the need for clients to queue or wait for service outside of the building, with the exception of clients waiting for public transportation.
- 2) Effectively monitor the exterior of the property to ensure that clients do not loiter on or adjacent to the property for any purpose other than waiting for the arrival of public transportation.
- 3) Within a period not less than 60 nor more than 90 days from beginning patient services, licensee shall convene a meeting inviting owners and tenants located within the Spare-Time Recreation Development to review clinic operations and any issues or concerns the parties may have. Licensee shall extend invitation to attend that meeting to the City's Chief of Police, City Administrator, and City Councilor representing the ward in which the clinic is located.
- 4) Designate the exit from the clinic that leads to a lobby shared with other tenants within the building as an emergency exit only and provide an audible alarm that will sound if this exit door is opened.
- 5) Applicant will maintain a methadone maintenance program as described in their "Treatment Components" and "Program Components". Applicant will immediately report to the police department any breaches of the security system described in the attachment.
- 6) Consistent with the applicant's application, the number of clients shall not exceed 500 at any given time.
- 7) Prior to commencing operations, the applicant will provide documentation to the City Clerk of the receipt of all approvals required by any federal or state agency or department pursuant to federal or state law.
- 8) The applicant will comply with the requirements of Chapter 22, Article XIV, Section 22-417 of the Code requiring the applicant to conduct two meetings per calendar year with city staff and the chief of police or his designee.

**CITY OF LEWISTON
APPLICATION FOR LICENSURE
OUTPATIENT ADDICTION TREATMENT CLINIC**

DATE: 8/25/14

APPLICATION IS FOR: NEW LICENSE _____ RENEWAL OF LICENSE XX

NAME OF FACILITY/AGENCY: Merrimack River Medical Services

PHYSICAL ADDRESS OF CLINIC: 18 Mollison Way
Lewiston, ME 04240

MAILING ADDRESS: (if different)

(City, State, Zip)

(City, State, Zip)

TAX MAP & LOT NUMBER OF LOCATION OF FACILITY: Map 169, Lot 25

DIMENSIONS AND ACREAGE OF PROPERTY: 6.27 Acres

NAME OF CONTACT PERSON: Jennifer Minthorn

PHONE # 207-312-6860 FAX # 207-312-6863 EMAIL jennifer.minthorn@csachelp.com

NAME/TITLE OF ADMINISTRATOR/OPERATOR: Matthew Davis, CEO

PHONE # 603-321-5177 FAX # 603-579-2724 EMAIL matt.davis@csachelp.com

NAME OF EXECUTIVE DIRECTOR: Matthew Davis, CEO

SOCIAL SECURITY # OR EMPLOYER ID #: Federal Tax ID # 02-0510337

CORPORATION NAME/ADDRESS (if different): Health Care Resources/ Community Substance Abuse Centers
125 North Elm Street, Westfield, MA 01085

TYPE OF FACILITY/AGENCY:

Individual Proprietorship: _____

Partnership: _____

Non-Profit Corporation: _____

For-Profit Corporation: XX

Other (describe): _____

CATCHMENT AREA: (Geographic Area Served): _____

LIST THE MAXIMUM TOTAL NUMBER OF CLIENTS YOUR AGENCY WIL SERVE AT THIS LOCATION, THE AGE RANGE AND GENDER:

SERVICE: Methadone Treatment # OF CLIENTS up to 500 AGE RANGE: 18 & above GENDER: male & female

I/We have received and read the City of Lewiston ordinance regarding Outpatient Addiction Treatment Clinics. I/We understand that this application authorizes representatives of the City of Lewiston to make such visits and inspections as may be necessary to ensure that the facility is in compliance with the laws pertaining to the operation of such facilities.

I/We also understand that the signing of this application effectively serves as a release of information and gives permission to the City of Lewiston to obtain any criminal or protective records information which may be on file in any Country, State or Federal Office.

I/We further certify that all information contained in this application (including addendums) is complete and accurate.

ORIGINAL SIGNATURES REQUIRED:



DATE: 8/25/2014

Applicant/Operator/Administrator

Matthew Davis. CEO

Type or Print Name

2ND Applicant (If Applicable)

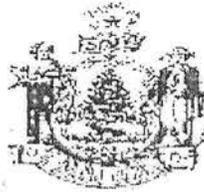
DATE: _____

Type or Print Name

Board President (If Applicable)

DATE: _____

Type or Print Name



STATE OF MAINE

Department of Health & Human Services

Certificate of Licensure
ALCOHOL & DRUG TREATMENT PROGRAM

This is to certify that the licensed entity named below is hereby granted this License in accordance with Maine law.

ISSUED TO:

MERRIMACK RIVER MEDICAL
SERVICES-PORTLAND
2300 Congress St.
Portland ME 04102-

I.D. #: 519939

TYPE: FULL

EFFECTIVE FROM: 03/02/2014 TO 03/02/2016

METHADONE TREATMENT

ALCOHOL & DRUG OUTPATIENT COUNSELING

A handwritten signature in cursive script, reading 'Mary C. Mayhew'.

Commissioner, Department of Health & Human Services

STATE RULES REQUIRE THAT THIS LICENSE/CERTIFICATE BE CONSPICUOUSLY POSTED AT THE FACILITY AT ALL TIMES.
THIS DOCUMENT IS NON-TRANSFERRABLE.



CITY OF LEWISTON

Planning & Code Enforcement



TO: City Clerks
FROM: David Hediger, City Planner
SUBJECT: Merrimack River Medical Services
DATE: September 11, 2014

Planning and Code Enforcement staff has reviewed the application for licensure submitted by Merrimack River Medical Services to operate an outpatient addiction treatment clinic at 18 Mollison Way and recommends the license is granted with the same conditions as previously approved by the City Council.



POLICE DEPARTMENT

Michael Bussiere
Chief of Police



TO: Kelly J. Brooks, Deputy City Clerk

FROM: Lt. Adam D. Higgins, Lewiston PD

REF: Outpatient Addiction Treatment Clinic

DATED: September 11, 2014

We have researched our records, and have no objections to the issuance of an Outpatient Addiction Treatment Clinic Permit to the following:

Health Care Resources, 18 Mollison Way Suite 2

Lewiston Fire Department



Paul M. LeClair
Fire Chief

Bruce McKay
Assistant Chief



September 12, 2014

Kelly Brooks
Deputy City Clerk
City Clerk's Office
27 Pine St.
Lewiston, ME 04240

RE: Merrimack Outpatient Addiction Treatment Clinic

Dear Kelly,

The Lewiston Fire Prevention Bureau has no issues or concerns at this time that prohibits the issuance of their city license.

Respectfully,

A handwritten signature in black ink, appearing to read "Paul Ouellette".

Paul Ouellette
Certified Fire Inspector / Certified Fire Investigator
Lewiston Fire Department
Lewiston Fire Prevention Bureau

LEWISTON CITY COUNCIL

MEETING OF SEPTEMBER 16, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 12

SUBJECT:

Condemnation Hearing for the building located at 251 Lincoln Street.

INFORMATION:

The City has begun the process for condemnation of the property at 251 Lincoln Street under the dangerous building classification. This property has been abandoned by the owner and upon inspection of city staff has been determined to be an unsafe structure.

The agenda background material pertains to the condition of this property. The City Attorney will be present on Tuesday evening to assist the City Council with the condemnation hearing and to advise accordingly.

PLEASE NOTE - The background material for this agenda item is included in a separate binder that was distributed with the meeting agenda binder.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EA/B/Kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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1) To conduct a hearing to determine if the building located at 251 Lincoln Street has meet the dangerous building statutes as defined in Title 17, sec. 2851 et all.

If it is determined that the building does meet the dangerous building criteria, then the Council is asked :

2) With regard to the property at 251 Lincoln Street, to adopt the Findings of Fact, Conclusions of Law and Order of Demolition proposed by the City Planning and Code Enforcement Department, which Order establishes the corrective action to be taken by the property owner and the time frame for taking such action, and which authorizes the City Administrator to take such corrective action if the property owner fails to do so, and to recoup the City's costs through a special tax or collective action.

251 LINCOLN STREET

OWNERSHIP DOCUMENTS

KNOW ALL MEN BY THESE PRESENTS,

THAT it, FRANKLIN COMPANY, a Maine corporation with its principal place of business located at 191 LISBON STREET, LEWISTON, County of ANDROSCOGGIN, and State of MAINE, in consideration of ONE DOLLAR AND OTHER VALUABLE CONSIDERATION, paid by FRANKLIN PROPERTY TRUST, in accordance with a declaration of trust to be recorded in the Androscoggin County Registry of Deeds, having its office at 191 LISBON STREET, LEWISTON, County of ANDROSCOGGIN, and State of MAINE, the receipt whereof it does hereby acknowledge, does hereby REMISE, RELEASE, BARGAIN, SELL and CONVEY, and forever QUIT-CLAIM unto the said FRANKLIN PROPERTY TRUST, its successors and assigns forever,

A certain lot or parcel of land situated in Lewiston, County of Androscoggin and State of Maine, with any buildings thereon, bounded and described as follows: COMMENCING on the westerly line of Lincoln Street at the southeasterly corner of land conveyed by this Grantor to Francois Lizotte by deed dated July 11, 1907, # 1208; thence southwesterly by said Lizotte land 100 feet, more or less, to the northerly corner of land conveyed by this Grantor to Clara Rivard on November 2, 1916, by deed # 1483; thence southeasterly by said Rivard land 40 feet, more or less, to the northerly corner of land conveyed by this Grantor to Francis Jutras by deed dated October 8, 1918, # 1513; thence southeasterly along said Jutras land 40 feet, mor or less, to the northerly corner of land conveyed by this Grantor to Philomena Lessard by deed dated June 15, 1903, # 1164; thence southeasterly 50 feet more or less along said Lessard land; thence continuing southeasterly 75 feet, more or less, by line of land conveyed by this Grantor to Henry Croteau by deed dated October 29, 1956, # 1963; thence continuing southeasterly 83 feet, by line of land conveyed by this Grantor to Celestine Ledoux by deed dated June 10, 1903, # 1163; thence continuing southeasterly 65 feet, by line of land conveyed by this Grantor to The Roman Catholic Bishop of Portland, by deed dated April 1, 1903, # 1159; thence at an angle southwesterly 51 feet, more or less, by line of land conveyed by this Grantor to The Roman Catholic Bishop of Portland on February 14, 1898 by deed # 1093 to Oxford Street; thence southeasterly by the north-easterly line of Oxford Street 50 feet, more or less, to an angle therein; thence northeasterly by the northerly line of said Oxford Street 125 feet, more or less, to Lincoln Street; thence northwesterly by the easterly line of Lincoln Street 425 feet, more or less to the point of beginning.

MARSHALL RAYMOND,
BELIVEAU & DIONNE
ATTORNEYS AT LAW
20 PARK STREET
LEWISTON, MAINE 04400
80 MAIN STREET
FARMINGTON, MAINE 04830



TO HAVE AND TO HOLD the same, together with all the privileges and appurtenances thereunto belonging, to the said FRANKLIN PROPERTY TRUST, its successors and assigns forever.

AND it does COVENANT with the said Grantee, its successors and assigns, that it will WARRANT and FOREVER DEFEND the premises to it, the said Grantee, its successors and assigns forever, against the lawful claims and demands of all persons claiming by, through or under it.

IN WITNESS WHEREOF, It, the said FRANKLIN COMPANY, has caused these presents to be signed in its corporate name, and sealed with its corporate seal, by JOHN W. KING, its Treasurer, thereunto duly authorized, this 15th day of September in the year of our Lord one thousand nine hundred and seventy-six (1976).

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

FRANKLIN COMPANY

Arthur Waller

BY: J. W. King
JOHN W. KING, Its Treasurer



STATE OF MAINE, ANDROSCOGGIN, SS.

September 10, 1976

Personally appeared the above named, JOHN W. KING, Treasurer of the said Franklin Company, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said corporation.

Before me,

Arthur Waller
~~Notary Public~~ - Attorney at Law

STATE OF MAINE ANDROSCOGGIN

REGISTRY OF DEEDS

Received SEP 10 1976 at 12 H., 10 M., P. M., and recorded

from the original ~~instrument~~ _____, ~~dated~~ _____

MARSHALL RAYMOND,
BELIVEAU & DIONNE
ATTORNEYS AT LAW
78 PARK STREET
LEWISTON, MAINE 04240

98 MAIN STREET
FARMINGTON, MAINE 04830

**NOTICE OF HEARING
CERTIFICATES OF SERVICE**

NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Pedro Ruz
220 Blake Street
Lewiston, Maine 04240

Downeast Energy
c/o CT Corporation System
1536 Main Street
Readfield, Maine 04355

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

251 LINCOLN STREET, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

September 16, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

This hearing is to determine whether the residential structure at 251 Lincoln Street, Lewiston, Maine, located on Lot 126 on Tax Map 208, and further depicted on the attached Exhibit A, is a dangerous building or nuisance within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structure is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

This hearing is your opportunity to present evidence as to why the structure is not dangerous or a nuisance and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

Dated:

8-21-14


Kathleen M. Montejo, City Clerk



STATE OF MAINE
ANDROSCOGGIN, ss

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.

SEAL


Notary Public / Attorney at Law

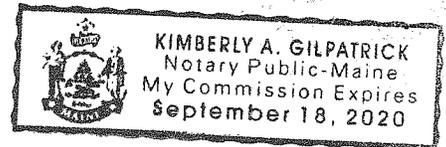
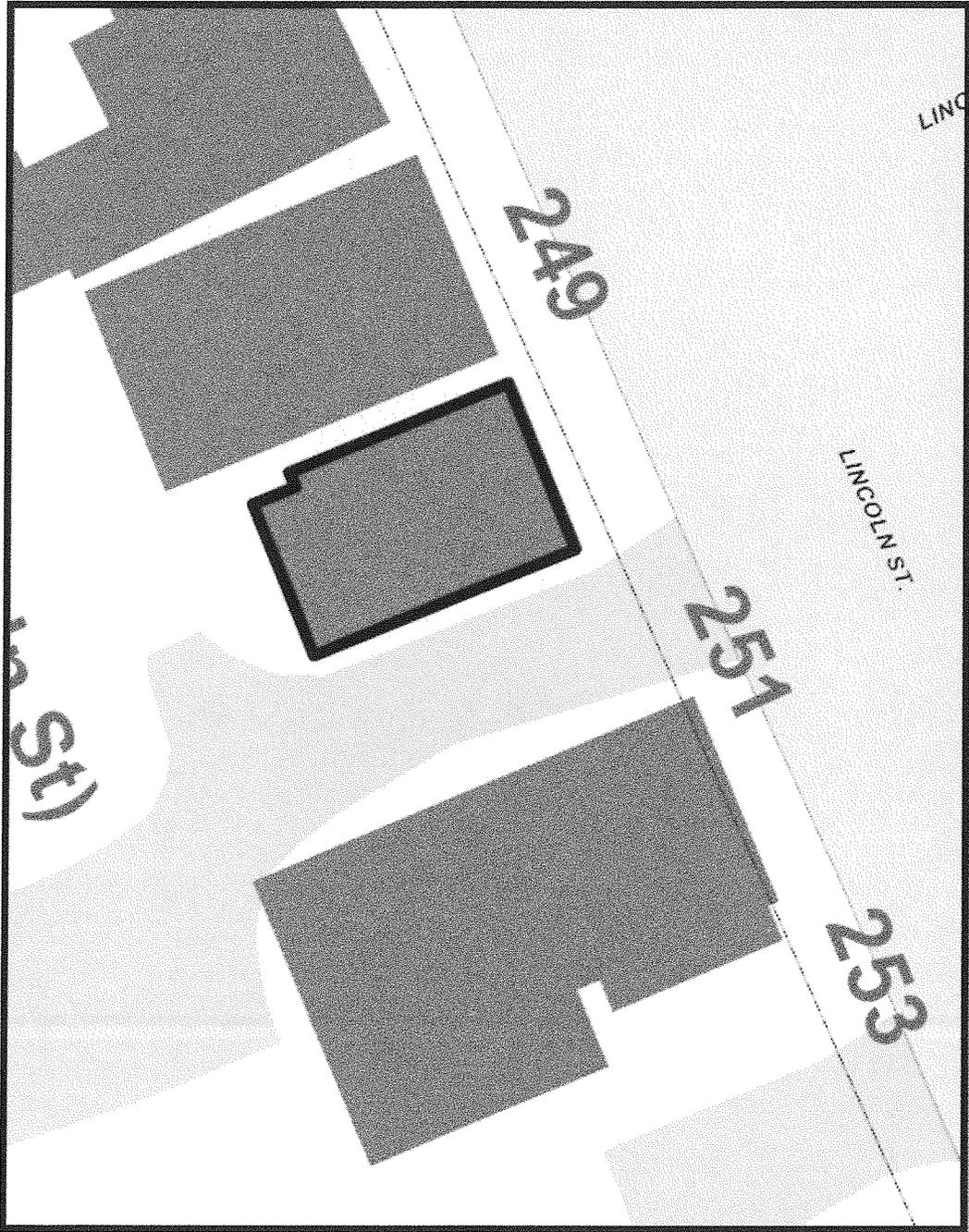


EXHIBIT A

251 Lincoln Street



Poor Copy At Time Of Recording
Will Not Reproduce Clearly

ANDROSCOGGIN COUNTY
TINA M CHOUINARD
REGISTER OF DEEDS

Sun Journal

Connecting you with your community

09/11/14

BRANN AND ISAACSON
DIANE MCINTIRE
PO BOX 3070
LEWISTON, ME 04240

TO WHOM IT MAY CONCERN:

We hereby certify that the following:

LEGAL AD NOTICE OF HEARING: 251 LINCOLN ST LEWISTON ME

was published in the DAILY Sun-Journal a newspaper having its principal place of business in the County of Androscoggin. With general circulation in the Counties of Androscoggin, Franklin and Oxford.

Dates Published: 8/25, 9/1, 9/8/2014

Tearsheet (s): ENCLOSED
Invoice: ENCLOSED

Sun-Journal/SUNDAY
Lewiston, Me



Maureen Wedge
Vice President/Human Resources

Subscribed and sworn to before me this 11TH Day of SEPTEMBER, 2014 at Lewiston, in the County of Androscoggin, in the State of Maine.


NOTARY PUBLIC
Witnesses Sept 4, 2014

104 PARK STREET • P. O. BOX 4400 • LEWISTON, MAINE • 04243-4400

(207) 784-5411 • toll free 1 800 482-0753 • advertising fax (207) 784-5955 • news fax (207) 777-3436

251 Lincoln Street 000006

EXHIBIT

C

IN, MAINE

5 players. sense to right now the hole at Fisher said. to take our to this. to be some hat are re- re may or ne quarter- e that have med the ex- ury first re- and the St. spatch. He le had been

him." The coach quickly added that everyone at Rams Park must quickly become accustomed to the 34-year-old Hill running the offense. "We're going to move forward, we're not going to change anything," Fisher said. "We have to move on and Shaun's the guy." In all, five starters were hurt in the first half against the Browns Saturday night. Fisher called it a "nightmare." Cornerback Trumaine Johnson was carted off with

dall Langford and Michael Brockers — left with ankle injuries. Johnson will be out 4-6 weeks with an MCL tear. Bradford was injured in the first quarter Saturday night's 33-14 preseason victory at Cleveland. He was hit on his left side by Browns defensive end Armonty Bryant as he threw a pass.

not be considered. To receive information regarding sieve requirements contact Arlan Saunders, Town Admin., @ 345-3305. Bids will be viewed at the meeting of the Board of Selectmen on September 15, 2014 at 7:00 PM. After consideration of all bids, a decision will be made within 7 days. The contract will be awarded to the lowest responsible bidder meeting requirements unless the municipal officers exercise their right to reject a portion of or any and/or all bids.

the proposed flood hazard determinations and information on the statutory 90-day period provided for appeals, please visit FEMA's website at www.fema.gov/plan/prevent/fhm/bfe, or call the FEMA Map Information eXchange (FMIX) toll free at 1-877-FEMA MAP (1-877-336-2627).

NOTICE OF HEARING Pursuant to 17 M.R.S. §§ 2851-59 Dangerous Buildings
Pedro Ruz
220 Blake Street
Lewiston, Maine 04240
Downeast Energy
c/o CT Corporation System
1536 Main Street
Readfield, Maine 04355
Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240
251 LINCOLN STREET, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

September 16, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

This hearing is to determine whether the residential structure at 251 Lincoln Street, Lewiston, Maine, located on Lot 126 on Tax Map 208, and further depicted on the attached Exhibit A, is a dangerous building or nuisance within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structure is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

This hearing is your opportunity to present evidence as to why the structure is not dangerous or a nuisance and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property. Exhibit A is on file with the City Clerk's office.
Dated: 8-21-14 Kathleen M. Montejo, City Clerk

STATE OF MAINE ANDROSCOGGIN, ss
Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.
Kimberly A. Gilpatrick
Notary Public-Maine
My Commission Expires
September 18, 2020

PUBLIC SALE
that in accordance with the judgment of Foreclosure and Sale entered in the action entitled c. v. **Anthony J. Downes, et al.**, by it, Lewiston, Docket wherein the Court is of a mortgage Downes and Elaine aine Inc. dated June in the Androscoggin eds in Book 6382, redemption having sale of the property ge will be conducted **umber 11, 2014, 0:00AM, at the ro & Morley, LLC, Suite 250, South 06.**
d at 97 Elm Street,

caution. All bidders required to make a in cash, certified or e of the public sale iro & Morley, LLC, refundable as to the ance of the purchase in thirty (30) days of went a representative c. is not present at ated in this notice, ed to have occurred edule a subsequent itional terms will be c sale.
/its attorneys Shapiro able Oaks Dr., Suite maine 04106, (207-

NOTICE OF PUBLIC SALE
Notice is hereby given that in accordance with the judgment of Foreclosure and Sale entered April 17, 2014 in the action entitled **Wells Fargo Bank, NA v. Nathan E. Pineau and Claire A. Pineau, et al.**, by the Maine District Court, Lewiston, Docket No. LEWDC-RE-11-95, wherein the Court adjudged the foreclosure of a mortgage granted by Nathan E. Pineau and Claire A. Pineau to Mortgage Electronic Registration Systems, Inc., as nominee for Avelo Mortgage, L.L.C. D/B/A Senderra Funding dated July 18, 2008 and recorded in the Androscoggin County Registry of Deeds in Book 7494, Page 1, the period of redemption having expired, a public sale of the property described in the mortgage will be conducted on **Thursday, September 11, 2014, commencing at 10:15AM, at the Law Office of Shapiro & Morley, LLC, 707 Sable Oaks Dr., Suite 250, South Portland, Maine 04106.** The property is located at 299 Empire Road, Poland, Maine.

The sale will be by public auction. All bidders for the property will be required to make a deposit of \$5,000.00 in cash, certified or bank check at the time of the public sale made payable to Shapiro & Morley, LLC, which deposit is non-refundable as to the highest bidder. The balance of the purchase price shall be paid within thirty (30) days of the public sale. In the event a representative of Wells Fargo Bank, NA is not present at the time and place stated in this notice, no sale shall be deemed to have occurred and all rights to reschedule a subsequent sale are reserved. Additional terms will be announced at the public sale.
Wells Fargo Bank, NA, by its attorneys Shapiro & Morley, LLC, 707 Sable Oaks Dr., Suite 250, South Portland, Maine 04106, (207)-775-6223.

PUBLIC NOTICE NOTICE OF PUBLIC FORECLOSURE SALE PURSUANT TO

TITLE 14 M.R.S.A. SECTION 6323
By virtue of and in execution of a Consent Judgment of Foreclosure and Order of Sale with Waiver of rights of Appeal and Redemption entered in the Androscoggin County Superior Court on August 12, 2014, in an action brought by Norway Savings Bank against Defendants (1) Michael H. Hill, in his capacity as Special Administrator of the Estate of Bruce N. Lovering, and (2) Emma M. Lovering, et al., see Androscoggin County Superior Court Civil Action Docket No. RE-13-33, for the foreclosure of a mortgage recorded in the Androscoggin County Registry of Deeds in Book 5945, Page 258, to which mortgage reference is hereby made for a more particular description of the premises to be sold, the statutory ninety (90) day redemption period having been waived, notice is hereby given that there will be sold at public sale to be held at the offices of Norway Savings Bank, 261 Main Street, Norway, Maine, on September 18, 2014 at 10:30 A.M., the premises described in said mortgage, said premises being known as 322 Bailey Hill Road in the Town of Poland, County of Androscoggin and State of Maine. There will be a preview showing of the property on the same day from 9:30 A.M. to 9:45 A.M.

Terms of Sale: A Five Thousand Dollar (\$5,000.00) non-refundable earnest money down payment to be paid at the sale in cash or by certified check, the balance in cash or by certified check due at the time of closing to be held within thirty (30) days thereafter. Other terms are to be announced at the sale. For further information contact Zachary I. Greenfield, Esq., attorney for Norway Savings Bank, at Barns, Greenfield & Thornton, LLC, 361 U.S. Route 1, Falmouth, ME 04105; telephone number 207.781.7677; fax number 207.781.7678.
NORWAY SAVINGS BANK,
By its Attorneys,
BARNs, GREENFIELD & THORNTON
By Zachary I. Greenfield, Esq.
Dated: August 18, 2014

NOTICE OF PUBLIC SALE OF REAL ESTATE

By virtue of and in execution of a Judgment of Foreclosure and Sale entered in the Oxford District Court, on May 02, 2014, in Civil Action, Docket No. RE-2013-028 brought by Green Tree Servicing LLC against David Podlaski for the foreclosure of a mortgage recorded in the Oxford County Registry of Deeds in Book 3987, Page 182, the statutory ninety (90) day period of redemption having expired without redemption, notice is hereby given that there will be a public sale on September 11, 2014 at 4:00 PM at York District Court, located at 11 Chases Pond Road, York, ME 03909, and all singular the premises described in said mortgage and being a certain lot of land with the buildings thereon, situated in the town of Norway, County of Oxford, and State of Maine, described in said mortgage as being located at **126 Hayes Road.**

TERMS OF SALE The property will be sold to the highest bidder at the sale, who shall pay a deposit of Ten Thousand and No/100 Dollars (\$10,000.00) in cash, certified check or funds acceptable to mortgagee at the time and place of sale. The successful bidder shall be required to execute a Purchase and Sale Agreement with said Green Tree Servicing LLC with the aforesaid Ten Thousand and No/100 Dollars (\$10,000.00), as a non-refundable and non-interest bearing deposit thereon providing for a closing within thirty (30) days of the date of the public sale, at which time the balance of the bid price will be due and payable in cash or certified funds payable to Green Tree Servicing LLC as aforesaid, which will then deliver a duly executed quitclaim deed. The sale shall be made subject to: (a) any condition which a title search would reveal, (b) any unpaid taxes or assessments due to the Municipality of Norway, and (c) any facts which an accurate survey of the premises might show. The property shall be sold "as is" and "where is" without any warranties whatsoever expressed, implied or otherwise. Other terms will be announced at the sale. Dated: August 6, 2014 /s/ John A. Doonan, Esq., Bar No. 3250 and J. Conner, Esq., Bar No. 4682 Attorneys for Green Tree Servicing LLC Doonan, Graves & Longoria, LLC 100 Cummings Center Suite 250D Beverly, Massachusetts 01915 (978) 921-2670 TS#: 1013.97/ FEI # 1078.00512 8/11/2014, 08/18/2014, 08/25/2014

Sun - Journal 8/25/14

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combination of Oak Hill, Lisbon, Dirigo and Winthrop/Monmouth duke it out.
It features kids from cookie-cutter communities. You couldn't film "The Rivals 2" starring two of them, because the socioeconomic contrast is non-existent. They're all dealing with the same issues, not the least of which are smaller numbers and shrinking budgets. It's blue-collar football because it has to be.

And as the Raiders demonstrated last year, whichever school survives that gauntlet of a regional playoff is pretty well equipped to hoist the state championship trophy in Portland.

I'm excited to see how a no-nonsense, proven coach named Jim Hersom meshes with a no-nonsense, proven community named Dixfield. I don't think I'm tiptoeing onto the thin branches by predicting immediate, rousing success.

Of course, there's plenty of cause for excitement among the big boys, too.

Will anything this fall have more entertainment value than Lewiston's Quintarian Brown playing quarterback? I doubt it. Brown's sophomore and junior seasons taught us not to blink when he had the ball in his hands on a kick return or

as a tailback. Now he gets it snapped directly to him on every play.

And it's impossible not to be excited about Jim Aylward's Route 2 relocation to Mt. Blue after coaching at Mountain Valley, well, forever. Two communities couldn't be any better suited to Aylward's style. It will be a blast watching the guy who built a powerful program inherit one that's won consistently under only two other coaches for parts of five decades.

It will be rewarding to watch Edward Little and Oxford Hills attempt to turn their tireless offseason

work into substantial gains against a brutal schedule in the "new" Class A configuration.

Ultimately, it's just a joy watching a new group of young men excel in the game that instills more real-life lessons than any other I've encountered.

Athletes, coaches, fans and reporters alike are afforded the opportunity to experience the full range of emotions — not to mention all four seasons — in the span of a dozen weeks.

There's nothing else like it. Until the basketball tournament, anyway.

Kalle Oakes is a staff writer. His email is k-oakes@sunjournal.com. Follow him on Twitter @Oaksie72.

**NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings**

Pedro Ruz
220 Blake Street
Lewiston, Maine 04240
Downeast Energy
c/o CT Corporation System
1536 Main Street
Readfield, Maine 04355
Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240
**251 LINCOLN STREET,
LEWISTON, MAINE**

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

September 16, 2014
7:00 pm

Lewiston City Hall, 27 Pine Street,
Lewiston, Maine

This hearing is to determine whether the residential structure at 251 Lincoln Street, Lewiston, Maine, located on Lot 126 on Tax Map 20B, and further depicted on the attached Exhibit A, is a dangerous building or nuisance within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structure is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

This hearing is your opportunity to present evidence as to why the structure is not dangerous or a nuisance and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property. Exhibit A is on file with the City Clerk's office.

Dated: 8-21-14 Kathleen M. Montejo,
City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.

Kimberly A. Gilpatrick
Notary Public-Maine
My Commission Expires
September 18, 2020

**PUBLIC NOTICE
NOTICE OF PUBLIC FORECLOSURE SALE
PURSUANT TO
TITLE 14 M.R.S.A. SECTION 6323**

By virtue of and in execution of a Consent Judgment of Foreclosure and Order of Sale with Waiver of rights of Appeal and Redemption entered in the Androscoggin County Superior Court on August 12, 2014, in an action brought by Norway Savings Bank against Defendants (1) Michael H. Hill, in his capacity as Special Administrator of the Estate of Bruce N. Lovering, and (2) Emma M. Lovering, et al., see Androscoggin County Superior Court Civil Action Docket No. RE-13-33, for the foreclosure of a mortgage recorded in the Androscoggin County Registry of Deeds in Book 5945, Page 258, to which mortgage reference is hereby made for a more particular description of the premises to be sold, the statutory ninety (90) day redemption period having been waived, notice is hereby given that there will be sold at public sale to be held at the offices of Norway Savings Bank, 261 Main Street, Norway, Maine, on September 18, 2014 at 10:30 A.M., the premises described in said mortgage, said premises being known as 322 Bailey Hill Road in the Town of Poland, County of Androscoggin and State of Maine. There will be a preview showing of the property on the same day from 9:30 A.M. to 9:45 A.M.

Terms of Sale: A Five Thousand Dollar (\$5,000.00) non-refundable earnest money down payment to be paid at the sale in cash or by certified check, the balance in cash or by certified check due at the time of closing to be held within thirty (30) days thereafter. Other terms are to be announced at the sale. For further information contact Zachary I. Greenfield, Esq., attorney for Norway Savings Bank, at Barns, Greenfield & Thornton, LLC, 361 U.S. Route 1, Falmouth, ME 04105; telephone number: 207.781.6777; fax number 207.781.7678.

NORWAY SAVINGS BANK
By its Attorneys,
BARNs, GREENFIELD & THORNTON
By Zachary I. Greenfield, Esq.
Dated: August 18, 2014

**PUBLIC NOTICE
CITY OF LEWISTON - PLANNING
BOARD MEETING**

The Lewiston Planning Board will hold a hearing on Monday, September 8, 2014 at 5:30 p.m. in the City Council Chambers, First Floor of the City Building to consider an application submitted by Sebago Technics on behalf of Central Maine Medical Center for the demolition of an existing structure and to construct a 14 space parking facility at 57 Lowell Street.

Relevant information is available in the Department of Planning and Code Enforcement. Comments may be submitted to David Hediger, City Planner on or before the above date, and oral comments will be accepted at the meeting. The City of Lewiston is an EOE. For more information please visit our website at www.lewistonmaine.gov and click on the Non-Discrimination Policy.

**NOTICE OF INVITATION TO BID
ON STORMWATER POND
MAINTENANCE**

The Town of RANGELEY, Maine will receive sealed bids for Stormwater Pond Maintenance until 12 p.m. on Friday, September 12, 2014 at the Rangeley Town Office, located at 15 School Street, Rangeley, ME 04970.

Bids are to be in a sealed envelope clearly marked "STORMWATER POND MAINTENANCE"

Bids will be publicly opened and read aloud at the regularly scheduled meeting of the Board of Selectmen on Monday, September 15, 2014 beginning at 6 p.m.

Specifications and Instructions to Bidders are on file at the Rangeley Town Office, 15 School Street, Rangeley, ME 04970 and can be requested by email (townclerk@rangeleyme.org).

The Town of Rangeley reserves the right to accept or reject any or all bids.

**Town of Livermore
Interest for Bids - Winter Sand**

more is now accepting bids for 4,500 yards of screened inclusive of material cost, delivery, mixing road salt building the town's sand pile. Non-inclusive bids will Bids are due at the Livermore Town Office, 10 Crash 16:00 p.m. on Monday, September 8, 2014, and will be Board of Selectpersons meeting immediately thereafter. n sealed envelopes clearly marked "Winter Sand".

Sun-Journal 9/1/14

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**HEARING
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PUBLIC HEARING

The Lisbon Town Council will hold a public hearing Tuesday, September 16, 2014 at 7:00 p.m. in the Lisbon Town Office, 300 Lisbon Street, Lisbon, Maine to consider comments regarding amendments to the Firework Violations in Part II - Town Council Rules, Regulations and Policies Appendix C, Fee Schedule and amendments to Ch. 30 Recreation and Parks Article II Administration Division 2 Municipal Recreation Committee. Copies of the proposed text may be viewed online at www.lisbonme.org or obtained at the Town Clerk's Office, 300 Lisbon Street, Lisbon, Maine. Lisbon Town Council August 27, 2014

NOTICE OF PUBLIC SALE

Notice is hereby given that in accordance with the judgment of Foreclosure and Sale entered April 24, 2014, in the action entitled *HSBC Bank USA, National Association as Trustee for Nomura Asset Backed Certificates, Series 2006-AF1 v. Philip Shackford aka Philip W. Shackford and Jessica Shackford, et al.*, by the Lewiston District Court, Docket No. LEWDC-RE-12-166, wherein the Court adjudged the foreclosure of a mortgage granted by Philip Shackford aka Philip W. Shackford and Jessica Shackford to Nation One Mortgage Company, Inc. dated April 21, 2006 and recorded in the Androscoggin County Registry of Deeds in Book 6754, Page 262, the period of redemption having expired, a public sale of the property described in the mortgage will be conducted on **October 16, 2014 at 10:00 a.m. At Bendett & McHugh, P.C., 30 Danforth Street, Suite 104, Portland, Maine**

The property is located at 5 Rose Terrace, Auburn, Maine, as described in said mortgage. The sale will be by public auction. All bidders for the property will be required to make a deposit of \$5,000.00 in certified or bank check at the time of the public sale made payable to Bendett & McHugh, P.C., which deposit is non-refundable as to the highest bidder. The balance of the purchase price shall be paid within thirty (30) days of the public sale. In the event a representative of the mortgagee is not present at the time and place stated in this notice, no sale shall be deemed to have occurred and all rights to reschedule a subsequent sale are reserved. **If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the deposit paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the mortgagee's attorney.** This property will be sold as is. Additional terms will be announced at the public sale. HSBC Bank USA, National Association as Trustee for Nomura Asset Backed Certificates, Series 2006-AF1 by its attorneys, **BENDETT & MCHUGH, P.C.** 30 Danforth Street, Ste. 104 Portland, ME 04101 207-221-0016

September 15, 2014, at the Turner Town Office, 11 Turner Center Road, to accept public comment and consider renewal applications for junkyards. Applications have been submitted by:
David Richardson 140 Hamlow Hill Road
Lester Quimby 38 Quimby Road
David Richardson 448 County Road
Jesse W...
30 Auburn Road
The applications are available for public inspection at the Town Office during regular business hours.

NOTICE OF HEARING

**Pursuant to 17 M.R.S. § 2851-59
Dangerous Buildings**

Pedro Ruz
220 Blake Street
Lewiston, Maine 04240
Downeast Energy
c/o CT Corporation System
1536 Main Street
Readfield, Maine 04355
Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacs & Raymond
75 Park Street
Lewiston, Maine 04240
**251 LINCOLN STREET,
LEWISTON, MAINE**

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

September 16, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street,
Lewiston, Maine

This hearing is to determine whether the residential structure at 251 Lincoln Street, Lewiston, Maine, located on Lot 126 on Tax Map 208, and further depicted on the attached Exhibit A, is a dangerous building or nuisance within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structure is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

This hearing is your opportunity to present evidence as to why the structure is not dangerous or a nuisance and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property. Exhibit A is on file with the City Clerk's office.

Dated: 8-21-14 Kathleen M. Montejo,
City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.

Kimberly A. Gilpatrick
Notary Public-Maine
My Commission Expires
September 18, 2020

"Article III. Town Manager
Sec. 3.01. Appointment; Qualifications; Compensation.

The Council shall appoint a Town Manager for an indefinite term or a definite term by contract and fix his or her compensation. The Manager shall be appointed solely on the basis of character and executive and administrative qualifications with special reference to actual experience in, or knowledge of, accepted practice in respect to the duties of office as hereafter set forth. The Manager need not be a resident of the Town or State at the time of appointment but may reside outside the Town of Lisbon while in office only with the approval of the Town Council. **The Council shall appoint a Town Attorney.**

Sec. 3.02. Powers and Duties of the Town Manager.

The Town Manager shall be the chief administrative officer of the Town and the head of the administrative branch of the Town government. The Manager shall be responsible to the Council for the proper administration of all affairs of the Town. The Manager shall have the following powers and duties:

(a) Except as provided in Section 2.10(b), The Manager shall appoint, prescribe the duties of, supervise, and, when necessary for the good of the Town, suspend or remove all town employees and appointive administrative officers provided for by or under this Charter, except as otherwise provided by law, by this Charter, or by personnel rules adopted pursuant to this Charter. The Manager may authorize any administrative officer who is subject to his or her direction and supervision to exercise these powers with respect to subordinates in that officer's department, office or agency. The Town Manager's appointments of the following administrative officers shall be subject to confirmation by the Council: Town Clerk, Police Chief, Fire Chief, Public Works Director, Finance Director, Tax Assessor, and Town Treasurer/Tax Collector."

EXPLANATION: This Charter Amendment removes the authority to appoint a Town Attorney from the Town Manager and places this authority with the Town Council.

QUESTION 2.

Shall the Town of Lisbon approve the Charter Amendment reprinted below?

"Sec. 8.11. General Authority.

(a) *Initiative.* The qualified voters of the Town shall have the power to propose ordinances to the Council. If the Council fails to adopt an ordinance in the same form as proposed in all material respects, the voters may adopt or reject it at an election. Such power shall not extend to the budget or capital program or any ordinance relating to appropriation of money, levy of taxes, or salaries of appointed officers or employees. Ordinances relating to the salaries of elected officials are subject to the initiative process.

(b) *Referendum.*

1. *Ordinance.* The qualified voters of the Town shall have the power to require reconsideration by the Council of any adopted ordinance and, if the Council fails to repeal an ordinance so reconsidered, to approve or reject it at a Town election. Such power shall not extend to the budget or capital program, any emergency ordinance, or any ordinance relating to appropriation of money, levy of taxes, or salaries of appointed officers or employees. Ordinances relating to the salaries of elected officials are subject to the referendum process.

2. *Borrowing; Major Appropriations.* No action of the Town Council which approves the issuance of any general obligation or revenue obligation bond of the Town or which authorizes a lease or other contractual obligation of the Town for capital equipment whose costs per unit exceed \$100,000 and which exceeds a term of 12 months shall be effective unless and until said action is ratified by the qualified voters of the Town in a referendum conducted in accordance with the provisions set forth in this Article. **A referendum to ratify action by the Town Council to approve the issuance of any general obligation or revenue obligation bond in a principal amount that exceeds \$1,000,000 must be held on the first Tuesday following the first Monday in November, except where the purpose of the funding is to respond to an emergency. An emergency is defined as an unexpected occurrence or set of circumstances that demands immediate action and refers to circumstances where the Town is unable to provide adequate necessary services to its citizens or where the public peace or the life, health, property, or safety of the Town and/or its inhabitants is at risk.** This provision specifically excludes agreements for services, personnel contracts and collective bargaining agreements.

(c) *Recall.* The qualified voters of the Town shall have the power to recall any member of the Town Council, School Committee, Budget Advisory Board or Water Commission in accordance with the provisions set forth in this Article.

(d) *Special Town Meeting.* The qualified voters of the Town shall have the power to reconsider any budget appropriation at a special Town meeting called by petition. The petition must cite the specific appropriation to be included in the warrant for the special Town meeting.

EXPLANATION: This Charter Amendment requires non-emergency bonds, leases and other contractual obligations for capital equipment whose costs per unit exceed \$1,000,000 to go to referendum on the first Tuesday after the first Monday in November. This amendment allows bonds, leases and contractual obligations in excess of \$1,000,000 to go to referendum at other times during the year only in the event of an emergency.

Lisbon Town Council
September 16, 2014

Son-Journal 9/8/14

Return

CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

**NOTICE OF HEARING
251 LINCOLN STREET, LEWISTON, MAINE
Pursuant to 17 M.R.S. §§ 2851, et seq.**

On AUG 26 2014, 2014 (date), I served the above-referenced NOTICE OF HEARING, a copy of which is attached hereto, by serving a copy of same to CT Corporation System, Registered Agent for DOWNEAST ENERGY, at the following address:

Downeast Energy
CT Corporation, Registered Agent
1536 Main Street
Readfield, ME 04355

Costs of Service:

Service: \$ _____
Travel: \$ _____
Postage: \$ _____
Other: \$ _____

TOTAL: \$ _____


Signature

HARRY MCKENNEY
Chief Civil Deputy
Agency _____
KENNEBEC COUNTY
SHERIFF'S OFFICE



NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Pedro Ruz
220 Blake Street
Lewiston, Maine 04240

Downeast Energy
c/o CT Corporation System
1536 Main Street
Readfield, Maine 04355

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

251 LINCOLN STREET, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

September 16, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

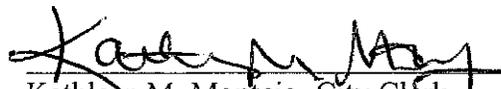
This hearing is to determine whether the residential structure at 251 Lincoln Street, Lewiston, Maine, located on Lot 126 on Tax Map 208, and further depicted on the attached Exhibit A, is a dangerous building or nuisance within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structure is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

This hearing is your opportunity to present evidence as to why the structure is not dangerous or a nuisance and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

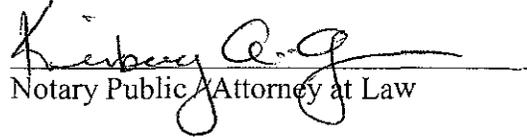
Dated:

8-21-14


Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.


Notary Public/Attorney at Law

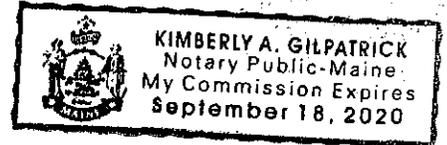
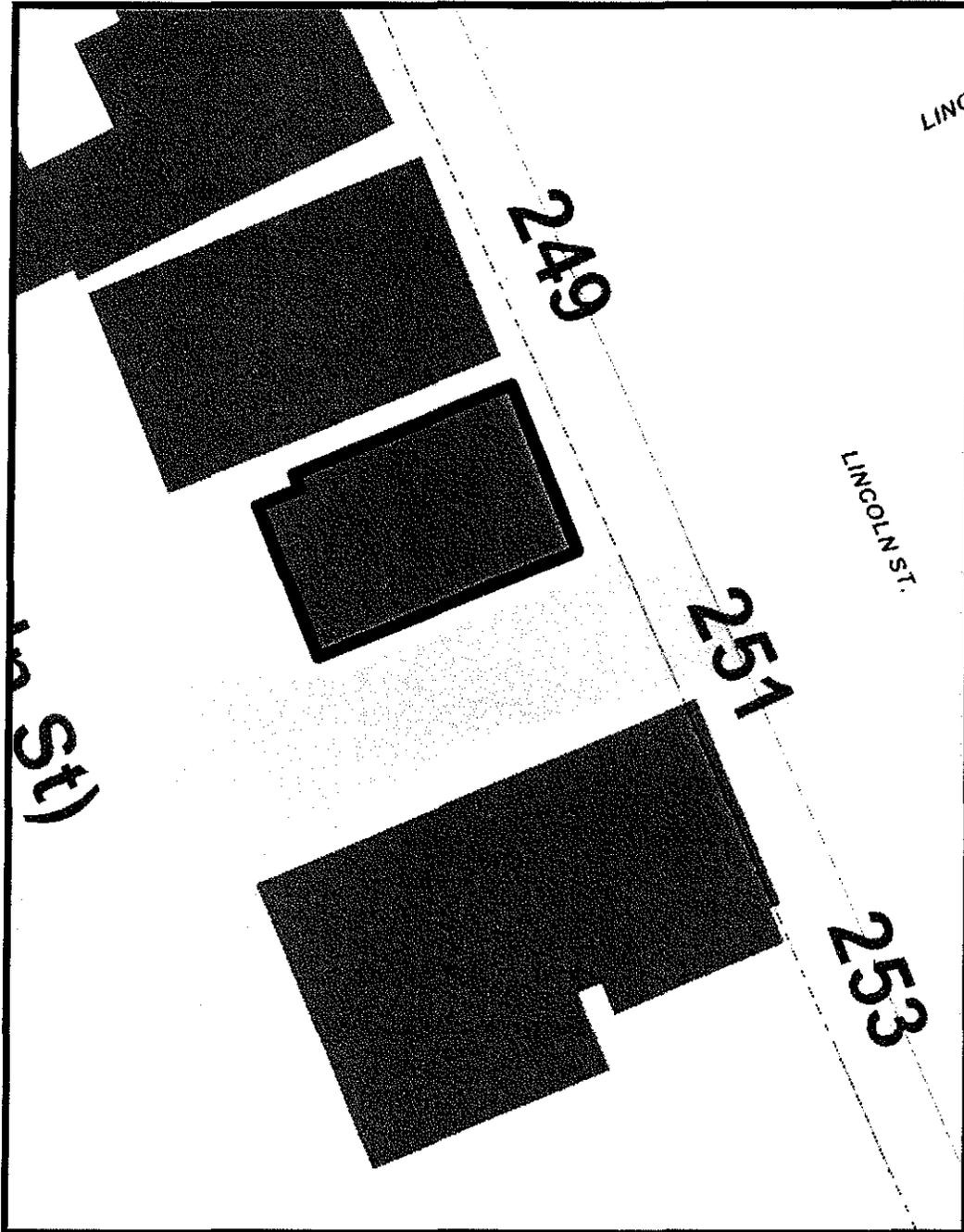


EXHIBIT A

251 Lincoln Street



CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
245 LINCOLN STREET, 267 & 267 ½ LINCOLN STREET,
398 LINCOLN STREET, 7 WILLOW CIRCLE,
251 LINCOLN STREET, 7 LINCOLN DRIVE
and 162 OXFORD STREET, LEWISTON, MAINE
Pursuant to 17 M.R.S. §§ 2851, et seq.

On 8-26, 2014 (date), I served the above-referenced NOTICES OF HEARING, copies of which are attached hereto, by serving a copy of same to Ronald Bissonnette, Registered Agent for Franklin Property, Inc., at the following address:

Franklin Property, Inc.
c/o Ronald Bissonnette, Registered Agent
Isaacson & Raymond
75 Park Street
Lewiston, ME 04240

Costs of Service:

Service:	\$	<u>21.00</u>
Travel:	\$	<u>1.60</u>
Postage:	\$	<u>1.00</u>
Other: <i>CP</i>	\$	<u>20.00</u>
TOTAL:	\$	<u>25.60</u>

J. Phalep
Signature

Androscoffin SD
Agency



NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Pedro Ruz
220 Blake Street
Lewiston, Maine 04240

Downeast Energy
c/o CT Corporation System
1536 Main Street
Readfield, Maine 04355

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

251 LINCOLN STREET, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

September 16, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

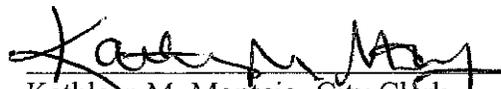
This hearing is to determine whether the residential structure at 251 Lincoln Street, Lewiston, Maine, located on Lot 126 on Tax Map 208, and further depicted on the attached Exhibit A, is a dangerous building or nuisance within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structure is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

This hearing is your opportunity to present evidence as to why the structure is not dangerous or a nuisance and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

Dated:

8-21-14


Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.


Notary Public/Attorney at Law

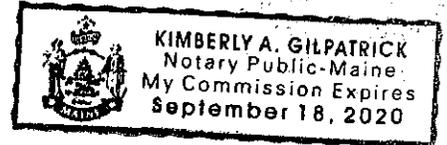
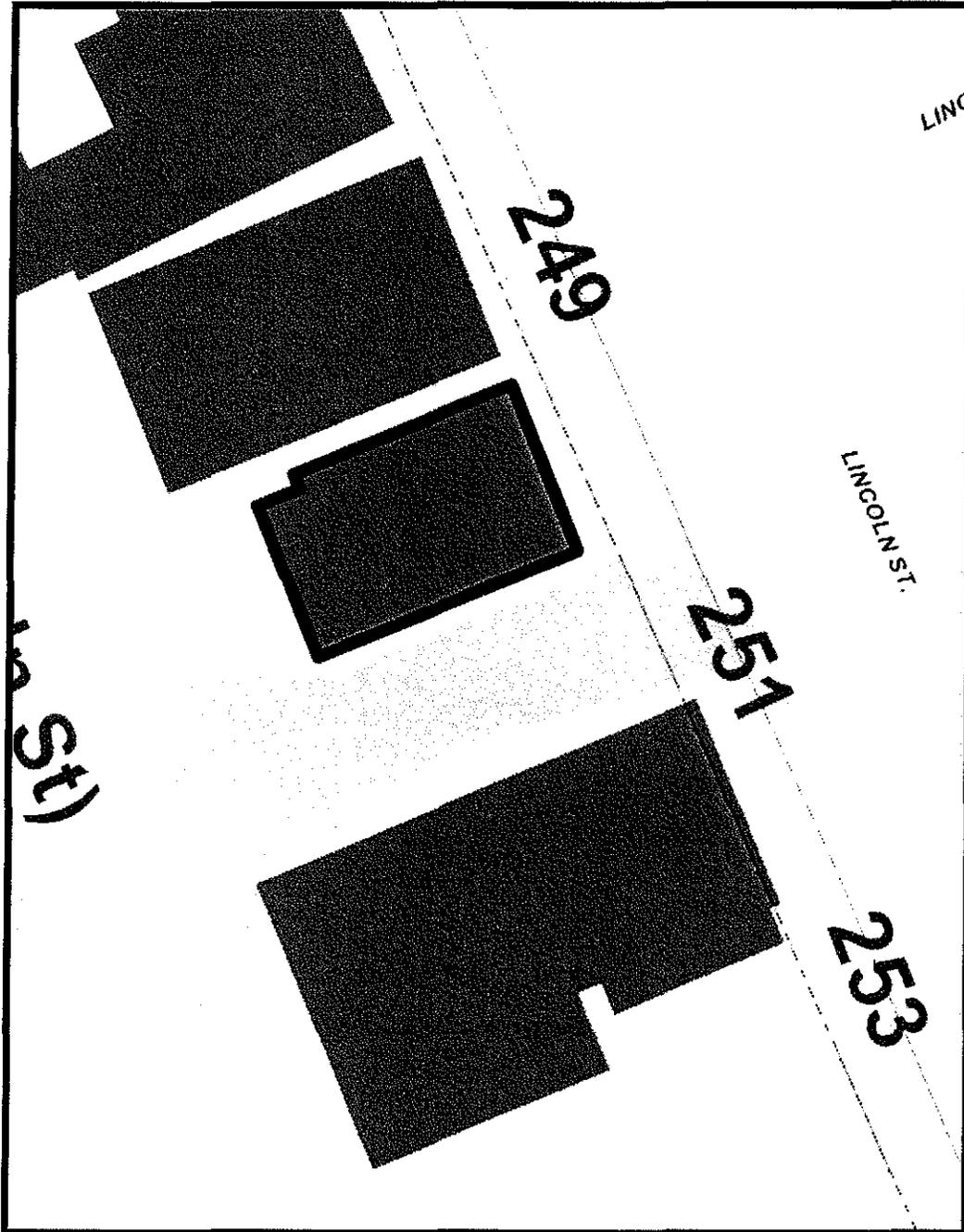


EXHIBIT A

251 Lincoln Street



PHOTOGRAPHS

251 Lincoln Street Franklin Property Trust Land

Photo #1 taken 3-1-2013 Front of building.



Photo # 2 taken May 28, 2014 further deterioration due to neglect of the building and land.
Also observe the deteriorated roof and the leaning deteriorated chimney.



Photo # 3. Rear view of deteriorated porches taken March 1, 2013.



Photo # 4. Taken May 28, 2014 shows continuing progressive collapse of the porch, demonstrating growing dangers of the property due to neglect.

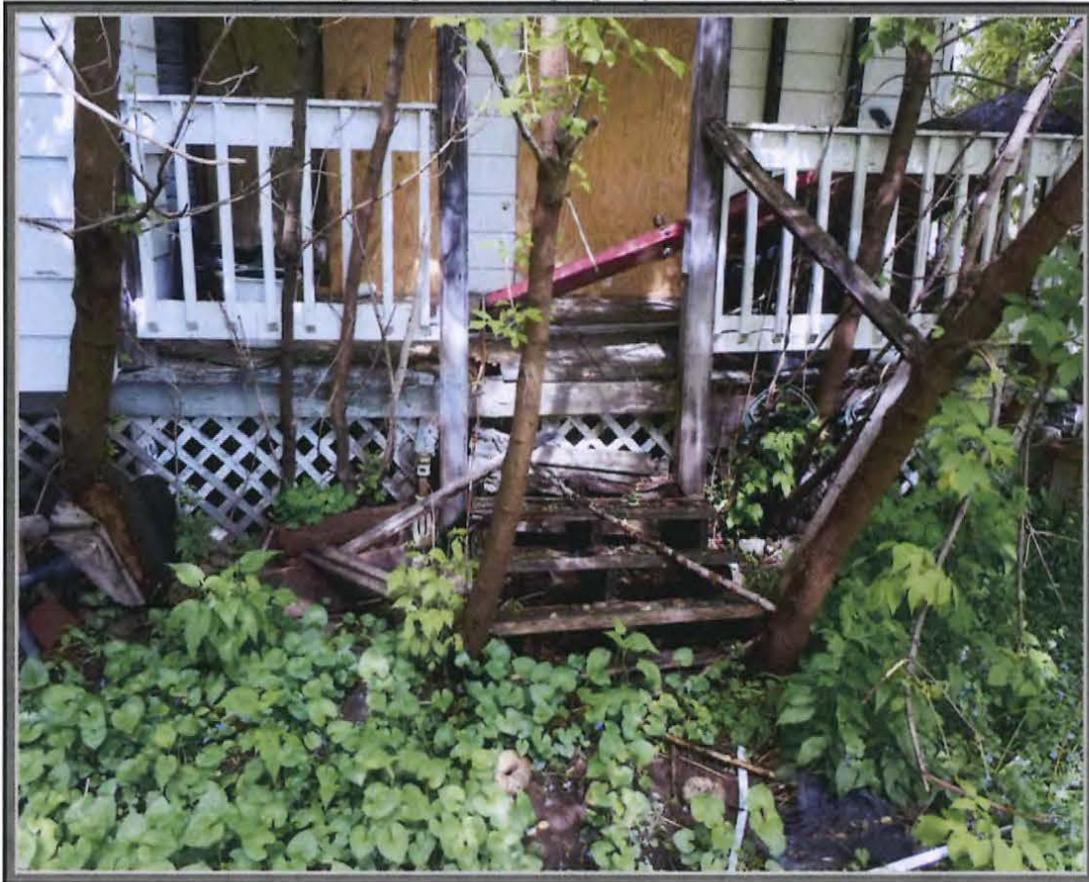


Photo # 5. Damage from sever roof leak..



Photo # 6. Penetration through ceiling and floor above circumventing fire stopping allowing for accelerated spread of fire.

Evidence of leaks from deteriorated roofing and/or plumbing drainage system.



Photo # 7. Deteriorated and damaged walls and flooring. Stripped heating registers and walls opened to strip copper wiring..



Photo # 8. Damaged and deteriorated walls.



Photo # 9. Stripped heating registers making the heating system inoperative. Broken windows allowing the elements to enter.



Photo # 10. Failing basement stairs. Too dangerous to make access to the basement.



Photo # 11. Stripped copper registers, broken window with glass about the floor.



Photo # 11. Broken window allowing snow to enter. Unsanitary washing machine's drain without a trap allowing for the entry of sewer gases making for unsanitary conditions.



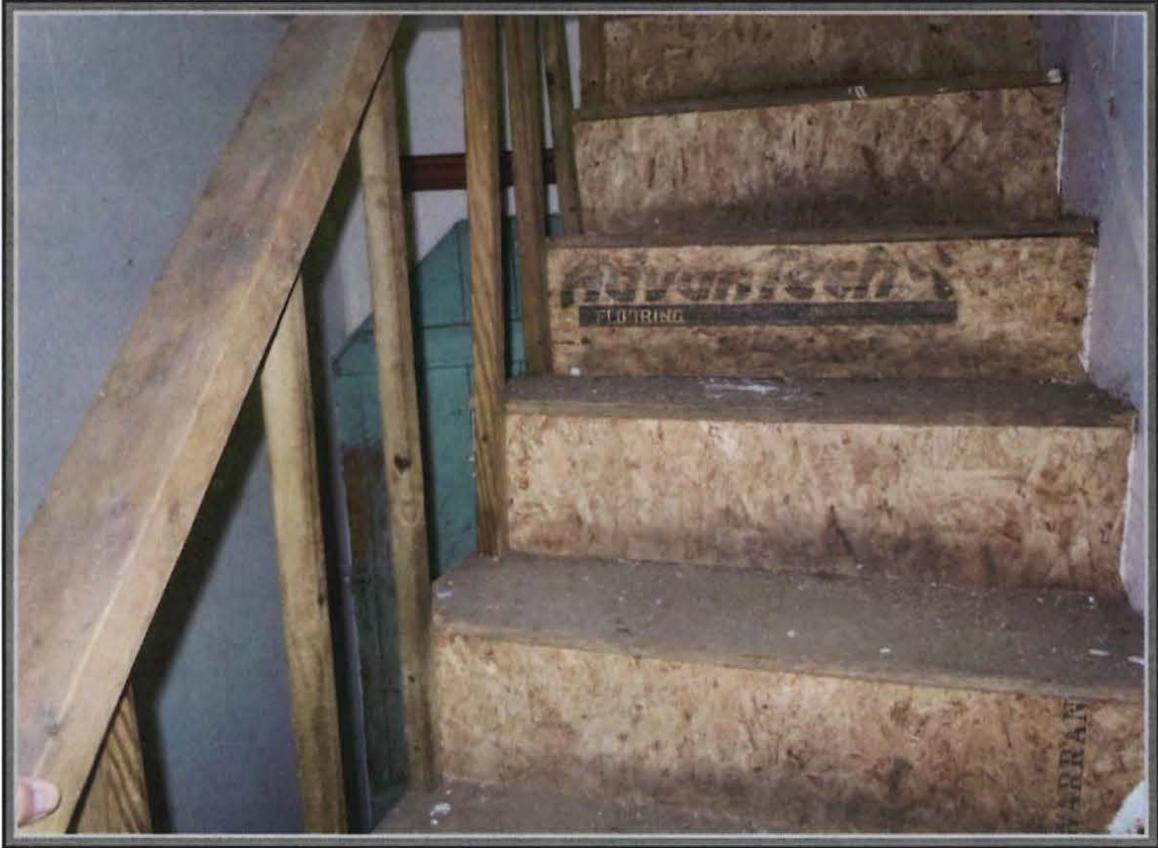
Photo # 12. Stripped heating registers. Open plumbing chase circumventing fire stopped assembly allowing for the accelerated spread of fire.



Photo # 13. Open chimney flue and wall damage.



Photo # 14. Dimensionally inadequate primary means of egress stairs, handrails and guardrails.



LEWISTON CITY COUNCIL

MEETING OF SEPTEMBER 16, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 13

SUBJECT:

Condemnation Hearing for the building located at 398 Lincoln Street.

INFORMATION:

The City has begun the process for condemnation of the property at 398 Lincoln Street under the dangerous building classification. This property has been abandoned by the owner and upon inspection of city staff has been determined to be an unsafe structure.

The agenda background material pertains to the condition of this property. The City Attorney will be present on Tuesday evening to assist the City Council with the condemnation hearing and to advise accordingly.

PLEASE NOTE - The background material for this agenda item is included in a separate binder that was distributed with the meeting agenda binder.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
---	---	---	---	---	---	---	---

1) To conduct a hearing to determine if the building located at 398 Lincoln Street has meet the dangerous building statutes as defined in Title 17, sec. 2851 et all.

If it is determined that the building does meet the dangerous building criteria, then the Council is asked :

2) With regard to the property at 398 Lincoln Street, to adopt the Findings of Fact, Conclusions of Law and Order of Demolition proposed by the City Planning and Code Enforcement Department, which Order establishes the corrective action to be taken by the property owner and the time frame for taking such action, and which authorizes the City Administrator to take such corrective action if the property owner fails to do so, and to recoup the City's costs through a special tax or collective action.

398 LINCOLN STREET

OWNERSHIP DOCUMENTS

KNOW ALL MEN BY THESE PRESENTS,

THAT It, FRANKLIN COMPANY, a Maine corporation with its principal place of business located at 191 LISBON STREET, LEWISTON, County of ANDROSCOGGIN, and State of MAINE, in consideration of ONE DOLLAR AND OTHER VALUABLE CONSIDERATION, paid by FRANKLIN PROPERTY TRUST, in accordance with a declaration of trust to be recorded in the Androscoggin County Registry of Deeds, having its office at 191 LISBON STREET, LEWISTON, County of ANDROSCOGGIN, and State of MAINE, the receipt whereof it does hereby acknowledge, does hereby REMISE, RELEASE, BARGAIN, SELL and CONVEY, and forever QUIT-CLAIM unto the said FRANKLIN PROPERTY TRUST, its successors and assigns forever,

A certain lot or parcel of land situated in Lewiston, County of Androscoggin and State of Maine, with any buildings thereon, bounded and described as follows: COMMENCING on the northeasterly side of Lincoln Street at the southerly line of land conveyed by this Grantor to W. E. Cloutier on November 20, 1973 by deed # 3076; thence running northeasterly by land of said Cloutier about 143 feet to line of land conveyed by this Grantor to the Lewiston Gas Light Co. on August 16, 1869 by deed #422; thence running southeasterly by line of land of said Lewiston Gas Light Co., now Maine Central Railroad, about 2471 feet to land conveyed by this Grantor to Florida Lemieux on September 23, 1955 by deed # 1944; thence southwesterly by line of land of said Lemieux about 320 feet to the northeasterly side of Lincoln Street; thence northwesterly by the northeasterly side of Lincoln Street about 2687 feet to the point of beginning.

The foregoing parcel is subject to a right of way conveyed by this Grantor to Lewis J. and Robert A. Rosenthal on October 24, 1972 by deed # 3058.

TO HAVE AND TO HOLD the same, together with all the privileges and appurtenances thereunto belonging, to the said FRANKLIN PROPERTY TRUST, its successors and assigns forever.

AND it does COVENANT with the said Grantee, its successors and assigns, that it will WARRANT and FOREVER DEFEND the premises to it, the said Grantee, its successors and assigns forever, against the lawful claims and demands of all persons claiming by, through or under it.

MARSHALL RAYMOND,
BELIVEAU & DIONNE
ATTORNEYS AT LAW
76 PARK STREET
LEWISTON, MAINE 04240
20 MAIN STREET
PARRINGTON, MAINE 04856



**NOTICE OF HEARING
CERTIFICATES OF SERVICE**

NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

Peggy & Clifton Cummings
69 Lincoln Street, Apt. 3
Lewiston, Maine 04240

North Star Capital Acquisition, LLC
c/o Corporation System
1536 Main Street
Readfield, Maine 04355

398 LINCOLN STREET, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

September 16, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

This hearing is to determine whether the residential structure and accessory garage at 398 Lincoln Street, Lewiston, Maine, located on Lot 1 on Tax Map 198 and depicted on the attached Exhibit A, are dangerous buildings or nuisances within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structures are dangerous or nuisances, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structures. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

This hearing is your opportunity to present evidence as to why the structures are not dangerous or nuisances and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

Dated: 8-21-14


Kathleen M. Montejo, City Clerk



STATE OF MAINE
ANDROSCOGGIN, ss

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.


Notary Public / Attorney at Law

SEAL

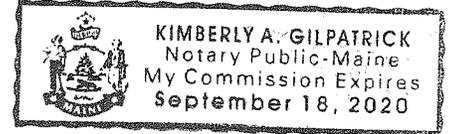
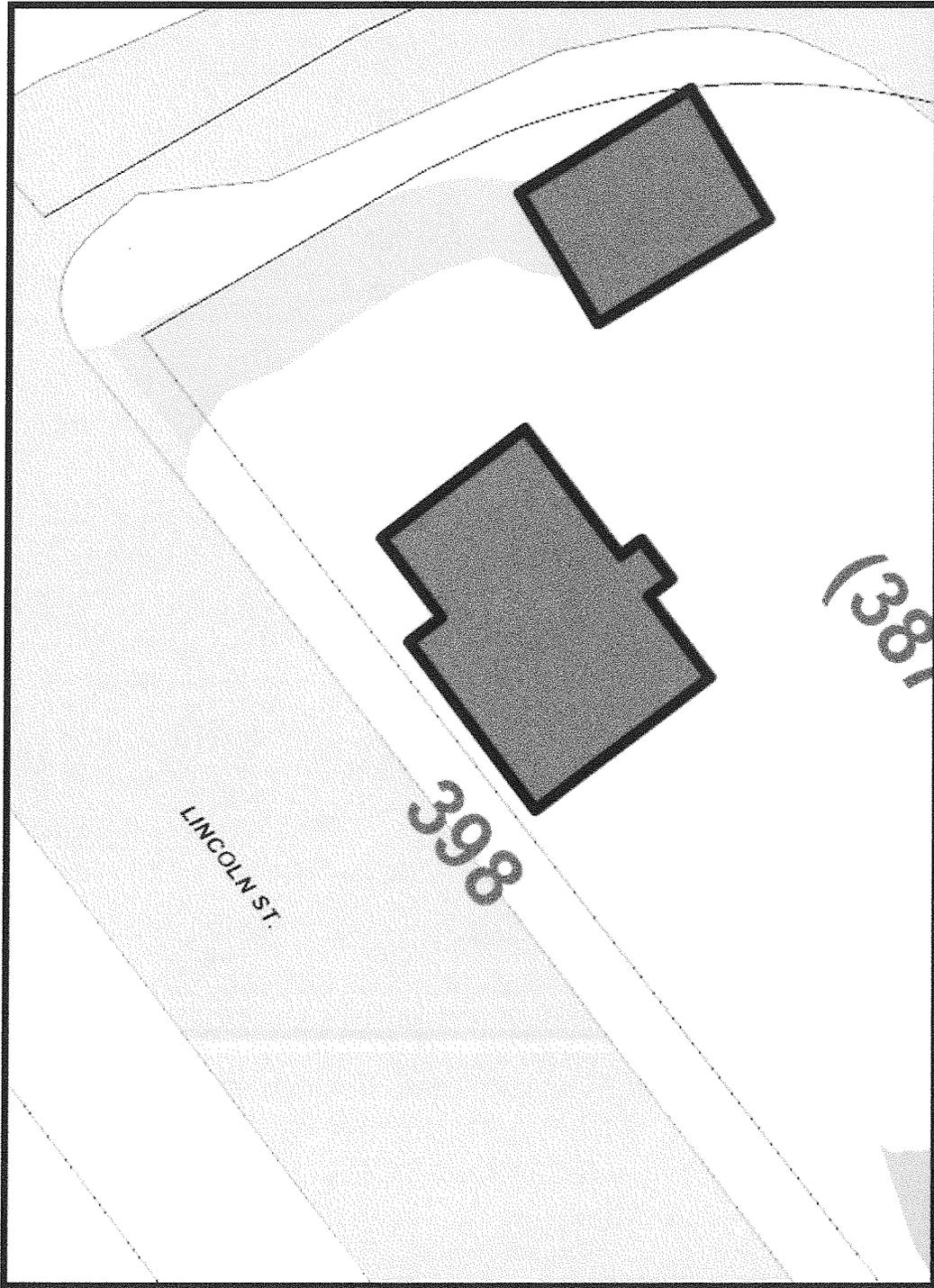


EXHIBIT A

398 Lincoln Street



Poor Copy At Time Of Recording
Will Not Reproduce Clearly

ANDROSCOGGIN COUNTY
TINA M CHOUINARD
REGISTER OF DEEDS

AFFIDAVIT OF SERVICE SUITABLE AGE

State of: Maine
Court: City Council - City of

County of: Androscoggin
Index #:
Date Purchased:

Plaintiff/Petitioner:

City Council of Lewiston, Maine

Defendant/Respondent:

vs:

Franklin Property Trust, LLC, et. al.

State of: NY
County of: Niagara

John M. Celano, being duly sworn, deposes and says: that deponent is not a party to this action, is over 18 years of age and resides at: Getzville, NY that on: 9/6/2014 at: 10:56am at: 314 N. Rockingham Way, Amherst, NY 14228 deponent served the within:

Notice of Hearing

*
* Return Date if any: 9/16/2014

ON: David Paris - North Star Capital Acquisition, LLC

SUITABLE

AGE PERSON By delivering therat a true copy of each to: Michelle Paris, Wife, Cotenant, a person of suitable age and discretion. Said premises is 's, Dwelling house within the state.

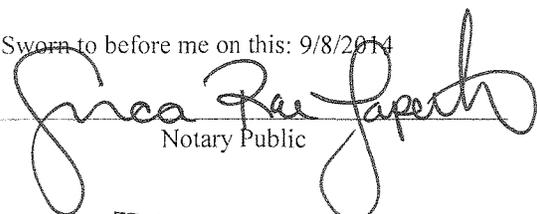
MAILING Deponent enclosed a copy of the same in a first class postpaid envelope, marked "Personal & Confidential", properly addressed to the last known address: 314 N. Rockingham Way, Amherst, NY, 14228; and deposited in an official depository under the exclusive care and custody of the U.S.P.O. in N.Y. State, on: 9/8/2014, if Certified #:

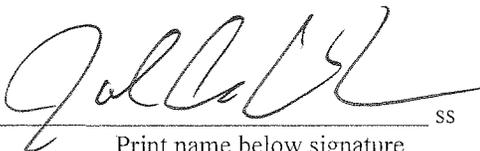
DESCRIPTION SEX: Female, SKIN COLOR: White, AGE: 36 - 50 Yrs., HEIGHT: 5'4" - 5'8", HAIR COLOR: Brown, WEIGHT: 131 - 160 Lbs., Other identifying features: Glasses

WITNESS FEE \$ the authorizing traveling expenses and one day's witness fee was paid(tendered) to the

MILITARY SERVICE Deponent asked, Michelle Paris, Wife, Cotenant, if the was presently in the military service of the United States Government or on active duty in the military service in the State of New York and was informed he/she was not.

Sworn to before me on this: 9/8/2014


Notary Public


Print name below signature
John M. Celano

FRANCESCA RAE LAPERTOSA
Notary Public, State of New York
No. 01LA6290741
Qualified in Erie County
Commission Expires October 7, 2017

201411589

Client File#:

398 Lincoln Street 000006



NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

Peggy & Clifton Cummings
69 Lincoln Street, Apt. 3
Lewiston, Maine 04240

North Star Capital Acquisition, LLC
c/o Corporation System
1536 Main Street
Readfield, Maine 04355

398 LINCOLN STREET, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

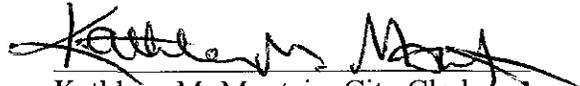
September 16, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

This hearing is to determine whether the residential structure and accessory garage at 398 Lincoln Street, Lewiston, Maine, located on Lot 1 on Tax Map 198 and depicted on the attached Exhibit A, are dangerous buildings or nuisances within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structures are dangerous or nuisances, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structures. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

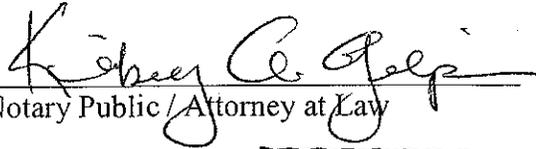
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Dated: 8-21-14


Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.


Notary Public / Attorney at Law

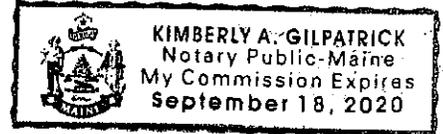
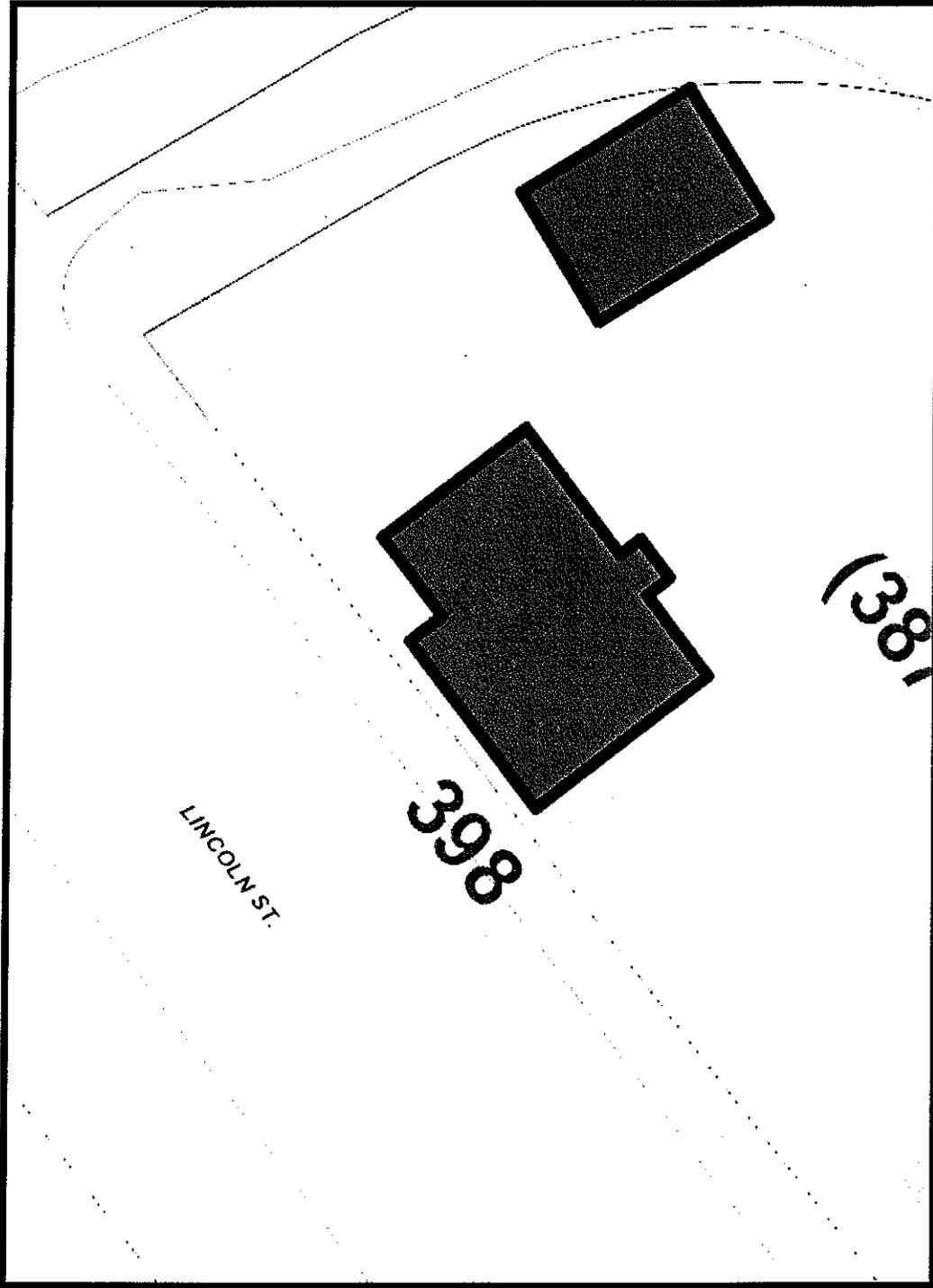


EXHIBIT A

398 Lincoln Street



CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

**NOTICE OF HEARING
398 LINCOLN STREET, LEWISTON, MAINE
Pursuant to 17 M.R.S. §§ 2851, et seq.**

On August 22, 2014 (date), I served the above-referenced NOTICE OF HEARING, a copy of which is attached hereto, by serving a copy of same to PEGGY and CLIFTON CUMMINGS at the following address:

Peggy & Clifton Cummings
69 Lincoln Street, Apt. 3
Lewiston, ME 04240

Costs of Service:

Service:	\$ _____
Travel:	\$ _____
Postage:	\$ _____
Other:	\$ _____
 TOTAL:	 \$ _____

[Handwritten Signature]
Signature

LPO FSE
Agency



NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

Peggy & Clifton Cummings
69 Lincoln Street, Apt. 3
Lewiston, Maine 04240

North Star Capital Acquisition, LLC
c/o Corporation System
1536 Main Street
Readfield, Maine 04355

398 LINCOLN STREET, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

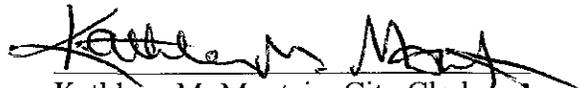
September 16, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

This hearing is to determine whether the residential structure and accessory garage at 398 Lincoln Street, Lewiston, Maine, located on Lot 1 on Tax Map 198 and depicted on the attached Exhibit A, are dangerous buildings or nuisances within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structures are dangerous or nuisances, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structures. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

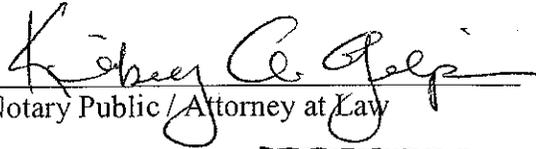
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Dated: 8-21-14


Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.


Notary Public / Attorney at Law

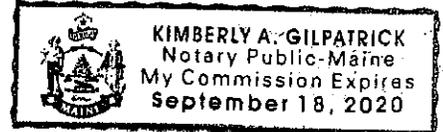
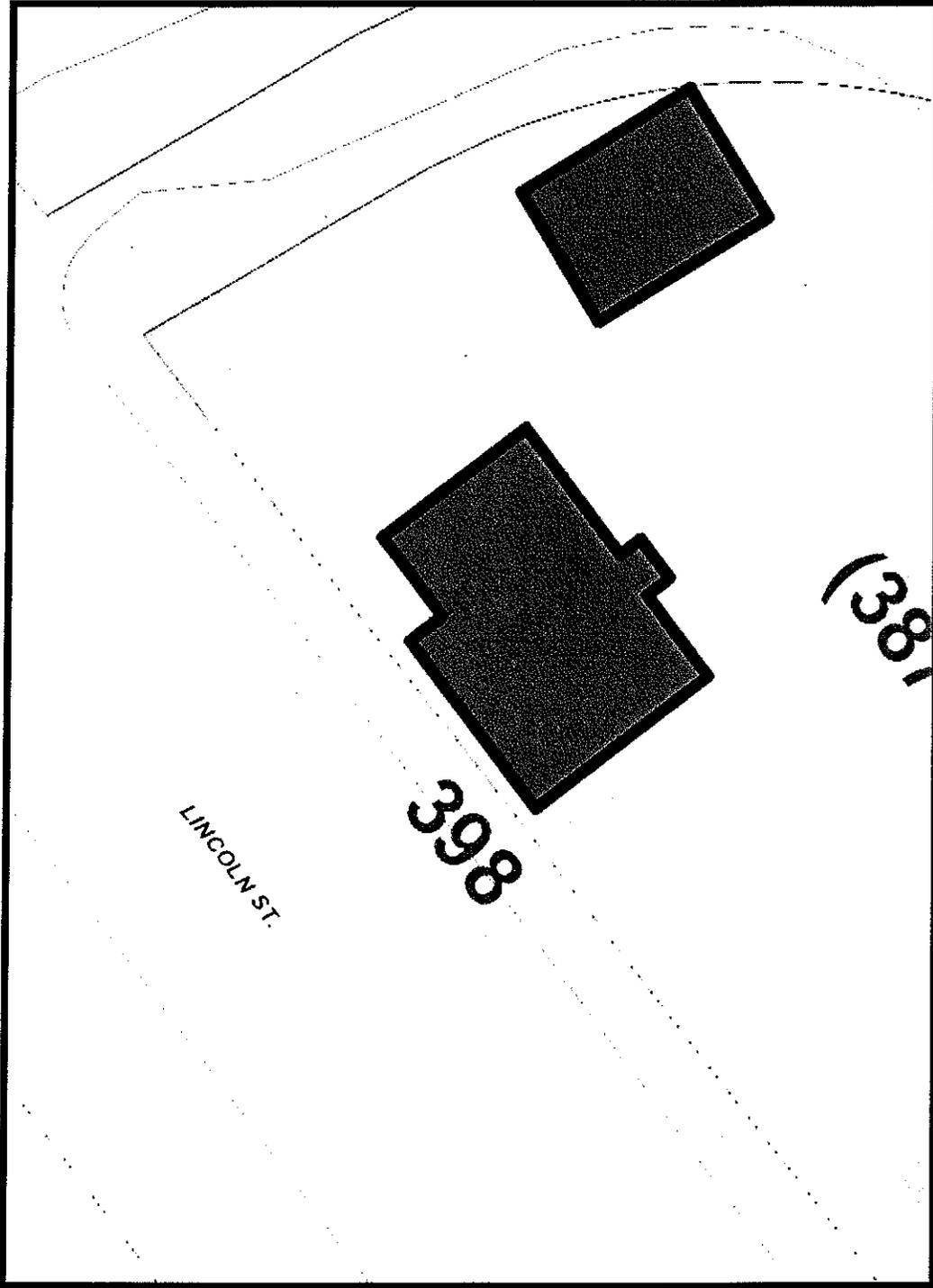


EXHIBIT A

398 Lincoln Street



CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
245 LINCOLN STREET, 267 & 267 1/2 LINCOLN STREET,
398 LINCOLN STREET, 7 WILLOW CIRCLE,
251 LINCOLN STREET, 7 LINCOLN DRIVE
and 162 OXFORD STREET, LEWISTON, MAINE
Pursuant to 17 M.R.S. §§ 2851, et seq.

On 8-26, 2014 (date), I served the above-referenced NOTICES OF HEARING, copies of which are attached hereto, by serving a copy of same to Ronald Bissonnette, Registered Agent for Franklin Property, Inc., at the following address:

Franklin Property, Inc.
c/o Ronald Bissonnette, Registered Agent
Isaacson & Raymond
75 Park Street
Lewiston, ME 04240

Costs of Service:

Service:	\$	<u>21.00</u>
Travel:	\$	<u>1.60</u>
Postage:	\$	<u>1.00</u>
Other: <i>CP</i>	\$	<u>2.00</u>
TOTAL:	\$	<u>25.60</u>

J. Phalke

Signature

Androscoquin SD

Agency



NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
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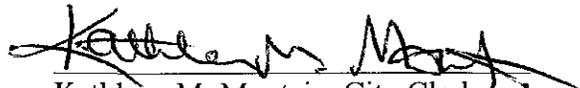
September 16, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

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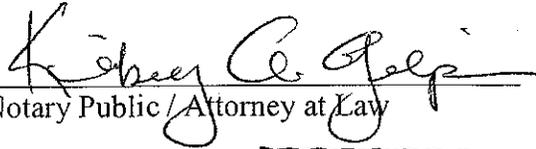
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Dated: 8-21-14


Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

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Notary Public / Attorney at Law

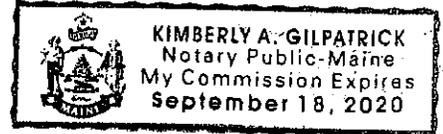
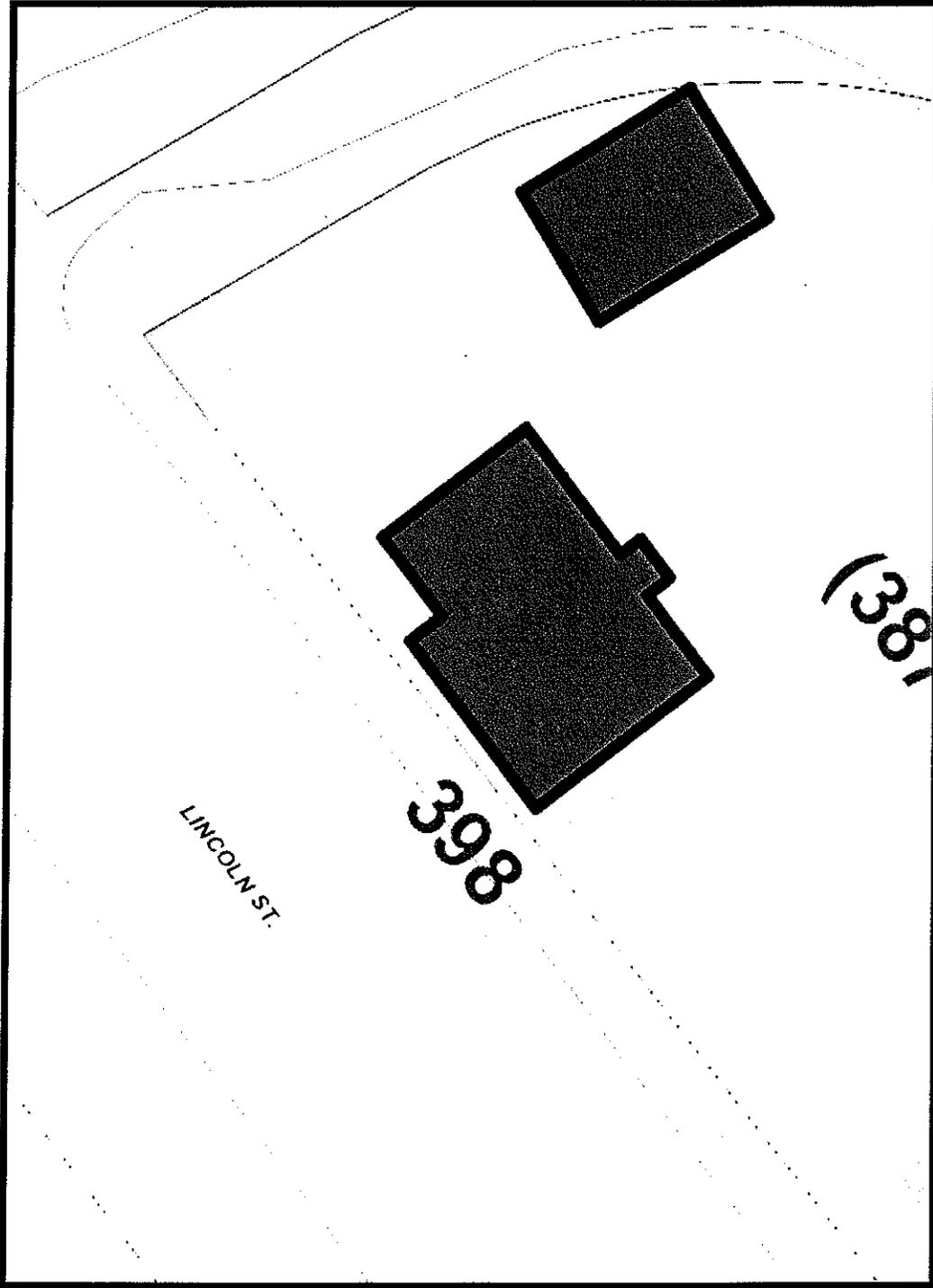


EXHIBIT A

398 Lincoln Street



CITY
CORRESPONDENCE

**CITY OF LEWISTON
CODE ENFORCEMENT
CITY BUILDING
27 PINE STREET
LEWISTON, MAINE 04240
(207) 513-3125 EXT. 3226**

**NOTICE OF CONDEMNATION/PLACARDING
VIA FIRST CLASS & CERTIFIED MAIL
RETURN RECEIPT REQUESTED
POSTED AT SITE**

June 29, 2012

Peggy A. Cummings
Clifton Cummings
398 Lincoln Street
Lewiston, Maine 04240

RE: 398 Lincoln Street

Map 198 Parcel 1
Tax ID: RE00007681

Dear Peggy & Clifton Cummings:

It has come to the attention of this office the sanitary drainage/sewage system of the above mentioned home is malfunctioning causing sewage to backup in the basement creating a threat to health and public safety due to unsanitary conditions. The building is unfit for occupancy due to violation(s) of the provisions of Chapter 18, Article III, Property Maintenance Code, Sections 18-51 and 18-52, IPMC-504.1 et seq, IPMC-506.1 & .2, Chapter 18, Article IV, Plumbing Code, Section 18-77, Uniform Plumbing Code, UPC-303 & 305 et seq, Chapter 74, Article II Sewers and Drains, Section 74-42, as per The Code of Ordinances of the City of Lewiston hereafter referred to as the (Code). The Sewer

I hereby condemn and placard the building and property at 398 Lincoln Street as being unfit for occupancy pursuant to and in accordance with Chapter 18, Article III, Property Maintenance Code, Sections 18-51 and 18-52, IPMC-108.1 et seq, IPMC-109.1 et seq, IPMC-110.1 et seq, IPMC-305.3, IPMC-504.1 et seq, and IPMC-506.1 et seq, Chapter 18, Article IV, Plumbing Code, Section 18-77, Uniform Plumbing Code, UPC-102.2.5 UPC-303 & UPC-305 et seq, Chapter 74, Article II Sewers and Drains, Section 74-42, of the Code of Ordinances of the City of Lewiston. You are hereby ordered to immediately vacate this building and secure from unauthorized entry. You are to make repairs to the sewer drain to the City's sewage system, with all appropriate permits issued by the appropriate department(s) of the City of Lewiston, or to demolish this building, leaving the property in manner to the satisfaction of this office by no later than **July 30, 2012.**

The City of Lewiston may order the demolition of this building pursuant to the provisions of the Maine Revised Statutes, Title 17, Chapter 91, Subchapter 4, Dangerous Buildings, Section § 2851, if the building is not maintained secured or is a threat to public safety and a nuisance.

The above-mentioned property will be placarded and may not be re-occupied until proper abatement of all violations and rehabilitation has been completed. An inspection shall be conducted to confirm



compliance. At such time the condemnation order and placarding shall be discontinued pursuant to the above referenced Code Section IPMC-108.4.1 stating “the code official shall remove the condemnation and placarding whenever the defect or defects upon which the Condemnation and Placarding were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the code official shall be subject to the penalties provided by this code.”

Your prompt attention to this matter is advised to avoid legal action. It is our sincere desire to work with you in devising an implementation schedule for the correction of these conditions. Please contact this office immediately if circumstances do not permit the timely compliance with this order and abatement of the violations or if you have any questions regarding this matter.

In the event that you do not comply with this order, this office may issue a citation pursuant to Chapter 50, Article II, and Section 50-36 thru 50-51 of the aforementioned Code. Said citation shall require you to pay a penalty of one hundred and ten dollars (\$110.00) for the first citation and you will be reordered to abate the outstanding violations in the previous Notices and Orders. In the event that you do not comply with the first citation, additional citations may be issued. The second citation imposes a civil penalty of two hundred and twenty five dollars (\$225.00), the third is four hundred and twenty five dollars (\$425.00), the fourth and subsequent citations are eight hundred and fifty dollars (\$850.00), and penalties are cumulative. In the future, if any of the above violations are repeated, you are not entitled to receive any further notification, and this office may serve you with a citation.

In lieu of or in addition to the issuance of citations, this office may initiate a land use complaint pursuant to Rule 80-K of the Maine Rules of Civil Procedure and 30-A M.R.S.A. § 4452 et seq. and § 3758-A et seq. as amended. A judgment from such a lawsuit in the City’s favor will result in a court order that any violations be abated, the imposition of a fine of up to two thousand, five hundred dollars (\$2,500.00) per violation, per day, the payment of court costs and the City’s legal fees.

You may appeal this order and request a hearing before the Lewiston Board of Appeals by filing a written petition at the office of the Director of Planning and Code Enforcement within ten (10) days of receipt of this notice. This petition shall be submitted on a form provided by this office along with the one hundred and fifty dollar (\$150.00) appeal fee. Should you fail to appeal you will be barred from any opportunity to contest or challenge the terms of this Notice and Order in any further legal proceedings.

If you sell, transfer or lease this property, you must notify the grantee, mortgagee, transferee, or lessee of any outstanding code violations pursuant to Section IPMC-107.6 of the Property Maintenance Code. You must also furnish this office with a signed notarized statement from the grantee, mortgagee, transferee or lessee acknowledging receipt of any orders or notices and fully accepting responsibility for the abatement of said violations.

Sincerely,

Thomas E Maynard
Code Enforcement Officer/Constable

c: Gildace J. Arsenault, Director of Planning & Code Enforcement

The City of Lewiston is an EOE. For more information, please visit our website @ www.ci.lewiston.me.us and click on the Non-Discrimination Policy

PHOTOGRAPHS

398 Lincoln Street Franklin Property Trust Land

Photos #1 taken 9-2-2014 & 8-27-2014. Severely deteriorated roofing, porches and garage.



Photo #2. Severely deteriorated and dangerous porch with collapsed decking.



Photo # 3. Deteriorated garage with the roof on a state of collapse.



Photo #4. Debris in the garage contributing to fire loading.



Photo #5. The heating registers have been stripped from the building due to theft rendering the heating system inoperative.



Photo #6. The kitchen's piping has been removed due to theft.



Photo # 7. Removed heating registers due to theft and debris.



Photo # 8. Damaged and deteriorated bathroom with inappropriate drainage system and collapsing floor.



Photo # 9. Evidence of a squatter sleeping arrangements.



Photo # 10. Further evidence of squatting due to an empty prescription bottle of Suboxone used for maintenance treatment of opioid dependence with a date after the owner's abandoned the premises.



LEWISTON CITY COUNCIL

MEETING OF SEPTEMBER 16, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 14

SUBJECT:

Condemnation Hearing for the building located at 162 Oxford Street.

INFORMATION:

The City has begun the process for condemnation of the property at 162 Oxford Street under the dangerous building classification. This property has been abandoned by the owner and upon inspection of city staff has been determined to be an unsafe structure.

The agenda background material pertains to the condition of this property. The City Attorney will be present on Tuesday evening to assist the City Council with the condemnation hearing and to advise accordingly.

PLEASE NOTE - The background material for this agenda item is included in a separate binder that was distributed with the meeting agenda binder.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.



REQUESTED ACTION:

1	2	3	4	5	6	7	M
---	---	---	---	---	---	---	---

1) To conduct a hearing to determine if the building located at 162 Oxford Street has meet the dangerous building statutes as defined in Title 17, sec. 2851 et all.

If it is determined that the building does meet the dangerous building criteria, then the Council is asked :

2) With regard to the property at 162 Oxford Street, to adopt the Findings of Fact, Conclusions of Law and Order of Demolition proposed by the City Planning and Code Enforcement Department, which Order establishes the corrective action to be taken by the property owner and the time frame for taking such action, and which authorizes the City Administrator to take such corrective action if the property owner fails to do so, and to recoup the City's costs through a special tax or collective action.

162 OXFORD STREET

OWNERSHIP DOCUMENTS

KNOW ALL MEN BY THESE PRESENTS,

THAT it, FRANKLIN COMPANY, a Maine corporation with its principal place of business located at 191 LISBON STREET, LEWISTON, County of ANDROSCOGGIN, and State of MAINE, in consideration of ONE DOLLAR AND OTHER VALUABLE CONSIDERATION, paid by FRANKLIN PROPERTY TRUST, in accordance with a declaration of trust to be recorded in the Androscoggin County Registry of Deeds, having its office at 191 LISBON STREET, LEWISTON, County of ANDROSCOGGIN, and State of MAINE, the receipt whereof it does hereby acknowledge, does hereby REMISE, RELEASE, BARGAIN, SELL and CONVEY, and forever QUIT-CLAIM unto the said FRANKLIN PROPERTY TRUST, its successors and assigns forever,

A certain lot or parcel of land situated in Lewiston, County of Androscoggin and State of Maine, with any buildings thereon, bounded and described as follows: COMMENCING on the westerly line of Lincoln Street at the southeasterly corner of land conveyed by this Grantor to Francois Lizotte by deed dated July 11, 1907, # 1208; thence southwesterly by said Lizotte land 100 feet, more or less, to the northerly corner of land conveyed by this Grantor to Clara Rivard on November 2, 1916, by deed # 1483; thence southeasterly by said Rivard land 40 feet, more or less, to the northerly corner of land conveyed by this Grantor to Francis Jutras by deed dated October 8, 1918, # 1513; thence southeasterly along said Jutras land 40 feet, mor or less, to the northerly corner of land conveyed by this Grantor to Philomena Lessard by deed dated June 15, 1903, # 1164; thence southeasterly 50 feet more or less along said Lessard land; thence continuing southeasterly 75 feet, more or less, by line of land conveyed by this Grantor to Henry Croteau by deed dated October 29, 1956, # 1963; thence continuing southeasterly 83 feet, by line of land conveyed by this Grantor to Celestine Ledoux by deed dated June 10, 1903, # 1163; thence continuing southeasterly 65 feet, by line of land conveyed by this Grantor to The Roman Catholic Bishop of Portland, by deed dated April 1, 1903, # 1159; thence at an angle southwesterly 51 feet, more or less, by line of land conveyed by this Grantor to The Roman Catholic Bishop of Portland on February 14, 1898 by deed # 1093 to Oxford Street; thence southeasterly by the north-easterly line of Oxford Street 50 feet, more or less, to an angle therein; thence northeasterly by the northerly line of said Oxford Street 125 feet, more or less, to Lincoln Street; thence northwesterly by the easterly line of Lincoln Street 425 feet, more or less to the point of beginning.

MARSHALL RAYMOND,
BELIVEAU & DIONNE
ATTORNEYS AT LAW
20 PARK STREET
LEWISTON, MAINE 04400
80 MAIN STREET
FARMINGTON, MAINE 04830



TO HAVE AND TO HOLD the same, together with all the privileges and appurtenances thereunto belonging, to the said FRANKLIN PROPERTY TRUST, its successors and assigns forever.

AND it does COVENANT with the said Grantee, its successors and assigns, that it will WARRANT and FOREVER DEFEND the premises to it, the said Grantee, its successors and assigns forever, against the lawful claims and demands of all persons claiming by, through or under it.

IN WITNESS WHEREOF, It, the said FRANKLIN COMPANY, has caused these presents to be signed in its corporate name, and sealed with its corporate seal, by JOHN W. KING, its Treasurer, thereunto duly authorized, this 15th day of September in the year of our Lord one thousand nine hundred and seventy-six (1976).

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

FRANKLIN COMPANY

Arthur Waller

BY: J. W. King
JOHN W. KING, Its Treasurer



STATE OF MAINE, ANDROSCOGGIN, SS.

September 10, 1976

Personally appeared the above named, JOHN W. KING, Treasurer of the said Franklin Company, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said corporation.

Before me,

Arthur Waller
~~Notary Public~~ - Attorney at Law

STATE OF MAINE ANDROSCOGGIN

REGISTRY OF DEEDS

Received SEP 10 1976 at 12 H., 10 M., P. M., and recorded

from the original ~~instrument~~ _____, ~~dated~~ _____

MARSHALL RAYMOND,
BELIVEAU & DIONNE
ATTORNEYS AT LAW
78 PARK STREET
LEWISTON, MAINE 04240

98 MAIN STREET
FARMINGTON, MAINE 04830

**NOTICE OF HEARING
CERTIFICATES OF SERVICE**

NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Augustine Mokumobi
691 Lisbon Street
Lewiston, Maine 04240

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

Rainbow Federal Credit Union
381 Main Street
Lewiston, Maine 04240

162 OXFORD STREET, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

September 16, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

This hearing is to determine whether the residential structure at 162 Oxford Street, Lewiston, Maine, located on Lot 126 on Tax Map 208, and depicted on the attached Exhibit A, is a dangerous building or nuisance within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structure is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

This hearing is your opportunity to present evidence as to why the structure is not dangerous or a nuisance and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

Dated:

8-21-14


Kathleen M. Montejo, City Clerk



SEAL

STATE OF MAINE
ANDROSCOGGIN, ss

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.


Notary Public Attorney at Law

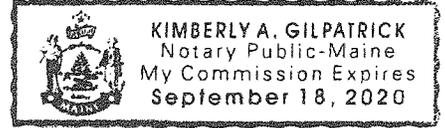
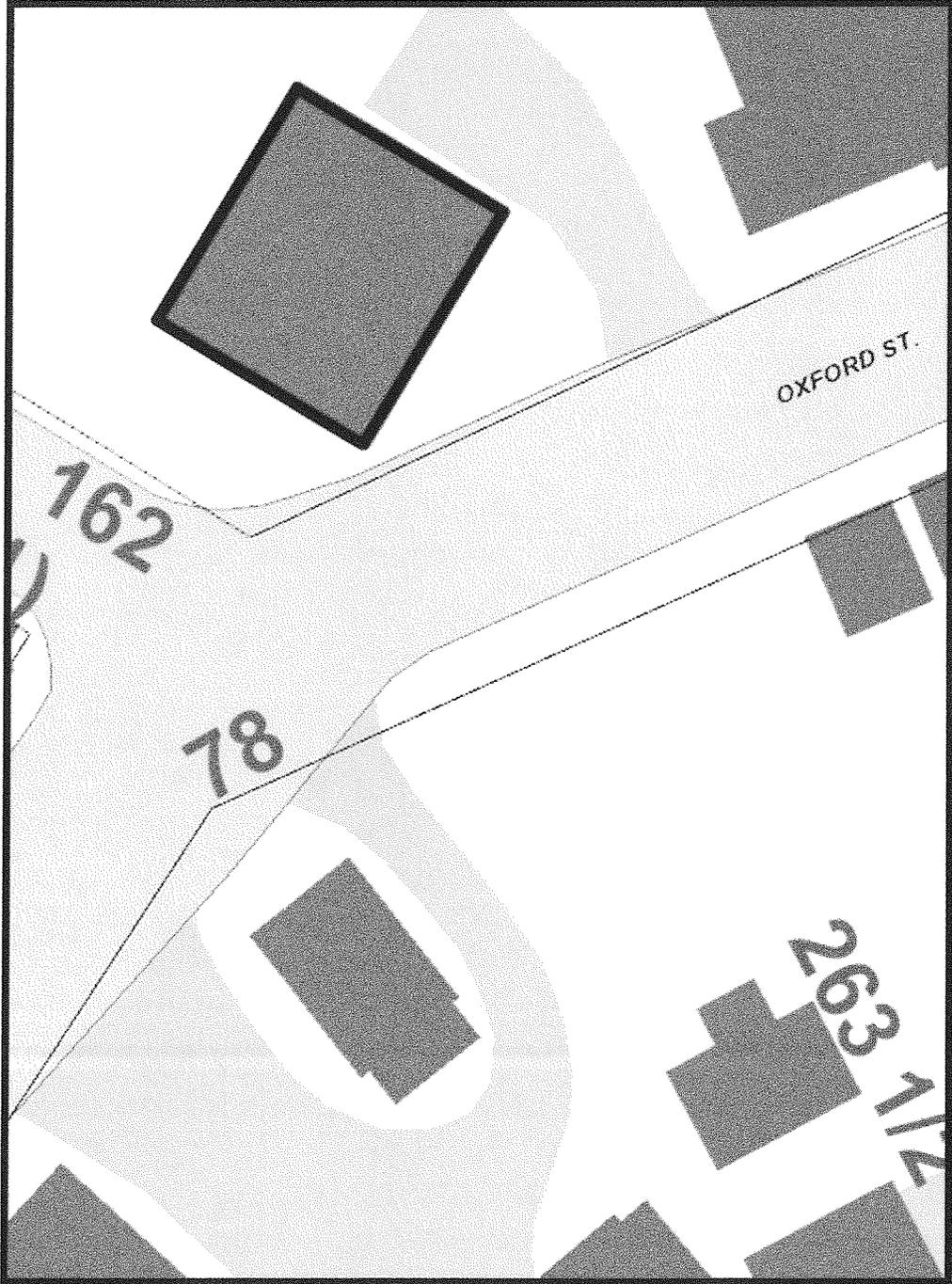


EXHIBIT A

162 Oxford Street



Poor Copy At Time Of Recording
Will Not Reproduce Clearly

ANDROSCOGGIN COUNTY
TINA M CHOUINARD
REGISTER OF DEEDS

162 Oxford Street 000005

CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

**NOTICE OF HEARING
162 OXFORD STREET, LEWISTON, MAINE
Pursuant to 17 M.R.S. §§ 2851, et seq.**

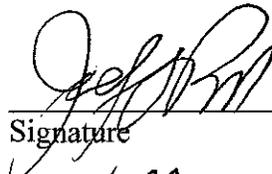
On August 28, 2014 (date), I served the above-referenced NOTICE OF HEARING, a copy of which is attached hereto, by serving a copy of same to AUGUSTINE MOKUMOBI at the following address:

Augustine Mokumobi
691 Lisbon Street
Lewiston, ME 04240

Costs of Service:

Service: \$ _____
Travel: \$ _____
Postage: \$ _____
Other: \$ _____

TOTAL: \$ _____



Signature
LAD F52

Agency



NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Augustine Mokumobi
691 Lisbon Street
Lewiston, Maine 04240

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

Rainbow Federal Credit Union
381 Main Street
Lewiston, Maine 04240

162 OXFORD STREET, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

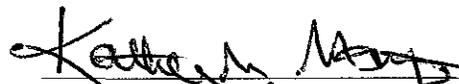
September 16, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

This hearing is to determine whether the residential structure at 162 Oxford Street, Lewiston, Maine, located on Lot 126 on Tax Map 208, and depicted on the attached Exhibit A, is a dangerous building or nuisance within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structure is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

This hearing is your opportunity to present evidence as to why the structure is not dangerous or a nuisance and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

Dated: 8-21-14


Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.


Notary Public Attorney at Law

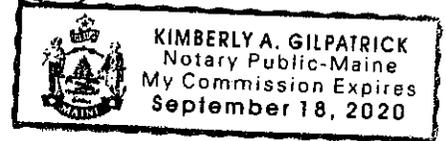
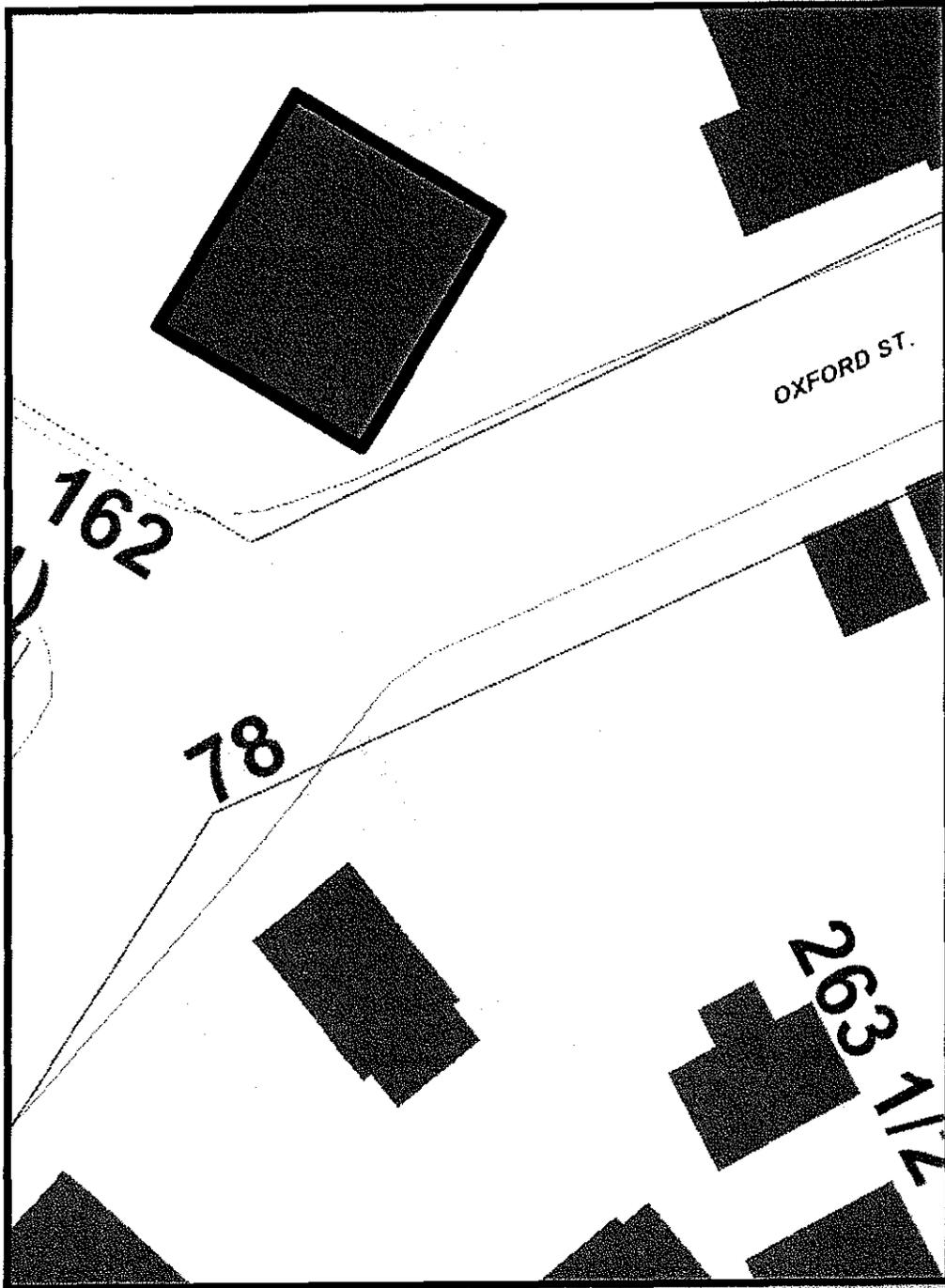


EXHIBIT A

162 Oxford Street



CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

**NOTICE OF HEARING
162 OXFORD STREET, LEWISTON, MAINE
Pursuant to 17 M.R.S. §§ 2851, et seq.**

On 8-25, 2014 (date), I served the above-referenced NOTICE OF HEARING, a copy of which is attached hereto, by serving a copy of same to a person authorized to accept service for Rainbow Federal Credit Union, , at the following address:

Rainbow Federal Credit Union
381 Main Street
Lewiston, ME 04240

Costs of Service:

Service:	\$	<u>2100</u>
Travel:	\$	<u>160</u>
Postage:	\$	<u>100</u>
Other: CP	\$	<u>200</u>
TOTAL:	\$	<u>2560</u>

[Signature]
Signature

Androscoquin SO
Agency



NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Augustine Mokumobi
691 Lisbon Street
Lewiston, Maine 04240

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

Rainbow Federal Credit Union
381 Main Street
Lewiston, Maine 04240

162 OXFORD STREET, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

September 16, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

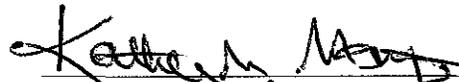
This hearing is to determine whether the residential structure at 162 Oxford Street, Lewiston, Maine, located on Lot 126 on Tax Map 208, and depicted on the attached Exhibit A, is a dangerous building or nuisance within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structure is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

This hearing is your opportunity to present evidence as to why the structure is not dangerous or a nuisance and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

Dated:

8-21-14


Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.


Notary Public Attorney at Law

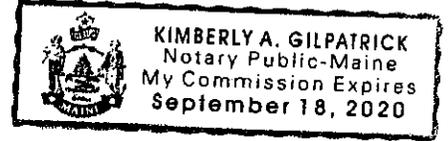
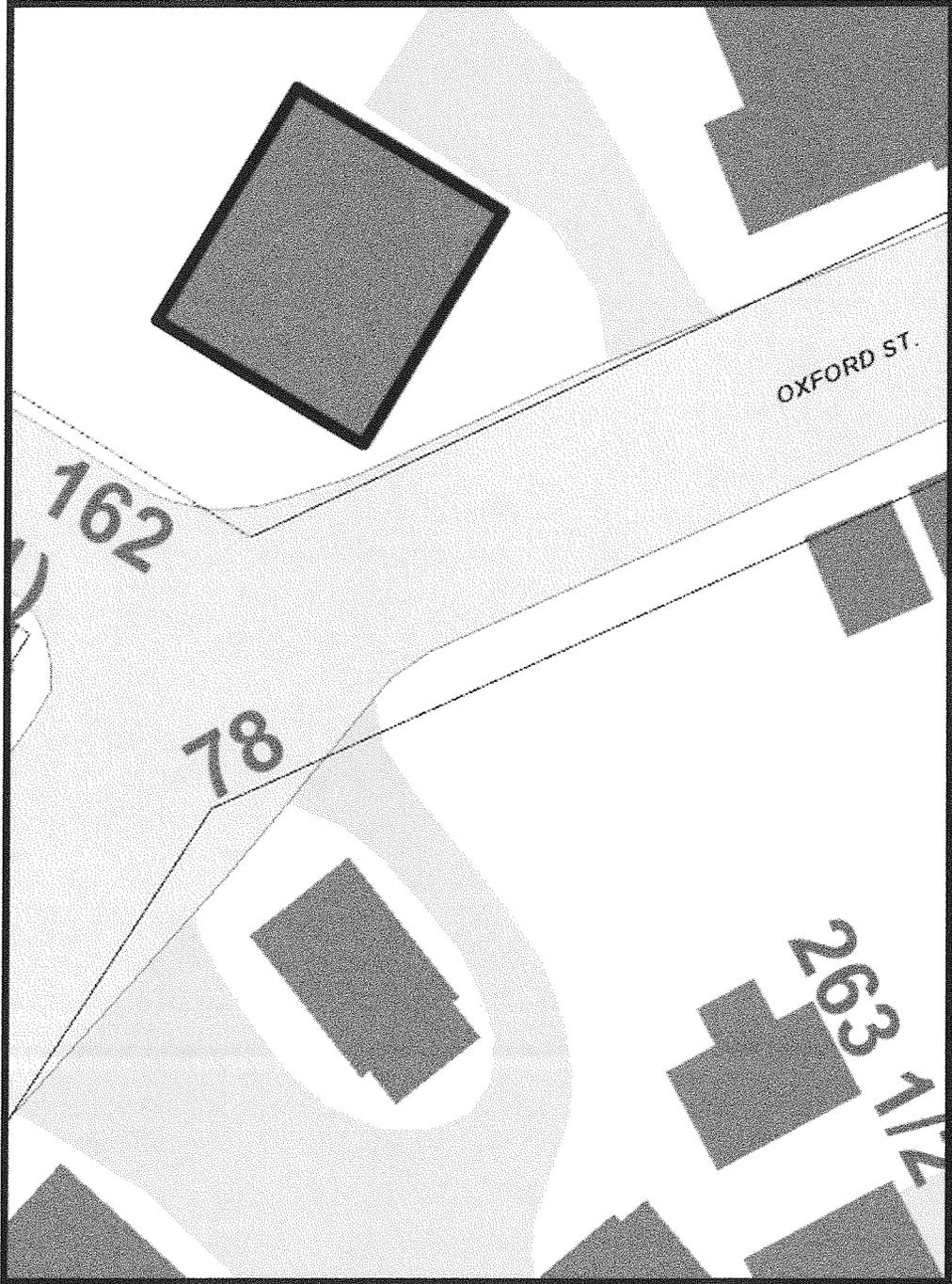


EXHIBIT A

162 Oxford Street



Poor Copy At Time Of Recording
Will Not Reproduce Clearly

ANDROSCOGGIN COUNTY
TINA M CHOUINARD
REGISTER OF DEEDS

162 Oxford Street 000013

CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
245 LINCOLN STREET, 267 & 267 ½ LINCOLN STREET,
398 LINCOLN STREET, 7 WILLOW CIRCLE,
251 LINCOLN STREET, 7 LINCOLN DRIVE
and 162 OXFORD STREET, LEWISTON, MAINE
Pursuant to 17 M.R.S. §§ 2851, et seq.

On 8-26, 2014 (date), I served the above-referenced NOTICES OF HEARING, copies of which are attached hereto, by serving a copy of same to Ronald Bissonnette, Registered Agent for Franklin Property, Inc., at the following address:

Franklin Property, Inc.
c/o Ronald Bissonnette, Registered Agent
Isaacson & Raymond
75 Park Street
Lewiston, ME 04240

Costs of Service:

Service:	\$	<u>21.00</u>
Travel:	\$	<u>1.60</u>
Postage:	\$	<u>1.00</u>
Other: <i>CP</i>	\$	<u>2.00</u>
TOTAL:	\$	<u>25.60</u>

J. Phalke
Signature

Androscoffin SD
Agency



NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Augustine Mokumobi
691 Lisbon Street
Lewiston, Maine 04240

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

Rainbow Federal Credit Union
381 Main Street
Lewiston, Maine 04240

162 OXFORD STREET, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

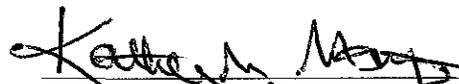
September 16, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

This hearing is to determine whether the residential structure at 162 Oxford Street, Lewiston, Maine, located on Lot 126 on Tax Map 208, and depicted on the attached Exhibit A, is a dangerous building or nuisance within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structure is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

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Dated: 8-21-14


Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.


Notary Public Attorney at Law

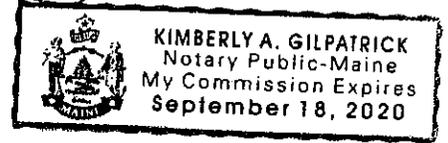
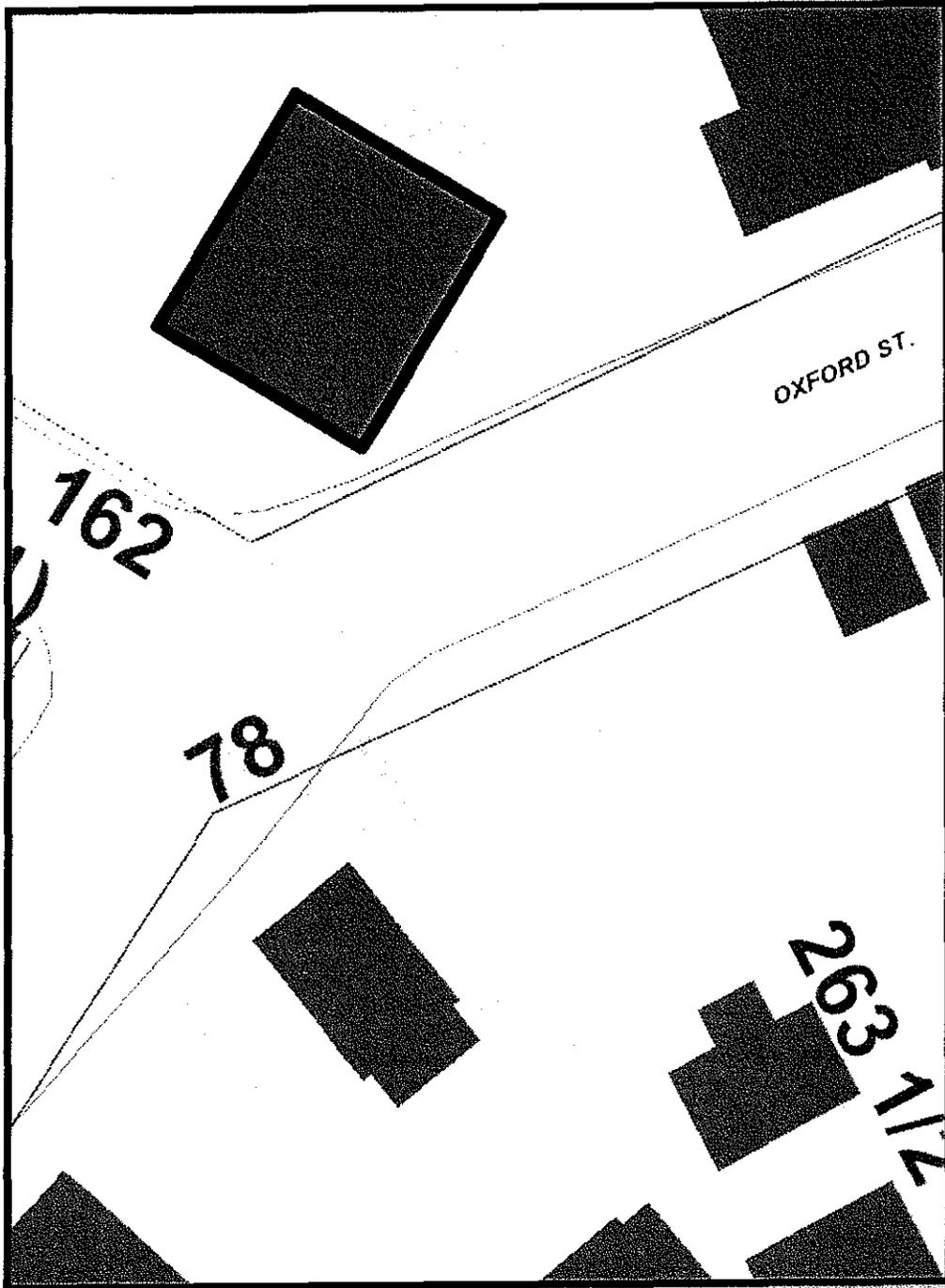


EXHIBIT A

162 Oxford Street



CITY
CORRESPONDENCE

CITY OF LEWISTON
CODE ENFORCEMENT
CITY BUILDING
27 PINE STREET
LEWISTON, MAINE 04240
(207) 513-3125 EXT. 3224

NOTICE OF CONDEMNATION/PLACARDING
VIA FIRST CLASS & CERTIFIED MAIL
RETURN RECEIPT REQUESTED
POSTED AT SITE

April 14,2009
Mr. Austin Mokumobi
587 Minot Ave
Auburn, ME 04210

RE: 162 Oxford St. Lewiston, ME 04240

Dear Property Owner:

It has come to the attention of this office that the building at 162 Oxford Street, Lewiston Maine is unfit for human habitation or occupancy due to violation(s) of the following provisions of Chapter 18, Article III, Property Maintenance Code, Sections 18-51 and 18-52, Sections 18-200 & 18-201 as per The Code of Ordinances of the City of Lewiston hereafter referred to as the (Code). The building is without necessary facilities such as heat & hot potable water. In Addition, a notice of violation dated December 19, 2006 contains the following violations that have not been corrected: Accumulation of materials on premises, hazardous exterior property conditions such as broken windows, loose & deteriorated masonry, fencing broken and unsafe, decking on porch deteriorated, handrails missing on porches, chimney unsafe , siding deteriorated.

As per the above mentioned violations I hereby condemn and placard the building at 162 Oxford Street as being unfit for human habitation and occupancy pursuant to and in accordance with Chapter 18, Article III, Property Maintenance Code, Sections 18-51 and 18-52, PM 105.1, PM 105.2 PM 105.4, PM-105.6, PM 107.1, PM 107.2, PM-107.3, PM 601.1, PM 601.3 and PM 601.4, of the Code of Ordinances of the City of Lewiston. Due to the threat to public safety you are hereby ordered to maintain this building secure from unauthorized entry in accordance with PM-105.6 of the Code. In accordance with PM-105.6, the City of Lewiston may cause the building to be secured by public agency, contract, or by private persons and the cost shall be charged to the owner. If such costs to the City are not reimbursed, the City shall initiate legal action to recover its expenses and any legal fees incurred. **You are hereby ordered to rehabilitate this property , present to this office a plan to rehabilitate this property with completion dates acceptable to this office, or demolish this building with a demolition permit issued by the City of Lewiston no later than July 30, 2009.** The City of Lewiston may take legal action to order the demolition of this building pursuant to provisions of the Maine Revised Statutes, Title 17, Chapter 91 Subchapter 4, Dangerous Buildings, Section 2851.

The above-mentioned property will be placarded and may not be re-occupied until proper abatement of all applicable violations have been completed. An inspection shall be conducted to confirm compliance. At such time the condemnation order and placarding shall be discontinued pursuant to the



above referenced Code Section PM 107.3 stating “the code official shall remove the condemnation and placarding whenever the defect or defects upon which the Condemnation and Placarding were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the code official shall be subject to the penalties provided by this code.”

Your prompt attention to this matter is advised to avoid legal action. It is our sincere desire to work with you in devising an implementation schedule for the correction of these conditions. Please contact this office immediately if circumstances do not permit the timely compliance with this order and abatement of the violations or if you have any questions regarding this matter.

In the event that you do not comply with this order, this office may issue a citation pursuant to Chapter 50, Article II, and Section 50-36 thru 50-51 of the aforementioned Code. Said citation shall require you to pay a penalty of one hundred dollars (\$110.00) for the first citation and you will be reordered to abate the outstanding violations in the previous Notices and Orders. In the event that you do not comply with the first citation, additional citations may be issued. The second citation imposes a civil penalty of two hundred dollars (\$225.00), the third is four hundred dollars (\$425.00), the fourth and subsequent citations are eight hundred dollars (\$850.00), and penalties are cumulative. In the future, if any of the above violations are repeated, you are not entitled to receive any further notification, and this office may serve you with a citation.

In lieu of or in addition to the issuance of citations, this office may initiate a land use complaint pursuant to Rule 80-K of the Maine Rules of Civil Procedure and 30-A M.R.S.A. § 4452 et seq. and § 3758-A et seq. as amended. A judgment from such a lawsuit in the City’s favor will result in a court order that any violations be abated, the imposition of a fine of up to two thousand, five hundred dollars (\$2,500.00) per violation, per day, the payment of court costs and the City’s legal fees.

You may appeal this order and request a hearing before the Lewiston Board of Appeals by filing a written petition at the office of the Director of Planning and Code Enforcement within ten (10) days of receipt of this notice. This petition shall be submitted on a form provided by this office along with the one hundred dollar (\$105.00) appeal fee. Should you fail to appeal you will be barred from any opportunity to contest or challenge the terms of this Notice and Order in any further legal proceedings.

If you sell, transfer or lease this property, you must notify the grantee, mortgagee, transferee, or lessee of any outstanding code violations pursuant to Section PM-106.6 of the Property Maintenance Code. You must also furnish this office with a signed notarized statement from the grantee, mortgagee, transferee or lessee acknowledging receipt of any orders or notices and fully accepting responsibility for the abatement of said violations.

Sincerely,

Susan R. Reny
Code Enforcement Officer

c: Gildace J. Arsenault, Director of Planning & Code Enforcement

The City of Lewiston is an EOE. For more information, please visit our website @ www.ci.lewiston.me.us and click on the Non-Discrimination Policy

PHOTOGRAPHS

162 Oxford Street Franklin Property Trust Land

Photos taken 3-31-2009 & 7-28-2014. Oxford Street view of building. Open to the elements.



Photo # 2. Front view showing overgrowth of vegetation against the building remaining open to the elements.



Photo # 3. Deteriorated trim, soffit, roofing and chimney. Excessive vegetation against the building.



Photo # 4. Missing vinyl siding, deteriorated wood siding, unprotected materials, open, unsecured and missing porch stairs..



Photo # 5. Broken windows creating a safety hazard.

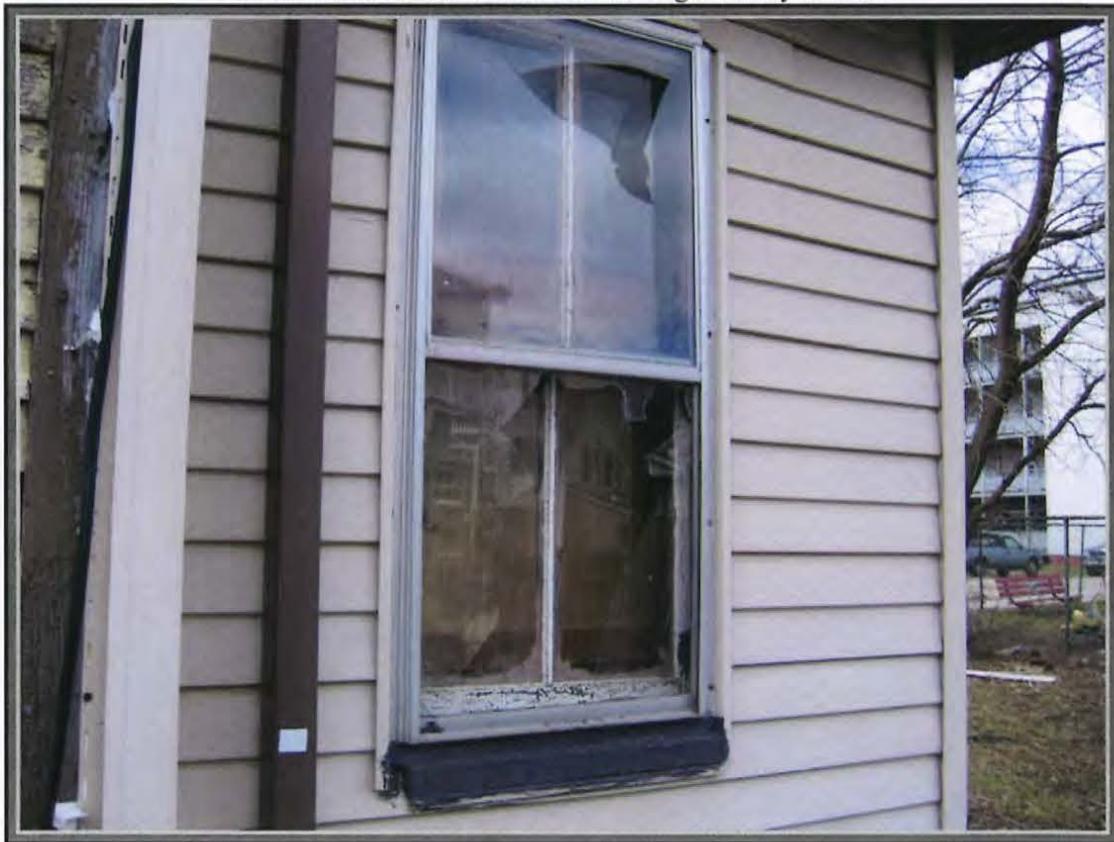


Photo # 6. Dangerous unmaintained subsurface structure creating a safety hazard adjacent to the building.



Photo # 7. Garbage and debris about the property making for unsanitary conditions.



Photo # 8. Combustible debris about the property.



LEWISTON CITY COUNCIL

MEETING OF SEPTEMBER 16, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 15

SUBJECT:

Condemnation Hearing for the building located at 267 ½ Lincoln Street.

INFORMATION:

The City has begun the process for condemnation of the property at 267 ½ Lincoln Street under the dangerous building classification. This property has been abandoned by the owner and upon inspection of city staff has been determined to be an unsafe structure.

The agenda background material pertains to the condition of this property. The City Attorney will be present on Tuesday evening to assist the City Council with the condemnation hearing and to advise accordingly.

PLEASE NOTE - The background material for this agenda item is included in a separate binder that was distributed with the meeting agenda binder.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EATB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
---	---	---	---	---	---	---	---

1) To conduct a hearing to determine if the building located at 267 ½ Lincoln Street has meet the dangerous building statutes as defined in Title 17, sec. 2851 et all.

If it is determined that the building does meet the dangerous building criteria, then the Council is asked :

2) With regard to the property at 267 ½ Lincoln Street, to adopt the Findings of Fact, Conclusions of Law and Order of Demolition proposed by the City Planning and Code Enforcement Department, which Order establishes the corrective action to be taken by the property owner and the time frame for taking such action, and which authorizes the City Administrator to take such corrective action if the property owner fails to do so, and to recoup the City's costs through a special tax or collective action.

267 ½ LINCOLN STREET

OWNERSHIP DOCUMENTS

KNOW ALL MEN BY THESE PRESENTS,

THAT It, FRANKLIN COMPANY, a Maine corporation with its principal place of business located at 191 LISBON STREET, LEWISTON, County of ANDROSCOGGIN, and State of MAINE, in consideration of ONE DOLLAR AND OTHER VALUABLE CONSIDERATION, paid by FRANKLIN PROPERTY TRUST, in accordance with a declaration of trust to be recorded in the Androscoggin County Registry of Deeds, having its office at 191 LISBON STREET, LEWISTON, County of ANDROSCOGGIN, and State of MAINE, the receipt whereof it does hereby acknowledge, does hereby REMISE, RELEASE, BARGAIN, SELL and CONVEY, and forever QUIT-CLAIM unto the said FRANKLIN PROPERTY TRUST, its successors and assigns forever,

A certain lot or parcel of land situated in Lewiston, County of Androscoggin and State of Maine, with any buildings thereon, bounded and described as follows: COMMENCING on the southwesterly side of Lincoln Street where it intersects with the south-easterly side of a lot of land conveyed by this Grantor to the Union Water Power Co. on July 17, 1914 by deed # 1424; thence southwesterly by said Union Water Power Co. land about 280 feet to the easterly bank of the Androscoggin River; thence following the bank of said river in a general south-easterly direction to line of land conveyed by this Grantor to the Lewiston Gas Light Co. on May 14, 1953 by deed # 1917; thence northeasterly by said Lewiston Gas Light Co. land about 73 feet to the southwesterly side of Lincoln Street; thence northwesterly by the southwesterly side of Lincoln Street 460 feet, more or less, to an angle therein; thence continuing northwesterly at an angle to the right by the southwesterly side of Lincoln Street 345 feet, more or less to the point of beginning.

TO HAVE AND TO HOLD the same, together with all the privileges and appurtenances thereunto belonging, to the said FRANKLIN PROPERTY TRUST, its successors and assigns forever.

AND it does COVENANT with the said Grantee, its successors and assigns, that it will WARRANT and FOREVER DEFEND the premises to it, the said Grantee, its successors and assigns forever, against the lawful claims and demands of all persons claiming by, through or under it.

MARSHALL, RAYMOND,
BELIVEAU & DIONNE
ATTORNEYS AT LAW
75 PARK STREET
LEWISTON, MAINE 04240

80 MAIN STREET
FARMINGTON, MAINE 04830



IN WITNESS WHEREOF, It, the said FRANKLIN COMPANY, has caused these presents to be signed in its corporate name, and sealed with its corporate seal, by JOHN W. KING, its Treasurer, thereunto duly authorized, this 10th day of September in the year of our Lord one thousand nine hundred and seventy-six (1976).

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

FRANKLIN COMPANY

Antoine Welke

BY: J. W. King
John W. King, Its Treasurer



STATE OF MAINE, ANDROSCOGGIN, SS.

September 10, 1976

Personally appeared the above named, JOHN W. KING, Treasurer of the said Franklin Company, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said corporation.

Before me,

Antoine Welke
~~Notary Public~~ Attorney at Law

STATE OF MAINE ANDROSCOGGIN REGISTRY OF DEEDS

Received SEP 10 1976 at 12 H., 10 M., P M., and recorded

from the original _____, _____

MARSHALL RAYMOND,
BELIVEAU & DIONNE
ATTORNEYS AT LAW
78 PARK STREET
LEWISTON, MAINE 04840
55 MAIN STREET
BARRINGTON, MAINE 04820

267 1/2 Lincoln

**QUITCLAIM DEED WITH COVENANT
AND BILL OF SALE**

Donald E. Tremblay (the "Grantor"), of Lewiston, County of Androscoggin, and State of Maine, for consideration paid, grants to Chad N. Tremblay and Brianna M. Barlow (the "Grantees"), as joint tenants, both of Lewiston, County of Androscoggin, and State of Maine, with QUITCLAIM COVENANT, a certain lot or parcel of land, with any buildings thereon, situated in Lewiston, County of Androscoggin, and State of Maine, bounded and described as follows:

MAINE REAL ESTATE
TRANSFER TAX PAID

1. LAND

Beginning at a point on the southeasterly line of a seventy foot (70') strip of land formerly owned by F.R. Lepage Bakery, Inc. as described in a deed recorded in Androscoggin County Registry of Deeds, Book 1184, Page 207, said point being sixty-five (65) feet southwesterly from the southwesterly line of Lincoln Street; thence South fifty-six degrees fifty-nine minutes thirty seconds West (S 56° 59' 30" W), two hundred fourteen and twenty hundredths (214.20) feet, more or less, to the high water mark of the Androscoggin River; thence in a generally northwesterly direction along the high water mark of the aforementioned Androscoggin River seventy (70) feet, more or less, to a point and other land of the Franklin Company; thence North fifty-six degrees fifty-nine minutes thirty seconds West (N 56° 59' 30" W), one hundred sixty-eight (168) feet to land of Wilfred A. Bilodeau; thence South thirty-three degrees no minutes thirty seconds East (S 33° 00' 30" E) along said Bilodeau's land thirty-five (35) feet to a point; thence in a general easterly direction fifty-five (55) feet, more or less, to the point of beginning. This property is subject to the rights of prior grantors, their heirs and assigns and the public to pass over a certain way which now exists, leading from Lincoln Street westerly two hundred (200) feet, more or less.

Being the same premises conveyed to Donald Tremblay by warranty deed of Clermont G. Poulin dated November 1, 2002, and recorded in the Androscoggin County Registry of Deeds in Book 5169, Page 321.

2. BUILDINGS

Also included herewith are the following goods and chattels, namely: a residential dwelling situated at 267 1/2 Lincoln Street and garage at 68 River Street, in



Lewiston, County of Androscoggin, State of Maine. The buildings are situated primarily on land owned by Franklin Property Trust and may be in part on land described above.

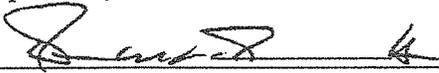
The goods and chattels being the same as described in the Bill of Sale from Clermont G. Poulin to Donald Tremblay dated November 1, 2002, unrecorded.

These goods and chattels are sold AS IS without any warranties or guarantees whatsoever.

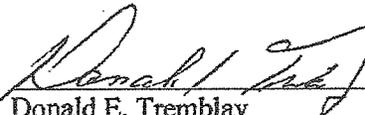
TO HAVE AND TO HOLD, all and singular the said goods and chattels to the Grantees, their heirs, personal representatives and assigns, to their own use and behoof forever.

AND Grantor hereby covenants with the Grantees that Grantor is the lawful owner of the said goods and chattels; that they are free from all encumbrances; that Grantor has good right to sell the same as aforesaid; and that Grantor will warrant and defend the same unto the Grantees, their heirs, personal representatives or assigns, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, the Grantor has executed this instrument on this 5th day of September, 2013.



Witness



Donald E. Tremblay

STATE OF MAINE
COUNTY OF ANDROSCOGGIN

September 5, 2013

Then personally appeared the above-named Donald E. Tremblay and acknowledged the foregoing instrument to be his free act and deed.

Before me,



Ronald L. Bissonnette, Attorney at Law

d:\F:\Darlene\CLIENTS\Tremblay, Chad & Brianna Barlow\Quitclaim Deed and Bill of Sale.docx

ANDROSCOGGIN COUNTY
TINA M CHOUINARD
REGISTER OF DEEDS

See
B3456
P32

12097

BOOK 1364 PAGE 342

WILFRID A. BILODEAU
of Lewiston,

Androscoggin County, and State of Maine,

grantee for consideration paid,

grantee to LIONEL P. POTVIN and RITA POTVIN, husband and wife, both

of (34 River Street) Lewiston, Androscoggin County, and State of Maine,
with warranty covenants, as joint tenants, the land in Lewiston, Androscoggin
County and State of Maine;

A CERTAIN lot or parcel of land with the buildings thereon situated in said
Lewiston, bounded and described as follows:

BEGINNING at an iron pin on the Southwesterly line of Lincoln Street, so-called
said point being the intersection of said Southwesterly line of said Lincoln Street
and the Southeasterly line of a seventy (70') foot strip of land formerly owned by
F. R. Lepage Bakery, Inc., as described in a deed recorded in Androscoggin County
Registry of Deeds, Book 1184, Page 207; thence South fifty-six degrees fifty-nine
minutes thirty seconds West (S56°59'30"W) along land now or formerly owned by the
Franklin Company sixty-five (65') feet to a point; thence Westerly fifty-five (55')
feet, more or less, to a point; thence North thirty-three degrees no minutes thirty
seconds West (N33°00'30"W) thirty-five (35') feet to an iron pin and other land now
or formerly of the said Franklin Company; thence North fifty-six degrees fifty-nine
minutes thirty seconds East (N56°59'30"E) along said other land of the said Franklin
Company sixty-seven and twenty-seven hundredths (67.27') feet to an iron pin; thence
South twenty-four degrees nine minutes no seconds East (S24°9'00"E) four and eighty-
two hundredths (4.82') feet to an iron pin; thence North eighty-seven degrees fifty-
nine minutes thirty seconds East (N87°59'30"E) seventy and forty-four hundredths
(70.44') feet to an iron pin and the aforementioned Southwesterly line of Lincoln
Street; thence South three degrees no minutes thirty seconds East (S3°00'30"E) along
said Southwesterly line of Lincoln Street thirty-three and forty-three hundredths
(33.43') feet to an iron pin and the point of beginning.

MEANING and intending to convey a portion of the premises conveyed by said
F. R. Lepage Bakery, Inc. by deed dated July 28, 1977, and recorded in Androscoggin
County Registry of Deeds, Book 1282, Page 318.

THIS DEED is given subject to the rights described in a deed from Willie H.
Belanger et alia to Wilfrid A. Bilodeau, this Grantor, dated March 31, 1978, and
recorded in said Registry of Deeds, Book 1358, Page 68.

TITLE NOT SEARCHED. DESCRIPTION NOT VERIFIED.

Cecile Bilodeau,
joins as grantor and releases all rights by descent and all other rights.

wife of said grantor,

Witness our hand and seals this
Renee Lantieri

first day of September, 1978
Wilfrid A. Bilodeau
WILFRID A. BILODEAU

Cecile Bilodeau
CECILE BILODEAU

The State of Maine Androscoggin, ss. September 1, 1978.

Then personally appeared the above named Wilfrid A. Bilodeau

and acknowledged the foregoing instrument to be his free act and deed,
Before me, Renee Lantieri
Justice of the Peace - Attorney at Law - Notary Public

PROCESSION SS.
RECEIVED SEP-7 1978
AT 1:45 P.M.

12205 Warranty Deed - Joint Tenancy - Short Form



Know all Men by these Presents,

That FRANKLIN COMPANY, a corporation duly created by law and having an established place of business in Lewiston, County of Androscoggin and State of Maine

in consideration of one dollar and other valuable consideration

paid by FRANKLIN PROPERTY TRUST of Lewiston, County of Androscoggin and State of Maine,

the receipt whereof it do hereby acknowledge, do hereby ratify, confirm, bargain, sell and convey and forever quit-claim unto the said

Franklin Property Trust, its successors ~~trust~~ and assigns forever.

A certain lot or parcel of land situated in Lewiston, County of Androscoggin and State of Maine, with any buildings thereon, bounded and described as follows: COMMENCING on the southwesterly side of Lincoln Street where it intersects with the southeasterly side of Oxford Street; thence running southwesterly by the southeasterly side of Oxford Street one hundred twenty-seven (127) feet, more or less, to an angle therein; thence at an angle to the left still southwesterly by the southeasterly side of said Oxford Street one hundred seventy (170) feet, more or less, to the easterly bank of the Androscoggin River; thence southeasterly by the bank of said river to land conveyed by this grantor to Union Water Power Company by deed dated July 17, 1914 numbered 1424; thence northeasterly by land of said Union Water Power Company about three hundred (300) feet to the southwesterly side of Lincoln Street; thence northwesterly by said Lincoln Street about one hundred twenty (120) feet to point of beginning.



BOOK 1227 PAGE 50

On have and to hold, the same, together with all the privileges and appurtenances thereunto belonging, to the said Franklin Property Trust, its successors and assigns

~~forever.~~

And do covenant with the said grantee, its successors and assigns, that it will warrant and further defend the premises to the said grantee, its successors and assigns forever, against the lawful claims and demands of all persons claiming by, through, or under it.

In Witness Whereof, the said Franklin Company has caused this instrument to be signed, sealed, acknowledged and delivered by John W. King, its Treasurer, thereunto duly authorized,

~~xxxxxx~~ ~~xxxxxxxxxxxx~~

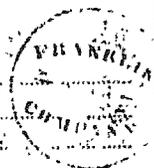
~~claiming in this deed as donee, and relinquishing and conveying~~
~~rights by others and all other rights in the above described~~
~~premises, have heretofore~~ ~~made and read~~ this 10th
September
day of in the year of our Lord one thousand nine
hundred and seventy-six.

Signed, Sealed and Delivered
in presence of

Carole Walker

FRANKLIN COMPANY

BY: *J. W. King*
Its Treasurer



State of Maine,
Androscoggin

September 10, 19 76 .

Personally appeared the above named

John W. King

and acknowledged the above instru-

ment to be free act and deed, in his said capacity and the free act and deed of said corporation. Before me,

Carole Walker

Attorney at Law

ANDROSCOGGIN, SS:
RECEIVED SEP 10 10 57 AM '76
and recorded from the original

**NOTICE OF HEARING
CERTIFICATES OF SERVICE**

NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Donald Tremblay
258 East Avenue
Lewiston, Maine 04240

Lionel and Rita Potvin
267 Lincoln Street
Lewiston, Maine 04240

Brianna Barlow and Chad Tremblay
267 ½ Lincoln Street
Lewiston, Maine 04240

Pamela Whitney
116 River Road
Lewiston, Maine 04240

Clermont Poulin
11 Poulin Lane
Auburn, Maine 04210

First Resolution Investment Corporation
c/o CT Corporation System
1536 Main Street
Readfield, Maine 04355

Federal Home Loan Mortgage Corporation
8200 Jones Branch Drive
McLean, Virginia 22102-3110

Rainbow Federal Credit Union
381 Main Street
Lewiston, Maine 04240

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

267 & 267 ½ LINCOLN STREET, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

September 16, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

This hearing is to determine whether the four accessory structures depicted on Exhibit A hereto, and which are generally known as 267 and 267 ½ Lincoln Street in Lewiston and are located in part on Tax Map 209, Lots 1, 2, 3, and 5, are dangerous buildings or nuisances within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structures are dangerous or nuisances, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structures. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The

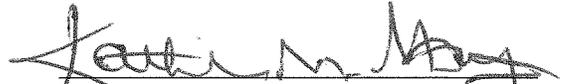


City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

This hearing is your opportunity to present evidence as to why the structures are not dangerous or nuisances and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

Dated:

8-21-14


Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.


Notary Public / Attorney at Law

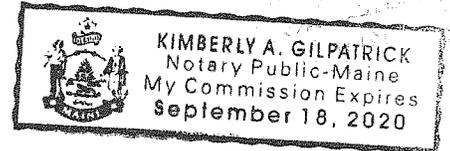
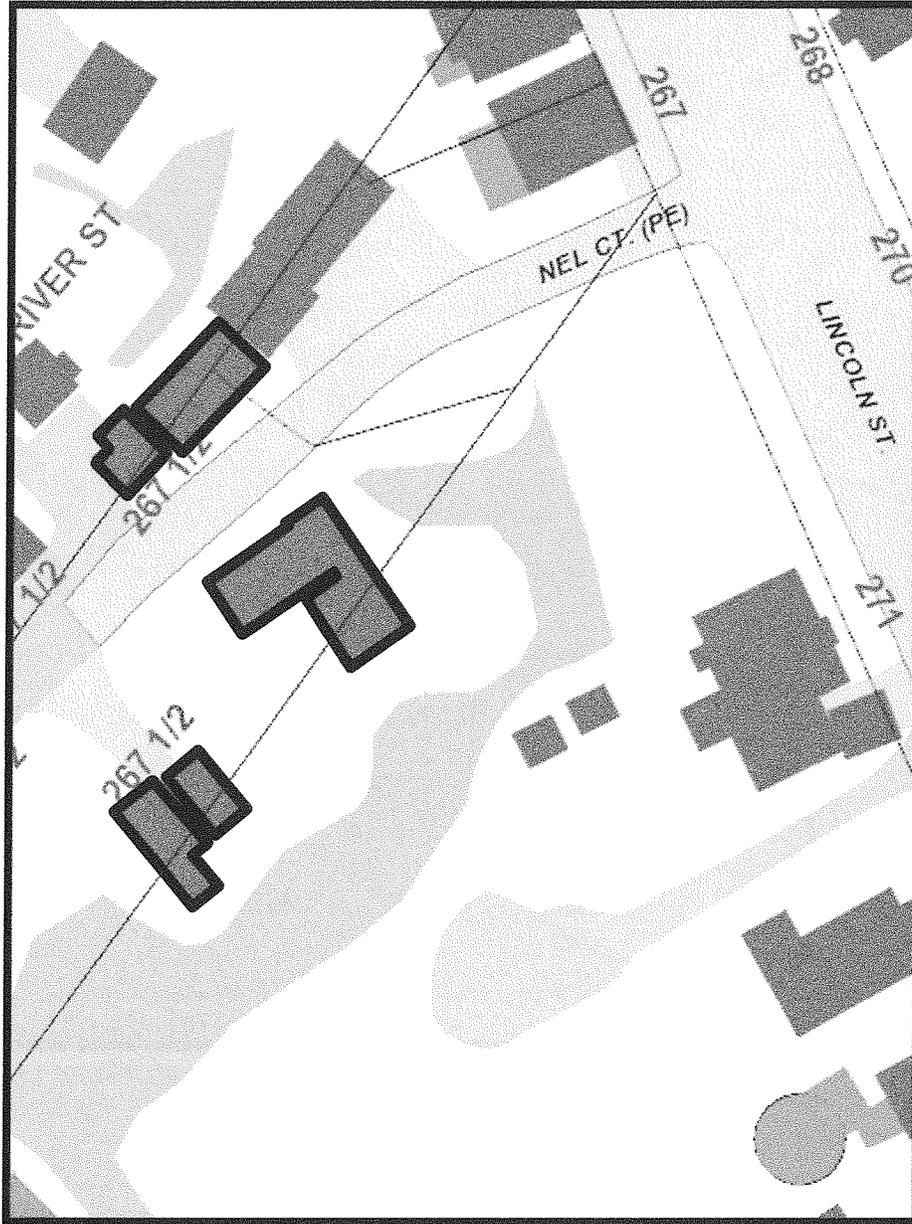


EXHIBIT A

267 1/2 Lincoln Street



Poor Copy At Time Of Recording
Will Not Reproduce Clearly

ANDROSCOGGIN COUNTY
TINA M CHOUINARD
REGISTER OF DEEDS

CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
267 and 267 1/2 LINCOLN STREET, LEWISTON, MAINE
Pursuant to 17 M.R.S. §§ 2851, et seq.

On August 24, 2014 (date), I served the above-referenced NOTICE OF HEARING, a copy of which is attached hereto, by serving a copy of same to DONALD TREMBLAY at the following address:

Donald Tremblay
258 East Avenue
Lewiston, ME 04240

Costs of Service:

Service: \$ _____
Travel: \$ _____
Postage: \$ _____
Other: \$ _____

TOTAL: \$ _____

[Signature]
Signature
LPD FEF
Agency



NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Donald Tremblay
258 East Avenue
Lewiston, Maine 04240

Lionel and Rita Potvin
267 Lincoln Street
Lewiston, Maine 04240

Brianna Barlow and Chad Tremblay
267 ½ Lincoln Street
Lewiston, Maine 04240

Pamela Whitney
116 River Road
Lewiston, Maine 04240

Clermont Poulin
11 Poulin Lane
Auburn, Maine 04210

First Resolution Investment Corporation
c/o CT Corporation System
1536 Main Street
Readfield, Maine 04355

Federal Home Loan Mortgage Corporation
8200 Jones Branch Drive
McLean, Virginia 22102-3110

Rainbow Federal Credit Union
381 Main Street
Lewiston, Maine 04240

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

267 & 267 ½ LINCOLN STREET, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

September 16, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

This hearing is to determine whether the four accessory structures depicted on Exhibit A hereto, and which are generally known as 267 and 267 ½ Lincoln Street in Lewiston and are located in part on Tax Map 209, Lots 1, 2, 3, and 5, are dangerous buildings or nuisances within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structures are dangerous or nuisances, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structures. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The

City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

This hearing is your opportunity to present evidence as to why the structures are not dangerous or nuisances and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

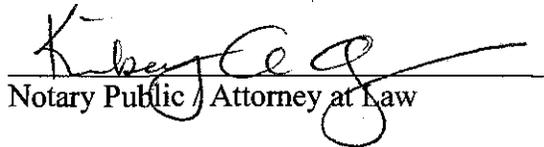
Dated:

8-21-14


Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.


Notary Public Attorney at Law

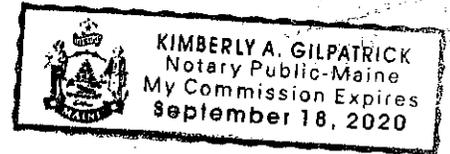
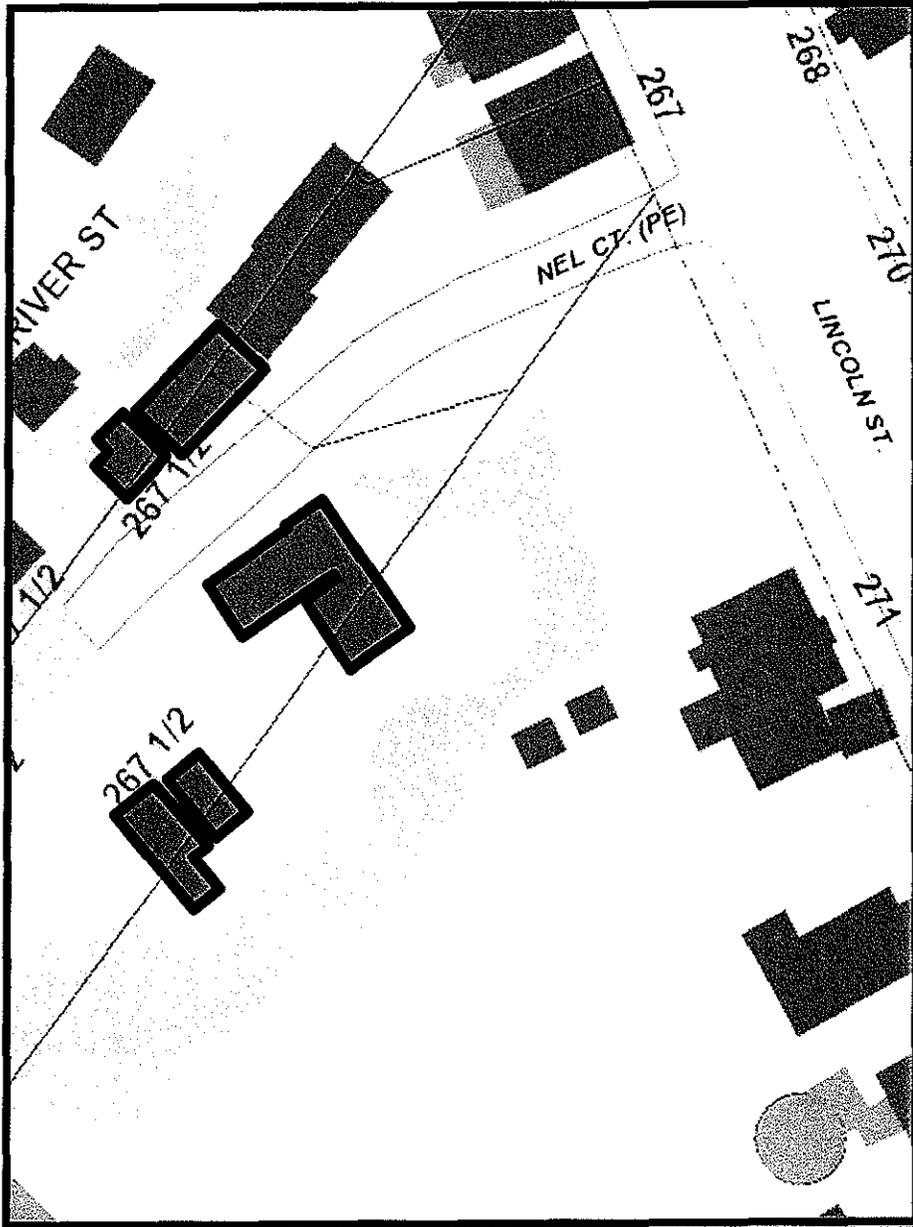


EXHIBIT A

267 1/2 Lincoln Street



CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
267 and 267 1/2 LINCOLN STREET, LEWISTON, MAINE
Pursuant to 17 M.R.S. §§ 2851, et seq.

On August 25, 2014 (date), I served the above-referenced NOTICE OF HEARING, a copy of which is attached hereto, by serving a copy of same to BRIANNA BARLOW and CHAD TREMBLAY at the following address:

Brianna Barlow and Chad Tremblay
267 1/2 Lincoln Street
Lewiston, ME 04240

Costs of Service:

Service: \$ _____
Travel: \$ _____
Postage: \$ _____
Other: \$ _____

TOTAL: \$ _____

[Handwritten Signature]
Signature
[Handwritten: LAD FSE]
Agency



NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Donald Tremblay
258 East Avenue
Lewiston, Maine 04240

Lionel and Rita Potvin
267 Lincoln Street
Lewiston, Maine 04240

Brianna Barlow and Chad Tremblay
267 ½ Lincoln Street
Lewiston, Maine 04240

Pamela Whitney
116 River Road
Lewiston, Maine 04240

Clermont Poulin
11 Poulin Lane
Auburn, Maine 04210

First Resolution Investment Corporation
c/o CT Corporation System
1536 Main Street
Readfield, Maine 04355

Federal Home Loan Mortgage Corporation
8200 Jones Branch Drive
McLean, Virginia 22102-3110

Rainbow Federal Credit Union
381 Main Street
Lewiston, Maine 04240

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

267 & 267 ½ LINCOLN STREET, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

September 16, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

This hearing is to determine whether the four accessory structures depicted on Exhibit A hereto, and which are generally known as 267 and 267 ½ Lincoln Street in Lewiston and are located in part on Tax Map 209, Lots 1, 2, 3, and 5, are dangerous buildings or nuisances within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structures are dangerous or nuisances, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structures. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The

City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

This hearing is your opportunity to present evidence as to why the structures are not dangerous or nuisances and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

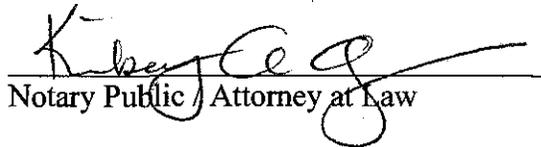
Dated:

8-21-14


Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.


Notary Public Attorney at Law

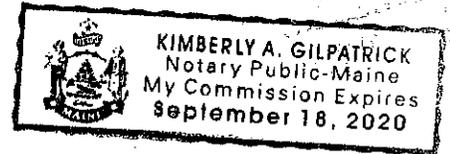
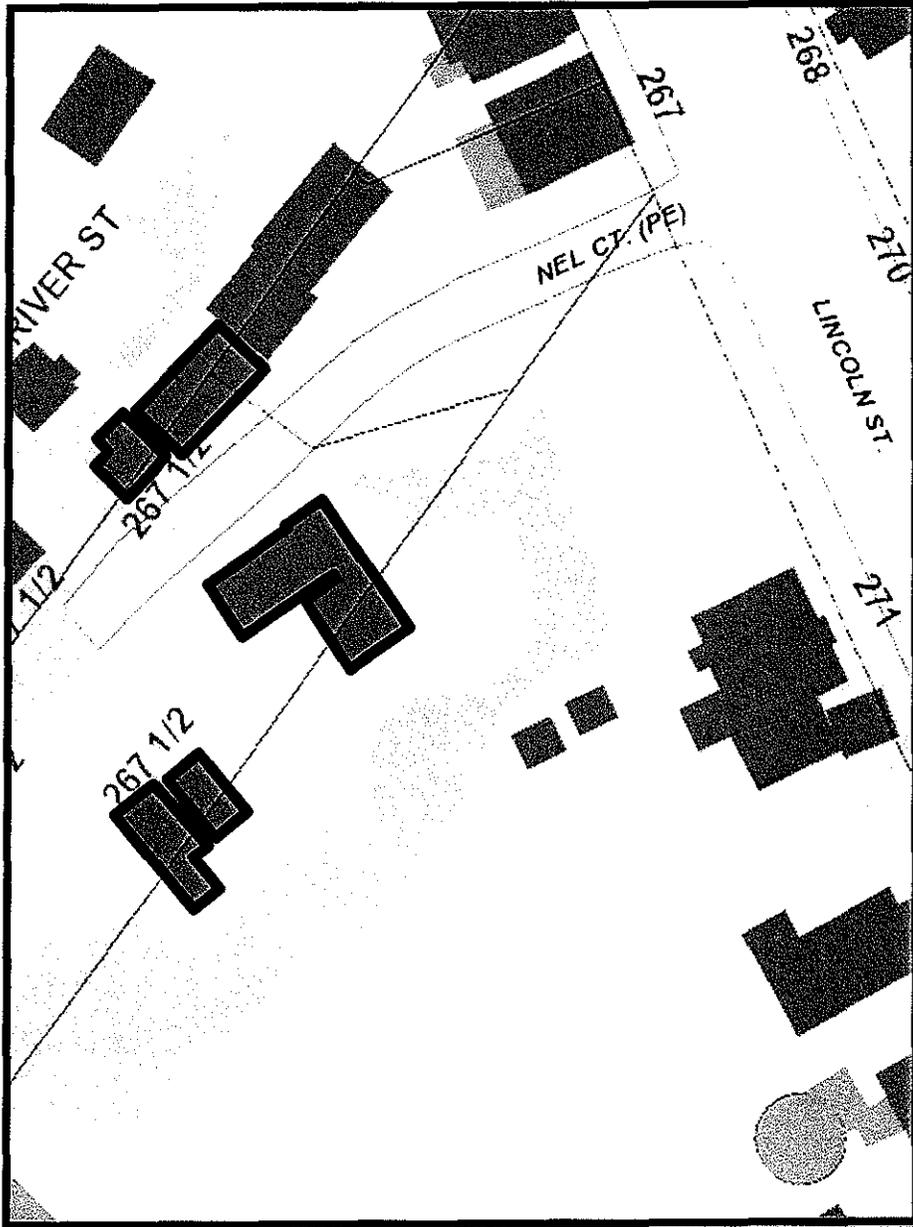


EXHIBIT A

267 1/2 Lincoln Street



Reloan

CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
267 and 267 1/2 LINCOLN STREET, LEWISTON, MAINE
Pursuant to 17 M.R.S. §§ 2851, et seq.

On August 22, 2014 (date), I served the above-referenced NOTICE OF HEARING, a copy of which is attached hereto, by serving a copy of same to CLERMONT POULIN at the following address:

Clermont Poulin
11 Poulin Lane
Auburn, ME 04210

Costs of Service:

Service: \$ _____
Travel: \$ _____
Postage: \$ _____
Other: \$ _____

TOTAL: \$ _____

Jeff Paul
Signature
LPO FSK
Agency



NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Donald Tremblay
258 East Avenue
Lewiston, Maine 04240

Lionel and Rita Potvin
267 Lincoln Street
Lewiston, Maine 04240

Brianna Barlow and Chad Tremblay
267 ½ Lincoln Street
Lewiston, Maine 04240

Pamela Whitney
116 River Road
Lewiston, Maine 04240

Clermont Poulin
11 Poulin Lane
Auburn, Maine 04210

First Resolution Investment Corporation
c/o CT Corporation System
1536 Main Street
Readfield, Maine 04355

Federal Home Loan Mortgage Corporation
8200 Jones Branch Drive
McLean, Virginia 22102-3110

Rainbow Federal Credit Union
381 Main Street
Lewiston, Maine 04240

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

267 & 267 ½ LINCOLN STREET, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

September 16, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

This hearing is to determine whether the four accessory structures depicted on Exhibit A hereto, and which are generally known as 267 and 267 ½ Lincoln Street in Lewiston and are located in part on Tax Map 209, Lots 1, 2, 3, and 5, are dangerous buildings or nuisances within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structures are dangerous or nuisances, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structures. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The

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This hearing is your opportunity to present evidence as to why the structures are not dangerous or nuisances and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

Dated:

8-21-14


Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.


Notary Public Attorney at Law

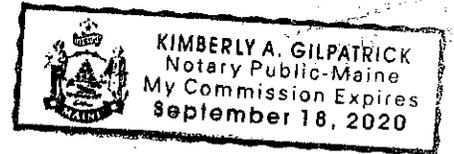
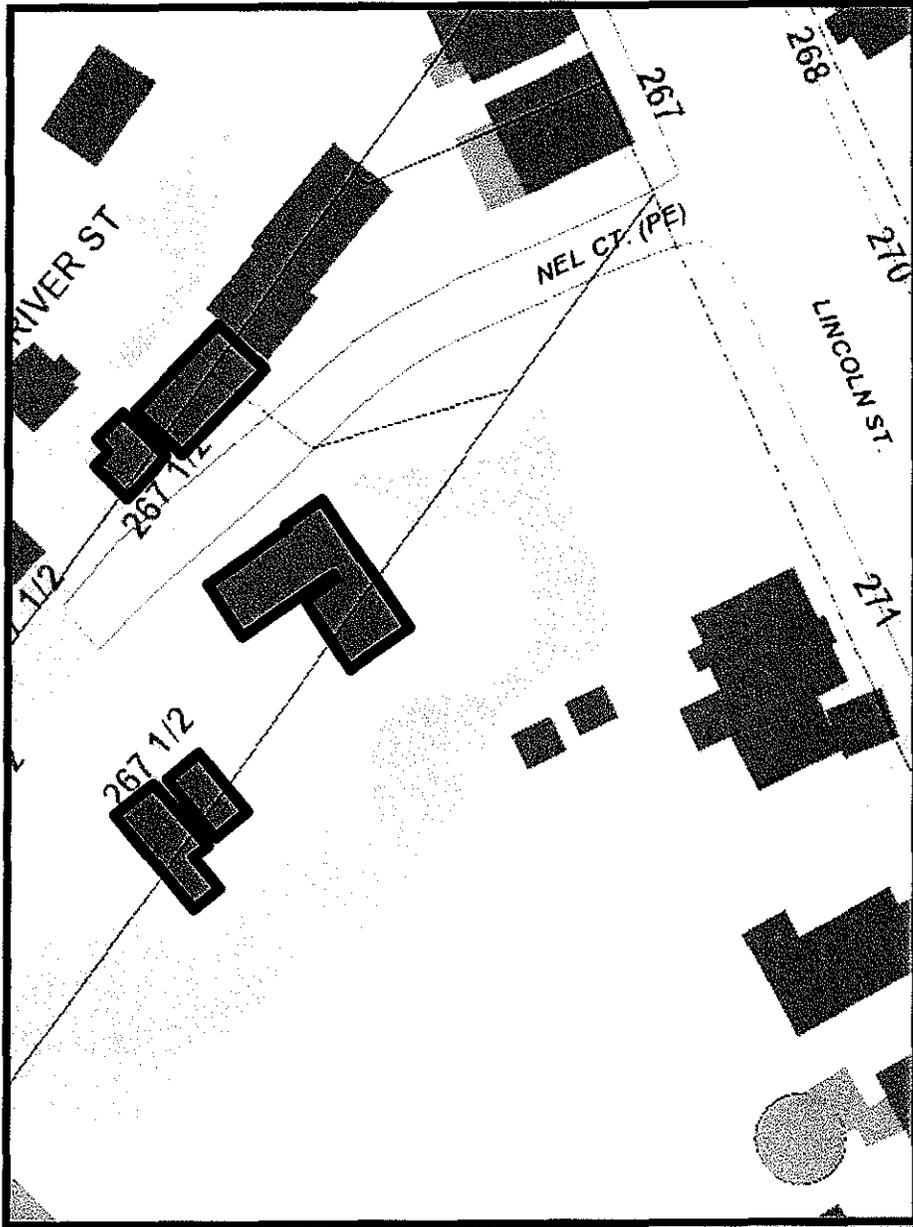


EXHIBIT A

267 1/2 Lincoln Street



CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
267 and 267 ½ LINCOLN STREET, LEWISTON, MAINE
Pursuant to 17 M.R.S. §§ 2851, et seq.

On August 25, 2014 (date), I served the above-referenced NOTICE OF HEARING, a copy of which is attached hereto, by serving a copy of same to Helen Bowens, the person authorized to accept service for FEDERAL HOME LOAN MORTGAGE CORPORATION, at the following address:

Federal Home Loan Mortgage Corporation
8200 Jones Branch Drive
McLean, VA 22102-3110

Costs of Service:

Service:	\$ _____
Travel:	\$ _____
Postage:	\$ _____
Other:	\$ _____
TOTAL:	\$ _____

[Handwritten Signature]
Signature

J Mand Associates
Agency



NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Donald Tremblay
258 East Avenue
Lewiston, Maine 04240

Lionel and Rita Potvin
267 Lincoln Street
Lewiston, Maine 04240

Brianna Barlow and Chad Tremblay
267 ½ Lincoln Street
Lewiston, Maine 04240

Pamela Whitney
116 River Road
Lewiston, Maine 04240

Clermont Poulin
11 Poulin Lane
Auburn, Maine 04210

First Resolution Investment Corporation
c/o CT Corporation System
1536 Main Street
Readfield, Maine 04355

Federal Home Loan Mortgage Corporation
8200 Jones Branch Drive
McLean, Virginia 22102-3110

Rainbow Federal Credit Union
381 Main Street
Lewiston, Maine 04240

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

267 & 267 ½ LINCOLN STREET, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

September 16, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

This hearing is to determine whether the four accessory structures depicted on Exhibit A hereto, and which are generally known as 267 and 267 ½ Lincoln Street in Lewiston and are located in part on Tax Map 209, Lots 1, 2, 3, and 5, are dangerous buildings or nuisances within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

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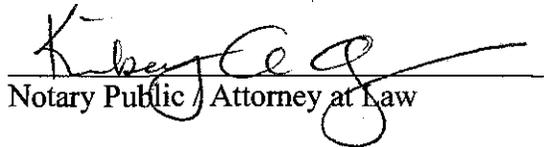
Dated:

8-21-14


Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

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Notary Public Attorney at Law

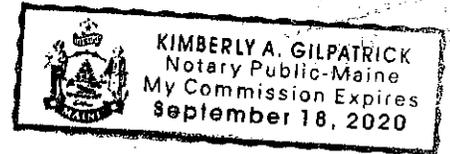
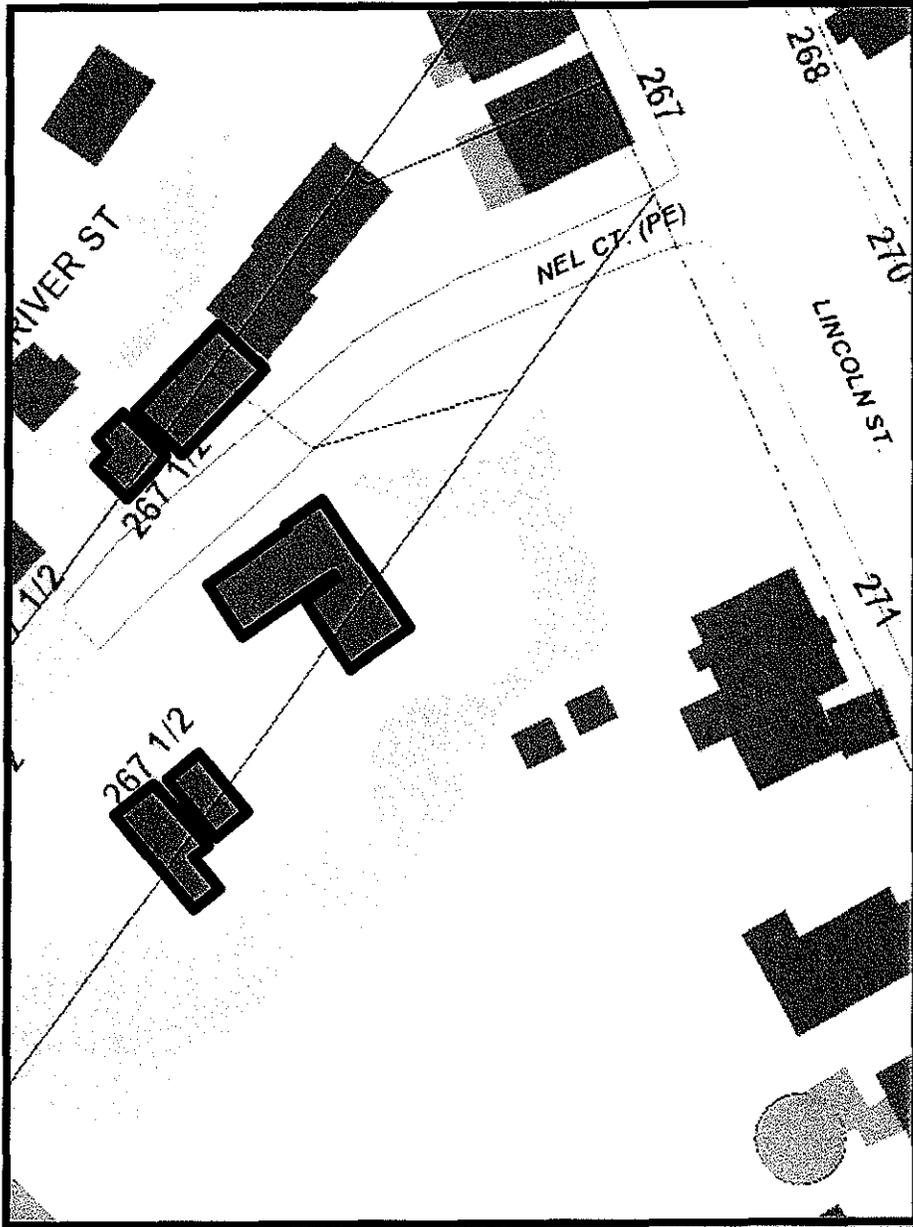


EXHIBIT A

267 1/2 Lincoln Street



CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
245 LINCOLN STREET, 267 & 267 ½ LINCOLN STREET,
398 LINCOLN STREET, 7 WILLOW CIRCLE,
251 LINCOLN STREET, 7 LINCOLN DRIVE
and 162 OXFORD STREET, LEWISTON, MAINE
Pursuant to 17 M.R.S. §§ 2851, et seq.

On 8-26, 2014 (date), I served the above-referenced NOTICES OF HEARING, copies of which are attached hereto, by serving a copy of same to Ronald Bissonnette, Registered Agent for Franklin Property, Inc., at the following address:

Franklin Property, Inc.
c/o Ronald Bissonnette, Registered Agent
Isaacson & Raymond
75 Park Street
Lewiston, ME 04240

Costs of Service:

Service:	\$	<u>21.00</u>
Travel:	\$	<u>1.60</u>
Postage:	\$	<u>1.00</u>
Other: <i>CP</i>	\$	<u>20.00</u>
TOTAL:	\$	<u>25.60</u>

J. Phalke
Signature

Androscoquin SD
Agency



NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Donald Tremblay
258 East Avenue
Lewiston, Maine 04240

Lionel and Rita Potvin
267 Lincoln Street
Lewiston, Maine 04240

Brianna Barlow and Chad Tremblay
267 ½ Lincoln Street
Lewiston, Maine 04240

Pamela Whitney
116 River Road
Lewiston, Maine 04240

Clermont Poulin
11 Poulin Lane
Auburn, Maine 04210

First Resolution Investment Corporation
c/o CT Corporation System
1536 Main Street
Readfield, Maine 04355

Federal Home Loan Mortgage Corporation
8200 Jones Branch Drive
McLean, Virginia 22102-3110

Rainbow Federal Credit Union
381 Main Street
Lewiston, Maine 04240

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

267 & 267 ½ LINCOLN STREET, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

September 16, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

This hearing is to determine whether the four accessory structures depicted on Exhibit A hereto, and which are generally known as 267 and 267 ½ Lincoln Street in Lewiston and are located in part on Tax Map 209, Lots 1, 2, 3, and 5, are dangerous buildings or nuisances within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

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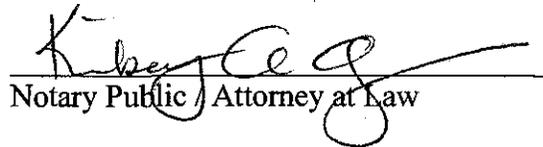
Dated:

8-21-14


Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.


Notary Public Attorney at Law

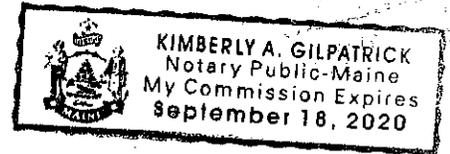
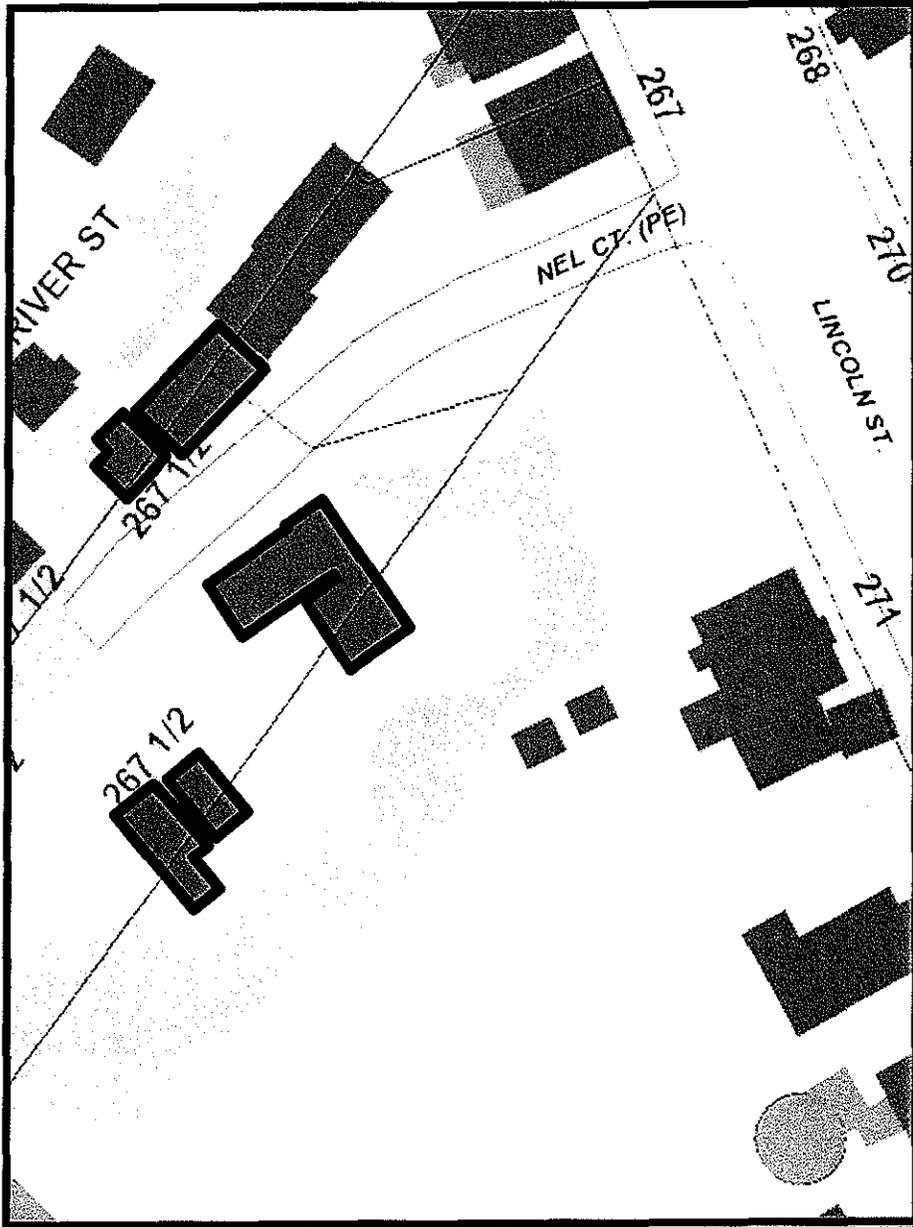


EXHIBIT A

267 1/2 Lincoln Street



CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
267 and 267 1/2 LINCOLN STREET, LEWISTON, MAINE
Pursuant to 17 M.R.S. §§ 2851, et seq.

On August 22, 2014 (date), I served the above-referenced NOTICE OF HEARING, a copy of which is attached hereto, by serving a copy of same to LIONEL and RITA POTVIN at the following address:

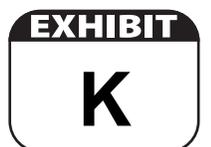
Lionel & Rita Potvin
267 Lincoln Street
Lewiston, ME 04240

Costs of Service:

Service: \$ _____
Travel: \$ _____
Postage: \$ _____
Other: \$ _____

TOTAL: \$ _____

Jeff S. Baul
Signature
LPD 858
Agency



NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Donald Tremblay
258 East Avenue
Lewiston, Maine 04240

Lionel and Rita Potvin
267 Lincoln Street
Lewiston, Maine 04240

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Pamela Whitney
116 River Road
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Clermont Poulin
11 Poulin Lane
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First Resolution Investment Corporation
c/o CT Corporation System
1536 Main Street
Readfield, Maine 04355

Federal Home Loan Mortgage Corporation
8200 Jones Branch Drive
McLean, Virginia 22102-3110

Rainbow Federal Credit Union
381 Main Street
Lewiston, Maine 04240

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

267 & 267 ½ LINCOLN STREET, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

September 16, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

This hearing is to determine whether the four accessory structures depicted on Exhibit A hereto, and which are generally known as 267 and 267 ½ Lincoln Street in Lewiston and are located in part on Tax Map 209, Lots 1, 2, 3, and 5, are dangerous buildings or nuisances within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

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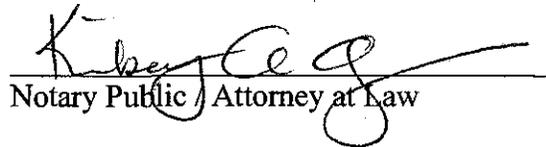
Dated:

8-21-14


Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.


Notary Public Attorney at Law

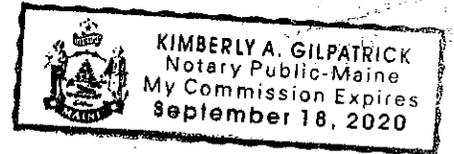
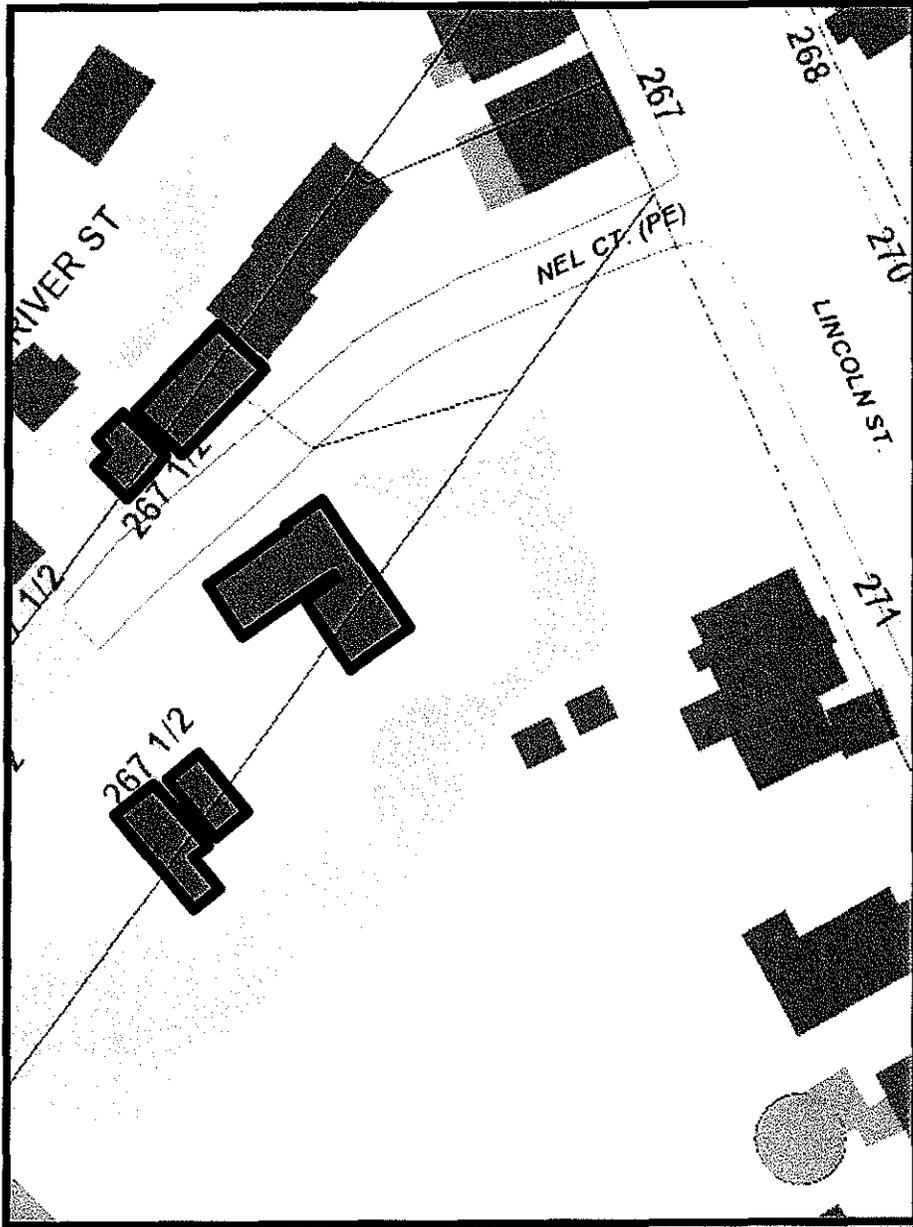


EXHIBIT A

267 1/2 Lincoln Street



CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
267 and 267 1/2 LINCOLN STREET, LEWISTON, MAINE
Pursuant to 17 M.R.S. §§ 2851, et seq.

On August 25, 2014 (date), I served the above-referenced NOTICE OF HEARING, a copy of which is attached hereto, by serving a copy of same to PAMELA WHITNEY at the following address:

Pamela Whitney
116 River Road
Lewiston, ME 04240

Costs of Service:

Service: \$ _____
Travel: \$ _____
Postage: \$ _____
Other: \$ _____

TOTAL: \$ _____

[Signature]
Signature
LPO FSI
Agency



NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Donald Tremblay
258 East Avenue
Lewiston, Maine 04240

Lionel and Rita Potvin
267 Lincoln Street
Lewiston, Maine 04240

Brianna Barlow and Chad Tremblay
267 ½ Lincoln Street
Lewiston, Maine 04240

Pamela Whitney
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Lewiston, Maine 04240

Clermont Poulin
11 Poulin Lane
Auburn, Maine 04210

First Resolution Investment Corporation
c/o CT Corporation System
1536 Main Street
Readfield, Maine 04355

Federal Home Loan Mortgage Corporation
8200 Jones Branch Drive
McLean, Virginia 22102-3110

Rainbow Federal Credit Union
381 Main Street
Lewiston, Maine 04240

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

267 & 267 ½ LINCOLN STREET, LEWISTON, MAINE

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September 16, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

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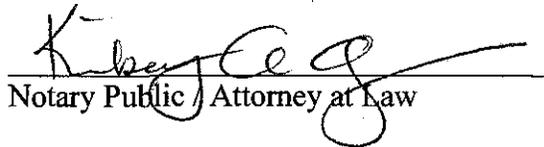
Dated:

8-21-14


Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

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Notary Public Attorney at Law

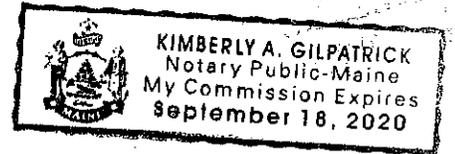
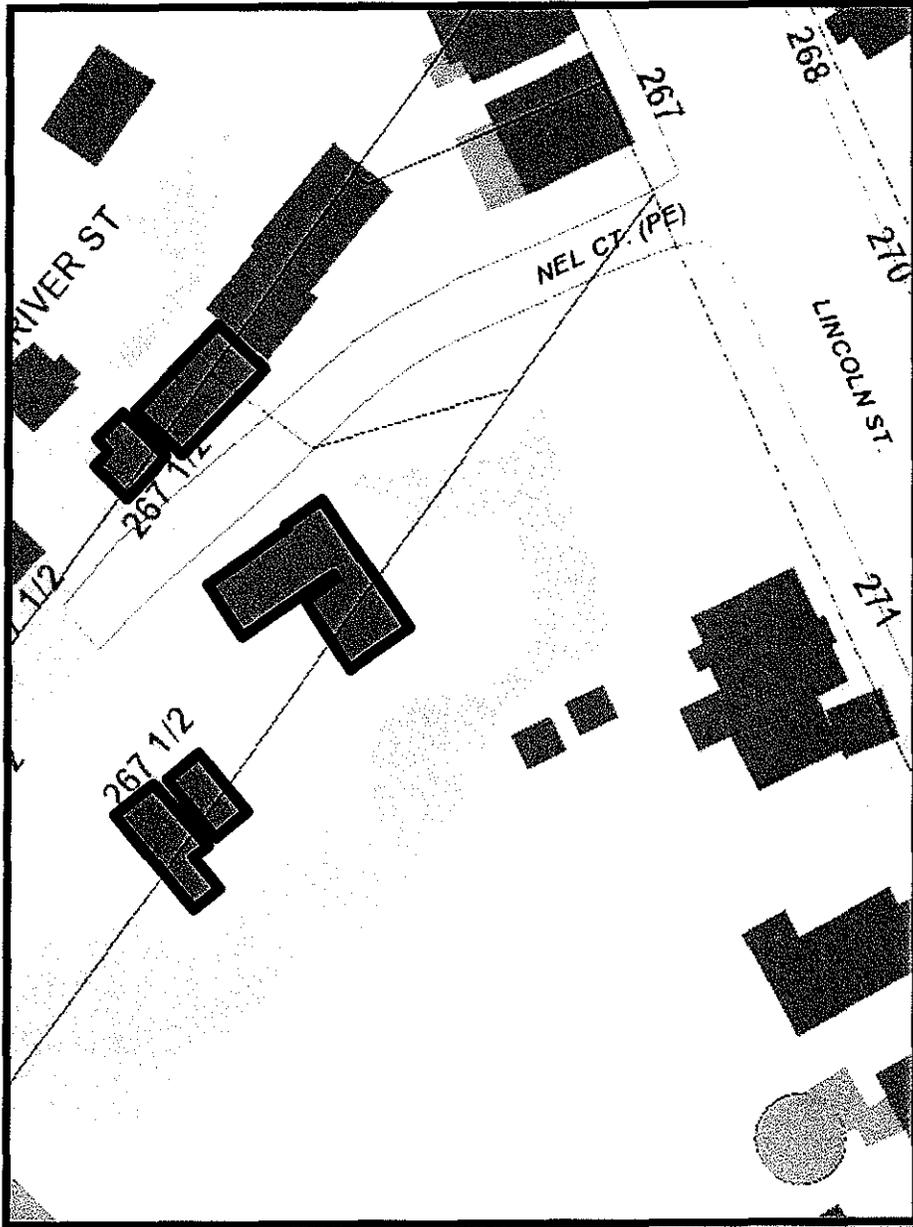


EXHIBIT A

267 1/2 Lincoln Street



Return

CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
267 and 267 1/2 LINCOLN STREET, LEWISTON, MAINE
Pursuant to 17 M.R.S. §§ 2851, et seq.

On AUG 26 2014, 2014 (date), I served the above-referenced NOTICE OF HEARING, a copy of which is attached hereto, by serving a copy of same to CT Corporation System, Registered Agent for FIRST RESOLUTION INVESTMENT CORPORATION, at the following address:

First Resolution Investment Corporation
CT Corporation, Registered Agent
1536 Main Street
Readfield, ME 04355

Costs of Service:

Service: \$ _____
Travel: \$ _____
Postage: \$ _____
Other: \$ _____

TOTAL: \$ _____


Signature

HARRY MCKENNEY
Chief Civil Deputy

Agency KENNEBEC COUNTY
SHERIFF'S OFFICE



NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Donald Tremblay
258 East Avenue
Lewiston, Maine 04240

Lionel and Rita Potvin
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c/o CT Corporation System
1536 Main Street
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Federal Home Loan Mortgage Corporation
8200 Jones Branch Drive
McLean, Virginia 22102-3110

Rainbow Federal Credit Union
381 Main Street
Lewiston, Maine 04240

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

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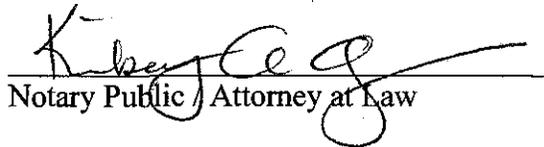
Dated:

8-21-14


Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

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Notary Public Attorney at Law

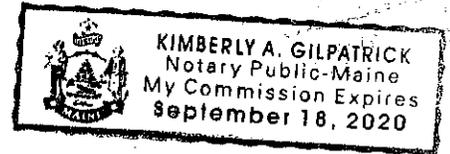
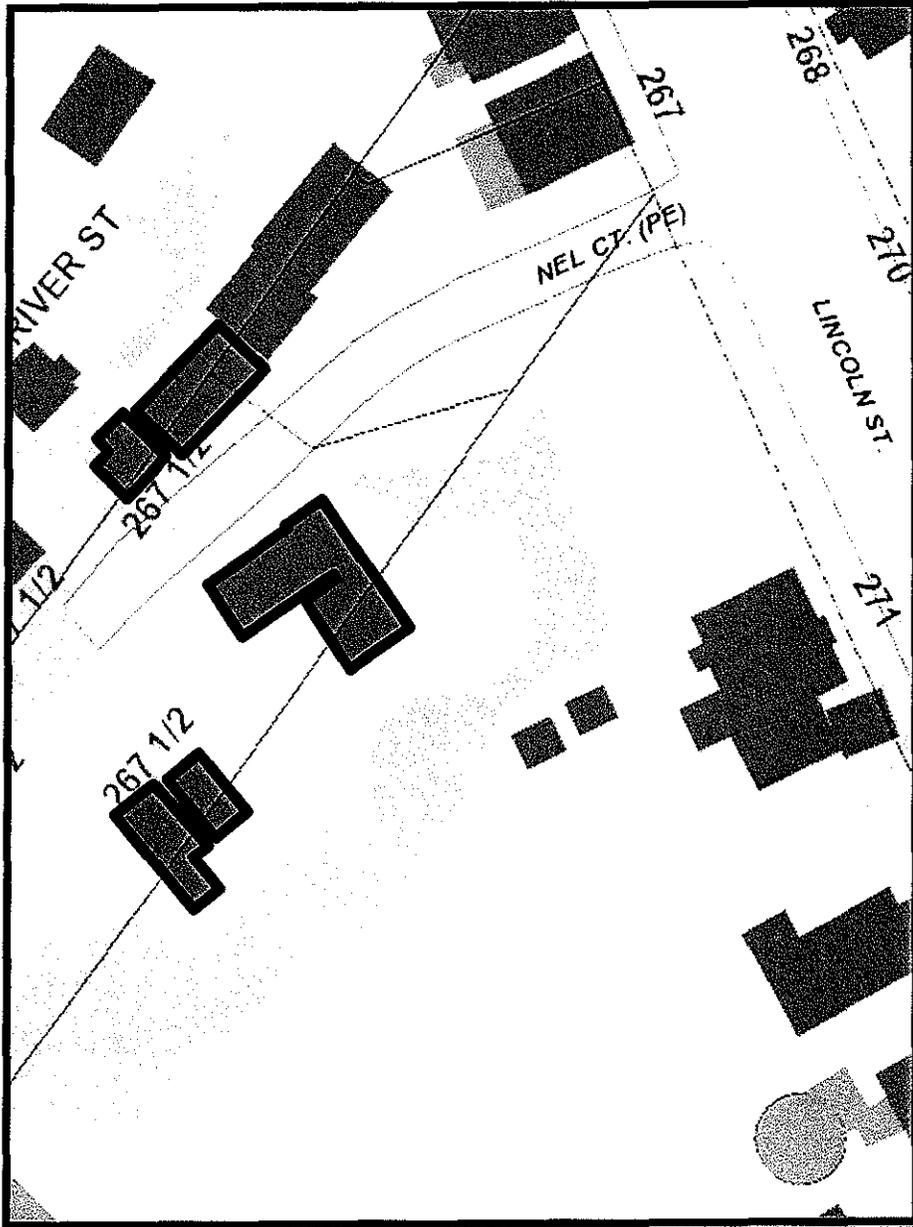


EXHIBIT A

267 1/2 Lincoln Street



Return

CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
267 and 267 1/2 OXFORD STREET, LEWISTON, MAINE
Pursuant to 17 M.R.S. §§ 2851, et seq.

On 8-25, 2014 (date), I served the above-referenced NOTICE OF HEARING, a copy of which is attached hereto, by serving a copy of same to a person authorized to accept service for Rainbow Federal Credit Union, , at the following address:

Rainbow Federal Credit Union
381 Main Street
Lewiston, ME 04240

Costs of Service:

Service:	\$	<u>21.00</u>
Travel:	\$	<u>1.60</u>
Postage:	\$	<u>1.00</u>
Other: <i>CP</i>	\$	<u>2.00</u>
TOTAL:	\$	<u>25.60</u>



Signature



Agency



NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Donald Tremblay
258 East Avenue
Lewiston, Maine 04240

Lionel and Rita Potvin
267 Lincoln Street
Lewiston, Maine 04240

Brianna Barlow and Chad Tremblay
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McLean, Virginia 22102-3110

Rainbow Federal Credit Union
381 Main Street
Lewiston, Maine 04240

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

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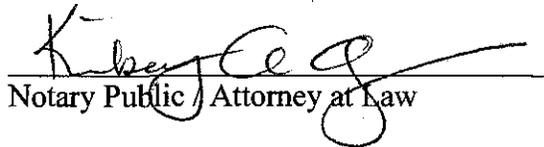
Dated:

8-21-14


Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

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Notary Public Attorney at Law

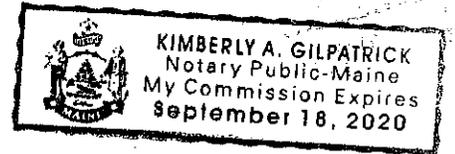
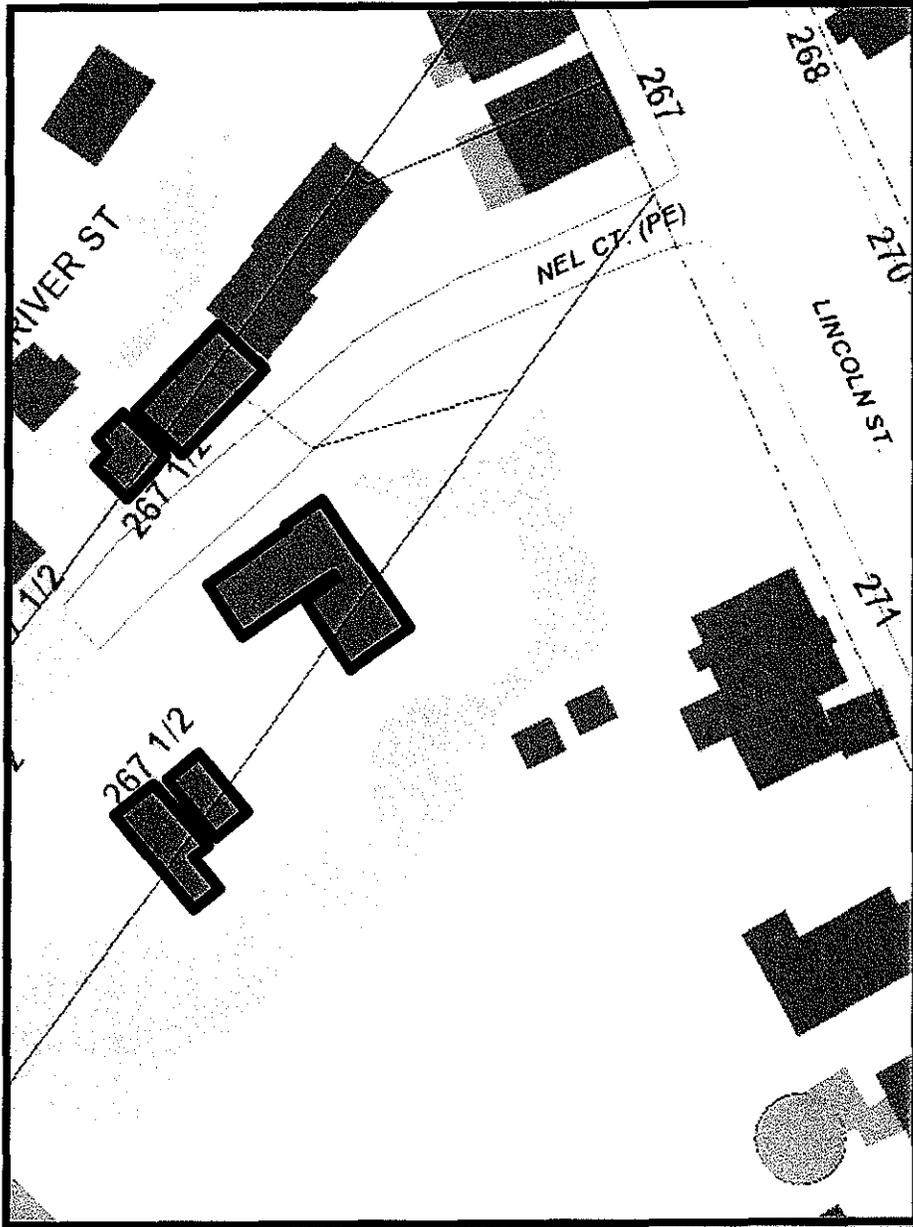


EXHIBIT A

267 1/2 Lincoln Street



PHOTOGRAPHS

267 1/2 Lincoln Street
Franklin Property Trust Land

Photo #1 taken February 23, 2010 of garages out of rack and leaning showing severe deterioration.

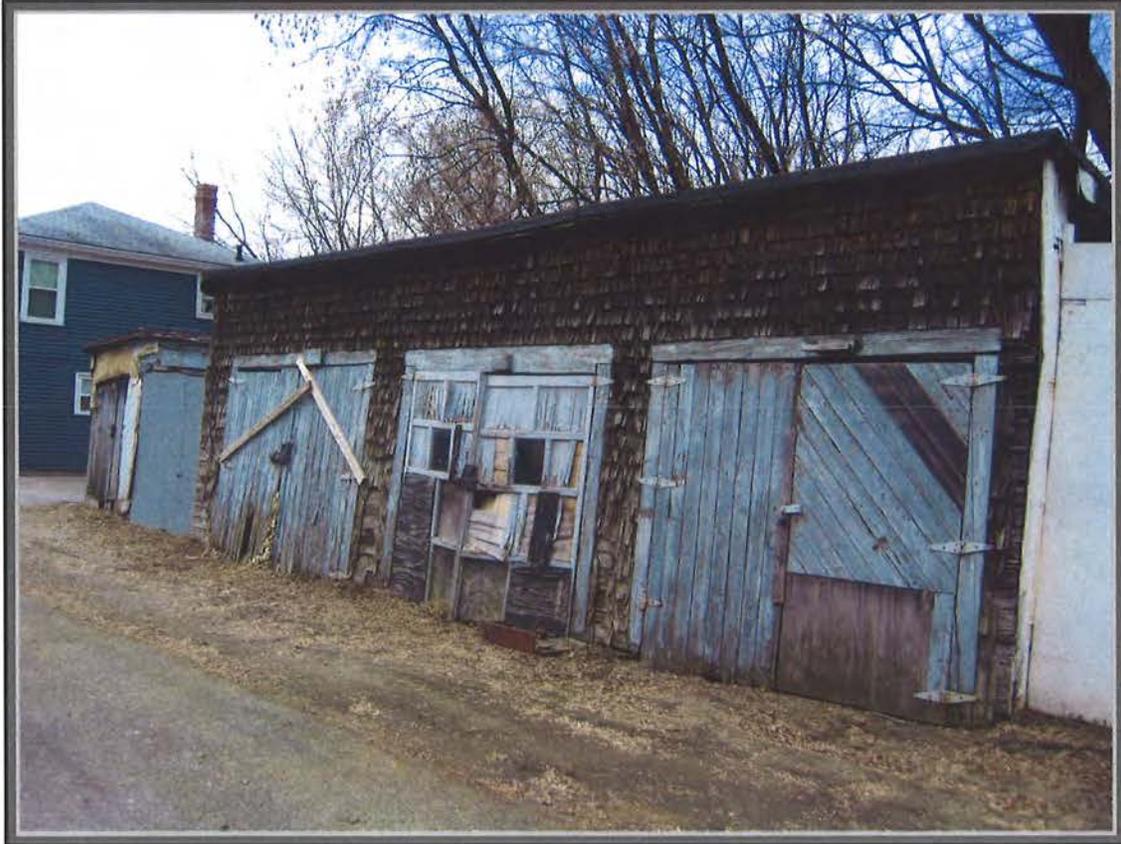


Photo # 2 taken August 27, 2014 continuing neglect and deterioration of garages filled with debris.



Photo # 3. View of garage filled with debris contributing to fire loading.



Photo #4 taken February 23, 2010 showing a severely deteriorated garage.

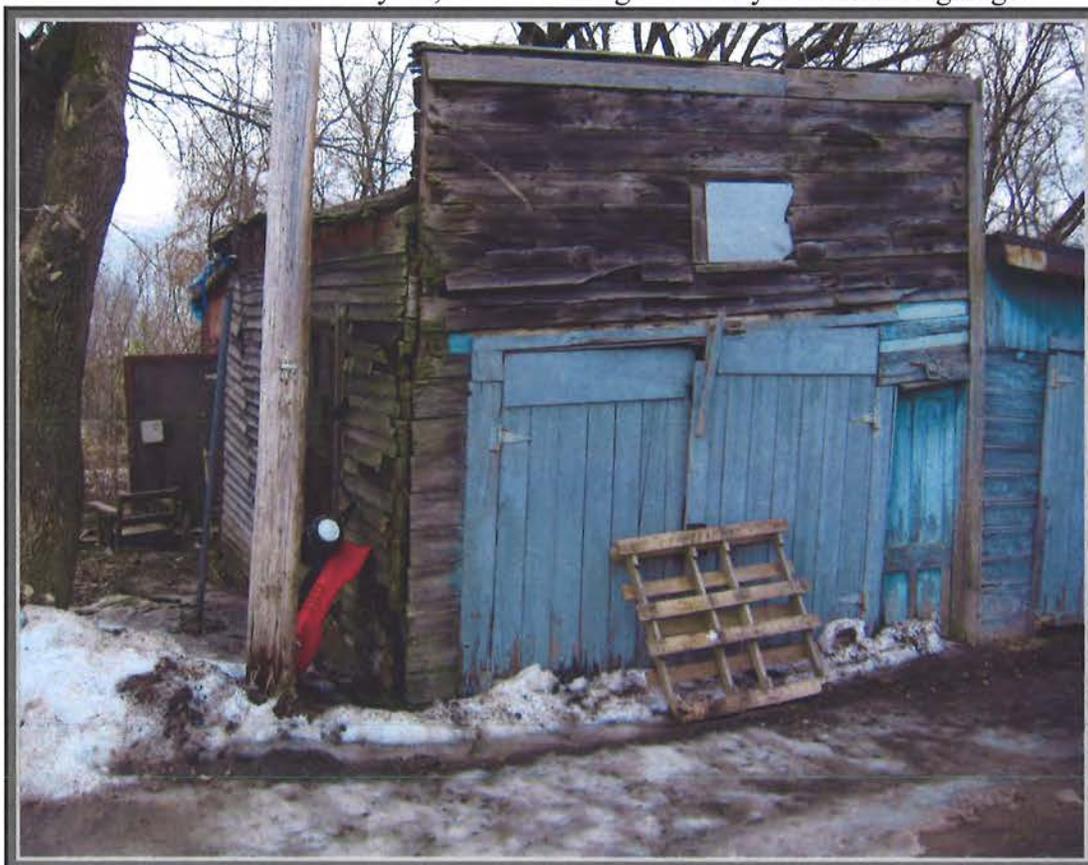


Photo # 5 taken September 8, 2014 of severely deteriorated garages with doors open making for an attractive nuisance.

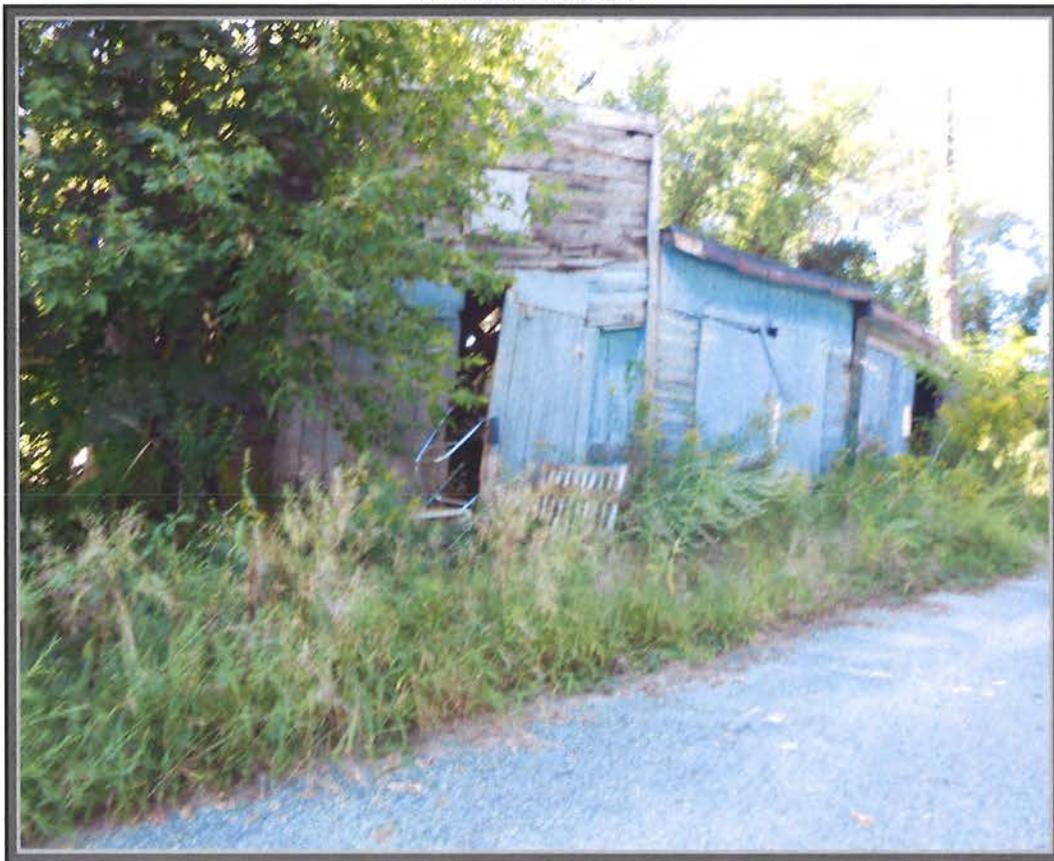


Photo # 6 taken September 8, 2014 showing the collapsed roof of the garage.



Photo # 7 taken September 8, 2014 showing another section of garage with a collapsed roof.

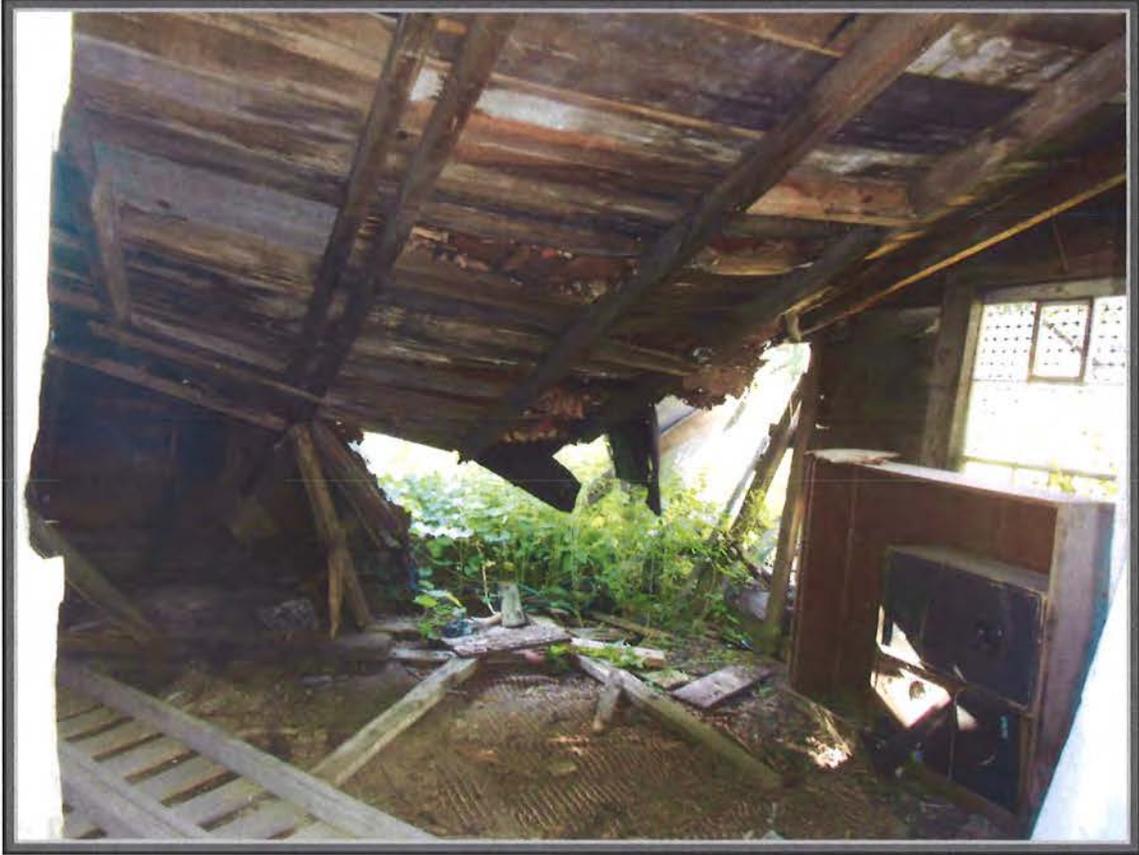


Photo # 8 taken February 23, 2010 of the front view of a deteriorated garage with a blue tarp over the roof.



Photo # 9 taken August 27, 2014 showing conditions continuing without correction.



Photo # 10 taken February 23, 2010 showing the rear view of garage with blue tarp. Note truck bed next to building.



Photo # 11 also taken February 23, 2010 showing severely deteriorated garages.



Photo # 12 taken September 8, 2014 showing the continued deterioration of garages and collapse.



Photo # 13 shows a barrel of a-Propyl Acetate. Other than what is indicated, contents are undetermined.



Photo # 14 taken February 23, 2010 showing severely deteriorated garages.



Photo #15 taken September 8, 2014 showing the continuing deterioration of the garages.



LEWISTON CITY COUNCIL

MEETING OF SEPTEMBER 16, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 16

SUBJECT:

Condemnation Hearing for the building located at 7 Lincoln Drive.

INFORMATION:

The City has begun the process for condemnation of the property at 7 Lincoln Drive under the dangerous building classification. This property has been abandoned by the owner and upon inspection of city staff has been determined to be an unsafe structure.

The agenda background material pertains to the condition of this property. The City Attorney will be present on Tuesday evening to assist the City Council with the condemnation hearing and to advise accordingly.

PLEASE NOTE - The background material for this agenda item is included in a separate binder that was distributed with the meeting agenda binder.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EA/B/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
---	---	---	---	---	---	---	---

1) To conduct a hearing to determine if the building located at 7 Lincoln Drive has meet the dangerous building statutes as defined in Title 17, sec. 2851 et all.

If it is determined that the building does meet the dangerous building criteria, then the Council is asked :

2) With regard to the property at 7 Lincoln Drive, to adopt the Findings of Fact, Conclusions of Law and Order of Demolition proposed by the City Planning and Code Enforcement Department, which Order establishes the corrective action to be taken by the property owner and the time frame for taking such action, and which authorizes the City Administrator to take such corrective action if the property owner fails to do so, and to recoup the City's costs through a special tax or collective action.

7 LINCOLN DRIVE

OWNERSHIP DOCUMENTS

STATE OF MAINE

SUPERIOR COURT

_____, ss.
Docket No. _____

DISTRICT COURT

Location Lewiston

Docket No. LEW-FM-06-808

Dawn Marie Bishop, Plaintiff

vs.

Edward T.S. Bishop, Defendant

ABSTRACT OF DIVORCE DECREE

I, Susan C. Bement, the Acting Clerk
of the Lewiston District Court, in the Town of Lewiston,
County of Androscoggin, certify that the divorce judgment dated
September 5, 2007 became final on September 5, 2007 between

Dawn Marie L. Bishop, Plaintiff, of Androscoggin, Lewiston,
and Edward T.S. Bishop, Defendant, of Androscoggin,

The following is a true copy of so much of the decree as it relates to the disposition or transfer of
real estate in Androscoggin County:

Description of real estate: The real estate described in a deed recorded in the
Androscoggin county Registry of Deeds in book 6429, pg 11 is
awarded to plaintiff who shall be solely responsible for payment
of any and all debts, encumbrances, costs or expenses now existing
or hereafter incurred, relating to the real estate and who shall indemnify
and hold the other party harmless therefrom, except that defendant is
liable for the debt on a lease he was ordered to pay in Lewis-PA-2006-00717

Encumbrance against the real estate (in the verbatim language used by court): _____

Statement of ownership interest intended by the court: _____

Changes to parties' names after the decree: Dawn Marie L. Brown

Date: October 2, 2007

(Seal of Court)
Susan C. Bement
Clerk

Susan C. Bement
Typed or Printed Name of Clerk

SEAL

This certificate is to be recorded in the Registry of Deeds for the county listed above.

Return to: _____
CV-171, Rev. 09/03

ANDROSCOGGIN COUNTY
Tina K. Chouard
REGISTER OF DEEDS



MAINE SHORT-FORM WARRANTY DEED

RITA S. BELIVEAU of Lewiston, Androscoggin County and State of Maine, for consideration paid, grants to EDWARD T.S. BISHOP of (7 Lincoln Drive) Lewiston, Androscoggin County and State of Maine and DAWN MARIE L. BISHOP of (7 Lincoln Drive) Lewiston, Androscoggin County and State of Maine, with Warranty Covenant, as joint tenants, the land with any buildings thereon, situated in Lewiston, Androscoggin County and State of Maine bounded and described as follows:

MAINE REAL ESTATE
TRANSFER TAX PAID

1. BEGINNING at an iron pin on the Northwesterly line of a seventy (70') foot strip of land formerly owned by F. R. Lepage Bakery, Inc. as described in Androscoggin County Registry of Deeds, Book 1184, Page 207, said point being located North fifty-six degrees fifty-nine minutes thirty seconds East (N 56° 59' 30" E) and one hundred and four (104') feet away from the intersection of the said Northwesterly line and the Northeasterly line of Lincoln Street, so-called; thence North fifty-six degrees fifty-nine minutes thirty seconds East (N 56° 59' 30" E), along land formerly owned by the Franklin Company and now owned by the Franklin Property Trust, sixty and ninety-eight hundredths (60.98') feet to an iron pin; thence South thirty-four degrees eight minutes seventeen seconds East (S 34° 8' 17" E) twenty-five and forty-three hundredths (25.43') feet to an iron pin; thence North sixty-nine degrees fifty-seven minutes fifty seconds East (N 69° 57' 50" E) eighty-seven and eighty-two hundredths (87.82') feet to an iron pin at land now or formerly of the Maine Central Railroad; thence South three degrees no minutes thirty seconds East (S 3° 00' 30" E) along said Maine Central Railroad's land twenty-eight and seventy-one hundredths (28.71') feet to an iron pin and land formerly of the said Franklin Company; thence South fifty-six degrees fifty-nine minutes thirty seconds West (S 56° 59' 30" W), along land formerly of the said Franklin Company seventy-one and eleven hundredths (71.11') feet to an iron pin; thence North eighty-three degrees fifty-one minutes five seconds West (N 83° 51' 5" W) thirty-four and thirty-nine hundredths (34.39') feet to an iron pin; thence South seventy degrees twenty-one minutes thirty seconds West (S 70° 21' 30" W) forty-two and ten hundredths (42.10') feet to an iron pin; thence North twenty-five degrees no minutes thirty seconds West (N 25° 00' 30" W) thirty-eight and ninety-two hundredths (38.92') feet to an iron pin at the point of beginning. Containing six thousand twenty-nine (6,029) square feet.

TOGETHER with the right to pass over a strip of land ten (10') feet wide and forty-two (42') feet deep and located between the house of these Grantees and the house of Richard Ricker and Jacqueline Ricker; and subject to the said Rickers' right to pass over said strip. The center of said right-of-way is the property line dividing the premises herein conveyed and the premises conveyed to the said Richard Ricker and Jacqueline Ricker by deed dated March 31, 1978 and recorded in said Registry of Deeds, Book 1358, Page 62.

ALSO with the right to pass over a strip of land ten (10') feet wide and immediately adjoining the back of the garage of these grantees solely for the purpose of painting or repairing said garage.

BEING the same premises conveyed to Albert A. Beliveau and Rita R. Beliveau, as joint tenants, by Warranty Deed of Willie H. Belanger, Albert A. Beliveau, Wilfrid A. Bilodeau, Real Fournier, Alfred A. Jolin, Leo L. Levesque, Carmel Ricker, Richard Ricker and Gedeon A. Rouleau dated March 31, 1978 and recorded in said Registry of Deeds, Book 1358, Page 64. Said Albert A. Beliveau died on February 7, 1991.

2. BEGINNING at an iron pin on the Northwesterly line of a seventy (70') foot strip of land formerly owned by F. R. Lepage Bakery, Inc. as described in Androscoggin County Registry of Deeds, Book 1184, Page 207, said point being located North fifty-six degrees fifty-nine minutes thirty seconds East (N 56° 59' 30" E) and one hundred four (104') feet away from the intersection of said Northwesterly line and the Northeasterly line of Lincoln Street, so-called; thence North fifty-six degrees fifty-nine minutes thirty seconds East (N 56° 59' 30" E), along land formerly of the Franklin Company and now of the Franklin Property Trust, sixty and ninety-eight hundredths (60.98') feet to an iron pin; thence South thirty-four degrees eight minutes seventeen seconds East (S 34° 08' 17" E) twenty-five (25') feet to a point; thence Southeasterly to the Southwesterly line of land of now or formerly of Michael E. Roberts and Pauline L. Roberts as described in a deed recorded in said Registry of Deeds, Book 2498, Page 198; thence North twenty-five degrees no minutes thirty seconds West (N 25° 00' 30" W) fourteen (14') feet to the point of beginning.

BEING the same premises conveyed by Michael E. Roberts and Pauline L. Roberts to Rita S.



Beliveau, by Warranty Deed dated December 7, 1993 and recorded in said Registry of Deeds, Book 3175, Page 252.

THIS conveyance is made subject to all easements of record.

ALSO hereby conveying all rights privileges, and easements pertinent to the aforesaid premises.

WITNESS my hand and seal this twelfth day of July, 2005.

[Handwritten signature]

Rita S. Beliveau

By: *[Handwritten signature]*
ALBERT A. BELIVEAU, JR.
her attorney-in-fact

STATE OF MAINE

Androscoggin, ss.

July 12, 2005

Personally appeared the above-named Albert A. Beliveau, Jr., who signed the foregoing instrument as the attorney of the above named Rita S. Beliveau, and acknowledged the same to be his free act and deed.

SEAL

Before me,

[Handwritten signature]
Monique Y. Couturier, Notary Public

(BivRS.WDJ/05/D1/RLC/rte)
TITLE NOT SEARCHED/DESCRIPTION NOT VERIFIED

ANDROSCOGGIN COUNTY
[Handwritten signature]
REGISTER OF DEEDS

WARRANTY DEED

LEO L. LEVESQUE of Lewiston, County of Androscoggin and State of Maine, for consideration paid, grants to **LEWISTON AND AUBURN RAILROAD COMPANY**, a Maine corporation with a principal place of business in Lewiston, County of Androscoggin and State of Maine, with **WARRANTY COVENANTS**, a certain lot or parcel of land, together with the buildings and improvements thereon, situated in Lewiston, County of Androscoggin and State of Maine, bounded and described as follows:

Beginning at an iron pin on the Northwesterly line of a seventy (70') foot strip of land formerly owned by F.R. Lepage Bakery, Inc. as described in a deed recorded in Androscoggin County Registry of Deeds, Book 1184, Page 207, said point being North fifty-six degrees fifty-nine minutes thirty seconds East (N 56° 59' 30" E) and one hundred sixty-four and ninety-eight hundredths (164.98') feet away from the intersection of said Northwesterly line and the Northeasterly line of Lincoln Street, so-called; thence North fifty-six degrees fifty-nine minutes thirty seconds East (N 56° 59' 30" E) along land now or formerly owned by the Franklin Company one hundred twelve and fourteen hundredths (112.14') feet to an iron pin at land now or formerly owned by the Maine Central Railroad; thence South three degrees no minutes thirty seconds East (S 3° 00' 30" E) along said Maine Central Railroad land fifty-two and twelve hundredths (52.12') feet to an iron pin; thence South sixty-nine degrees fifty-seven minutes fifty seconds West (S 69° 57' 50" W) eighty-seven and eighty-two hundredths (87.82') feet to an iron pin; thence North thirty-four degrees eight minutes seventeen seconds West (N 34° 8' 17" W) twenty-five and forty-three hundredths (25.43') feet to an iron pin and the point of beginning. Containing three thousand six hundred thirteen (3,613) square feet.

Being the same premises conveyed to Leo L. Levesque and Muriel Levesque by deed of Willie H. Belanger et als dated March 31, 1978 and recorded in the Androscoggin County Registry of Deeds in Book 1358, Page 56. Said Leo L. Levesque is the surviving joint tenant of Muriel Levesque who died on June 14, 1997.

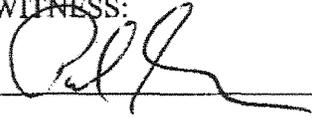
The premises hereinabove described are conveyed subject to any easements and restrictions of record and together with the benefit of all rights, easements, privileges and appurtenances belonging thereto.

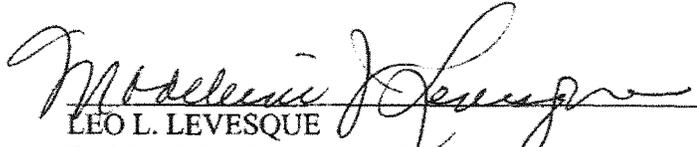
MAINE REAL ESTATE
TRANSFER TAX PAID



WITNESS my hand and seal this 18th day of August, 2004.

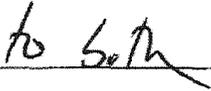
WITNESS:

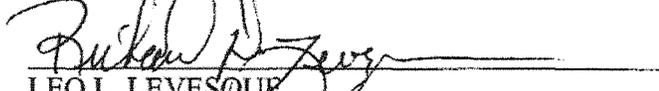




LEO L. LEVESQUE

By Madeleine J. Levesque, his attorney-in-fact
under Power of Attorney dated August 23, 2002 and
to be recorded herewith





LEO L. LEVESQUE

By Richard D. Levesque, his attorney-in-fact
under Power of Attorney dated August 23, 2002 and
to be recorded herewith

STATE OF MAINE
ANDROSCOGGIN, SS

August 18, 2004

Personally appeared the above-named Madeleine J. Levesque and Leo L. Levesque in their capacities as attorney-in-fact for Leo L. Levesque and acknowledged the foregoing instrument to be their free act and deed and the free act and deed of said Leo L. Levesque.

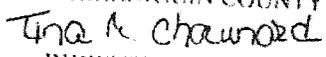
Before me,



Notary Public/Attorney at Law

Print name Paul R. Gosselin

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ANDROSCOGGIN COUNTY

REGISTER OF DEEDS

WARRANTY DEED

PAULINE L. ROBERTS of Lewiston, County of Androscoggin and State of Maine, for consideration paid, grants to **LEWISTON AND AUBURN RAILROAD COMPANY**, a Maine corporation with a principal place of business in Lewiston, County of Androscoggin and State of Maine, with **WARRANTY COVENANTS**, a certain lot or parcel of land, together with the buildings and improvements thereon, situated in Lewiston, County of Androscoggin and State of Maine, bounded and described as follows:

MAINE REAL ESTATE
TRANSFER TAX PAID

Beginning at an iron pin on the northwesterly line of a seventy (70') foot strip of land formerly owned by F.R. Lepage Bakery, Inc. as described in Androscoggin County Registry of Deeds, Book 1184, Page 207, said point being located north fifty-six degrees fifty-nine minutes thirty seconds east (N 56° 59' 30" E) and one hundred four (104') feet away from the intersection of said northwesterly line and the northeasterly line of Lincoln Street, so-called; thence north fifty-six degrees fifty-nine minutes thirty seconds east (N 56° 59' 30" E) along land now or formerly owned by the Franklin Company sixty and ninety-eight hundredths (60.98') feet to an iron pin; thence south thirty-four degrees eight minutes seventeen seconds east (S 34° 8' 17" E) twenty-five and forty-three hundredths (25.43') feet to an iron pin; thence north sixty-nine degrees fifty-seven minutes fifty seconds east (N 69° 57' 50" E) eighty-seven and eighty-two hundredths (87.82') feet to an iron pin at land now or formerly owned by the Maine Central Railroad; thence south three degrees no minutes thirty seconds east (S 3° 00' 30" E) along said Maine Central Railroad's land twenty-eight and seventy-one hundredths (28.71') feet to an iron pin and land now or formerly owned by the said Franklin Company; thence south fifty-six degrees fifty-nine minutes thirty seconds west (S 56° 59' 30" W) along the said Franklin Company's land seventy-one and eleven hundredths (71.11') feet to an iron pin; thence north eighty-three degrees fifty-one minutes five seconds west (N 83° 51' 5" W) thirty-four and thirty-nine hundredths (34.39') feet to an iron pin; thence south seventy degrees twenty-one minutes thirty seconds west (S 70° 21' 30" W) forty-two and ten hundredths (42.10') feet to an iron pin; thence north twenty-five degrees no minutes thirty seconds west (N 25° 00' 30" W) thirty-eight and ninety-two hundredths (38.92') feet to an iron pipe at the point of beginning. Containing six thousand twenty-nine (6,029) square feet.

Together with the right to pass over a strip of land ten (10') feet wide and forty-two feet deep and located between the house of Albert A. and Rita R. Beliveau and the house of Richard Ricker. The center of said right-of-way shall be the property line dividing the premises herein conveyed and the premises conveyed by Willie Belanger et al to the said Richard Ricker and Jacqueline Ricker.

Also the right to pass over a strip of land ten (10') feet wide and immediately adjoining the back of the garage of the said Albert A. and Rita R. Beliveau solely for the purpose of painting or repairing the said garage.

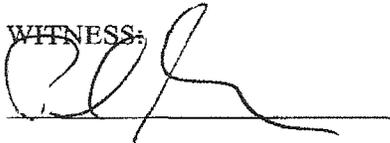


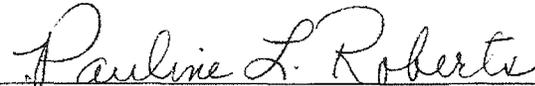
Also with the right to pass and repass along a driveway dividing this parcel from other land of the said Albert A. and Rita R. Beliveau for the purpose of repairing and maintaining the dwelling located hereon.

Being the same premises conveyed to Pauline L. Roberts by deed of Michael E. Roberts dated August 17, 1995 and recorded in the Androscoggin County Registry of Deeds in Book 3485, Page 89.

The premises hereinabove described are conveyed subject to any easements and restrictions of record and together with the benefit of all rights, easements, privileges and appurtenances belonging thereto.

WITNESS my hand and seal this 2nd day of August, 2004.

WITNESS: 


PAULINE L. ROBERTS

STATE OF MAINE
ANDROSCOGGIN, SS

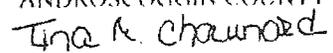
August 2, 2004

Personally appeared the above-named Pauline L. Roberts and acknowledged the foregoing instrument to be her free act and deed.

Before me,


Notary Public/Attorney at Law
Print name Paul R. Gosselin

K:\DENISECFiles\Closings\Lewiston and Auburn Railroad closings\roberts deed.clo.wpd

ANDROSCOGGIN COUNTY

REGISTER OF DEEDS

09841

BOOK 1540 PAGE 073

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS that Maine Central Railroad Company, a corporation formed under the laws of Maine and having a principal place of business in Portland, County of Cumberland, State of Maine, in consideration of one dollar and other valuable consideration paid by the Franklin Property Trust, with a principal place of business in Lewiston, County of Androscoggin, State of Maine, receipt of which is hereby acknowledged, does hereby remise, release, bargain, sell, convey and forever quitclaim unto the said Franklin Property Trust, its successors and assigns forever, a certain parcel of land in the City of Lewiston, County of Androscoggin, State of Maine, more particularly described as follows:

Beginning at a point in the northerly sideline of the first parcel of land conveyed by Franklin Company to Maine Central Railroad Company by deed dated August 31, 1881, and recorded in Androscoggin Registry of Deeds, in Book 104, Page 578, said point lying twenty (20) feet westerly of the point of beginning of said first parcel of the August 31, 1881 deed;

Thence, westerly in the said northerly sideline of said first parcel a distance of eighty-four and thirty-five hundredths (84.35) feet, more or less, to a point;

Thence, southeasterly by an interior angle of eighty-eight degrees thirty-six minutes and twenty seconds (88°36'20"), a distance of two hundred seventy-nine and sixteen hundredths (279.16) feet, more or less, to a stone bound;

Thence, southeasterly by an interior angle of one hundred seventy-three degrees (173°), a distance of three hundred six (306) feet, more or less, to a point lying twenty (20) feet westerly from, when measured normal to, said easterly sideline of said first parcel of the said August 31, 1881 deed;

Thence, northerly in a line parallel to and always twenty (20) feet westerly of said easterly sideline of the said first parcel described in the August 31, 1881 deed for a distance of four hundred ninety-four (494) feet, more or less, to a point;



Thence, by an interior angle of one hundred seventy-six degrees nine minutes and thirty seconds (176°9'30") in a line parallel to and always twenty (20) feet westerly of said easterly sideline of said first parcel as described in deed of August 31, 1881, a distance of eighty-seven and four tenths (87.4) feet, more or less, to the point of beginning, containing seventy-one hundredths (0.71) acres, more or less.

Meaning and intending to convey the first parcel less a twenty (20) feet wide strip described in a deed from Franklin Company to the Maine Central Railroad Company, dated August 31, 1881, and recorded in Androscoggin Registry of Deeds in Book 104, Page 578. Further reference may be had to the following deeds recorded in said Registry of Deeds in Book 1226, Page 328; Book 1226, Page 330; Book 1416, Page 37; Book 1533, Page 282; and Book 1533, Page 285.

TO HAVE AND TO HOLD the aforegranted and bargained premises with all the privileges and appurtenances thereof to the said Franklin Property Trust, its successors and assigns, to it and its use and behoof forever.

IN WITNESS WHEREOF, the said John F. Gerity, President of Maine Central Railroad Company, hereunto duly authorized, has set his hand and seal this 7th day of August, in the year of Our Lord, A.D. 1981.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

MAINE CENTRAL RAILROAD COMPANY



[Signature]

By: *John F. Gerity*

STATE OF MAINE
CUMBERLAND, ss.

August 7, 1981

Personally appeared the above-named John F. Gerity, President of Maine Central Railroad Company, and acknowledged the foregoing instrument to be the free act and deed of the said Maine Central Railroad Company.

Before me,

Sandra H. Schultz
Notary Public

MY COMMISSION EXPIRES
NOVEMBER 27, 1981



ANDROSCOGGIN SS
RECEIVED AUG 21 1981
AT 3 H. - M. P. M.
and recorded from original

**NOTICE OF HEARING
CERTIFICATES OF SERVICE**

NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

Lewiston and Auburn Railroad Company
c/o David C. Pierson, Esq.
Eaton Peabody
One Portland Square, 7th Floor
Portland, Maine 04101

John B. Beliveau
Heir of Rita S. Beliveau
12 Benson Street
Lewiston, Maine 04240

Albert A. Beliveau, Jr.
Heir of Rita S. Beliveau
121 Riverside Drive
Auburn, Maine 04210

Dawn-Marie Brown (nee Bishop)
471 Court Street
Auburn, Maine 04210

Paul Creamer
664 Buckfield Rd.
South Paris, Maine 04281

Linda Sherwood
36 Chestnut Street, Apt. 411
Lewiston, Maine 04240

7 LINCOLN DRIVE, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

September 16, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

This hearing is to determine whether the residential structure and accessory garage at 7 Lincoln Drive, Lewiston, Maine, which primary structure is located entirely on Lot 125 on Tax Map 208, and which garage is located partially on Lot 125 and partially on Tax Map 209, Lots 25 and 26, and which are further described in a deed recorded in the Androscoggin County Registry of Deeds at Book 7273, Page 170 and depicted on the attached Exhibit A, are dangerous buildings or nuisances within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structures are dangerous or nuisances, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structures. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.



This hearing is your opportunity to present evidence as to why the structures are not dangerous or nuisances and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

Dated:

8-21-14

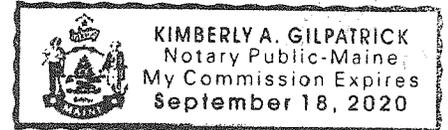

Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.


Notary Public / Attorney at Law

SEAL



7 Lincoln Drive



Poor Copy At Time Of Recording
Will Not Reproduce Clearly

ANDROSCOGGIN COUNTY
TINA M CHOUINARD
REGISTER OF DEEDS

CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
245 LINCOLN STREET, 267 & 267 1/2 LINCOLN STREET,
398 LINCOLN STREET, 7 WILLOW CIRCLE,
251 LINCOLN STREET, 7 LINCOLN DRIVE
and 162 OXFORD STREET, LEWISTON, MAINE
Pursuant to 17 M.R.S. §§ 2851, et seq.

On 8-26, 2014 (date), I served the above-referenced NOTICES OF HEARING, copies of which are attached hereto, by serving a copy of same to Ronald Bissonnette, Registered Agent for Franklin Property, Inc., at the following address:

Franklin Property, Inc.
c/o Ronald Bissonnette, Registered Agent
Isaacson & Raymond
75 Park Street
Lewiston, ME 04240

Costs of Service:

Service:	\$	<u>21.00</u>
Travel:	\$	<u>1.60</u>
Postage:	\$	<u>1.00</u>
Other: <i>CP</i>	\$	<u>200</u>
TOTAL:	\$	<u>25.60</u>

J. Phalep
Signature

Androscoffin SD
Agency



NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

Peggy & Clifton Cummings
69 Lincoln Street, Apt. 3
Lewiston, Maine 04240

North Star Capital Acquisition, LLC
c/o Corporation System
1536 Main Street
Readfield, Maine 04355

398 LINCOLN STREET, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

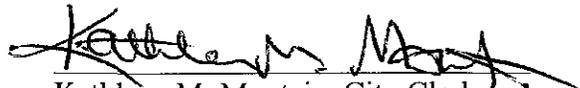
September 16, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

This hearing is to determine whether the residential structure and accessory garage at 398 Lincoln Street, Lewiston, Maine, located on Lot 1 on Tax Map 198 and depicted on the attached Exhibit A, are dangerous buildings or nuisances within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structures are dangerous or nuisances, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structures. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

This hearing is your opportunity to present evidence as to why the structures are not dangerous or nuisances and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

Dated: 8-21-14


Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.


Notary Public / Attorney at Law

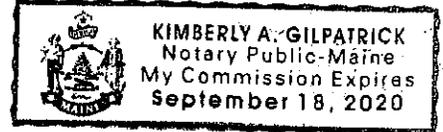
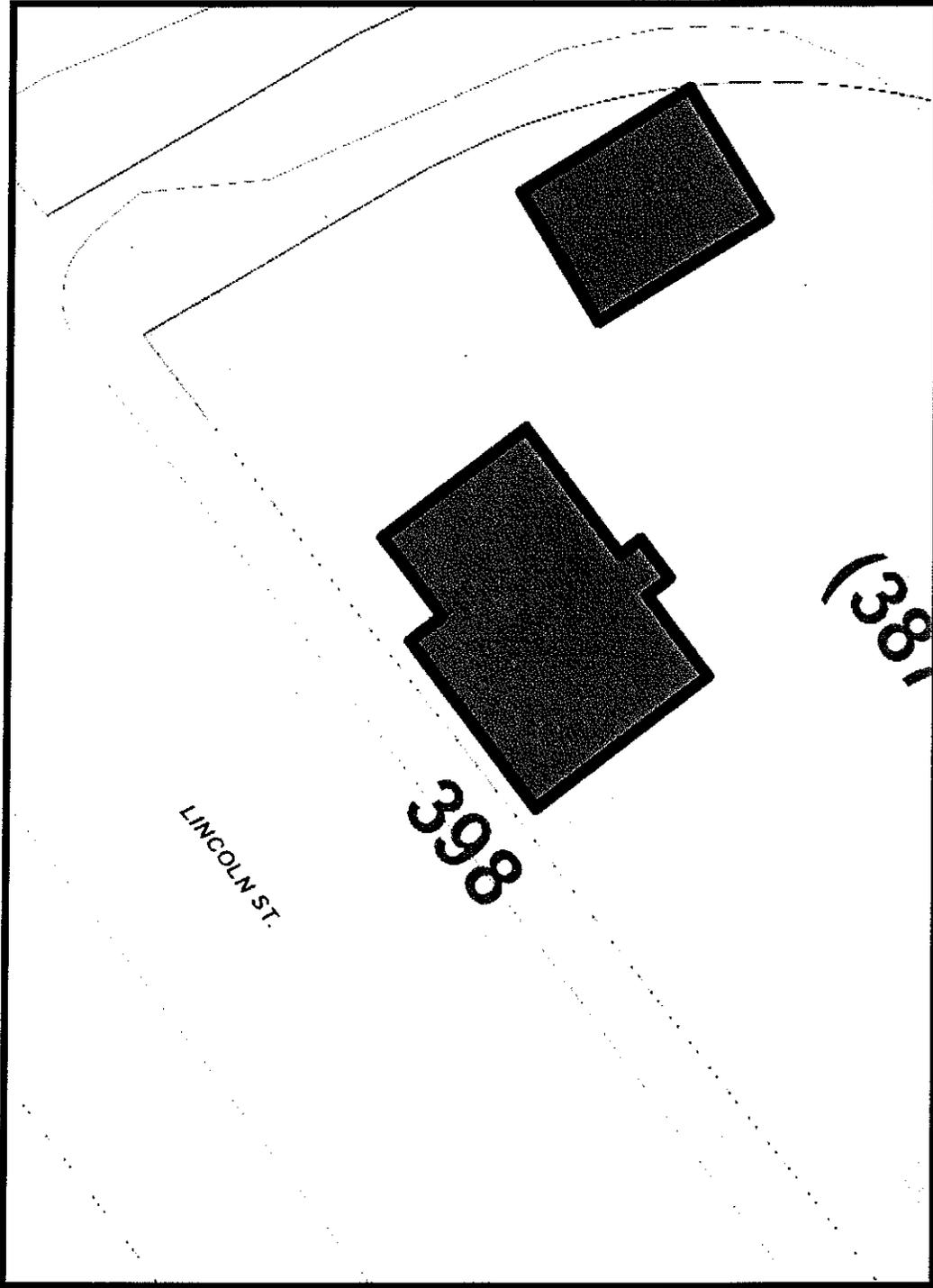


EXHIBIT A

398 Lincoln Street



CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

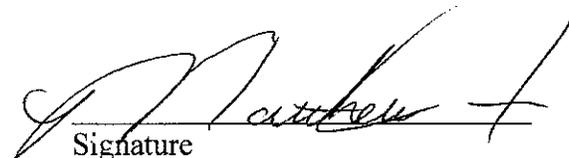
NOTICE OF HEARING
7 LINCOLN DRIVE, LEWISTON, MAINE
Pursuant to 17 M.R.S. §§ 2851, et seq.

On 8/20, 2014 (date), I served the above-referenced NOTICE OF HEARING, a copy of which is attached hereto, by serving a copy of same Christopher J. Ryer, Esq., attorney for Ethel G. Creamer, Personal Representative of the Estate of Paul C. Creamer, at the following address:

Ethel G. Creamer, Personal Representative
Estate of Paul C. Creamer
c/o Christopher J. Ryer, Esq.
Desmond & Rand, PA
55 Stroudwater Street
Westbrook, ME 04092-4033
(207) 854-1218

Costs of Service:

Service:	\$	16 00
Travel:	\$	9 70
Postage:	\$	60
Other:	\$	5 00
TOTAL:	\$	31 30


Signature

CCSO
Agency



NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

Lewiston and Auburn Railroad Company
c/o David C. Pierson, Esq.
Eaton Peabody
One Portland Square, 7th Floor
Portland, Maine 04101

John B. Beliveau
Heir of Rita S. Beliveau
12 Benson Street
Lewiston, Maine 04240

Albert A. Beliveau, Jr.
Heir of Rita S. Beliveau
121 Riverside Drive
Auburn, Maine 04210

Dawn-Marie Brown (nee Bishop)
471 Court Street
Auburn, Maine 04210

Paul Creamer
664 Buckfield Rd.
South Paris, Maine 04281

Linda Sherwood
36 Chestnut Street, Apt. 411
Lewiston, Maine 04240

7 LINCOLN DRIVE, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

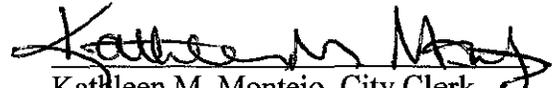
September 16, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

This hearing is to determine whether the residential structure and accessory garage at 7 Lincoln Drive, Lewiston, Maine, which primary structure is located entirely on Lot 125 on Tax Map 208, and which garage is located partially on Lot 125 and partially on Tax Map 209, Lots 25 and 26, and which are further described in a deed recorded in the Androscoggin County Registry of Deeds at Book 7273, Page 170 and depicted on the attached Exhibit A, are dangerous buildings or nuisances within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structures are dangerous or nuisances, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structures. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

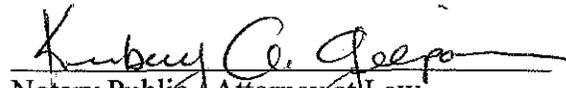
This hearing is your opportunity to present evidence as to why the structures are not dangerous or nuisances and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

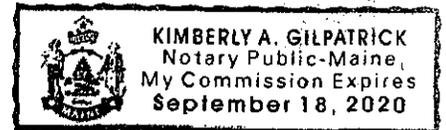
Dated: 8-21-14


Kathleen M. Montejo, City Clerk

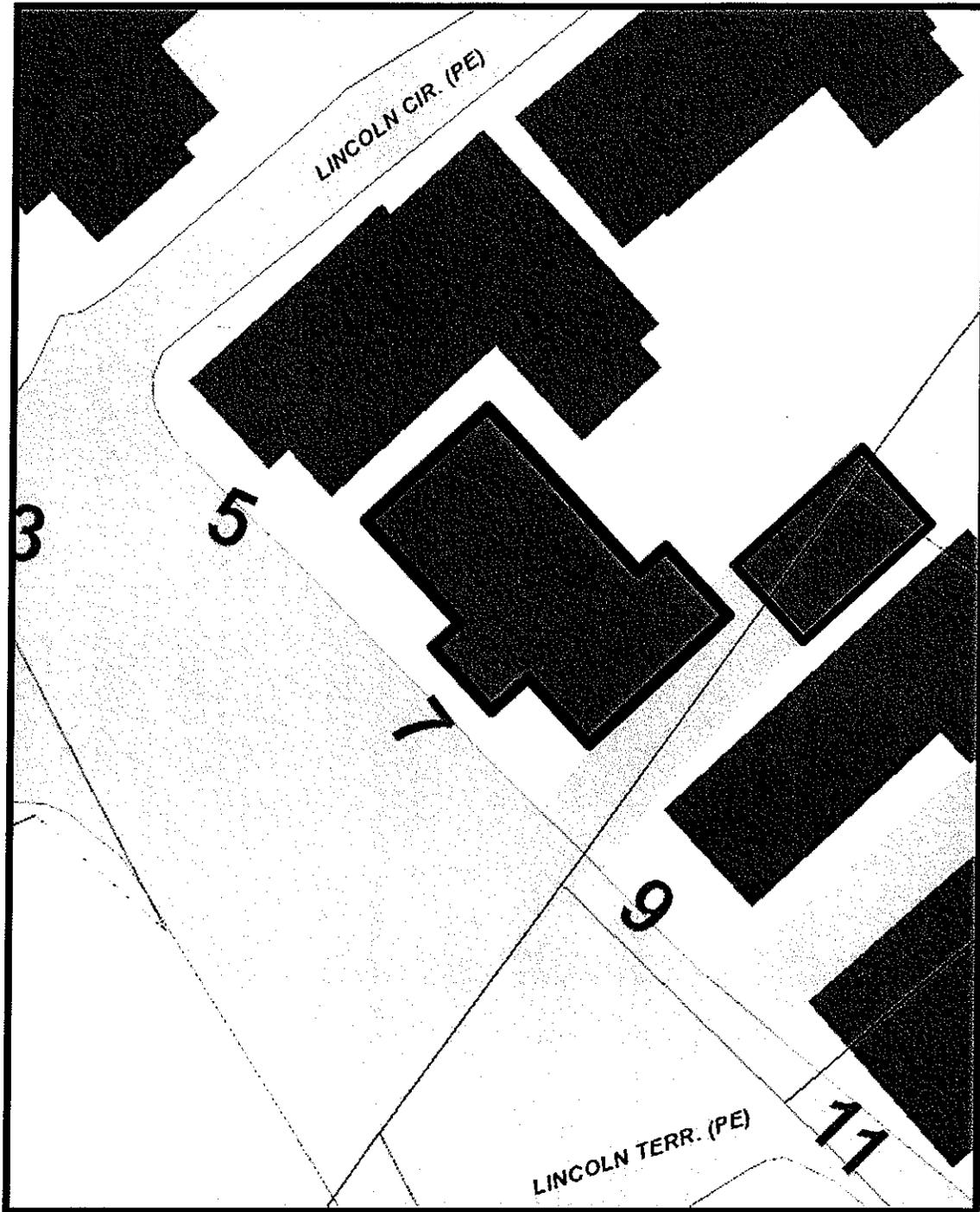
STATE OF MAINE
ANDROSCOGGIN, ss

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.


Notary Public Attorney at Law



7 Lincoln Drive



Reb...

CITY OF LEWISTON
CITY COUNCIL

ACKNOWLEDGEMENT OF SERVICE

NOTICE OF HEARING PURSUANT TO 17 M.R.S. §§ 2851-59
7 LINCOLN DRIVE, LEWISTON, MAINE

Due and sufficient service of the Notice of Hearing, a copy of which is attached hereto, pursuant to 17 M.R.S. §§ 2851-59 for 7 LINCOLN DRIVE in Lewiston, Maine is hereby acknowledged for and on behalf of LEWISTON & AUBURN RAILROAD COMPANY. All formal service of process is hereby waived.

LEWISTON & AUBURN RAILROAD COMPANY

Dated: 8/22/14

By: [Signature]
David C. Pierson, Esq.



NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

Lewiston and Auburn Railroad Company
c/o David C. Pierson, Esq.
Eaton Peabody
One Portland Square, 7th Floor
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John B. Beliveau
Heir of Rita S. Beliveau
12 Benson Street
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Albert A. Beliveau, Jr.
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Paul Creamer
664 Buckfield Rd.
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Linda Sherwood
36 Chestnut Street, Apt. 411
Lewiston, Maine 04240

7 LINCOLN DRIVE, LEWISTON, MAINE

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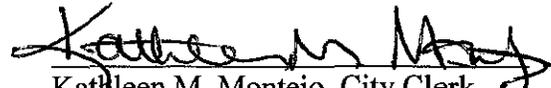
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7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

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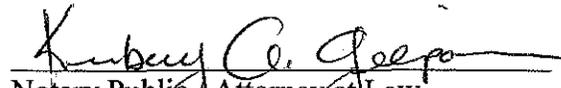
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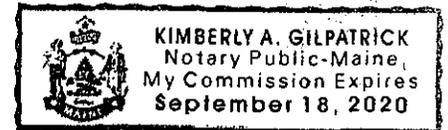
Dated: 8-21-14


Kathleen M. Montejo, City Clerk

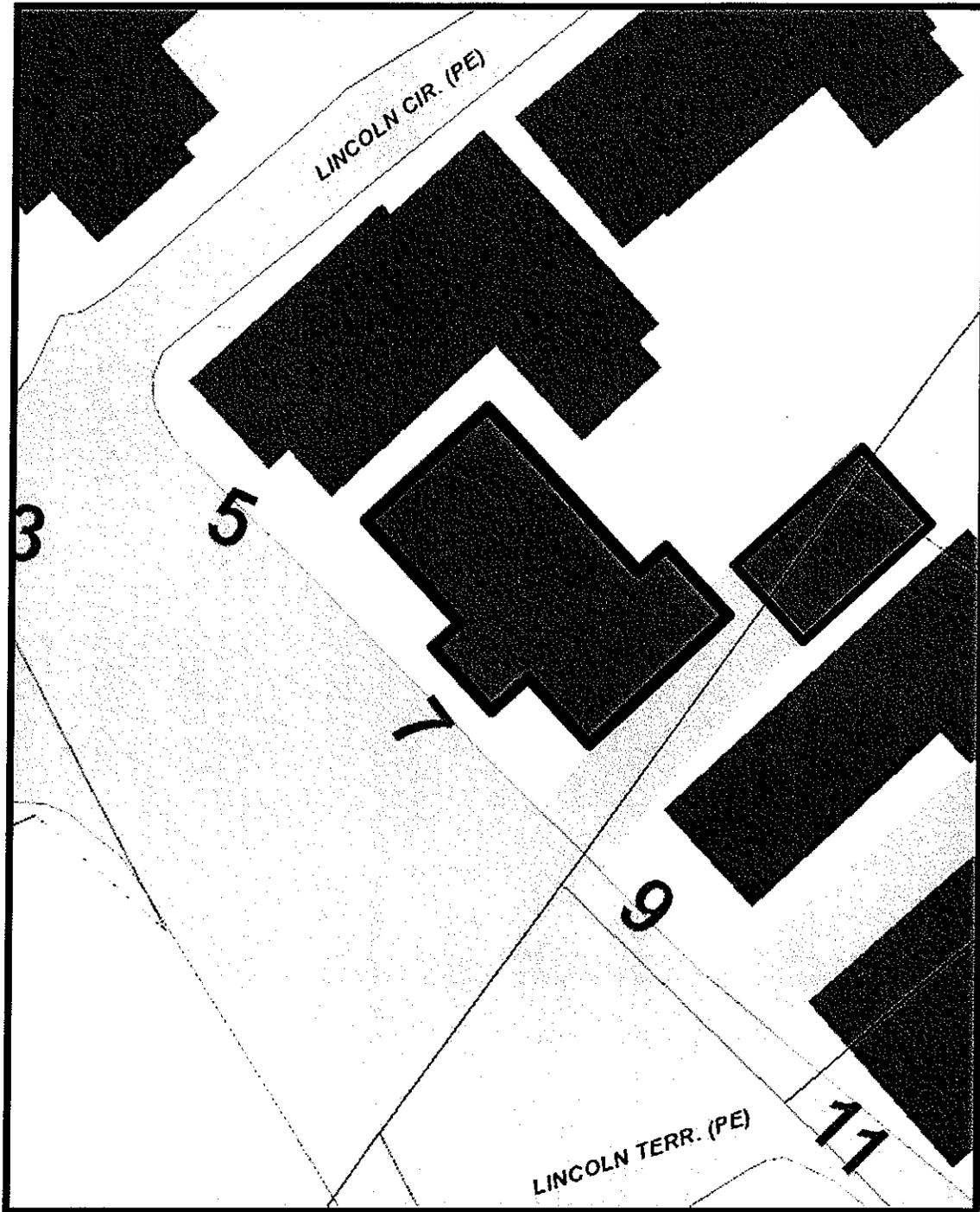
STATE OF MAINE
ANDROSCOGGIN, ss

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.


Notary Public Attorney at Law



7 Lincoln Drive



Return

CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
7 LINCOLN DRIVE, LEWISTON, MAINE
Pursuant to 17 M.R.S. §§ 2851, et seq.

On Sept. 3, 2014 (date), I served the above-referenced NOTICE OF HEARING, a copy of which is attached hereto, by serving a copy of same to PAULINE GRACE at the following address:

Pauline Grace
104 Allan Avenue
Auburn, ME 04210

Costs of Service:

Service:	\$	<u>21.00</u>
Travel:	\$	<u>1.60</u>
Postage:	\$	<u>1.00</u>
Other:	\$	<u>2.00</u>
 TOTAL:	\$	<u>25.60</u>

[Handwritten Signature]
Signature

ASO
Agency



NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

Lewiston and Auburn Railroad Company
c/o David C. Pierson, Esq.
Eaton Peabody
One Portland Square, 7th Floor
Portland, Maine 04101

John B. Beliveau
Heir of Rita S. Beliveau
12 Benson Street
Lewiston, Maine 04240

Albert A. Beliveau, Jr.
Heir of Rita S. Beliveau
121 Riverside Drive
Auburn, Maine 04210

Dawn-Marie Brown (nee Bishop)
471 Court Street
Auburn, Maine 04210

Paul Creamer
664 Buckfield Rd.
South Paris, Maine 04281

Linda Sherwood
36 Chestnut Street, Apt. 411
Lewiston, Maine 04240

7 LINCOLN DRIVE, LEWISTON, MAINE

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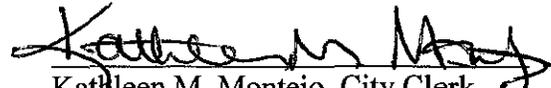
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7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

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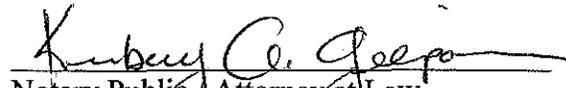
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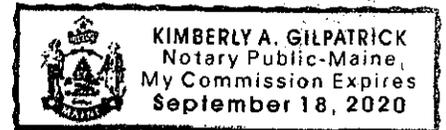
Dated: 8-21-14


Kathleen M. Montejo, City Clerk

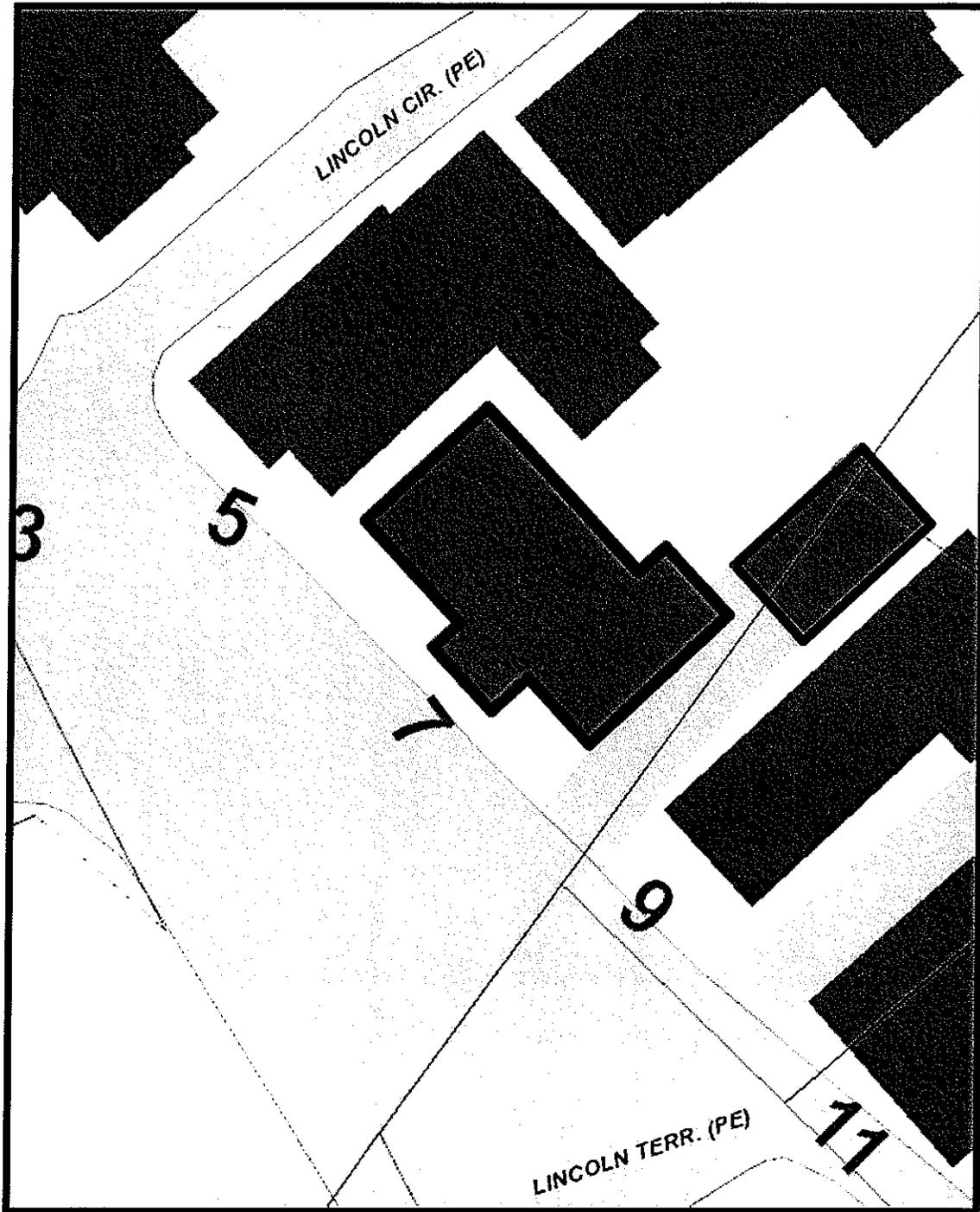
STATE OF MAINE
ANDROSCOGGIN, ss

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.


Notary Public Attorney at Law



7 Lincoln Drive



CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

**NOTICE OF HEARING
7 LINCOLN DRIVE, LEWISTON, MAINE
Pursuant to 17 M.R.S. §§ 2851, et seq.**

On 8-25-14, 2014 (date), I served the above-referenced NOTICE OF HEARING, a copy of which is attached hereto, by serving a copy of same to LINDA SHERWOOD at the following address:

Linda Sherwood
36 Chestnut Street, Apt. 411
Lewiston, ME 04240

Costs of Service:

Service:	\$ _____
Travel:	\$ _____
Postage:	\$ _____
Other:	\$ _____
 TOTAL:	 \$ _____

J.P. Bond f5d
Signature

LPO f5d
Agency



NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

Lewiston and Auburn Railroad Company
c/o David C. Pierson, Esq.
Eaton Peabody
One Portland Square, 7th Floor
Portland, Maine 04101

John B. Beliveau
Heir of Rita S. Beliveau
12 Benson Street
Lewiston, Maine 04240

Albert A. Beliveau, Jr.
Heir of Rita S. Beliveau
121 Riverside Drive
Auburn, Maine 04210

Dawn-Marie Brown (nee Bishop)
471 Court Street
Auburn, Maine 04210

Paul Creamer
664 Buckfield Rd.
South Paris, Maine 04281

Linda Sherwood
36 Chestnut Street, Apt. 411
Lewiston, Maine 04240

7 LINCOLN DRIVE, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

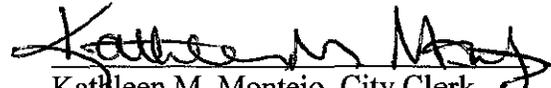
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7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

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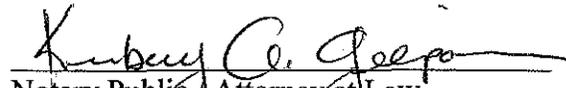
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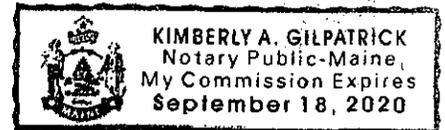
Dated: 8-21-14


Kathleen M. Montejo, City Clerk

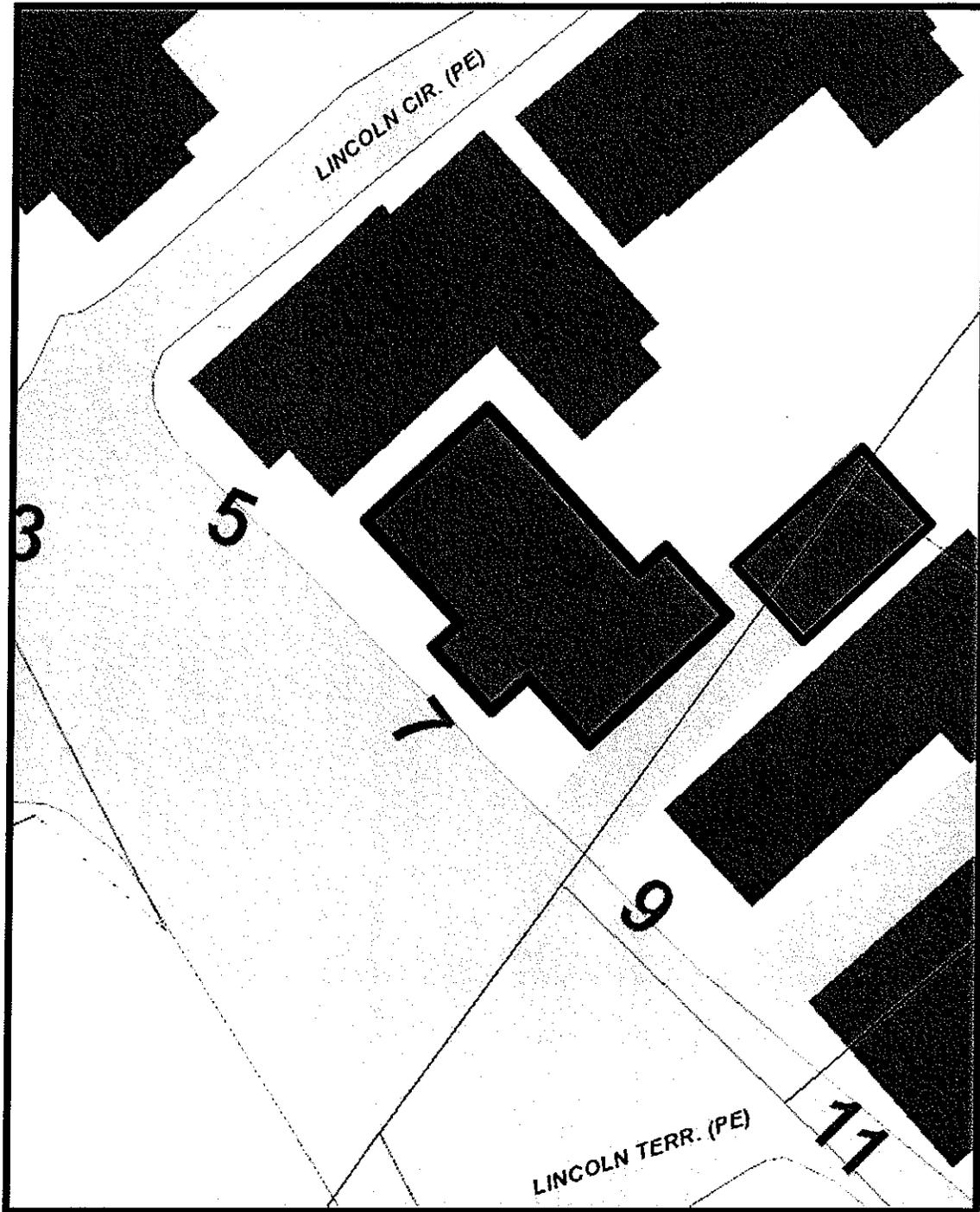
STATE OF MAINE
ANDROSCOGGIN, ss

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.


Notary Public Attorney at Law



7 Lincoln Drive



CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

**NOTICE OF HEARING
7 LINCOLN DRIVE, LEWISTON, MAINE
Pursuant to 17 M.R.S. §§ 2851, et seq.**

On August 21, 2014 (date), I served the above-referenced NOTICE OF HEARING, a copy of which is attached hereto, by serving a copy of same to DAWN-MARIE BROWN (nee Bishop) at the following address:

Dawn-Marie Brown Larrabee
471 Court Street
Auburn, Maine 04210

Costs of Service:

Service: \$ _____
Travel: \$ _____
Postage: \$ _____
Other: \$ _____

TOTAL: \$ _____

[Signature]
Signature
LAD & SF
Agency



NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

Lewiston and Auburn Railroad Company
c/o David C. Pierson, Esq.
Eaton Peabody
One Portland Square, 7th Floor
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John B. Beliveau
Heir of Rita S. Beliveau
12 Benson Street
Lewiston, Maine 04240

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Dawn-Marie Brown (nee Bishop)
471 Court Street
Auburn, Maine 04210

Paul Creamer
664 Buckfield Rd.
South Paris, Maine 04281

Linda Sherwood
36 Chestnut Street, Apt. 411
Lewiston, Maine 04240

7 LINCOLN DRIVE, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

September 16, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

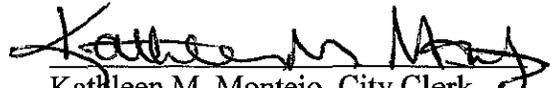
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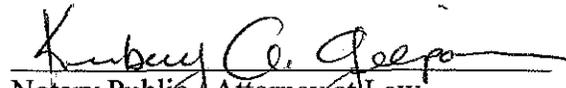
Dated:

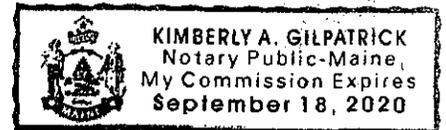
8-21-14


Kathleen M. Montejo, City Clerk

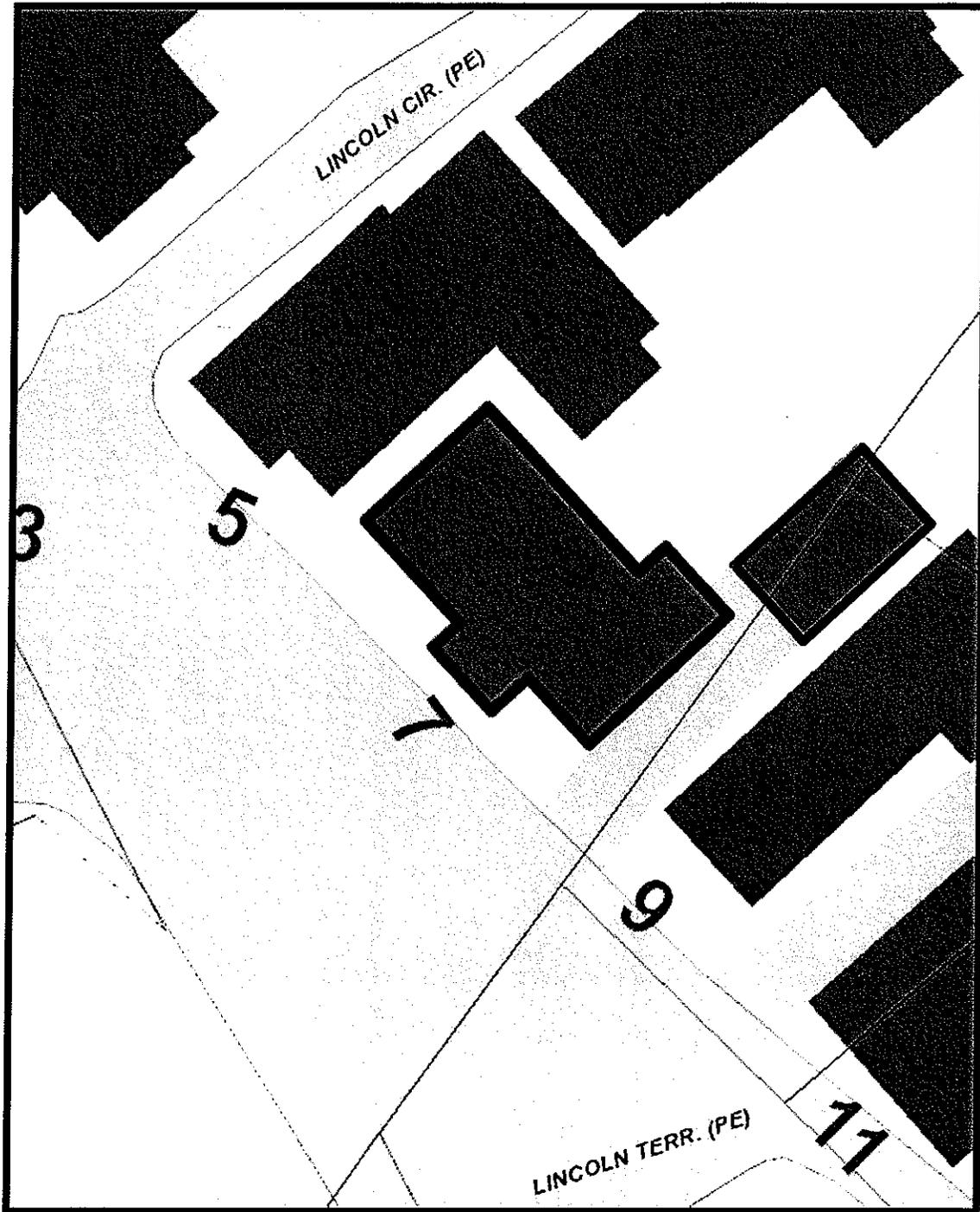
STATE OF MAINE
ANDROSCOGGIN, ss

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.


Notary Public Attorney at Law



7 Lincoln Drive



Return
B

CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
7 LINCOLN DRIVE, LEWISTON, MAINE
Pursuant to 17 M.R.S. §§ 2851, *et seq.*

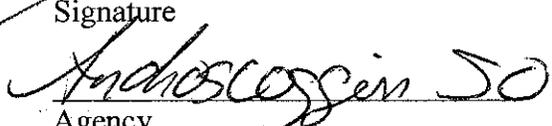
On 9-3, 2014 (date), I served the above-referenced NOTICE OF HEARING, a copy of which is attached hereto, by serving a copy of same to ALBERT A. BELIVEAU, JR., Heir of Rita S. Beliveau at the following address:

Albert A. Beliveau, Jr.
121 Riverside Drive
Auburn, ME 04210

Costs of Service:

Service:	\$	<u>2100</u>
Travel:	\$	<u>160</u>
Postage:	\$	<u>100</u>
Other:	\$	<u>200</u>
 TOTAL:	\$	<u>2560</u>



 Signature


 Agency



NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

Lewiston and Auburn Railroad Company
c/o David C. Pierson, Esq.
Eaton Peabody
One Portland Square, 7th Floor
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Heir of Rita S. Beliveau
12 Benson Street
Lewiston, Maine 04240

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664 Buckfield Rd.
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Lewiston, Maine 04240

7 LINCOLN DRIVE, LEWISTON, MAINE

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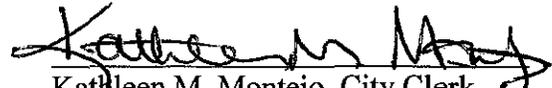
September 16, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

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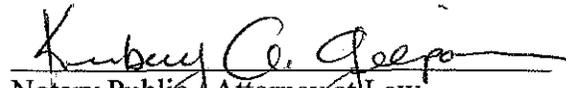
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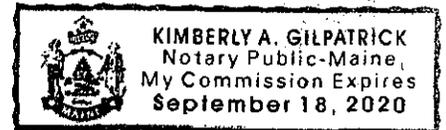
Dated: 8-21-14


Kathleen M. Montejo, City Clerk

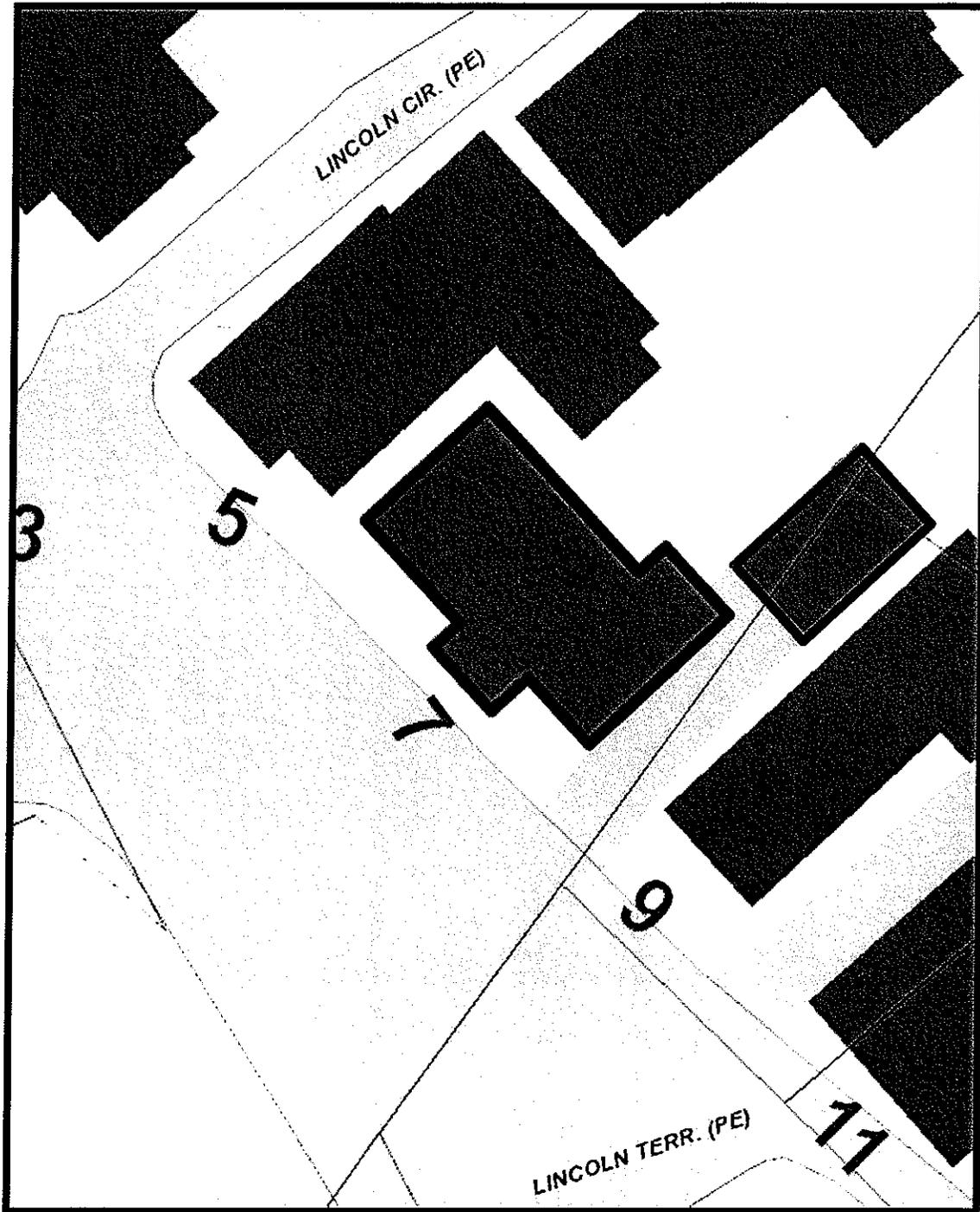
STATE OF MAINE
ANDROSCOGGIN, ss

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.


Notary Public Attorney at Law



7 Lincoln Drive



CITY
CORRESPONDENCE

**CITY OF LEWISTON
CODE ENFORCEMENT
CITY BUILDING
27 PINE STREET
LEWISTON, MAINE 04240
(207) 513-3125 EXT. 3226**

**NOTICE OF CONDEMNATION/PLACARDING
VIA FIRST CLASS & CERTIFIED MAIL
RETURN RECEIPT REQUESTED
Posted at Site**

August 19, 2008

Bishop, Dawn Marie
7 Lincoln Drive
Lewiston, Maine 04240

RE: 7 Lincoln Drive

Dear Ms. Dawn Bishop

On August 19, 2008, I inspected the building at 7 Lincoln Drive and found it unfit for human habitation due to violation(s) of Chapter 18, Article III (Property Maintenance Code) Sections 18-51 and 18-52 as per The Code of Ordinances of the City of Lewiston (Code). I found the building vacant and unsecured. The second floor's ceiling was removed, open to the rafters. The water service has been terminated.

As per the above mentioned safety violations I hereby condemn and placard the building at 7 Lincoln Drive as being unsafe for human occupancy pursuant to and in accordance with Chapter 18, Article III (Property Maintenance Code) Sections 18-51 and 18-52, PM 105.1, PM-105.2, PM 105.3, PM 105.4, PM-105.6, PM 107.1, PM 107.2, PM-107.3, PM-504.1 et seq, PM903.1 of the Code of Ordinances of the City of Lewiston.

The above mentioned property will be placarded and may not be re-occupied until proper abatement of all applicable violations have been completed. An inspection shall be conducted to confirm compliance. At such time the condemnation order and placarding shall be discontinued pursuant to the above referenced Code Section PM 107.3 stating "the code official shall remove the condemnation and placarding whenever the defect or defects upon which the condemnation and placarding were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the code official shall be subject to the penalties provided by this code."

If this building is to be maintained as vacated, pursuant to Chapter 18, Article III, Sections 18-51 and 18-52, PM-105.6 and PM-903.1, the building must be secured from unauthorized entry and boarded up in accordance with the aforementioned Code. Failure to provide and maintain appropriate security measures will result in this structure being subject to legal action pursuant to Title 17 M.R.S.A., Chapter 91, Subchapter 4: Nuisances, Subchapter 4: Dangerous Buildings §2851.



Your prompt attention to this matter is advised to avoid legal action. It is our sincere desire to work with you in devising an implementation schedule for the correction of these conditions. Please contact this office immediately if circumstances do not permit the timely compliance with this order and abatement of the violations or if you have any questions regarding this matter.

In the event that you do not comply with this order, this office may issue a citation pursuant to Chapter 50, Article II, and Section 50-36 thru 50-51 of the aforementioned Code. Said citation shall require you to pay a penalty of one hundred dollars (\$100.00) for the first citation and you will be reordereed to abate the outstanding violations in the previous Notices and Orders. In the event that you do not comply with the first citation, additional citations may be issued. The second citation imposes a civil penalty of two hundred dollars (\$200.00), the third is four hundred dollars (\$400.00), the fourth and subsequent citations are eight hundred dollars (\$800.00), and penalties are cumulative. In the future, if any of the above violations are repeated, you are not entitled to receive any further notification, and this office may serve you with a citation.

In lieu of or in addition to the issuance of citations, this office may initiate a land use complaint pursuant to Rule 80-K of the Maine Rules of Civil Procedure and 30-A M.R.S.A. § 4452 et seq. and § 3758-A et seq. as amended. A judgment from such a lawsuit in the City's favor will result in a court order that any violations be abated, the imposition of a fine of up to two thousand, five hundred dollars (\$2,500.00) per violation, per day, the payment of court costs and the City's legal fees.

You may appeal this order and request a hearing before the Lewiston Board of Appeals by filing a written petition at the office of the Director of Planning and Code Enforcement within ten (10) days of receipt of this notice. This petition shall be submitted on a form provided by this office along with the one hundred dollar (\$100.00) appeal fee. Should you fail to appeal you will be barred from any opportunity to contest or challenge the terms of this Notice and Order in any further legal proceedings.

If you sell, transfer or lease this property, you must notify the grantee, mortgagee, transferee, or lessee of any outstanding code violations pursuant to Section PM-106.6 of the Property Maintenance Code. You must also furnish this office with a signed notarized statement from the grantee, mortgagee, transferee or lessee acknowledging receipt of any orders or notices and fully accepting responsibility for the abatement of said violations.

Sincerely,

Thomas E. Maynard
Code Enforcement Officer

c: Gildace J. Arsenault, Director of Planning & Code Enforcement

The City of Lewiston is an EOE. For more information, please visit our website @ www.ci.lewiston.me.us and click on the Non-Discrimination Policy

PHOTOGRAPHS

7 Lincoln Drive Franklin Property Trust Land

Photo #1 taken 4-29-2009. Severely deteriorated roofing and siding.



Photo #2 taken 3-31-2009. Rear showing deteriorated and collapsing roof structure and gutters.



Photo # 3. Deteriorated garage and debris.



Photo #4. Debris in and about the garage.



Photo #5. Owners removed plaster, lathing and dry wall in an attempt to make repairs and alterations abandoning the project and the home when the poor structural conditions were revealed. Observe the illegal wiring.



Photo #6. Lack of proper bearing and lack of appropriate header for the roof truss/rafter system. Evidence of moisture damage.



Photo #7. Non-code compliant 2x4 roof rafters.



Photo # 8. Severely deteriorated capped chimney and damaged structural members.

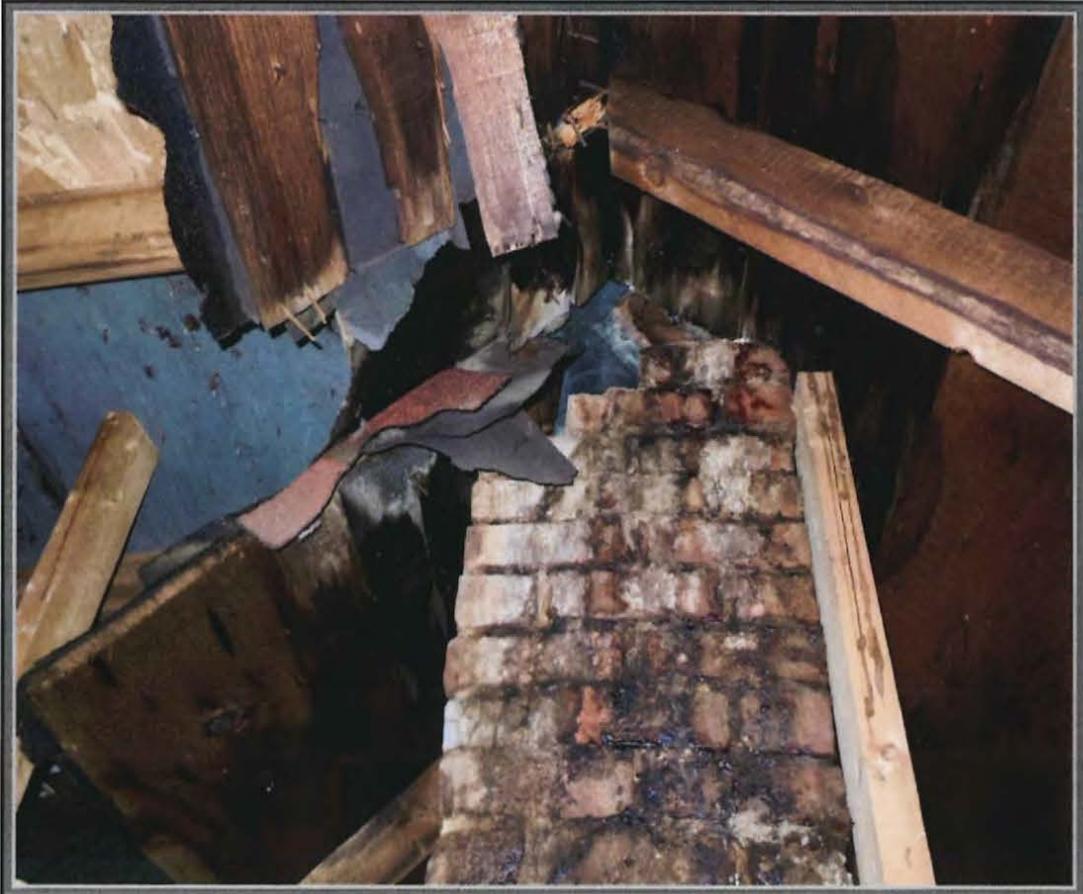


Photo # 9. Inadequate construction methods and lack of proper bearing without an appropriate header.



Photo # 10. Further evidence of poor non-code compliant construction methods.



Photo # 11. Mold due to moisture from roof leaks.



Photo #12. An example of penetrations through the flooring not adequately fire blocked.



Photo # 13 The stairs are obsolete unsafe means of egress not of adequate width, headroom and stair geometry.

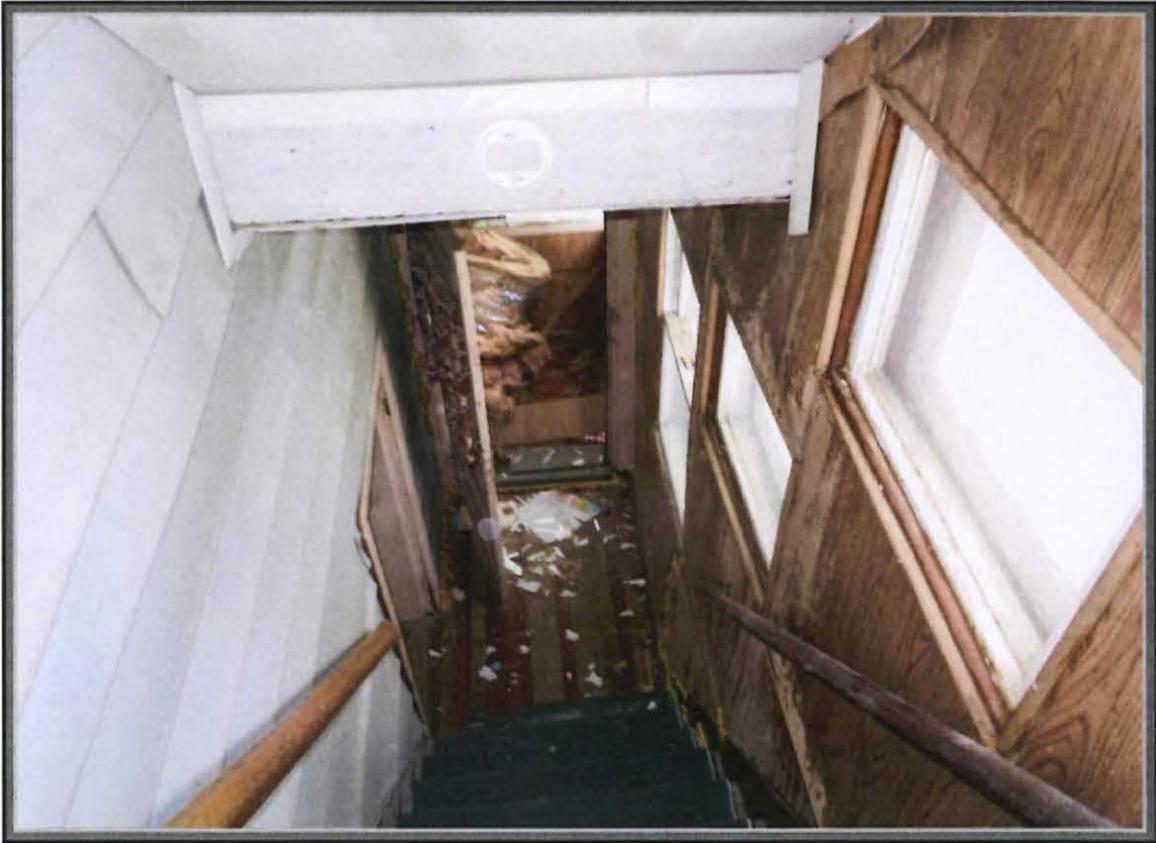


Photo #14 Incomplete renovations with inappropriately installed plumbing.



Photo # 15. Inappropriately installed plumbing drainage system in violation of Code.



Photo # 16. Inappropriately installed flue vent in violation of Code.



Photo # 17. View of non-code compliant chimney at grade level.



Photo # 18. Continued deterioration and excessive vegetative growth contributing to fire loading.



LEWISTON CITY COUNCIL

MEETING OF SEPTEMBER 16, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 17

SUBJECT:

Condemnation Hearing for the building located at 68 River Street.

INFORMATION:

The City has begun the process for condemnation of the property at 68 River Street under the dangerous building classification. This property has been abandoned by the owner and upon inspection of city staff has been determined to be an unsafe structure.

The agenda background material pertains to the condition of this property. The City Attorney will be present on Tuesday evening to assist the City Council with the condemnation hearing and to advise accordingly.

PLEASE NOTE - The background material for this agenda item is included in a separate binder that was distributed with the meeting agenda binder.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
---	---	---	---	---	---	---	---

1) To conduct a hearing to determine if the building located at 68 River Street has meet the dangerous building statutes as defined in Title 17, sec. 2851 et all.

If it is determined that the building does meet the dangerous building criteria, then the Council is asked :

2) With regard to the property at 68 River Street, to adopt the Findings of Fact, Conclusions of Law and Order of Demolition proposed by the City Planning and Code Enforcement Department, which Order establishes the corrective action to be taken by the property owner and the time frame for taking such action, and which authorizes the City Administrator to take such corrective action if the property owner fails to do so, and to recoup the City's costs through a special tax or collective action.

68 RIVER STREET

OWNERSHIP DOCUMENTS

Know all Men by these Presents,

That FRANKLIN COMPANY, a corporation duly created by law and having an established place of business in Lewiston, County of Androscoggin and State of Maine

in consideration of one dollar and other valuable consideration

paid by FRANKLIN PROPERTY TRUST of Lewiston, County of Androscoggin and State of Maine,

the receipt whereof it do hereby acknowledge, do hereby ratify, confirm, bargain, sell and convey and forever quit-claim unto the said

Franklin Property Trust, its successors ~~and assigns~~ and assigns forever.

A certain lot or parcel of land situated in Lewiston, County of Androscoggin and State of Maine, with any buildings thereon, bounded and described as follows: COMMENCING on the southwesterly side of Lincoln Street where it intersects with the southeasterly side of Oxford Street; thence running southwesterly by the southeasterly side of Oxford Street one hundred twenty-seven (127) feet, more or less, to an angle therein; thence at an angle to the left still southwesterly by the southeasterly side of said Oxford Street one hundred seventy (170) feet, more or less, to the easterly bank of the Androscoggin River; thence southeasterly by the bank of said river to land conveyed by this grantor to Union Water Power Company by deed dated July 17, 1914 numbered 1424; thence northeasterly by land of said Union Water Power Company about three hundred (300) feet to the southwesterly side of Lincoln Street; thence northwesterly by said Lincoln Street about one hundred twenty (120) feet to point of beginning.



BOOK 1227 PAGE 50

To have and to hold, the same, together with all the privileges and appurtenances thereunto belonging, to the said Franklin Property Trust, its successors and assigns

~~forever.~~

And do covenant with the said grantee, its successors and assigns, that it will warrant and further defend the premises to the said grantee, its successors and assigns forever, against the lawful claims and demands of all persons claiming by, through, or under it.

In Witness Whereof, the said Franklin Company has caused this instrument to be signed, sealed, acknowledged and delivered by John W. King, its Treasurer, thereunto duly authorized,

~~xxxxxx~~ ~~xxxxxxxxxxxx~~

~~relinquishing in this deed as aforesaid, and relinquishing and conveying~~

~~rights by statute and all other rights in the above described~~

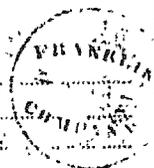
~~premises, have hereunto set~~ ~~their~~ ~~and~~ ~~read~~ this 10th day of September in the year of our Lord one thousand nine hundred and seventy-six.

Signed, Sealed and Delivered in presence of

Carole Welby

FRANKLIN COMPANY

BY: *J. W. King*
Its Treasurer



State of Maine, } ss.
Androscoggin

September 10, 19 76 .

Personally appeared the above named

John W. King

and acknowledged the above instru-

ment to be free act and deed, in his said capacity and the free act and deed of said corporation. Before me,

Carole Welby

Attorney at Law

ANDROSCOGGIN, SS.
RECEIVED SEP 10 10 57 AM '76
and recorded from the original

**NOTICE OF HEARING
CERTIFICATES OF SERVICE**

NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Brianna Barlow and Chad Tremblay
267 ½ Lincoln Street
Lewiston, Maine 04240

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

Donald E. Tremblay
258 East Avenue
Lewiston, Maine 04240

Gerard Castonguay
30 Bradley Street
Lewiston, ME 04240

68 RIVER STREET, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

September 16, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

This hearing is to determine whether the structure at 68 River Street, Lewiston, Maine, located on Lot 5 on Tax Map 209, depicted on the attached Exhibit A, and further described as a garage in a Deed and Bill of Sale recorded in the Androscoggin County Registry of Deeds at Book 8768, Page 331 is a dangerous building or nuisance within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structure is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

This hearing is your opportunity to present evidence as to why the structure is not dangerous or a nuisance and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

Dated: 8-28-14


Kathleen M. Montejo, City Clerk



STATE OF MAINE
ANDROSCOGGIN, ss

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.

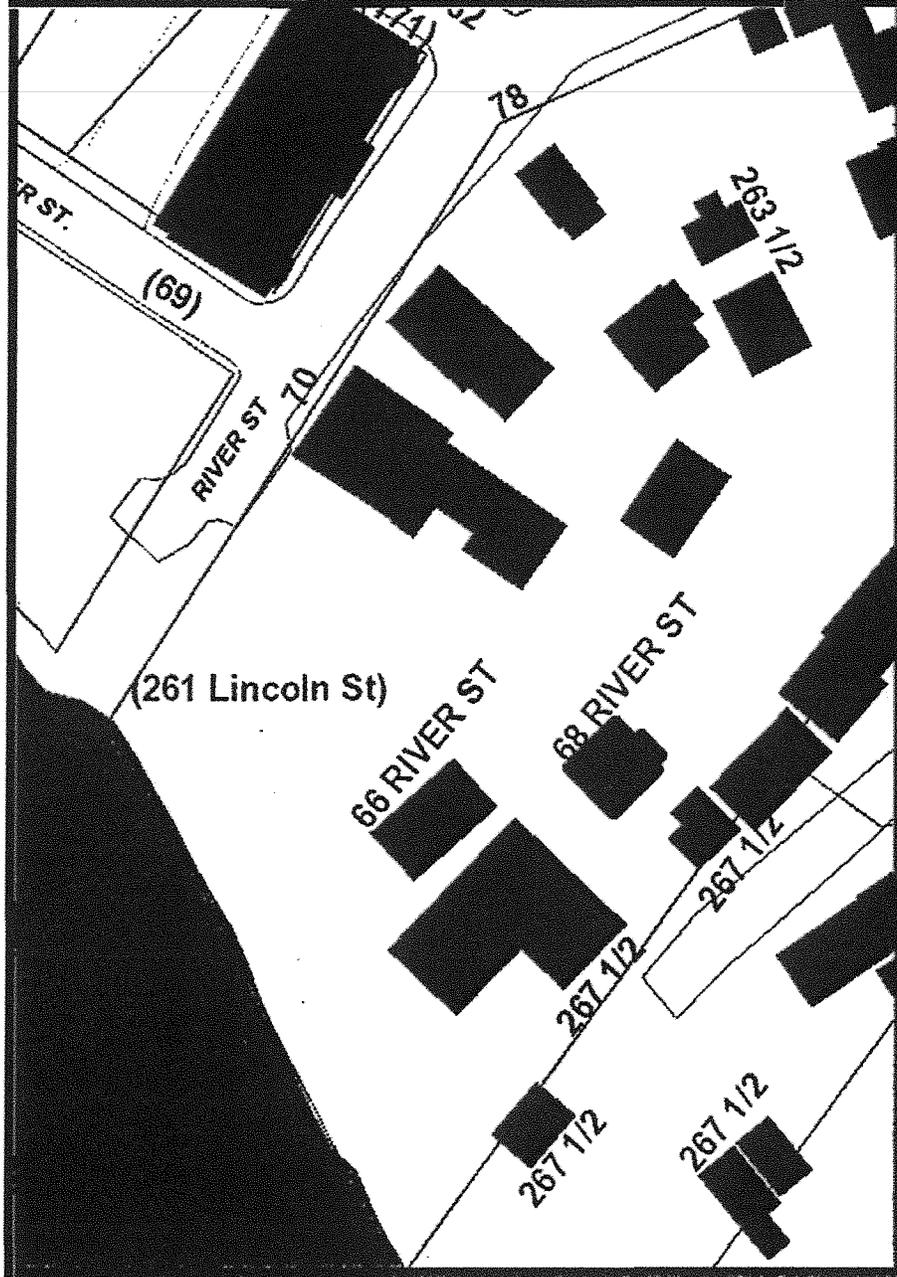


Notary Public / Attorney at Law

SEAL

ERICA L. SOIETT
Notary Public, Maine
My Commission Expires October 5, 2019

68 River Street



Poor Copy At Time Of Recording
Will Not Reproduce Clearly

ANDROSCOGGIN COUNTY
TINA M CHOUINARD
REGISTER OF DEEDS

Return
B

CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

**NOTICE OF HEARING
68 RIVER STREET, LEWISTON, MAINE
Pursuant to 17 M.R.S. §§ 2851, et seq.**

On 9-2, 2014 (date), I served the above-referenced NOTICE OF HEARING, a copy of which is attached hereto, by serving a copy of same to BRIANNA BARLOW and CHAD TREMBLAY at the following address:

Brianna Barlow and Chad Tremblay
267 1/2 Lincoln Street
Lewiston, ME 04240

Costs of Service:

Service:	\$	<u>2100</u>
Travel:	\$	<u>168</u>
Postage:	\$	<u>188</u>
Other: <i>CP</i>	\$	<u>200</u>
TOTAL:	\$	<u>2560</u>

[Signature]
Signature
Androscoggin SO
Agency



NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Brianna Barlow and Chad Tremblay
267 ½ Lincoln Street
Lewiston, Maine 04240

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

Donald E. Tremblay
258 East Avenue
Lewiston, Maine 04240

Gerard Castonguay
30 Bradley Street
Lewiston, ME 04240

68 RIVER STREET, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

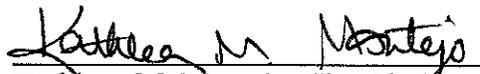
September 16, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

This hearing is to determine whether the structure at 68 River Street, Lewiston, Maine, located on Lot 5 on Tax Map 209, depicted on the attached Exhibit A, and further described as a garage in a Deed and Bill of Sale recorded in the Androscoggin County Registry of Deeds at Book 8768, Page 331 is a dangerous building or nuisance within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structure is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

This hearing is your opportunity to present evidence as to why the structure is not dangerous or a nuisance and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

Dated: 8-28-14


Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

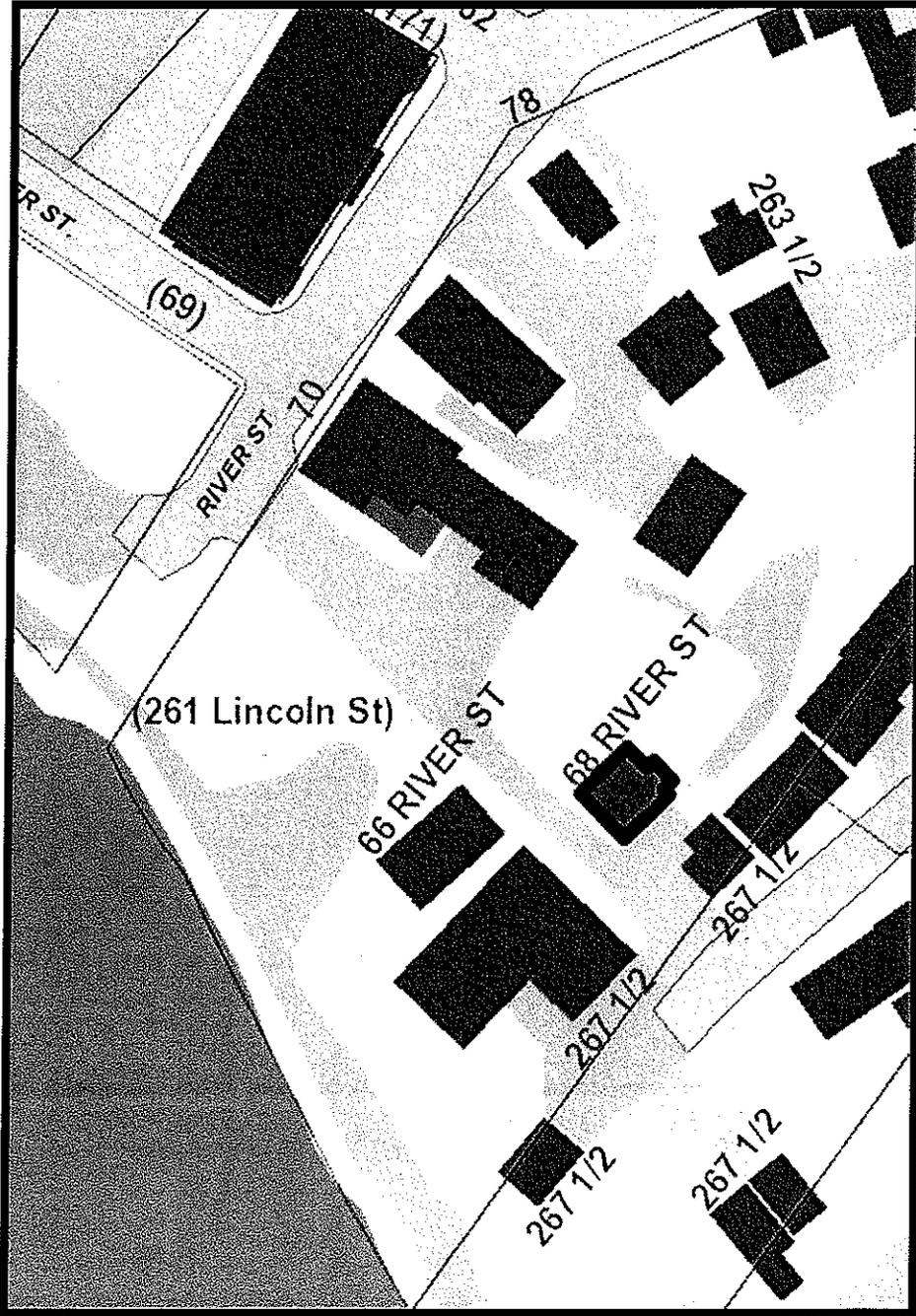
Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.



Notary Public / Attorney at Law

ERICA L. SOIETT
Notary Public, Maine
My Commission Expires October 5, 2019

68 River Street



Return
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CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

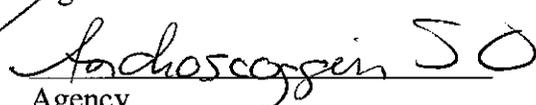
**NOTICE OF HEARING
68 RIVER STREET, LEWISTON, MAINE
Pursuant to 17 M.R.S. §§ 2851, et seq.**

On 9-2, 2014 (date), I served the above-referenced NOTICE OF HEARING, a copy of which is attached hereto, by serving a copy of same on Gerard Castonguay, at the following address:

Gerard Castonguay
30 Bradley Street
Lewiston, ME 04040

Costs of Service:

Service:	\$	<u>2100</u>
Travel:	\$	<u>160</u>
Postage:	\$	<u>100</u>
Other:	\$	<u>200</u>
TOTAL:	\$	<u>2560</u>


 Signature

 Agency



NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Brianna Barlow and Chad Tremblay
267 ½ Lincoln Street
Lewiston, Maine 04240

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

Donald E. Tremblay
258 East Avenue
Lewiston, Maine 04240

Gerard Castonguay
30 Bradley Street
Lewiston, ME 04240

68 RIVER STREET, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

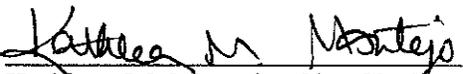
September 16, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

This hearing is to determine whether the structure at 68 River Street, Lewiston, Maine, located on Lot 5 on Tax Map 209, depicted on the attached Exhibit A, and further described as a garage in a Deed and Bill of Sale recorded in the Androscoggin County Registry of Deeds at Book 8768, Page 331 is a dangerous building or nuisance within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structure is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

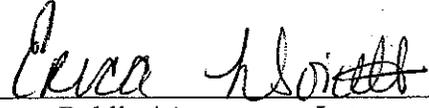
This hearing is your opportunity to present evidence as to why the structure is not dangerous or a nuisance and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

Dated: 8-28-14


Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

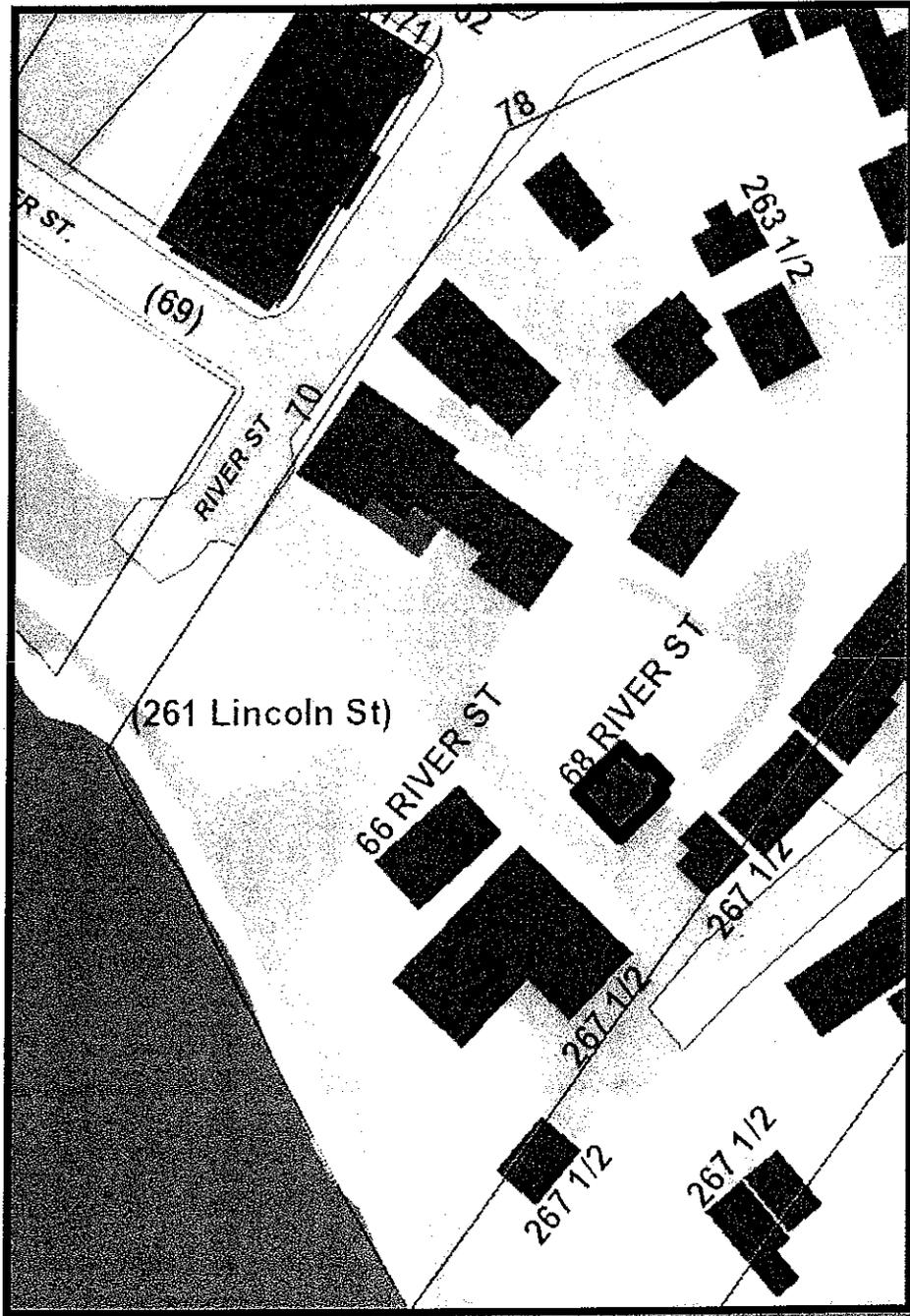
Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.



Notary Public / Attorney at Law

ERICA L. SOIETT
Notary Public, Maine
My Commission Expires October 5, 2019

68 River Street



Return
C

CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
68 RIVER STREET, LEWISTON, MAINE
Pursuant to 17 M.R.S. §§ 2851, et seq.

On 9-2-14, 2014 (date), I served the above-referenced NOTICE OF HEARING, a copy of which is attached hereto, by serving a copy of same to Ronald Bissonnette, Registered Agent for Franklin Property, Inc., at the following address:

Franklin Property, Inc.
c/o Ronald Bissonnette, Registered Agent
Isaacson & Raymond
75 Park Street
Lewiston, ME 04240

Costs of Service:

Service:	\$	<u>2100</u>
Travel:	\$	<u>160</u>
Postage:	\$	<u>100</u>
Other: <i>CP</i>	\$	<u>200</u>
TOTAL:	\$	<u>2560</u>

[Signature]
Signature

Androscoquin SO
Agency



NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Brianna Barlow and Chad Tremblay
267 ½ Lincoln Street
Lewiston, Maine 04240

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

Donald E. Tremblay
258 East Avenue
Lewiston, Maine 04240

Gerard Castonguay
30 Bradley Street
Lewiston, ME 04240

68 RIVER STREET, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

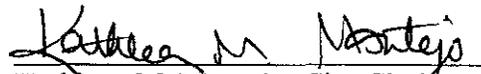
September 16, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

This hearing is to determine whether the structure at 68 River Street, Lewiston, Maine, located on Lot 5 on Tax Map 209, depicted on the attached Exhibit A, and further described as a garage in a Deed and Bill of Sale recorded in the Androscoggin County Registry of Deeds at Book 8768, Page 331 is a dangerous building or nuisance within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structure is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

This hearing is your opportunity to present evidence as to why the structure is not dangerous or a nuisance and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

Dated: 8-28-14


Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

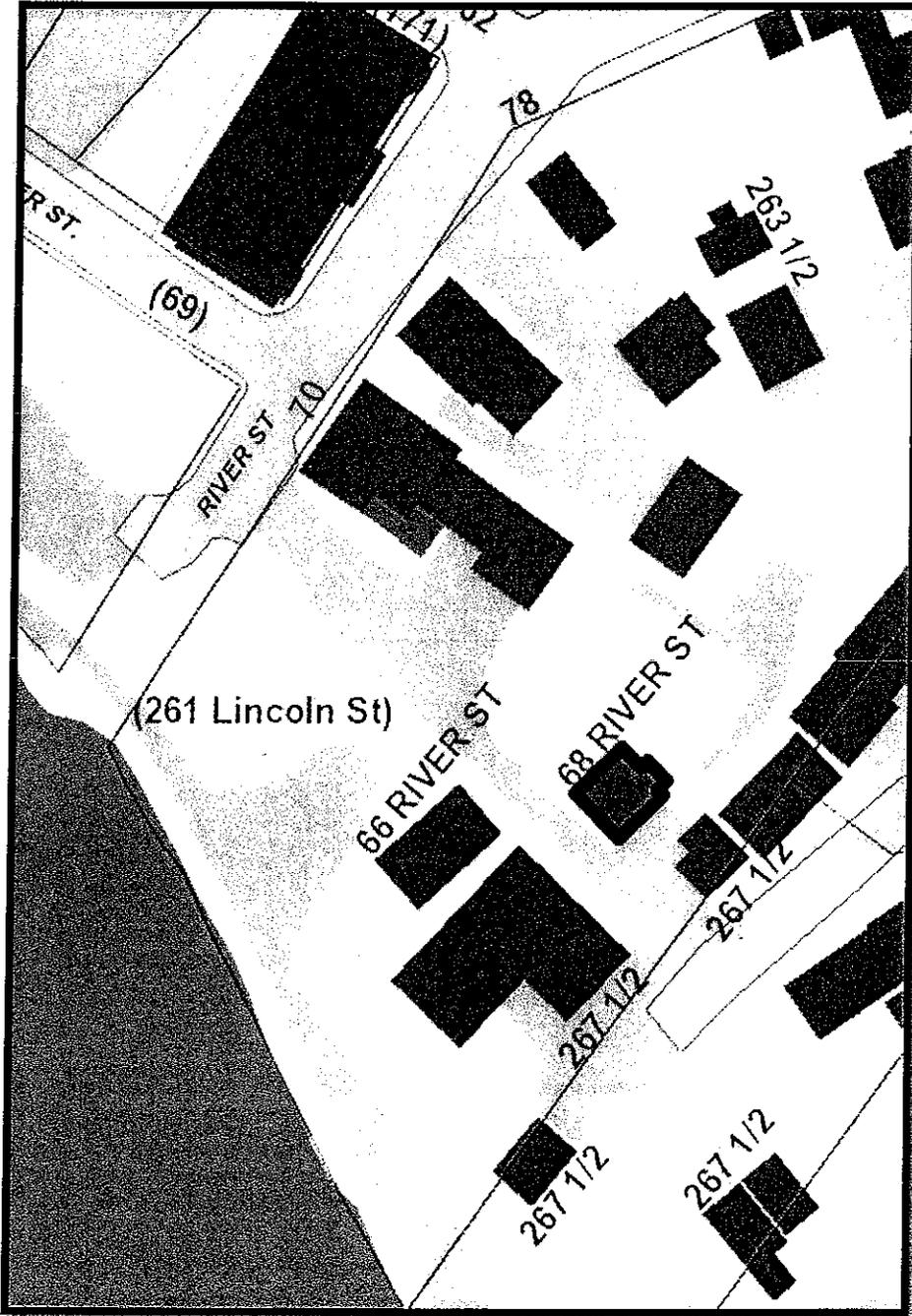
Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.



Notary Public / Attorney at Law

ERICA L. SOIETT
Notary Public, Maine
My Commission Expires October 5, 2019

68 River Street



PHOTOGRAPHS

68 River Street
Franklin Property Trust
A severely deteriorated structure constituting a dangerous
appurtenance upon the land.
Photo #1. Taken December 30, 2011



Photo #2 taken May 14, 2014. Continuing neglect and deterioration with debris.



Photo #3. Neglected and deteriorating with debris stacked against the building.



Photo # 4 Taken May 29, 2014. Failing structural materials and debris..



Photo # 5 taken May 14, 2014. Show debris from collapsed second floor contributing to fire loading.



Photo # 6. Shows the remaining framing of the second floor in state of collapse..



Photo # 7. Shows inadequate structural elements of the roof structure.



Photo # 8. Debris about the property contributing to fire loading.



Photo # 9. Potentially hazardous debris about the property and stacked against the building.



LEWISTON CITY COUNCIL

MEETING OF SEPTEMBER 16, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 18

SUBJECT:

Condemnation Hearing for the building located at 245 Lincoln Street.

INFORMATION:

The City has begun the process for condemnation of the property at 245 Lincoln Street under the dangerous building classification. This property has been abandoned by the owner and upon inspection of city staff has been determined to be an unsafe structure.

The agenda background material pertains to the condition of this property. The City Attorney will be present on Tuesday evening to assist the City Council with the condemnation hearing and to advise accordingly.

PLEASE NOTE - The background material for this agenda item is included in a separate binder that was distributed with the meeting agenda binder.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/ikmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
---	---	---	---	---	---	---	---

1) To conduct a hearing to determine if the building located at 245 Lincoln Street has meet the dangerous building statutes as defined in Title 17, sec. 2851 et all.

If it is determined that the building does meet the dangerous building criteria, then the Council is asked :

2) With regard to the property at 245 Lincoln Street, to adopt the Findings of Fact, Conclusions of Law and Order of Demolition proposed by the City Planning and Code Enforcement Department, which Order establishes the corrective action to be taken by the property owner and the time frame for taking such action, and which authorizes the City Administrator to take such corrective action if the property owner fails to do so, and to recoup the City's costs through a special tax or collective action.

245 LINCOLN STREET

OWNERSHIP DOCUMENTS

KNOW ALL MEN BY THESE PRESENTS,

THAT it, FRANKLIN COMPANY, a Maine corporation with its principal place of business located at 191 LISBON STREET, LEWISTON, County of ANDROSCOGGIN, and State of MAINE, in consideration of ONE DOLLAR AND OTHER VALUABLE CONSIDERATION, paid by FRANKLIN PROPERTY TRUST, in accordance with a declaration of trust to be recorded in the Androscoggin County Registry of Deeds, having its office at 191 LISBON STREET, LEWISTON, County of ANDROSCOGGIN, and State of MAINE, the receipt whereof it does hereby acknowledge, does hereby REMISE, RELEASE, BARGAIN, SELL and CONVEY, and forever QUIT-CLAIM unto the said FRANKLIN PROPERTY TRUST, its successors and assigns forever,

A certain lot or parcel of land situated in Lewiston, County of Androscoggin and State of Maine, with any buildings thereon, bounded and described as follows: COMMENCING on the westerly line of Lincoln Street at the southeasterly corner of land conveyed by this Grantor to Francois Lizotte by deed dated July 11, 1907, # 1208; thence southwesterly by said Lizotte land 100 feet, more or less, to the northerly corner of land conveyed by this Grantor to Clara Rivard on November 2, 1916, by deed # 1483; thence southeasterly by said Rivard land 40 feet, more or less, to the northerly corner of land conveyed by this Grantor to Francis Jutras by deed dated October 8, 1918, # 1513; thence southeasterly along said Jutras land 40 feet, mor or less, to the northerly corner of land conveyed by this Grantor to Philomena Lessard by deed dated June 15, 1903, # 1164; thence southeasterly 50 feet more or less along said Lessard land; thence continuing southeasterly 75 feet, more or less, by line of land conveyed by this Grantor to Henry Croteau by deed dated October 29, 1956, # 1963; thence continuing southeasterly 83 feet, by line of land conveyed by this Grantor to Celestine Ledoux by deed dated June 10, 1903, # 1163; thence continuing southeasterly 65 feet, by line of land conveyed by this Grantor to The Roman Catholic Bishop of Portland, by deed dated April 1, 1903, # 1159; thence at an angle southwesterly 51 feet, more or less, by line of land conveyed by this Grantor to The Roman Catholic Bishop of Portland on February 14, 1898 by deed # 1093 to Oxford Street; thence southeasterly by the north-easterly line of Oxford Street 50 feet, more or less, to an angle therein; thence northeasterly by the northerly line of said Oxford Street 125 feet, more or less, to Lincoln Street; thence northwesterly by the easterly line of Lincoln Street 425 feet, more or less to the point of beginning.

MARSHALL RAYMOND,
BELIVEAU & DIONNE
ATTORNEYS AT LAW
20 PARK STREET
LEWISTON, MAINE 04400
80 MAIN STREET
FARMINGTON, MAINE 04400



TO HAVE AND TO HOLD the same, together with all the privileges and appurtenances thereunto belonging, to the said FRANKLIN PROPERTY TRUST, its successors and assigns forever.

AND it does COVENANT with the said Grantee, its successors and assigns, that it will WARRANT and FOREVER DEFEND the premises to it, the said Grantee, its successors and assigns forever, against the lawful claims and demands of all persons claiming by, through or under it.

IN WITNESS WHEREOF, It, the said FRANKLIN COMPANY, has caused these presents to be signed in its corporate name, and sealed with its corporate seal, by JOHN W. KING, its Treasurer, thereunto duly authorized, this 15th day of September in the year of our Lord one thousand nine hundred and seventy-six (1976).

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

FRANKLIN COMPANY

Arthur Waller

BY: J. W. King
JOHN W. KING, Its Treasurer



STATE OF MAINE, ANDROSCOGGIN, SS.

September 10, 1976

Personally appeared the above named, JOHN W. KING, Treasurer of the said Franklin Company, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said corporation.

Before me,

Arthur Waller
~~Notary Public~~ - Attorney at Law

STATE OF MAINE ANDROSCOGGIN

REGISTRY OF DEEDS

Received SEP 10 1976 at 10 H., 10 M., P. M., and recorded

from the original ~~instrument~~ _____, _____

MARSHALL RAYMOND,
BELIVEAU & DIONNE
ATTORNEYS AT LAW
78 PARK STREET
LEWISTON, MAINE 04240

98 MAIN STREET
FARMINGTON, MAINE 04830

**NOTICE OF HEARING
CERTIFICATES OF SERVICE**

NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Lisa Courtenay
Market Square Nursing Care
3 Market Square
South Paris, Maine 04281

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

245 LINCOLN STREET, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

September 16, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

This hearing is to determine whether the residential structure at 245 Lincoln Street, Lewiston, Maine, located on Lot 126 on Tax Map 208, and depicted on the attached Exhibit A, is a dangerous building or nuisance within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structure is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

This hearing is your opportunity to present evidence as to why the structure is not dangerous or a nuisance and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

Dated: 8-21-14


Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.


Notary Public / Attorney at Law

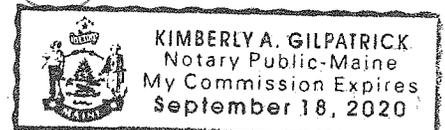
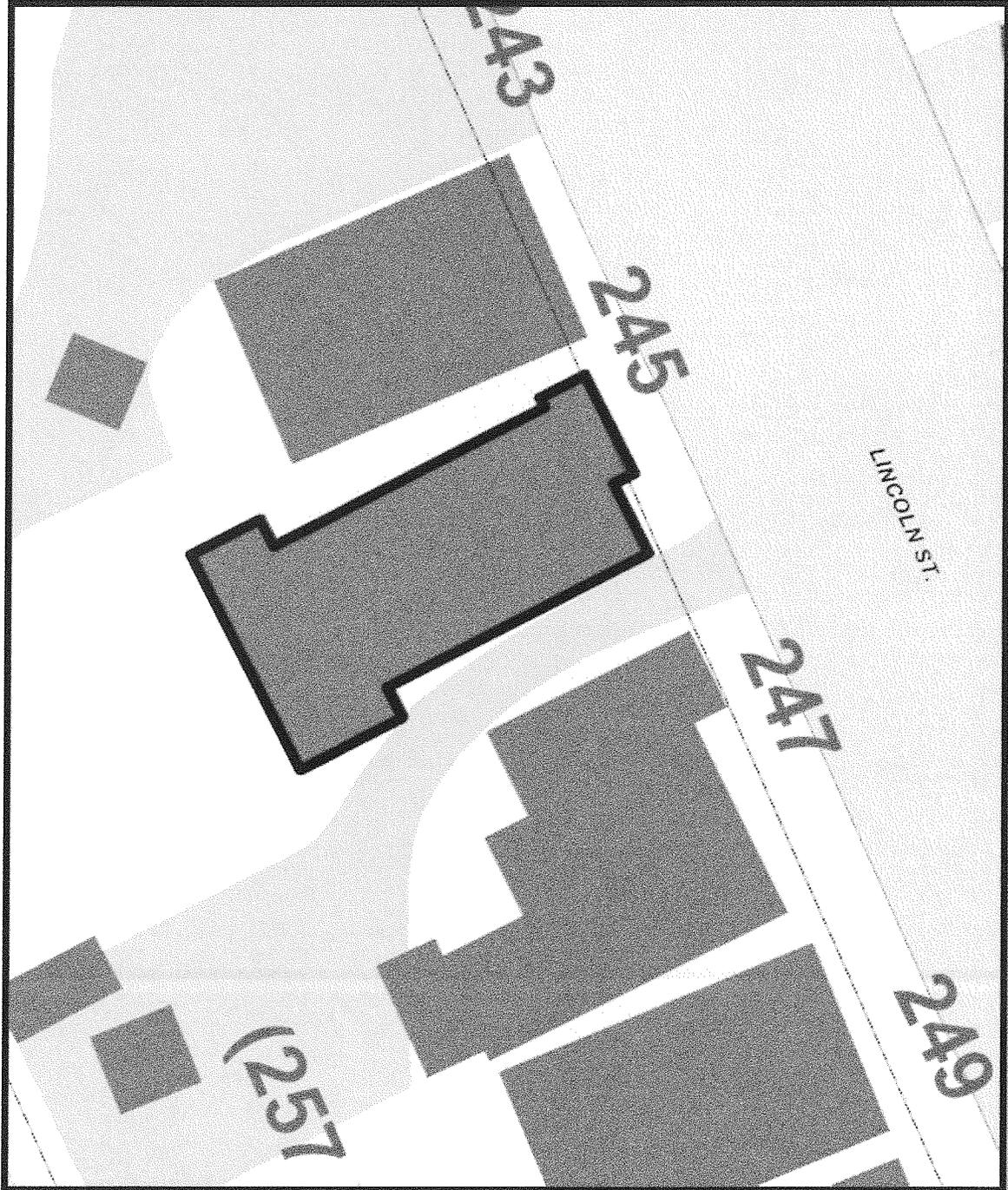


EXHIBIT A

245 Lincoln Street



Poor Copy At Time Of recording
Will Not Reproduce Clearly

ANDROSCOGGIN COUNTY
TINA M CHOUINARD
REGISTER OF DEEDS

Return

RETURN

CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
245 LINCOLN STREET, LEWISTON, MAINE
Pursuant to 17 M.R.S. §§ 2851, et seq.

On August 26, 2014 (date), I served the above-referenced NOTICE OF HEARING, a copy of which is attached hereto, by serving a copy of same to LISA COURTENAY at the following address:

Lisa Courtenay
Market Square Nursing Care
3 Market Square
South Paris, ME 04281

Costs of Service:

Service:	\$	<u>16</u>
Travel:	\$	<u>1</u>
Postage:	\$	<u>.49</u>
Other:	\$	<u>6.23</u>
TOTAL:	\$	<u>23.72</u>

Signature

Agency

Sullivan Rizzo
Deputy Sheriff
Oxford County Sheriff's Office
26 Western Avenue
South Paris, ME 04281
Phone (207-743-9554)
Fax (207-743-1510)



NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Lisa Courtenay
Market Square Nursing Care
3 Market Square
South Paris, Maine 04281

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

245 LINCOLN STREET, LEWISTON, MAINE

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September 16, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

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If the City Council finds that the structure is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

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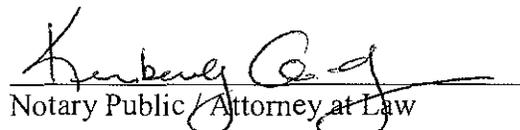
Dated:

8-21-14


Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.


Notary Public Attorney at Law

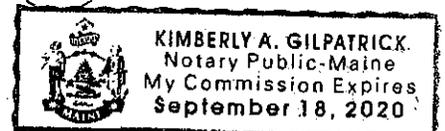
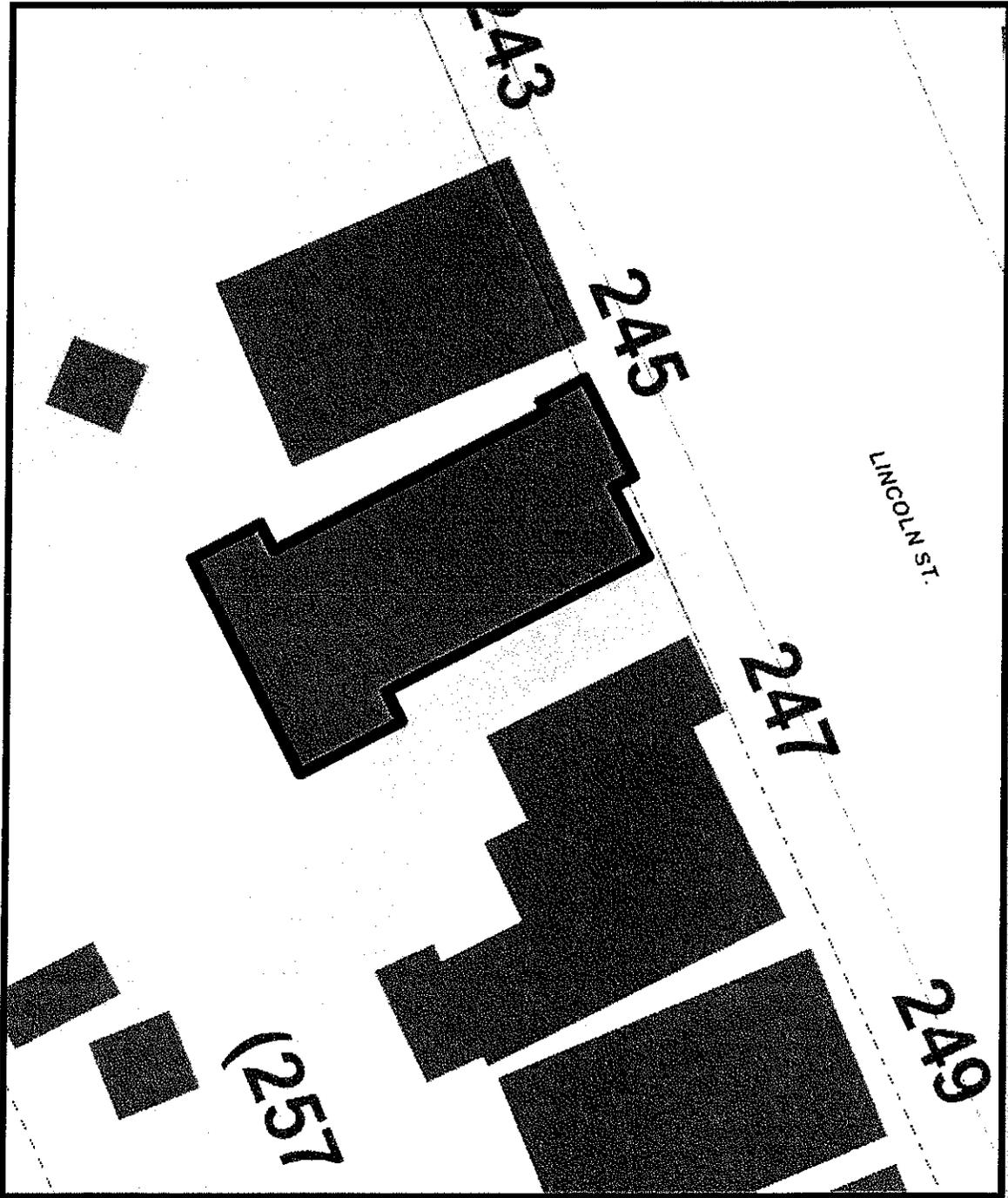


EXHIBIT A

245 Lincoln Street



CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
245 LINCOLN STREET, 267 & 267 1/2 LINCOLN STREET,
398 LINCOLN STREET, 7 WILLOW CIRCLE,
251 LINCOLN STREET, 7 LINCOLN DRIVE
and 162 OXFORD STREET, LEWISTON, MAINE
Pursuant to 17 M.R.S. §§ 2851, et seq.

On 8-26, 2014 (date), I served the above-referenced NOTICES OF HEARING, copies of which are attached hereto, by serving a copy of same to Ronald Bissonnette, Registered Agent for Franklin Property, Inc., at the following address:

Franklin Property, Inc.
c/o Ronald Bissonnette, Registered Agent
Isaacson & Raymond
75 Park Street
Lewiston, ME 04240

Costs of Service:

Service:	\$	<u>21.00</u>
Travel:	\$	<u>1.60</u>
Postage:	\$	<u>1.00</u>
Other: <i>CP</i>	\$	<u>2.00</u>
TOTAL:	\$	<u>25.60</u>

J. Phalke
Signature

Androscoquin SD
Agency



NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Lisa Courtenay
Market Square Nursing Care
3 Market Square
South Paris, Maine 04281

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

245 LINCOLN STREET, LEWISTON, MAINE

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September 16, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

This hearing is to determine whether the residential structure at 245 Lincoln Street, Lewiston, Maine, located on Lot 126 on Tax Map 208, and depicted on the attached Exhibit A, is a dangerous building or nuisance within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structure is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

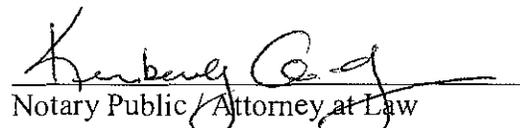
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Dated: 8-21-14


Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.


Notary Public Attorney at Law

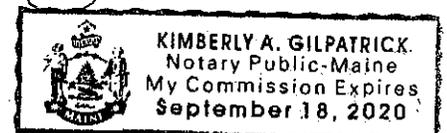
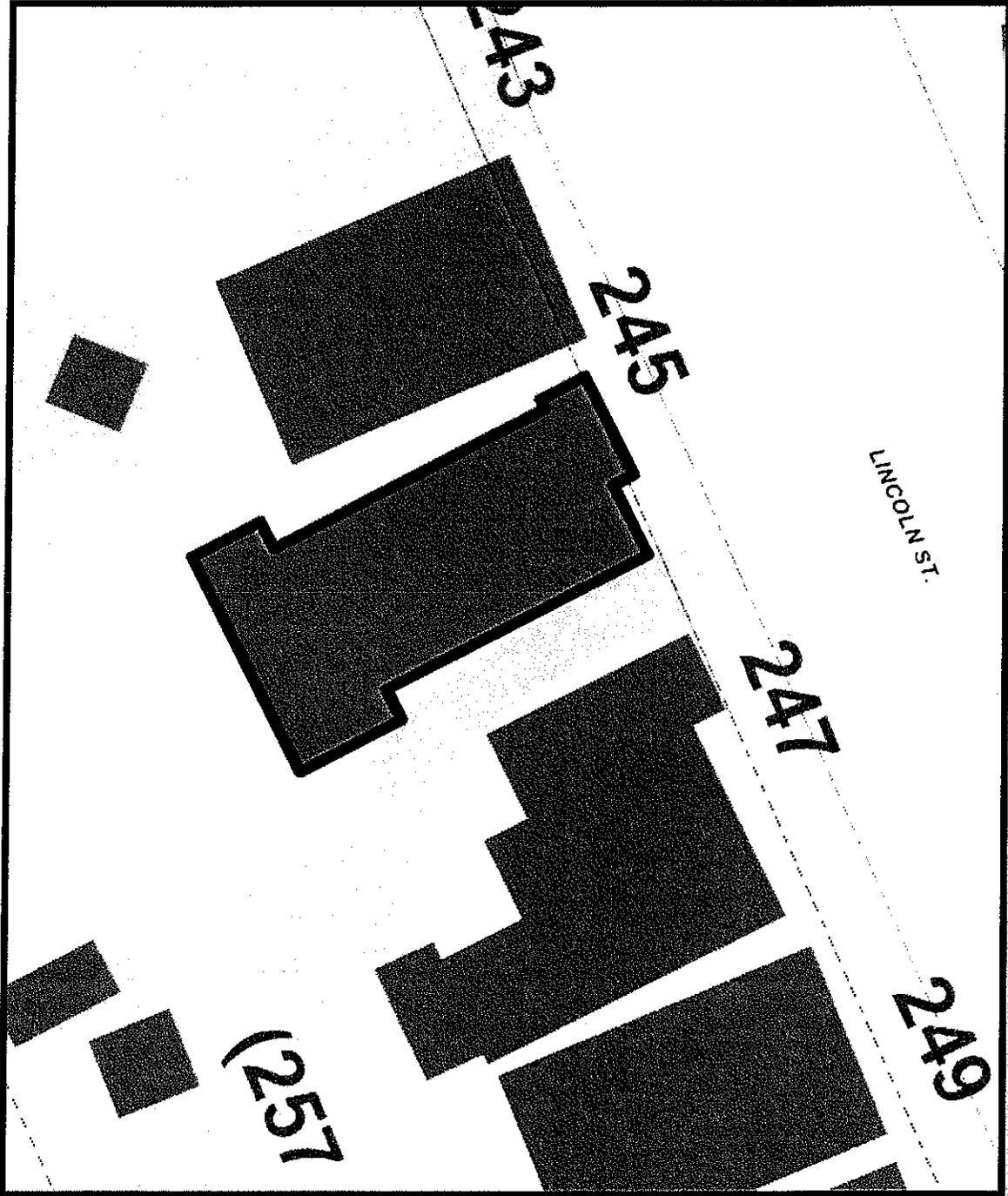


EXHIBIT A

245 Lincoln Street



CITY
CORRESPONDENCE

**CITY OF LEWISTON
CODE ENFORCEMENT
CITY BUILDING
27 PINE STREET
LEWISTON, MAINE 04240
(207) 513-3125 EXT. 3226
NOTICE OF CONDEMNATION/PLACARDING
VIA FIRST CLASS & CERTIFIED MAIL
RETURN RECEIPT REQUESTED
POSTED AT SITE**

June 10, 2014

Lisa Courtenay
70 Broad Street
Auburn, Maine 04210

Franklin Property Trust
P.O. Box 7
Lewiston, Maine 04243

RE: 245 Lincoln Street
Map: 208 Lot: 126

Dear Owner(s):

Corporal Jeff Baril and I conducted an inspection today of the building and property at 245 Lincoln Street finding it without required facilities, unsanitary, heavily fire loaded, and severely deteriorated making it unfit for occupancy and a threat to public safety due to violation(s) of the following provisions of Chapter 18, Article III, International Property Maintenance Code, Sections 18-51 and 18-52, IPMC-301.2, IPMC-302.1, IPMC-305.1 et seq, IPMC-306.1 et seq, IPMC-308.1 et seq as amended, IPMC-502.1 et seq as amended, IPMC-504.1 et seq, IPMC-505.1 et seq as amended, IPMC-602.1 et seq as amended, IPMC-603.1 et seq, IPMC-604.1 et seq, IPMC-702.1 et seq as amended and IPMC-704.1 et seq as amended as per The Code of Ordinances of the City of Lewiston hereafter referred to as the (Code). This structure must be cleared of debris and garbage by no later than **June 20, 2014**. All necessary repairs made with approved permits issued by this office, or demolished, with all approved permits issued by this office, leaving the property in a condition to the satisfaction of this office by no later than **July 18, 2014**.



1

I hereby condemn and placard the building and property at 245 Lincoln Street as being unfit for occupancy pursuant to and in accordance with Chapter 18, Article III, Property Maintenance Code, Sections 18-51 and 18-52 IPMC-301.2, IPMC-302.1, IPMC-305.1 et seq, IPMC-306.1 et seq, IPMC-308.1 et seq as amended, IPMC-502.1 et seq as amended, IPMC-504.1 et seq, IPMC-505.1 et seq as amended, IPMC-602.1 et seq as amended, IPMC-603.1 et seq, IPMC-604.1 et seq, IPMC-702.1 et seq as amended and IPMC-704.1 et seq as amended of the Code of Ordinances of the City of Lewiston.

The City of Lewiston may order the demolition of this building pursuant to the provisions of the Maine Revised Statutes, Title 17, Chapter 91, Subchapter 4, Dangerous Buildings, Section § 2851, if the building is not maintained secured or is a threat to public safety and a nuisance.

The above-mentioned property will be placarded and may not be re-occupied until proper abatement of all violations and rehabilitation has been completed. An inspection shall be conducted to confirm compliance. At such time the condemnation order and placarding shall be discontinued pursuant to the above referenced Code Section IPMC-108.4.1 stating “the code official shall remove the condemnation and placarding whenever the defect or defects upon which the Condemnation and Placarding were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the code official shall be subject to the penalties provided by this code.”

Your prompt attention to this matter is advised to avoid legal action. It is our sincere desire to work with you in devising an implementation schedule for the correction of these conditions. Please contact this office immediately if circumstances do not permit the timely compliance with this order and abatement of the violations or if you have any questions regarding this matter.

In the event that you do not comply with this order, this office may issue a citation pursuant to Chapter 50, Article II, and Section 50-36 thru 50-51 of the aforementioned Code. Said citation shall require you to pay a penalty of one hundred and ten dollars (\$110.00) for the first citation and you will be reordered to abate the outstanding violations in the previous Notices and Orders. In the event that you do not comply with the first citation, additional citations may be issued. The second citation imposes a civil penalty of two hundred and twenty five dollars (\$225.00), the third is four hundred and twenty five dollars (\$425.00), the fourth and subsequent citations are eight hundred and fifty dollars (\$850.00), and penalties are cumulative. In the future, if any of the above violations are repeated, you are not entitled to receive any further notification, and this office may serve you with a citation.

In lieu of or in addition to the issuance of citations, this office may initiate a land use complaint pursuant to Rule 80-K of the Maine Rules of Civil Procedure and 30-A M.R.S.A. § 4452 et seq. and § 3758-A et seq. as amended. A judgment from such a lawsuit in the City’s favor will result in a court order that any violations be abated, the imposition of a fine of up to two thousand, five hundred dollars (\$2,500.00) per violation, per day, the payment of court costs and the City’s legal fees.

You may appeal this order and request a hearing before the Lewiston Board of Appeals by filing a written petition at the office of the Director of Planning and Code Enforcement within ten (10) days of receipt of this notice. This petition shall be submitted on a form provided by this office along with the one hundred and five dollar (\$105.00) appeal fee. Should you fail to appeal you will be barred from any opportunity to contest or challenge the terms of this Notice and Order in any further legal proceedings.

If you sell, transfer or lease this property, you must notify the grantee, mortgagee, transferee, or lessee of any outstanding code violations pursuant to Section IPMC-107.6 of the Property Maintenance Code. You must also furnish this office with a signed notarized statement from the grantee, mortgagee, transferee or lessee acknowledging receipt of any orders or notices and fully accepting responsibility for the abatement of said violations.

Sincerely,

Thomas E. Maynard
Code Enforcement Officer/Constable

c: Gildace J. Arsenault, Director of Planning & Code Enforcement

The City of Lewiston is an EOE. For more information, please visit our website @ www.ci.lewiston.me.us and click on the Non-Discrimination Policy

PHOTOGRAPHS

245 Lincoln Street Franklin Property Trust Land

Photo #1 taken 6-9 & 10-2013 Front of building.



Photo # 2 taken June 9, 2014 debris required to be removed for access to the interior of the structure. The remaining areas are filled with debris contributing to fire loading.



Photo # 3 Debris blocking the primary means of egress.



Photo # 4 The rear porch area fill with debris contributing to fire loading.



Photo # 5 Debris stacked nearly to ceiling made up of combustibles blocking means of egress.



Photo # 6 The basement filled with debris nearly to the underside of the floor joists..



Photo # 7 Room filled with debris blocking means of escape.



Photo # 6 Room filled above the height of the door and to the ceiling with debris including but not limited to rotting garbage, feces and urine.



Photo # 7 Room filled with debris blocking means of escape.



Photo # 8 Room filled above the height of the door and to the ceiling with debris including but not limited to rotting garbage, feces and urine.



LEWISTON CITY COUNCIL

MEETING OF SEPTEMBER 16, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 19

SUBJECT:

Condemnation Hearing for the building located at 7 Willow Circle.

INFORMATION:

The City has begun the process for condemnation of the property at 7 Willow Circle under the dangerous building classification. This property has been abandoned by the owner and upon inspection of city staff has been determined to be an unsafe structure.

The agenda background material pertains to the condition of this property. The City Attorney will be present on Tuesday evening to assist the City Council with the condemnation hearing and to advise accordingly.

PLEASE NOTE - The background material for this agenda item is included in a separate binder that was distributed with the meeting agenda binder.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EARSKMM

REQUESTED ACTION:

1	2	3	4	5	6	7	M
---	---	---	---	---	---	---	---

1) To conduct a hearing to determine if the building located at 7 Willow Circle has meet the dangerous building statutes as defined in Title 17, sec. 2851 et all.

If it is determined that the building does meet the dangerous building criteria, then the Council is asked :

2) With regard to the property at 7 Willow Circle, to adopt the Findings of Fact, Conclusions of Law and Order of Demolition proposed by the City Planning and Code Enforcement Department, which Order establishes the corrective action to be taken by the property owner and the time frame for taking such action, and which authorizes the City Administrator to take such corrective action if the property owner fails to do so, and to recoup the City's costs through a special tax or collective action.

7 WILLOW CIRCLE

OWNERSHIP DOCUMENTS

KNOW ALL MEN BY THESE PRESENTS,
 THAT It, FRANKLIN COMPANY, a Maine corporation with its principal place of business located at 191 LISBON STREET, LEWISTON, County of ANDROSCOGGIN, and State of MAINE, in consideration of ONE DOLLAR AND OTHER VALUABLE CONSIDERATION, paid by FRANKLIN PROPERTY TRUST, in accordance with a declaration of trust to be recorded in the Androscoggin County Registry of Deeds, having its office at 191 LISBON STREET, LEWISTON, County of ANDROSCOGGIN, and State of MAINE, the receipt whereof it does hereby acknowledge, does hereby REMISE, RELEASE, BARGAIN, SELL and CONVEY, and forever QUIT-CLAIM unto the said FRANKLIN PROPERTY TRUST, its successors and assigns forever,

A certain lot or parcel of land situated in Lewiston, County of Androscoggin and State of Maine, with any buildings thereon, bounded and described as follows: COMMENCING on the southwesterly side of Bartlett Street by the easterly corner of land conveyed by this Grantor to the City of Lewiston on September 5, 1946 by deed # 1835; thence running southwesterly by said City of Lewiston land, 455 feet, more or less, to an angle therein to the easterly corner of land conveyed by this Grantor to said City of Lewiston by deed dated June 1, 1949 # 1870; thence southwesterly by said City of Lewiston land about 232 feet to an angle therein; thence continuing southwesterly at an angle to the left by land of said City of Lewiston about 62 feet to land conveyed by this Grantor to Robert N. Bosse et al by deed dated February 25, 1965 # 2068; thence southeasterly by said Bosse land about 256 feet to the northerly corner of land conveyed by this Grantor to Philibert J. Roy by deed dated November 26, 1968 # 3019; thence southeasterly by said Roy land 100 feet, more or less, to a right angle in said line; thence northeasterly still by said Roy land about 17 feet to a right angle therein; thence southeasterly still by said Roy land about 100 feet to Hackett Street as extended; thence by said Hackett Street as extended northeasterly 50 feet, more or less to an angle therein; thence southeasterly still by said Hackett Street as extended about 50 feet to land conveyed by this Grantor to Chia Ravelotti on September 15, 1972 by deed #3055; thence by said Ravelotti land southeasterly along said Hackett Street about 200 feet; thence continuing along the northeasterly side of Hackett Street about 350 feet to land conveyed by this Grantor to Normand L. St. Denis et al on May 3, 1962 by deed # 2020; thence northeasterly by land of said St. Denis about

MARSHALL, RAYMOND,
 BEHREAU & DICHNE
 ATTORNEYS AT LAW
 74 PARK STREET
 LEWISTON MAINE 04600
 ————
 88 MAIN STREET
 FARMINGTON, MAINE 04698

EXHIBIT

A

90 feet, more or less, to an angle in said line; thence southeasterly by land of said St. Denis about 120 feet to land conveyed by this Grantor to Philibert H. Roy January 9, 1923 by deed # 1601; thence northeasterly by land of said Roy about 40 feet to the southwest corner of land conveyed by this Grantor to said Philibert H. Roy on July 26, 1924 by deed # 1651; thence continuing northeasterly by land of said Roy 50 feet, more or less, to land conveyed by this Grantor to Emile Rzasa on May 3, 1962 by deed # 2019; thence northwesterly by land of said Rzasa 125 feet, more or less, to an angle in said line; thence northeasterly 50 feet, more or less, still by line of land of said Rzasa to an angle in said line, thence southeasterly still by land of said Rzasa 125 feet, more or less, to line of land conveyed by this Grantor to Philibert H. Roy on May 11, 1927 by deed # 1709; thence northeasterly by land of said Roy about 50 feet to the southerly line of land conveyed to him by this Grantor on October 19, 1923 by deed # 1635; thence continuing northeasterly by land conveyed by this Grantor to said Roy on May 11, 1925 by deed # 1671 50 feet, more or less; thence continuing by land of said Roy in a northeasterly direction 50 feet, more or less, to the southwesterly line of land conveyed by this Grantor to Margaret E. Cronin et al on July 27, 1949 by deed # 1873; thence continuing northeasterly by land of said Cronin 50 feet, more or less, to the southwesterly line of land conveyed by this Grantor to Philibert H. Roy by deed dated April 26, 1939 # 1774; thence continuing northeasterly by said Roy land about 50 feet to Bartlett Street; thence northwesterly by the southwesterly line of Bartlett Street 795 feet more or less to the point of beginning. **

TO HAVE AND TO HOLD the same, together with all the privileges and appurtenances thereunto belonging, to the said FRANKLIN PROPERTY TRUST, its successors and assigns forever.

AND it does COVENANT with the said Grantee, its successors and assigns, that it will WARRANT and FOREVER DEFEND the premises to it, the said Grantee, its successors and assigns forever, against the lawful claims and demands of all persons claiming by, through or under it.

IN WITNESS WHEREOF, It, the said FRANKLIN COMPANY, has caused these presents to be signed in its corporate name, and sealed with its corporate seal, by JOHN W. KING, its Treasurer, thereunto duly authorized, this 10th day of September in the year of our Lord one thousand nine hundred and seventy-

-2-

** Excepting and reserving from the premises above described a parcel of land conveyed by this Grantor to Chia Ravelotti on September 15, 1972 by deed #3055.

JK

MARSHALL RAYMOND,
DELIVEAU & DIONNE
ATTORNEYS AT LAW
75 PARK STREET
LEWISTON, MAINE 04840
80 MAIN STREET
FARMINGTON, MAINE 04830

six (1976).

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

FRANKLIN COMPANY

Cartha W. Allen

BY: J. W. King
John W. King, Its Treasurer



STATE OF MAINE, ANDROSCOGGIN, SS.

September 10, 1976

Personally appeared the above named, JOHN W. KING, Treasurer of the said Franklin Company, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said corporation.

Before me,

Cartha W. Allen
Notary Public, Cartha W. Allen

STATE OF MAINE, ANDROSCOGGIN

REGISTRY OF DEEDS

Received SEP 10 1976 at 12 H., 10 M., P M., and recorded from the original ~~book~~ _____, ~~page~~ _____

~~BOOK~~ _____ ~~PAGE~~ _____

MARSHALL, RAYMOND,
BELIVEAU & DIONNE
ATTORNEYS AT LAW
78 PARK STREET
LEWISTON, MAINE 04240
58 MAIN STREET
FARMINGTON, MAINE 04830

**NOTICE OF HEARING
CERTIFICATES OF SERVICE**

NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Deborah Labrie
22 Cottage Street
Lewiston, Maine 04240

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

7 WILLOW CIRCLE, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

September 16, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

This hearing is to determine whether the residential structure at 7 Willow Circle, Lewiston, Maine, located on Lot 182 on Tax Map 196, and depicted on the attached Exhibit A, is a dangerous building or nuisance within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structure is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

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Dated: 8-21-14


Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

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Notary Public / Attorney at Law

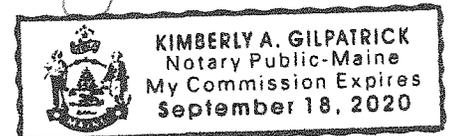
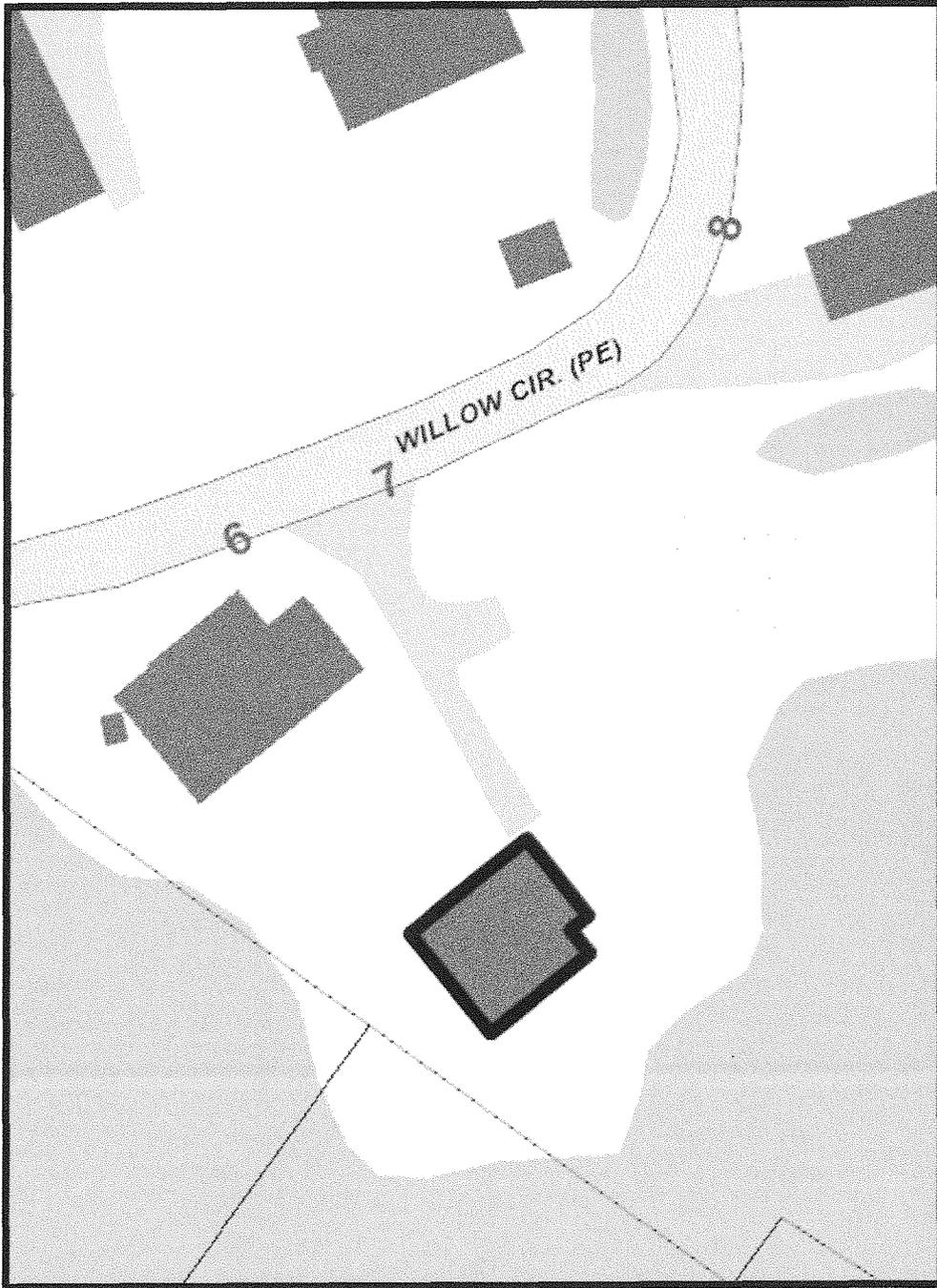


EXHIBIT A

7 Willow Circle



Poor Copy At Time Of Recording
Will Not Reproduce Clearly

ANDROSCOGGIN COUNTY
TINA M. CHOUINARD
REGISTER OF DEEDS

CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

NOTICE OF HEARING
245 LINCOLN STREET, 267 & 267 1/2 LINCOLN STREET,
398 LINCOLN STREET, 7 WILLOW CIRCLE,
251 LINCOLN STREET, 7 LINCOLN DRIVE
and 162 OXFORD STREET, LEWISTON, MAINE
Pursuant to 17 M.R.S. §§ 2851, et seq.

On 8-26, 2014 (date), I served the above-referenced NOTICES OF HEARING, copies of which are attached hereto, by serving a copy of same to Ronald Bissonnette, Registered Agent for Franklin Property, Inc., at the following address:

Franklin Property, Inc.
c/o Ronald Bissonnette, Registered Agent
Isaacson & Raymond
75 Park Street
Lewiston, ME 04240

Costs of Service:

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Other: <i>CP</i>	\$	<u>2.00</u>
TOTAL:	\$	<u>25.60</u>

J. Phalke
Signature

Androscoquin SD
Agency



NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Deborah Labrie
22 Cottage Street
Lewiston, Maine 04240

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

7 WILLOW CIRCLE, LEWISTON, MAINE

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September 16, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

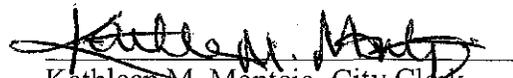
This hearing is to determine whether the residential structure at 7 Willow Circle, Lewiston, Maine, located on Lot 182 on Tax Map 196, and depicted on the attached Exhibit A, is a dangerous building or nuisance within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

If the City Council finds that the structure is dangerous or a nuisance, it may order the appropriate corrective action, including, but not limited to, demolition and removal of the structure. If the corrective action is not taken by the deadline established by the City Council's order, and no appeal is taken, the City may take the corrective action at the City's expense. The City may then recover all of its expenses, including reasonable attorneys' fees and costs, by means of a special tax or civil action.

This hearing is your opportunity to present evidence as to why the structure is not dangerous or a nuisance and to oppose any corrective action ordered by the City Council. Failure to attend may result in the waiver of certain rights with regard to this property.

Dated:

8-27-14


Kathleen M. Montejo, City Clerk

STATE OF MAINE
ANDROSCOGGIN, ss

Before me this day personally appeared Kathleen M. Montejo who acknowledges the foregoing instrument to be her free act and deed.


Notary Public / Attorney at Law

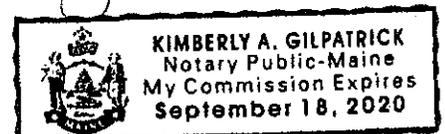
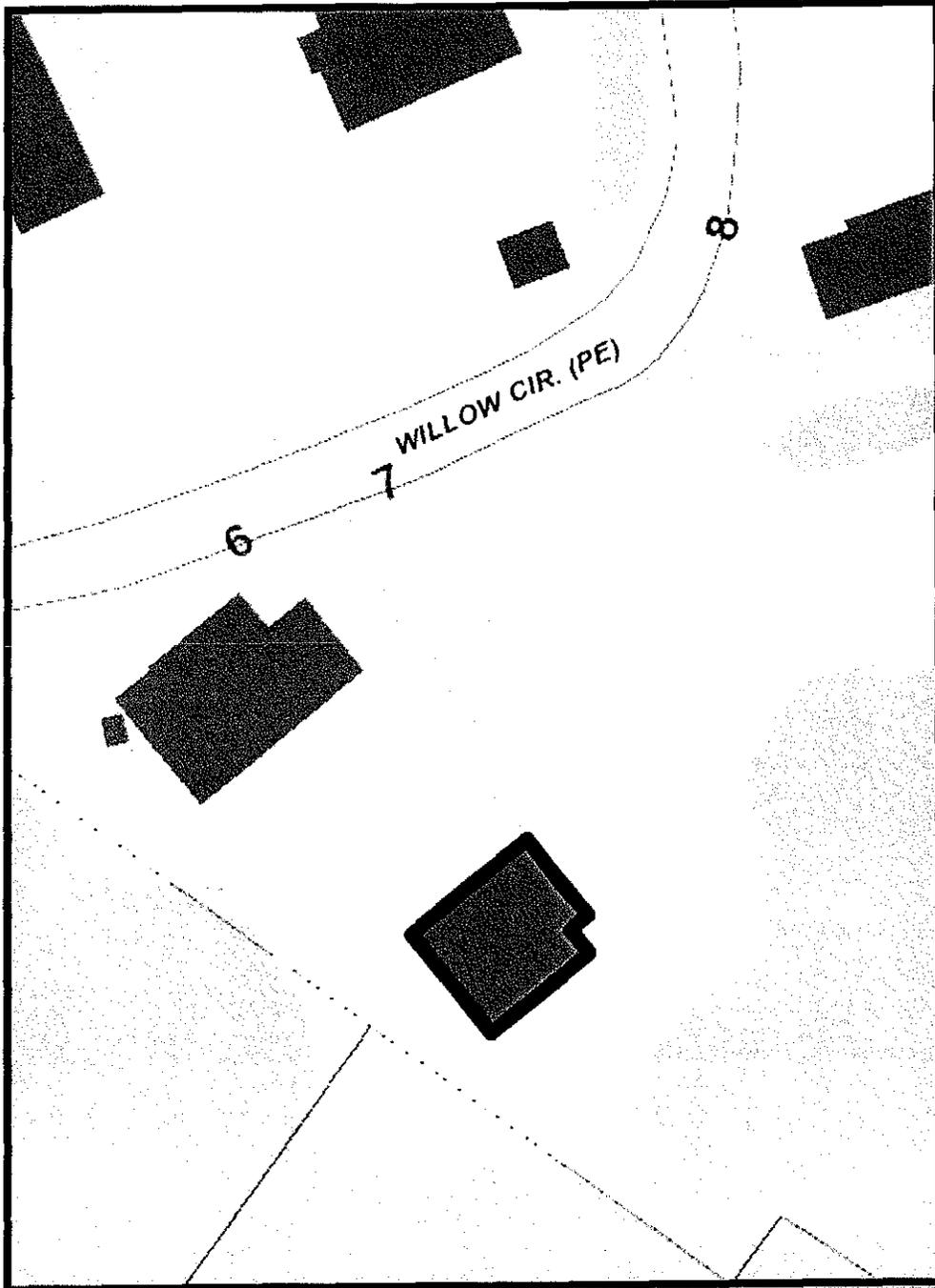


EXHIBIT A

7 Willow Circle



Return

CITY OF LEWISTON
CITY COUNCIL

RETURN OF SERVICE

**NOTICE OF HEARING
7 WILLOW CIRCLE, LEWISTON, MAINE
Pursuant to 17 M.R.S. §§ 2851, et seq.**

On August 22, 2014 (date), I served the above-referenced NOTICE OF HEARING, a copy of which is attached hereto, by serving a copy of same to DEBORAH LABRIE at the following address:

Deborah Labrie
22 Cottage Street
Lewiston, ME 04240

Costs of Service:

Service: \$ _____
Travel: \$ _____
Postage: \$ _____
Other: \$ _____

TOTAL: \$ _____

[Signature]
Signature
L.P. FSE
Agency



NOTICE OF HEARING
Pursuant to 17 M.R.S. §§ 2851-59
Dangerous Buildings

Deborah Labrie
22 Cottage Street
Lewiston, Maine 04240

Franklin Property Trust, LLC
c/o Ronald Bissonnette, Esq.
Isaacson & Raymond
75 Park Street
Lewiston, Maine 04240

7 WILLOW CIRCLE, LEWISTON, MAINE

You are hereby notified that the City Council of the City of Lewiston, Maine will hold a hearing on:

September 16, 2014
7:00 pm
Lewiston City Hall, 27 Pine Street, Lewiston, Maine

This hearing is to determine whether the residential structure at 7 Willow Circle, Lewiston, Maine, located on Lot 182 on Tax Map 196, and depicted on the attached Exhibit A, is a dangerous building or nuisance within the meaning of 17 M.R.S. § 2851, and if so, what is the appropriate remedy.

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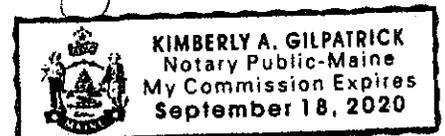
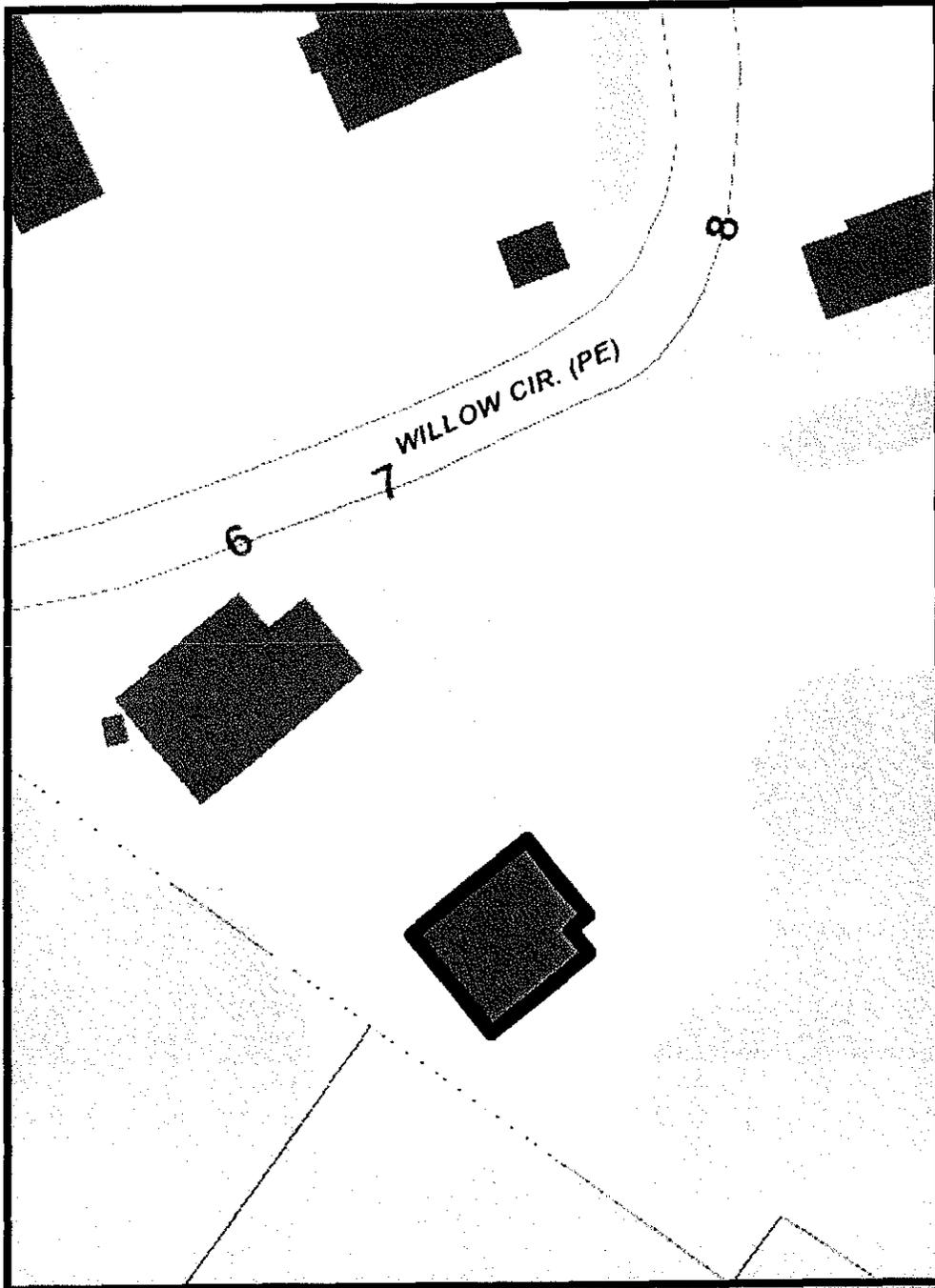


EXHIBIT A

7 Willow Circle



CITY
CORRESPONDENCE

**CODE ENFORCEMENT
CITY BUILDING
27 PINE STREET
LEWISTON, ME 04240-7201
(207) 784-2951, Ext. 316
TTY/TDD (207) 784-5999**

NOTICE OF VIOLATION

May 22, 2007.

VIA FIRST CLASS & CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Debra Labrie
7 Willow Circle
Lewiston ME 04240

Dear Property Owner(s):

On May 21, 2007, I inspected the property at 7 Willow Circle and found a violation(s) of Chapter 18, Article III, Property Maintenance Code, Sections 18-51 and 18-52 as per the Code of Ordinances of the City of Lewiston. In accordance with Section 18-52, PM-106.1 of the aforementioned code you are hereby ordered to correct the Property Maintenance violation(s) shown on the attached sheet(s) on or before the compliance date(s) listed.

Your prompt attention to this matter is advised to avoid legal action. It is our sincere desire to work with you in devising an implementation schedule for the correction of these conditions. Please contact this office immediately if circumstances do not permit the timely abatement of the violations or if you have any questions regarding this matter.

In the event that you do not abate the attached violation(s) by the specified date(s) this office may issue a citation pursuant to Chapter 50, Article II, Sections 50-36 through 50-51 of the aforementioned Code of Ordinances. Said citation shall require you to pay a penalty of one hundred dollars (\$100.00) for the first citation and will order you to abate the violation(s) at issue. In the event that you do not comply with the first citation, additional citations may be issued. The second citation imposes a civil penalty of two hundred dollars (\$200.00), the third - four hundred dollars (\$400.00), the fourth and subsequent citations - eight hundred dollars (\$800.00) and penalties are cumulative. In the future, if any of the specific violations as shown on the attached sheet(s) are repeated, you are not entitled to receive any further notification and this office may serve you with a citation.

In Lieu of or in addition to the issuance of citations this office may initiate a land use complaint pursuant to Rule 80-K of the Maine Rules of Civil Procedure and 30-A M.R.S.A. §4452 et seq. as amended. A judgement from such a lawsuit in the City's favor can result in a court order that any violations be abated, the imposition of a fine of up to two-thousand five-hundred dollars (\$2,500.00), per violation per day, and the payment of court costs and the City's legal fees.



You may appeal this order and request a hearing before the Lewiston Board of Appeals by filing a written petition at the office of the Director of Code Enforcement within ten (10) days of receipt of this notice. This petition shall be submitted on a form provided by this office along with the one hundred (\$100.00) appeal fee. Should you fail to appeal you will be barred from any opportunity to contest or challenge the content or terms of this Notice and Order in any further legal proceedings.

If you sell, transfer or lease this property, you must notify the grantee, mortgagee, transferee, or lessee of any outstanding code violations pursuant to Section PM-106.6 of the Property Maintenance Code. You must also furnish this office with a signed notarized statement from the grantee, mortgagee, transferee or lessee acknowledging receipt of any orders or notices and fully accepting responsibility for the abatement of said violations.

Sincerely,

A handwritten signature in black ink that reads "Kim Austin" followed by a stylized monogram or initials.

Kim Austin
Code Enforcement Officer

c: Gildace J. Arsenault, Director of Planning/Code Enforcement

The City of Lewiston does not discriminate against or exclude individuals from its municipal facilities, and/or in the delivery of its programs, activities and services based on an individual person's ethnic origin, color, religion, sex, age, physical or mental disability, veteran status, or inability to speak English. For more information about this policy, contact or call Compliance Officer Mike Paradis at (V) 207-784-5753, (TTY) 207-784-5999, or email mparadis@ci.lewiston.me.us



CITY OF LEWISTON

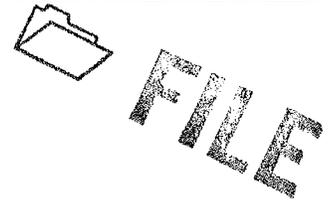
Planning & Code Enforcement



NOTICE OF VIOLATION (S)

April 16, 2008

Deborah J. Labrie
7 Willow Circle
Lewiston, Maine 04240



RE: 7 Willow Circle
196-182

Dear Ms. Deborah J. Labrie:

It has come to the attention of this office that a recycling business has been operating at 7 Willow Circle and on April 15, 2008, I inspected the property and found a violation of Appendix A, Zoning and Land Use Code, Article V, Sections 1, Article X, Section(s) 1 et seq, Article XI, Section 16, (d), as per the Code of Ordinances of the City of Lewiston hereafter referred to as the "Code." There was and has been reported that salvage materials have been brought to this property to be processed for sale. Additionally, I observed violations of Chapter 18, Article III, Property Maintenance Code, Sections 18-51 and 18-52, PM-301.1 and PM301.8. There is trash and debris about the property including but not limited to tires, appliances, building materials, countertop, scrap wood, cinder blocks, garbage, and unregistered and/or uninspected vehicles and vehicles in major disassembly and repair. You are hereby ordered to cease bringing to the property any salvage material, debris, garbage, or any other materials to the property effective immediately. You are also ordered to remove all the debris, garbage, salvage materials, and any other waste materials by no later than April 25, 2008.

Your prompt attention to this matter is advised to avoid legal action. It is my and this office's sincere desire to work with you in devising an implementation schedule for the correction of these conditions. Please contact this office immediately if circumstances do not permit the timely abatement of the violations. I, or this office, will take your circumstances into consideration and may modify the required compliance date(s).

In the event that you do not comply with this order and abate the violations by the dates listed above, this office may issue a citation pursuant to Chapter 50, Article II, and Section 50-36 thru 50-51 of the aforementioned Code. Said citation shall require you to



pay a penalty of one hundred dollars (\$100.00) for the first citation and you will be reordered to abate the outstanding violations in this Notice and Order. In the event that you do not comply with the first citation, additional citations may be issued. The second citation imposes a civil penalty of two hundred dollars (\$200.00), the third is four hundred dollars (\$400.00), the fourth and subsequent citations are eight hundred dollars (\$800.00), and penalties are cumulative. In the future, if any of the above violations are repeated, you are not entitled to receive any further notification, and this office may serve you with a citation.

In lieu of or in addition to the issuance of citations, this office may initiate a land use complaint pursuant to Rule 80-K of the Maine Rules of Civil Procedure and 30-A M.R.S.A. § 4452 et seq. and § 3758-A et seq. as amended. A judgment from such a lawsuit in the City's favor will result in a court order that any violations be abated, the imposition of a fine of up to two thousand, five hundred dollars (\$2,500.00) per violation, per day, the payment of court costs and the City's legal fees.

You have the right to appeal this order and request a hearing before the Lewiston Board of Appeals by filing a written petition to the Director of Planning and Code Enforcement within ten (10) days receipt of this order for violations of the Property Maintenance Code, and thirty (30) days for other violations including those of the Zoning and Land Use Code. The hearing shall be held within thirty (30) days of the receipt of the petition for appeal, and shall be heard as an administrative appeal. The petition must be submitted on a form obtained at the Planning and Code Enforcement Department and it must be accompanied by a one hundred dollar (\$100.00) filing fee. Should you fail to appeal, you will be barred from any opportunity to contest or challenge the content or terms of this Notice and Order in any further legal proceedings.

If you sell, transfer or lease this property, you must notify the grantee, mortgagee, transferee, or lessee of any outstanding code violations pursuant to Section PM-106.6 of the Property Maintenance Code. You must also furnish this office with a signed notarized statement from the grantee, mortgagee, transferee or lessee acknowledging receipt of any orders or notices and fully accepting responsibility for the abatement of said violations.

Please contact me or this office should you have any questions or concerns.

Sincerely,

Thomas E. Maynard
Code Enforcement Officer

c: Gildace J. Arsenault, Director of Planning and Code Enforcement

The City of Lewiston is an EOE. For more information, please visit our website @ www.ci.lewiston.me.us and click on the Non-Discrimination Policy

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature <i>X Deborah J Labrie</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to: Deborah J. Labrie 7 Willow Circle Lewiston Maine 04240	B. Received by (Printed Name) <i>Deborah J. Labrie</i>	C. Date of Delivery
	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No 	
2. Article Number (Transfer from service label)	3. Service Type: <i>2009</i> <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input checked="" type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	

PS Form 3811, February 2004

7005 1820 0002 5700 4414

Domestic Return Receipt

102595-02-M-1540

PHOTOGRAPHS

7 Willow Circle
Franklin Property Trust Land
Severely Deteriorated Building

Photo # 1 taken April 15, 2008 of front view showing start of renovations.



Photo # 2 taken April 4, 2012 showing the extent of work with removed 2nd floor window and siding..



Photo # 3 taken August 28, 2014 showing the installation of a box bay window and two windows



Photo # 4 taken August 28, 2014 showing salvaged cedar shake shingles for siding.



Photo # 5 taken November 27, 2012 shows the interior with floor removed, using cinder blocks as fill and unfinished walls.



Photo # 6 taken November 27, 2012 shows unfinished and exposed floor joists, electrical work and plumbing. The floor is open to the basement making for a dangerous condition allowing for the accelerated spread of fire.



Photo # 7 taken November 27, 2012 shows the open roof structure in an unfinished state making for the accelerated spread of fire.



Photo #8 taken November 27, 2012 shows an exposed chimney and unfinished conditions.



Photo # 9 taken November 27, 2012 shows exposed unprotected insulation and debris greatly increasing the risk of fire.



Photo # 10 taken April 9, 2012 is a view into a door showing incomplete alterations and hazardous conditions.



Photo # 11 taken April 9, 2012 is a closer view through the same door showing unfinished conditions with debris contributing to fire loading.

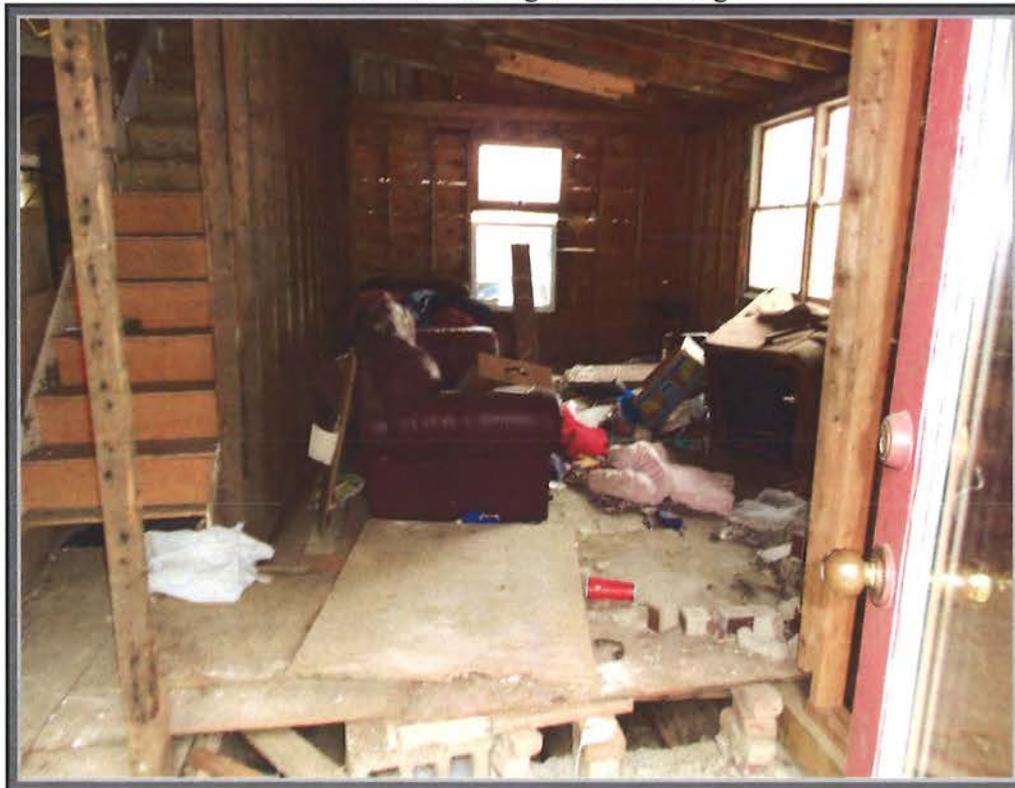


Photo # 12 taken November 27, 2012 showing the unfinished conditions.



Photo # 13 taken April 9, 2012 shows the unfinished conditions with the floor missing making for dangerous conditions.



Photo # 14 taken April 9, 2012 shows open framing and unfinished electrical work installed without appropriate electrical permits.

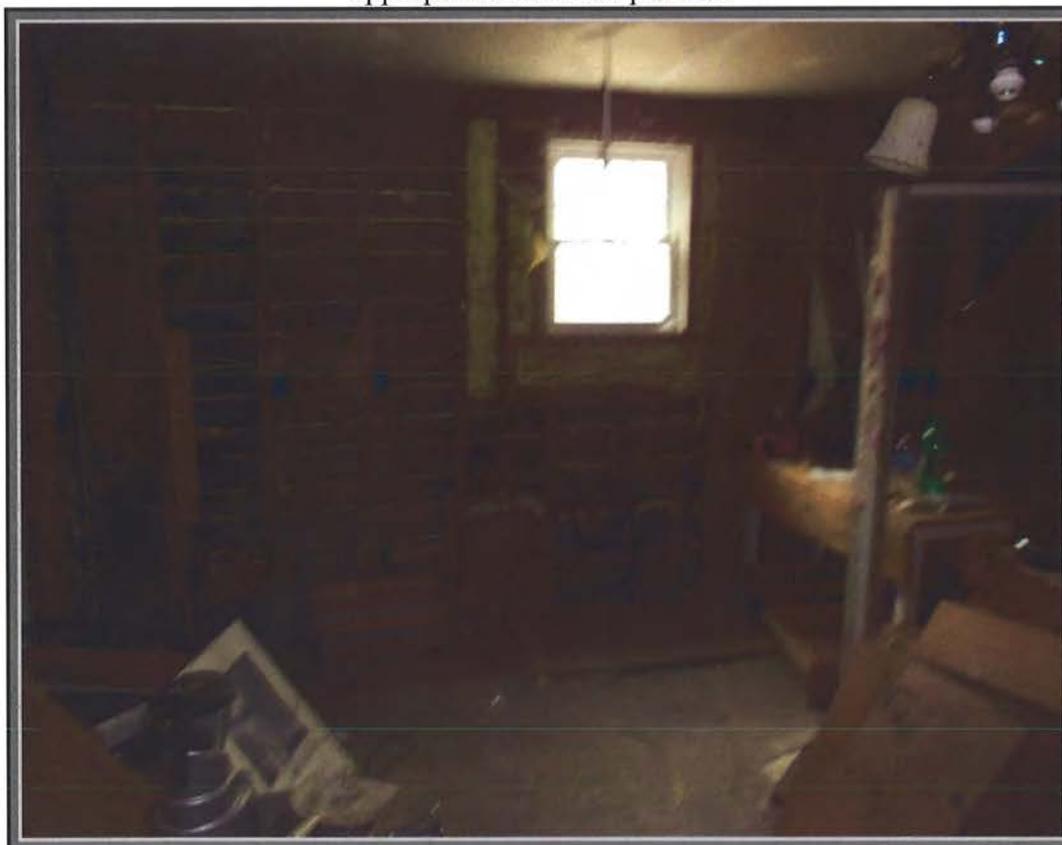


Photo # 15 taken August 28, 2014 shows the interior view with no perceptible progress towards completion.



Photo # 16 taken August 28, 2014 shows remaining unfinished construction.



Photo # 17 taken September 9, 2014 shows open chimney and exposed undersized floor joists with one joist in contact with and supported by the chimney making for an obsolete floor system in violation of current Code.



Photo # 18 taken September 9, 2014 shows unfinished construction and exposed unprotected wiring.



Photo # 19 taken September 9, 2014 shows alteration to a bearing wall by removing bearing studs leaving it without the necessary bearing capacity.



Photo # 20 taken September 9, 2014 shows severe deterioration to the exterior wall making the wall unstable.



Photo # 21 taken September 9, 2014 shows the exterior foundation wall in a state of collapse making it unstable and unsafe.



Photo # 22 taken September 9, 2014 is an example of inferior workmanship to the installation of a second floor window leaving opening for the entry of the elements.



Photo # 23 taken September 9, 2014 shows the extent of the installation of cedar shake shingle siding with missing windows leaving the building unsecured and open to the elements.



Photo # 24 taken September 9, 2014 shows unprotected particle board sheets of wood and unfinished soffits.



LEWISTON CITY COUNCIL

MEETING OF SEPTEMBER 16, 2014

AGENDA INFORMATION SHEET:

AGENDA ITEM NO. 20

SUBJECT:

Resolve Amending the Composition and Appointment Requirements for the Downtown Neighborhood Action Committee.

INFORMATION:

The Downtown Neighborhood Action Committee is recommending the Council approve a change to the structure and makeup of their committee to allow for greater stability and flexibility in the membership. The request is to allow members to serve who live in or near the study area. This will broaden the options for various residents to serve and contribute to this committee.

APPROVAL AND/OR COMMENTS OF CITY ADMINISTRATOR:

The City Administrator recommends approval of the requested action.

EAB/kmm

REQUESTED ACTION:

1	2	3	4	5	6	7	M
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To adopt the Resolve Amending the Composition and Appointment Requirements for the Downtown Neighborhood Action Committee.



**City of Lewiston Maine
City Council Resolve
September 16, 2014**



Resolve, Amending the Composition and Appointment Requirements for the Downtown Neighborhood Action Committee.

Whereas, the Council adopted resolution establishing the Downtown Neighborhood Action Committee sets aside two positions on the Committee for residents of the study area, one of which must be a representative of the Visible Community; and

Whereas, the study area generally encompasses the area located within the boundary of Adams/Park/Ash/Bartlett; and

Whereas, the Downtown Neighborhood Action Plan recognizes that these boundaries are somewhat arbitrary; and

Whereas, areas adjacent to the study area share many of its social and demographic characteristics and development patterns; and

Whereas, the City has had difficulty recruiting and retaining study area residents; and

Whereas, the positions on the Committee set aside for a business owner and a landlord indicate that they must own property "in or near" the study area; and

Whereas, the Committee has requested that the Council broaden the area from which residents can be appointed in order to provide greater stability to the membership of the Committee;

Now, therefore, be It Resolved by the City Council of the City of Lewiston that

the Composition and Appointment section of the Resolve establishing the Downtown Neighborhood Action Committee is hereby amended as follows:

3. Composition and Appointment. The Committee shall be composed of seven regular members to be appointed by the Mayor as follows:
 - a. Two residents ~~of the~~ who live in or near the study area to include at least one representative of the Visible Community;

Deletions are ~~struck through~~, additions are underlined.