

#### **Town of Hermon**

#### **Public Safety Meeting Room**

January 16, 2025

**Town Council Meeting** 

6:30 PM

#### **AGENDA**

To watch Council Meetings go to hermonmaine.gov click Council click Town Council Meetings click Zoom

Please see the complete video at Town Council Meetings | Hermon (hermonmaine.gov)

#### \*\*\*ALL ITEMS ARE SUBJECT TO APPROPRIATE COUNCIL ACTION\*\*\*

- I. CALL TO ORDER BY CHAIRPERSON:
- II. PLEDGE OF ALLEGIANCE:
- III. ROLL CALL:
- IV. PUBLIC ITEMS OR COMMENTS: (ITEMS NOT ALREADY ON THE AGENDA)
- V. REVIEW CONSENT CALENDAR: REGULAR BUSINESS, APPOINTMENTS, SIGNATURES, AND APPROVAL OF MINUTES:

**MINUTES** 

-APPROVE

12/5/2024

**SIGNATURES** 

-APPROVE

RESOLVES

-SIGN

WARRANTS

-SIGN

12/20/2024, 1/3/2025 & 1/17/2025

- VI. NEWS, PRESENTATIONS AND RECOGNITIONS:
  - Boston Post Cane awarded on December 20, 2024 and presented on January 6, 2025—Stephen Fields



#### VII. PUBLIC HEARINGS:

- Hold Public Hearing Dangerous buildings for:
  - 1. 16 Chickadee Lane real estate # 1508
  - 2. 2027 Park Drive real estate # 1512
  - 3. 2032 Park Drive real estate # 1516
  - 4. 2033 Park Drive real estate # 1517
  - 5. 2035 Park Drive real estate # 1518
  - 6. 2041 Park Drive real estate # 1511

#### **VIII. COMMITTEE REPORTS:**

#### IX. SCHEDULED AGENDA ITEMS:

#### A. OLD or INCOMPLETE BUSINESS:

#### **B. NEW BUSINESS:**

O24-25-08	Consider deeming 16 Finch Lane account # 1508 a dangerous building			
O24-25-09	Consider deeming 2027 Park Drive account # 1512 a dangerous building			
O24-25-10	Consider deeming 2032 Park Drive account # 1516 a dangerous building			
O24-25-11	Consider deeming 2033 Park Drive account # 1517 a dangerous building			
O24-25-12	Consider deeming 2035 Park Drive account #1518 a dangerous building			
O24-25-13	Consider deeming 2041 Park Drive account # 1511 a dangerous building			
FR24-25-12	Consider approval to abate uncollectible Personnel Property			
FR24-25-13	Consider approving the Hermon Elderly Project contract			
FR24-25-14	Consider accepting the donation from the Danforth's family for the High School Athletic Complex			
R24-25-19	Consider adopting MRS Title 36 Taxation			
R24-25-20	Consider action to withdraw prior approval of Neighbors Supporting Neighbors request for use of town property			

Hermon Town Council Agenda FY 2024-2025 January 16, 2025 Page 2 of 3



#### R24-25-21 Consider approving amended reserve policy

#### C. WORKSHOPS:

- Maine Uniform Building and Energy Code (MUBEC) to new I-2021 Codes Jessefa Murphy
- Request for Proposal (RFP) review Scott Perkins:
  - 1. Street & Parking Lot Sweeping
  - 2. Street & Parking Lot Striping
  - 3. Roadside Mowing
  - 4. Winter Sand Supply
  - 5. Transportation & Disposal Transfer Station
  - 6. Transportation & Disposal Recycling Container
  - 7. Sidewalk Winter Maintenance
  - Capital Improvement Plan (CIP) FY26 Stephen Fields
- D. OTHER ITEMS: (FROM TABLE PACKAGE)
- X. APPOINTMENTS:
- XI. MANAGER STATUS REPORT:
- XII. FINAL PUBLIC ITEMS OR COMMENT: (ITEMS NOT ALREADY ON THE AGENDA)
- XIII. COUNCIL ITEMS:
- XIV. EXECUTIVE SESSION:
- XV. Consider entering Executive Session for consultation with legal counsel per 1 M.S.R.A. § 405(6)(E)
- XVI. ADJOURNMENT:

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Explanatory note #1: All items in the CONSENT CALENDAR are considered routine and are proposed for adoption by the Town Council with one motion without DISCUSSION or deliberation. If DISCUSSION on any item is desired, any member of the Council or public may request the removal of an item for it to be placed in the regular agenda prior to the motion to approve the Consent Agenda.

Explanatory Note #2: In the interest of effect decision-making. At 10:00 p.m., the Chairman shall poll the Council and Town Manager to identify remaining items which shall be carried forward to the next Regular Meeting.

Explanatory Note #3: A Councilor who feels the need for the Council excusing his/her absence will make the request to the Town Manager or the Town Clerk prior to the meeting.



#### **Town of Hermon**

#### **Public Safety Meeting Room**

December 5, 2024

**Town Council Meeting** 

6:30 PM

#### **MINUTES**

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Please see the complete video at Town Council Meetings | Hermon (hermonmaine.gov)

#### \*\*\*ALL ITEMS ARE SUBJECT TO APPROPRIATE COUNCIL ACTION\*\*\*

- I. CALL TO ORDER BY CHAIRPERSON:
- II. PLEDGE OF ALLEGIANCE:

Chair Snyer led those in attendance in the Pledge of Allegiance

III. ROLL CALL:

Members Present: Richard Cyr, Christopher Gray, Terry Hamm-Morris, Ronald Murphy, John

Snyer III and Derek Wood

Members Absent: Joshua Berry - Excused

Others Present: Town Manager Stephen Fields, Town Clerk Kristen Cushman and

6 residents/guests

- IV. PUBLIC ITEMS OR COMMENTS: (ITEMS NOT ALREADY ON THE AGENDA)
  - Carol Lackedy, 3026 Route 2



V. REVIEW CONSENT CALENDAR: REGULAR BUSINESS, APPOINTMENTS, SIGNATURES, AND APPROVAL OF MINUTES:

MINUTES

-APPROVE

11/7/2024

**SIGNATURES** 

-APPROVE

RESOLVES

-SIGN

WARRANTS

-SIGN

11/22/2024 & 12/6/2024

Councilor Murphy moved to approve the Consent Calendar as presented.

Councilor Cyr seconded the motion. Motion passes 6-0.

- VI. NEWS, PRESENTATIONS AND RECOGNITIONS:
- VII. PUBLIC HEARINGS: (ad ran on 11/26/2024)
  - Hold Public Hearing Amendment for commercial kennels

Chair Snyer opened the public hearing at 6:35PM. No public comments were given. The hearing closed at 6:35PM.

• Hold Public Hearing – 2023 Comprehensive plan

Chair Snyer opened the public hearing at 6:35PM. No public comments were given. The hearing closed at 6:36PM.

• Hold Public Hearing – Sports Arena liquor license renewal

Chair Snyer opened the public hearing at 6:36PM. No public comments were given. The hearing closed at 6:36PM.

• Hold Public Hearing - Aquatic Development contract zone change

Chair Snyer opened the public hearing at 6:36PM. No public comments were given. The hearing closed at 6:37PM.

• Hold Public Hearing – Linda Davis zone change on Union St

Chair Snyer opened the public hearing at 6:37PM. No public comments were given. The hearing closed at 6:37PM.

VIII. COMMITTEE REPORTS:



#### IX. EXECUTIVE SESSION:

Councilor Murphy moved to enter Executive Session to discuss a legal matter per 1 M.S.R.A. 405 (6)(E). Councilor Gray seconded the motion. The motion was accepted. Motion passes 6-0.

The motion carries. Executive Session started at 6:38 p.m.

Executive Session ended at 6:48 p.m. and returned to regular meeting at 6:48p.m.

• Consider entering Executive Session to discuss a legal matter per 1 M.S.R.A. § 405(6)(E)

#### X. SCHEDULED AGENDA ITEMS:

- A. OLD BUSINESS:
- **B. NEW BUSINESS:** 
  - **R24-25-11** Consider adopting Commercial Kennel Ordinance Amendment

Councilor Murphy moved to approve R24-25-11. Councilor Gray seconded the motion. The motion was accepted. Motion passes 6-0.

**R24-25-12** Consider approving the Comprehensive Plan 2023

Councilor Murphy moved to approve R24-25-12. Councilor Cyr seconded the motion. The motion was accepted. Motion passes 6-0.

**R24-25-13** Consider approving MCCL LLC dba The Sports Arena liquor license renewal

Councilor Murphy moved to approve R24-25-13. Councilor Gray seconded the motion. The motion was accepted. Motion passes 6-0.

**R24-25-14** Consider approving a Contract Zone Change to Village Commercial for Aquatic Development

Councilor Murphy moved to approve R24-25-14. Councilor Cyr seconded the motion. The motion was accepted. Motion passes 6-0.



- R24-25-15 Consider approving a Zone Change from Residential B for Linda Davis
  - Councilor Murphy moved to approve R24-25-15. Councilor Cyr seconded the motion. The motion was accepted. Motion passes 6-0.
- **R24-25-16** Consider accepting a portion of Dave's Way Extension Phase III as a public way
  - Councilor Murphy moved to approve R24-25-16. Councilor Cyr seconded the motion. The motion was accepted. Motion passes 6-0.
- FR24-25-08 Consider accepting funds from Robert Wendling and Fitch Company General Assistance fuel and for holiday meals/miscellaneous.
  - Councilor Murphy moved to approve FR24-25-08. Councilor Cyr seconded the motion. The motion was accepted. Motion passes 6-0.
- FR24-25-09 Consider authorizing the Town Manager to sign mowing contract with LaPlante's Lawn Care
  - Councilor Murphy moved to approve FR24-25-09. Councilor Cyr seconded the motion. The motion was accepted. Motion passes 6-0.
- R24-25-17 Consider accepting GHCAC (Greater Hermon Community Athletic Complex) by Laws and charging the group as a standing committee
  - Councilor Murphy moved to approve R24-25-17. Councilor Gray seconded the motion. The motion was accepted. Motion passes 6-0.
- FR24-25-10 Consider accepting the USDA Rural Grant for snowmobile trail grooming Equipment
  - Councilor Murphy moved to approve FR24-25-10. Councilor Cyr seconded the motion. The motion was accepted. Motion passes 6-0.
- **R24-25-18** Consider scheduling a public hearing on January 16, 2025 regarding dangerous buildings
  - Councilor Hamm-Morris moved to approve R24-25-18. Councilor Cyr seconded the motion. The motion was accepted. Motion passes 6-0.



FR24-25-11 Consider allocating remaining balance of ARPA (American Rescue Plan Act) funds

Councilor Murphy moved to approve FR24-25-11. Councilor Wood seconded the motion. The motion was accepted. Motion passes 5-1. Councilor Hamm-Morris opposed.

- C. WORKSHOPS:
- D. OTHER ITEMS: (FROM TABLE PACKAGE)
- XI. APPOINTMENTS:

**Appoint** personnel to various positions as required by Charter and State Statute.

• Registrar of Voters - Kristen Cushman, exp 12/31/2026

#### XII. MANAGER STATUS REPORT:

The Town of Hermon has been awarded a USDA grant in the amount of \$89,500.00 to support the Penobscot Snowmobile Club with the purchase of snow grooming equipment. This is one of the largest snowmobile clubs in the state and maintains portions of two intersecting ITS trails. At least eight small businesses benefit from the area's groomed trails.

Thank you for everyone's patience and understanding while the Town and contractor tackled the first winter event of the season. Our goal is to provide safe and reliable roadways during all winter events.

The Town Office will be closed for staff training and luncheon on Wednesday, December 18, 2024, from 12pm-2pm. Office will be open regular hours except for this training period. Thank you for your understanding and cooperation.

Recreation will be hosting the Jingle and Mingle this Saturday, December 7<sup>th</sup> from 5-7pm and the Patrica A Duran School. All are welcome.

Santa is accepting letters at the Town Office lobby until December 20<sup>th</sup>. Santa will be writing back to all those nice and naughty. Are you on the nice list?

Holiday Lights Contest will be from Dec 7-25th. Good luck to all those participating.

Saturday, December 14th, time 10am, Rep Jim Thorpe is coordinating a Wreath Across America ceremony at Hermon Veteran Memorial in front of Patrica A Duran School.



School Committee is looking for two councilors, similar to last year, to participate in the School budget process. Councilor Berry has agreed to participate. I am asking the Council who would like to participate.

I received an update from Mr. Hall, Auditor, and the FY24 audit is in process. He will be meeting with the school next week and then will coordinate to meet with the Town. Expectation is to have final work done for January 2025.

I wish the Town citizens and staff a safe and happy holiday season.

XIII. FINAL PUBLIC ITEMS OR COMMENT: (ITEMS NOT ALREADY ON THE AGENDA)

- Haily Keezer, Orchard Dr
- Carol Lackedy, 3026 Route 2

#### XIV. COUNCIL ITEMS:

Richard Cyr: Had a resident reach out asking if the Town could reinstate the trash pick up of tires/debris or at least have a place where residents could dump things of those nature for free.

Ronald Murphy: Congratulated the Hermon High School football team and Coach Gallant
on a tremendous season. Also congratulated the 7th and 8th grade football
team on winning the first ever Eastern Maine Middle School Football League
championship.

Terry Hamm-Morris: Congratulated the Hermon High School girls soccer team on a great game at the state championship. They made Hermon proud.



#### XV. EXECUTIVE SESSION:

Councilor Murphy moved to enter Executive Session to discuss a personnel matter per 1 M.S.R.A. 405 (6)(A). Councilor Cyr seconded the motion. The motion was accepted. Motion passes 6-0.

The motion carries. Executive Session started at 7:50 p.m.

Executive Session ended at 8:03 p.m.

Consider entering Executive Session to discuss a personnel matter per 1 M.S.R.A. § 405(6)(A)

#### XVI. ADJOURNMENT:

Councilor Gray moved to adjourn the meeting at 8:04 PM. Councilor Wood seconded. With no objection the meeting was adjourned at 8:04 PM.

Respectfully Submitted,

Kristen Cushman Town Clerk

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### Notice of Public Hearings

for January 16, 2025

16 Chickadee Lane real estate # 1508

2027 Park Drive real estate # 1512

2032 Park Drive real estate # 1516

2033 Park Drive real estate # 1517

2035 Park Drive real estate # 1518

2041 Park Drive real estate # 1511

Notices attached behind cover sheet

DCOPY

TO: Property Owner Parties in Interest
You are hereby notified that the Municipal Officers of the TOWN OF HERMON, MAINE will hold a public hearing on
ROAD, HERMON, MAINE 04401 for the purpose of determining whether one or more buildings or
other structures located on the property identified as 16 CHICKADEE LANE, HERMON, MAINE
04401, and more particularly described in a deed from Hermon Park, LLC to HERMON MHP, LLC,
dated October 9, 2013, and recorded in BOOK 13363, PAGE 1, of the Penobscot County Registry of
Deeds, constitutes a "dangerous building," as that term is defined in Title 17 M.R.S.A. § 2851.
If the Municipal Officers, following the public hearing, find that one or more buildings or structures on the properties constitutes a "dangerous building," they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Municipal Officers may take the corrective action at municipal expense and recover all expenses, including reasonable attorney's fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the buildings or structures are not dangerous and to oppose any corrective action ordered by the Municipal Officers.
Dated: 12/5/24, Municipal Officers of the Town of Hermon, Maine
Absent  Joshua Berry  Christopher Gray  Christopher Gray  Terry Hamm-Morris  The Christopher Gray  Terry Hamm-Morris
Ronald Murphy John Snyer III, Council Chair

SCOPY

TO: Property Owner Parties in Interest
You are hereby notified that the Municipal Officers of the TOWN OF HERMON, MAINE will hold a
public hearing on//6/25_, at 6.30 P.M., at the Hermon Town Office at 333 BILLINGS
ROAD, HERMON, MAINE 04401 for the purpose of determining whether one or more buildings or
other structures located on the property identified as 2027 PARK DRIVE, HERMON, MAINE 04401,
and more particularly described in a deed from Hermon Park, LLC to HERMON MHP, LLC, dated
October 9, 2013, and recorded in BOOK 13363, PAGE 1, of the Penobscot County Registry of Deeds,
constitutes a "dangerous building," as that term is defined in Title 17 M.R.S.A. § 2851.
If the Municipal Officers, following the public hearing, find that one or more buildings or structures on the properties constitutes a "dangerous building," they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Municipal Officers may take the corrective action at municipal expense and recover all expenses, including reasonable attorney's fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the buildings or structures are not dangerous and to oppose any corrective action ordered by the Municipal Officers.
Dated: $12/5/24$ , Municipal Officers of the Town of Hermon, Maine
Joshua Berry  Christopher Gray  Christopher Gray  Terry Hamm-Morris



Derek Wood

Property Owner Parties in Interest
You are hereby notified that the Municipal Officers of the TOWN OF HERMON, MAINE will hold a public hearing on
If the Municipal Officers, following the public hearing, find that one or more buildings or structures on the properties constitutes a "dangerous building," they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Municipal Officers may take the corrective action at municipal expense and recover all expenses, including reasonable attorney' fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the buildings or structures are not dangerous and to oppose any corrective action ordered by the Municipal Officers.
Dated: D5 24 , Municipal Officers of the Town of Hermon, Maine  Absent  Joshua Berry  Richard Cyr  Richard Cyr  Christopher Gray  Terry Harm-Morris  John Snyer III, Council Chair
Derek Wood



Property Owner Parties in Interest
You are hereby notified that the Municipal Officers of the TOWN OF HERMON, MAINE will hold a
public hearing on 1/14/25, at 4:30 P.M., at the Hermon Town Office at 333 BILLINGS
ROAD, HERMON, MAINE 04401 for the purpose of determining whether one or more buildings or
other structures located on the property identified as 2033 PARK DRIVE, HERMON, MAINE 04401
and more particularly described in a deed from Hermon Park, LLC to HERMON MHP, LLC, dated
October 9, 2013, and recorded in BOOK 13363, PAGE 1, of the Penobscot County Registry of Deeds,
constitutes a "dangerous building," as that term is defined in Title 17 M.R.S.A. § 2851.
If the Municipal Officers, following the public hearing, find that one or more buildings or structures on the properties constitutes a "dangerous building," they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Municipal Officers may take the corrective action at municipal expense and recover all expenses, including reasonable attorney' fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the buildings or structures are not dangerous and to oppose any corrective action ordered by the Municipal Officers.  Dated: 12/5/24, Municipal Officers of the Town of Hermon, Maine
Dated. 101 Jan , Municipal Officers of the Town of Hermon, Maine
Joshua Berry  Richard Cyr  Richard Cyr  Richard Cyr  Manin
Christopher Gray Terry Hammi-Morris
Por Munky Shotsky
Ronald Murphy John Snyer H., Council Chair

CCOPY

TO: **Property Owner Parties in Interest** You are hereby notified that the Municipal Officers of the TOWN OF HERMON, MAINE will hold a 1 / 14/24 2006 at 16:30 P.M., at the Hermon Town Office at 333 BILLINGS public hearing on ROAD, HERMON, MAINE 04401 for the purpose of determining whether one or more buildings or other structures located on the property identified as 2035 PARK DRIVE, HERMON, MAINE 04401, and more particularly described in a deed from Hermon Park, LLC to HERMON MHP, LLC, dated October 9, 2013, and recorded in BOOK 13363, PAGE 1, of the Penobscot County Registry of Deeds. constitutes a "dangerous building," as that term is defined in Title 17 M.R.S.A. § 2851. If the Municipal Officers, following the public hearing, find that one or more buildings or structures on the properties constitutes a "dangerous building," they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Municipal Officers may take the corrective action at municipal expense and recover all expenses, including reasonable attorney's fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the buildings or structures are not dangerous and to oppose any corrective action ordered by the Municipal Officers. , Municipal Officers of the Town of Hermon, Maine Ansent Joshua Berr Christopher Gray Ronald Marchy

CEOFY

Derek Wood

TO: Property Owner Parties in Interest
You are hereby notified that the Municipal Officers of the TOWN OF HERMON, MAINE will hold a
public hearing on 1/14/25, at 16:30 P.M., at the Hermon Town Office at 333 BILLINGS
ROAD, HERMON, MAINE 04401 for the purpose of determining whether one or more buildings or
other structures located on the property identified as 2041 PARK DRIVE, HERMON, MAINE 04401,
and more particularly described in a deed from Hermon Park, LLC to HERMON MHP, LLC, dated
October 9, 2013, and recorded in BOOK 13363, PAGE 1, of the Penobscot County Registry of Deeds,
constitutes a "dangerous building," as that term is defined in Title 17 M.R.S.A. § 2851.
If the Municipal Officers, following the public hearing, find that one or more buildings or structures on the properties constitutes a "dangerous building," they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Municipal Officers may take the corrective action at municipal expense and recover all expenses, including reasonable attorney's fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the buildings or structures are not dangerous and to oppose any corrective action ordered by the Municipal Officers.
Dated: 12/5/24, Municipal Officers of the Town of Hermon, Maine
Joshua Berry  Richard Cyr  Christopher Gray  Terry Hamm-Morris  Ronald Murphy  Lohn Sayer III, Council Chair  Derek Wood

CEOPY



**O24-25-08** 

### DANGEROUS BUILDING DECISION AND ORDER

Pursuant to 17 M.R.S. §§ 2851-2859

TO: Hermon MHP, LLC
C/O Michael & Johnathan Behling
12630 Huston Street
Valley Village, CA 91607

#### Building at 16 Chickadee Lane, Hermon, Maine

The Hermon Town Council ("Council"), acting as the municipal officers of the Town of Hermon, hereby adopt and issue this Decision and Order pursuant to 17 M.R.S. §§ 2851 et seq. (Maine Dangerous Buildings statute) with respect to a building on property with an address of 16 Chickadee Lane, Hermon, Maine, also known as Map 35, Lot 26-016T on the Town of Hermon Tax Maps, being a mobile home in a mobile home park, said park being more particularly described in a deed from Hermon Park, LLC to Hermon MHP, LLC, dated October 9, 2013, and recorded in Book 13363, Page 1, of the Penobscot County Registry of Deeds.

#### Preliminary

This is a dangerous building proceeding under 17 M.R.S. § 2851-2859. A Notice of Hearing was served on the property owner, Hermon MHP, LLC (the "Property Owner" or "HMHP"), and on all parties-in-interest, in accordance with 17 M.R.S. §§ 2851 and 2857.

The Council convened a hearing on the matter in accordance with the Dangerous Buildings statute on January 16, 2025 at 6:30 p.m. at the Hermon Town Office at 333 Billings Road, Hermon, ME 04401. Notice of said hearing was duly served upon all known property owners and parties in interest pursuant to 17 M.R.S. § 2857.

Participants at the January 16, 2025 public hearing included Jessefa Murphy, Hermon Code Enforcement Officer ("CEO Murphy") and Cody Sullivan, Hermon Fire Chief ("Chief Cody").

Information concerning the history and condition of the mobile home at 16 Chickadee Lane, including a number of photographs, were presented by CEO Murphy and Chief Cody.

[Insert any additional information provided at the hearing].

#### **Factual Findings**

Based on the testimony and other evidence presented, including without limitation photographs, reports, and testimony of CEO Murphy and Chief Cody, the Council hereby finds as follows:

- 1. The subject property has an address of 16 Chickadee Lane, Hermon, Maine, as more particularly described in a deed from Hermon Park, LLC to Hermon MHP, LLC, dated October 9, 2013, and recorded in Book 13363, Page 1, of the Penobscot County Registry of Deeds. ("Property").
- 2. The current owner of the Property is Hermon MHP, LLC per the deed referenced previously in this Decision and Order.
- 3. A title search current through the date of this Decision and Order identified Machias Savings Bank as a party in interest by virtue of: (i) Mortgage dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 7; (2) Assignment of Leases and Rents dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 22; and (iii) UCC Financing Statement recorded October 11, 2013, at the Penobscot County Registry of Deeds in Book 13363, Page 38; UCC Continuation recorded September 19, 2018, at the Penobscot County Registry of Deeds in Book 14943, Page 318; and UCC Continuation recorded November 8, 2023, at the Penobscot County Registry of Deeds in Book 16996, Page 17.
- 4. Located on the Property is a mobile home that is in extremely poor condition ("Building"). Specifically, without limitation, the building has:
  - Structural instability due to mold and visible water damage.
  - Bathroom floor compromised due to leaks around the toilet, sink, and bathtub.
  - Exposed plumbing and soft flooring, indicating rot.
  - Lack of fire safety systems (e.g., no smoke/CO detectors, fire extinguishers).
  - Electrical hazards from outdated wiring and moisture exposure.
  - Wall deterioration from moisture infiltration.
  - No visible foundation.
  - Unsanitary conditions, including mold and debris accumulation.

and is not structurally sound.

5. The state of the building is dangerous and a nuisance because it is structurally unsafe, is unsuitable for human occupancy, constitutes a hazard to health or safety because of inadequate maintenance and abandonment, presents a fire hazard, and is otherwise dangerous to life or property of the public.

#### Conclusions of Law

Based on the foregoing factual findings, the Council adjudges that the Building located on the Property constitutes a dangerous building within the meaning of 17 M.R.S. § 2851(2-A).

#### **Disposal and Expenses**

Based on the foregoing factual findings and conclusions of law, the Council hereby determines:

- 1. The Building located on the Property is a dangerous building, and must be disposed of by demolition as set forth herein unless timely rehabilitated by the Property Owner consistent with this Decision and Order.
- 2. The Property Owner shall repay the Town of Hermon all expenses pursuant to 17 M.R.S. § 2853.

#### ORDER

NOW THEREFORE, based on the foregoing, the Council hereby ORDERS as follows:

- 1. Within ninety (90) days starting the day after this Decision and Order is issued, or if appealed within ninety (90) days after a final decision affirming the judgment, the Property Owner shall:
  - a. Rehabilitate the aforedescribed building on the Property to completely abate the dangerous conditions, as follows:
    - (i) Submit to the Town Code Enforcement Office, and be approved by the Code Enforcement Officer, a written rehabilitation work plan from a qualified structural engineer for any and all work that must be completed to abate the dangerous conditions in compliance with applicable ordinances and codes of the Town of Hermon (the "Rehabilitation Work Plan") in sufficient time to allow review, approval and implementation.
    - (ii) Obtain all necessary permits or approvals to complete the scope of work in the Rehabilitation Work Plan; and
    - (iii) Submit a final written report from a structural engineer certifying the dangerous conditions have been completely abated.

#### OR

- b. Remove or demolish or cause to be removed or demolished, the aforedescribed building on the Property including removal of all structures appurtenances, debris, trash, footers, etc., and shall fill and compact the remaining foundation/hole to the grade level of the lot. The Property owner must also obtain any and all necessary permits in consultation with the Hermon Code Enforcement Officer.
- 2. If the Property Owner elects to rehabilitate building and has not completed rehabilitation but has otherwise demonstrated substantial progress towards

completing rehabilitation (e.g., demonstrated ability and willingness to satisfactorily rehabilitate this building by performing continuous work to substantially address the dangerous conditions consistent with this Decision and Order), as determined at the Council's discretion, the Council may extend the deadline for such rehabilitation work to be completed.

- 3. No occupancy or use of the Property or building may occur unless in compliance with this Decision and Order and all applicable Town of Hermon ordinances and codes.
- 4. Repay all expenses to the Town of Hermon as set forth in 17 M.R.S. § 2853.

- 5. In the event the Property Owner shall fail to repay the Town of Hermon's expenses; or shall fail to rehabilitate the building; or shall fail to remove or demolish this building, or cause the same to be removed or demolished; or shall fail to fill around the existing open foundation/hole, the Town may proceed to demolish the aforedescribed building and fill the open foundation/hole as provided in 17 M.R.S. § 2853, with the Town's expenses, including without limitation attorney's fees, to be recovered by as provided in that section or otherwise as available in law.
- 6. In the event the Town proceeds to demolish the building consistent with this Decision and Order, the Town shall first follow the applicable procedures and requirements as set forth in 30-A M.R.S. § 3106 regarding "covered property" as defined therein.
- 7. The Town Clerk shall record and cause service of attested copies of this Decision and Order in accordance with 17 M.R.S. § 2851(3).

This Decision and Order may be appealed to Superior Court under the Maine Rules of Civil Procedure, Rule 80B and/or pursuant to 17-A M.R.S. § 2852. If this Decision and Order is not timely complied with and no timely appeal is taken, the Hermon Town Council may undertake the ordered corrective action at the Town's expense and recover all expenses, including without limitation reasonable attorney's fees by means of a special tax or civil action.

Hermon Town Council, Dated this 16 day of January 2025				
John Snyer III, Chair	Ronald Murphy, Vice Chair			

Christophe	r Gray	Terry Hamm-Morris	
	Derek Wo	ood	
	en L. Cushman, Town Clerk non, Maine		
Motion	Yeas	_	
Second	Nays	Date	

### Town of Hermon, Maine

Property Inspection Report

Todays Date:	12/04/2024 Date of Inspection: 09/06/2024
<b>Tax Map: 35</b>	Tax Lot: 26-016T Book: 13363 Page: 1
Property Add	Iress: 16 Chickadee Lane, Hermon, Maine 04401
Owner 1: Her	mon MHP, LLC, C/O Michael & Johnathan Behling
Owner 1 Add	ress: 12630 Huston Street, Valley Village, California 91607
Owner 2:	
Owner 2 Add	
	Please list additional owners on a separate sheet.
	, in my capacity as Code Enforcement Officer for the Town of Hermon,
have personal	ly inspected the above-named property and found the following to be true:
☑ The bu	rilding on the property is structurally unsafe, unstable, or unsanitary.
8	Unsafe because No stairs for entry/exit, lack of smoke/CO detectors, Mold in the and visable water damage in the cielings in the bathroom and bedroom closets. Water leakage is evident
	around the toilet, bathtub/shower, and sink contributing a soft floor, suggesting rotting or structral
	comprimise.
✓	Unstable because Subfloor around the toilet appears soft, suggesting rotting or structural compromise Wall deterioration due to moisture infilitration. Exposed plubming that has visible leaks has the
	potential to weaken surrounding structural components. No foundation is visible.
✓	Unsanitary because Poor sanitation around the kitchen sink and countertop. Debris and evidence of water damage were observed beneath the counter. Mold/midldew is evident, which can cause
	respitory and other health issues.
☑ The bu	nilding on the property constitutes a fire hazard.
✓	The building constitutes a fire hazard because lack of working smoke/co detector(s), exposed. electrical wiring, electrical risk from water damage, outdate wood paneling (which is highly flamable
	and could accelerate the spread of a fire) lack of proper upkeep, lack of fire extinguishers.
it is pu	4
V	The building is unsuitable or improper because numerous safety hazards, structural

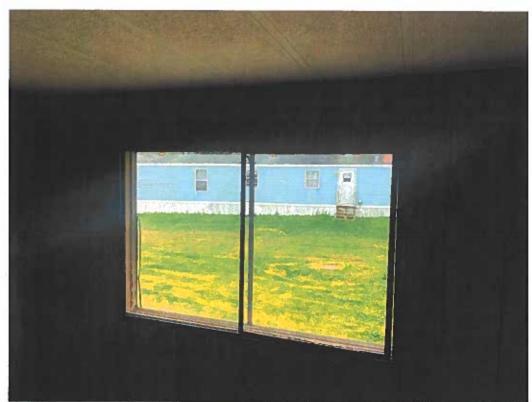
		deficiencies, and sanitation issues, including (but not limited to) entryway safety (doors, stairs)
		structural integrity, plumbing failures, electircal hazards, mold/moisture, and general neglect.
Ø		ilding on the property constitutes a hazard to health or safety because of inadequate nance, dilapidation, obsolescence, or abandonment.
	8	Inadequate Maintenance: Water damage and leaks, unaddressed mold growth, damaged flooring exposed and damaged plumbing, electrical hazards, failure to maintain exterior access, general neglect.
	«∕	Dilapidation: Structural instability, ceiling damage, wall deterioration, plumbing infrastructure, exterior issues, rot and decay, hazerdous entry and exit.
	<	Obsolescence: Outdated electrical system, inefficient plumbing fixtures, non-compliant entry/exit poor energy efficiency, aging/neglected materials, inadequate fire safety feature, general neglect.
	<	Abandonment: Lack of regular maintenance, unsecured entry points, acculated damage, absence of safety systems, environmental hazards, and a public safety risk.
Ø	The bu	ilding on the property is otherwise dangerous to life or property.
	✓	Dangerous to life or property because Structural instability, water damage and mold, electrical hazards, unsecured entry points, lack of proper egress, fire risk, rotting and decayed materials, prest infestation potential, and a public safety concern.
Ø	Picture	es of the property are attached.

Under 17 M.R.S. § 2851, in order to adjudge a building to be a nuisance or dangerous, the municipal officers or county commissioners must find that the building is structurally unsafe, unstable or unsanitary; constitutes a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment; or is otherwise dangerous to life or property. This report was prepared for the municipal officers and is the opinion of the Code Enforcement Officer.

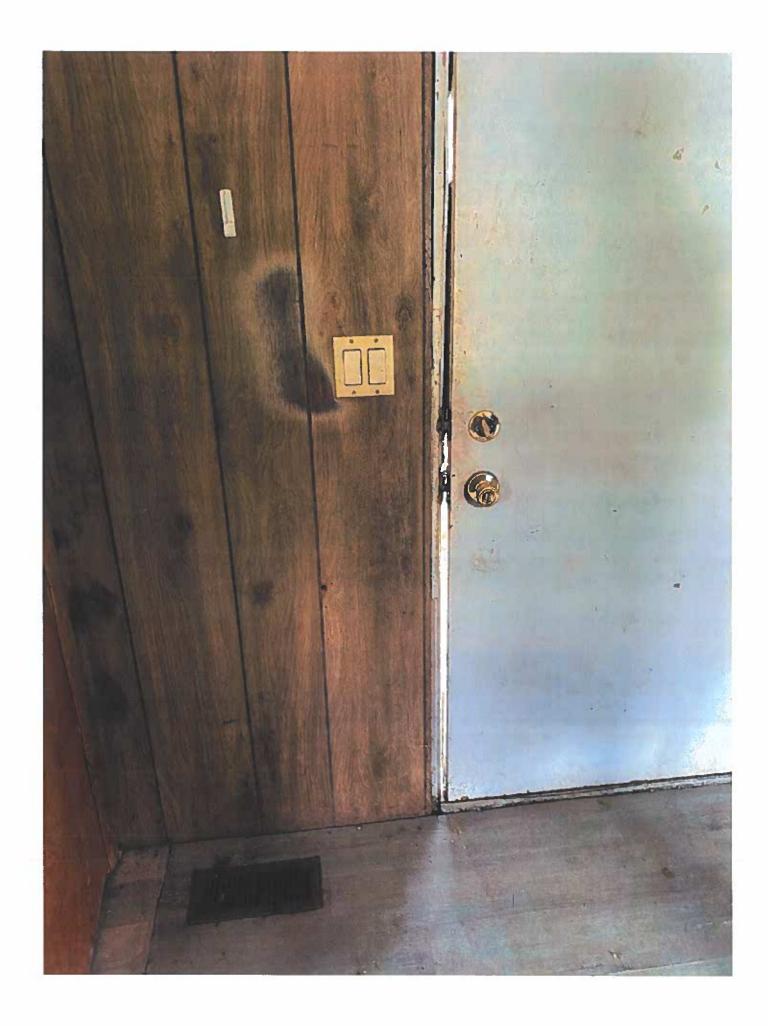
The above information is based on my jof my knowledge and belief.	personal inspection of the property and is true to the best
Name:	
Its:	
Town of Hermon	
STATE OF MAINE	
COUNTY OF PENOBSCOT	, 2024
Personally appeared before me the	
	f Hermon, and acknowledged the foregoing instrument to
be their free act and deed in their said ca	pacity.
	Notary Public/Attorney at Law
	Printed Name:
	Commission Expires:

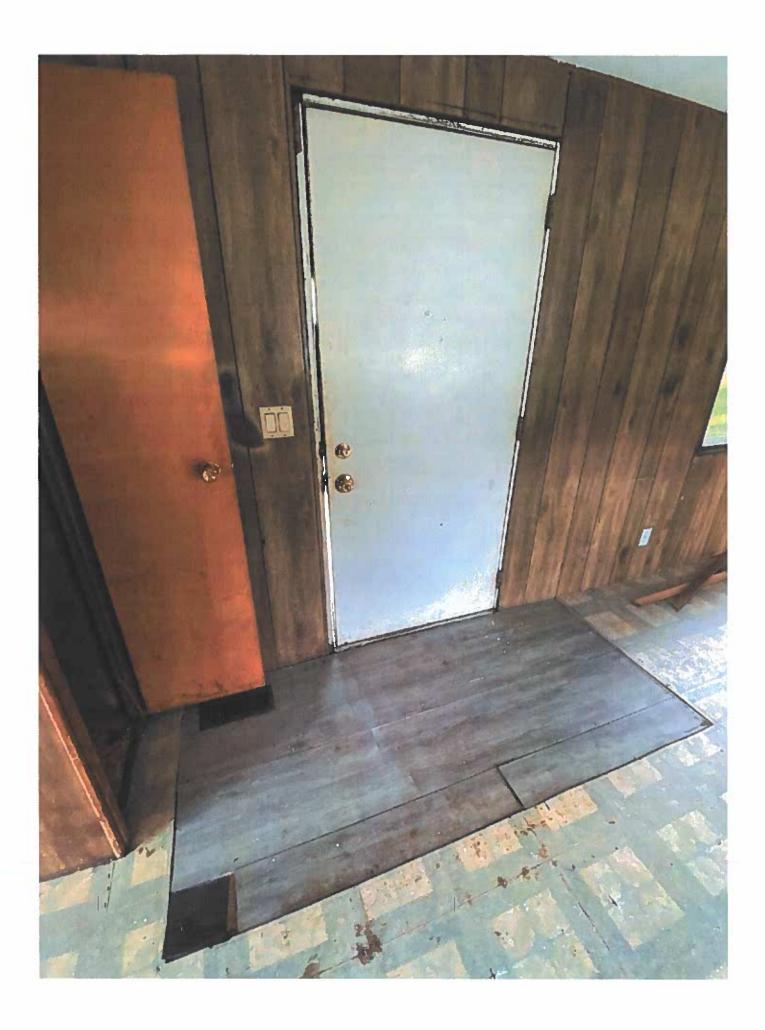






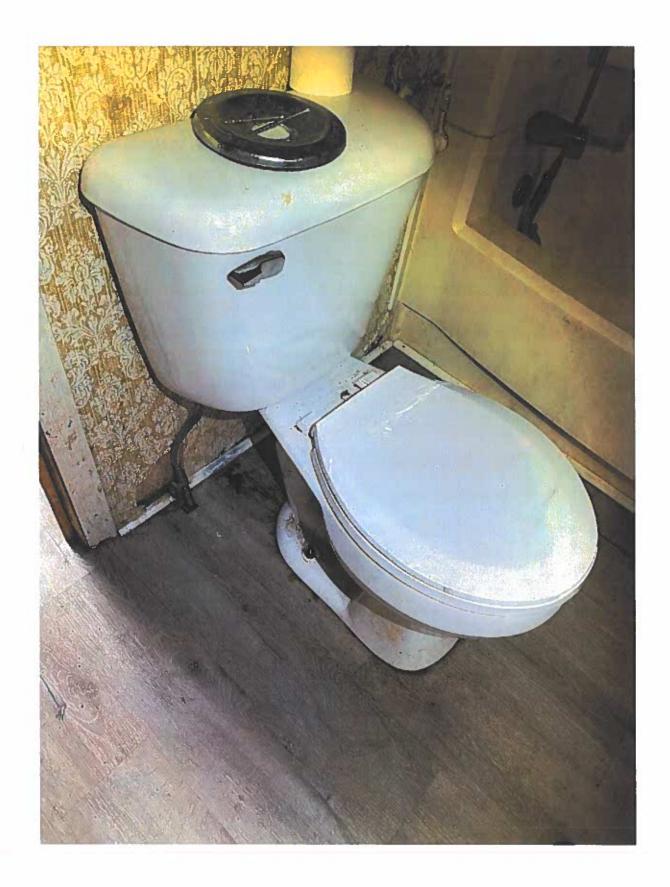


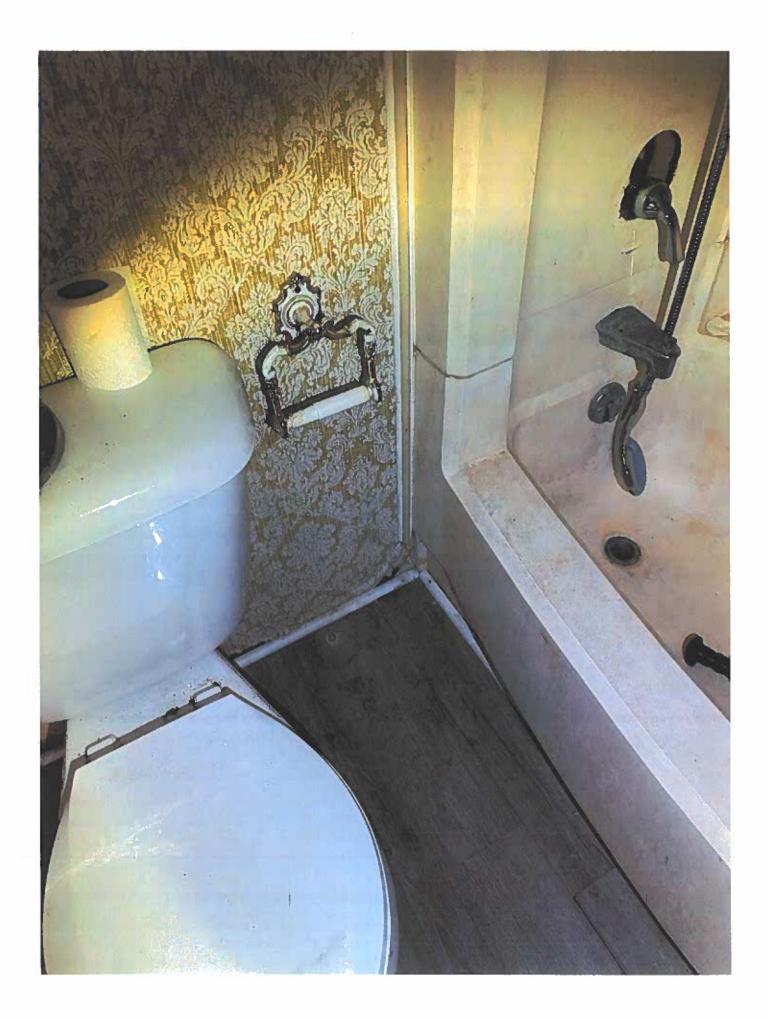


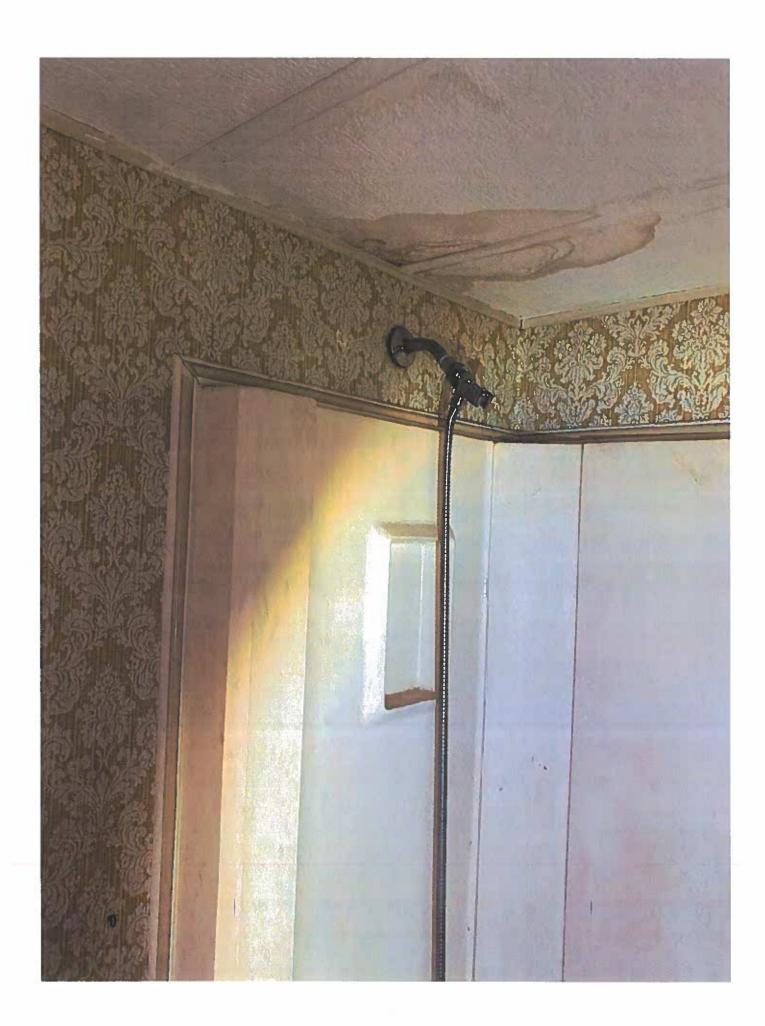


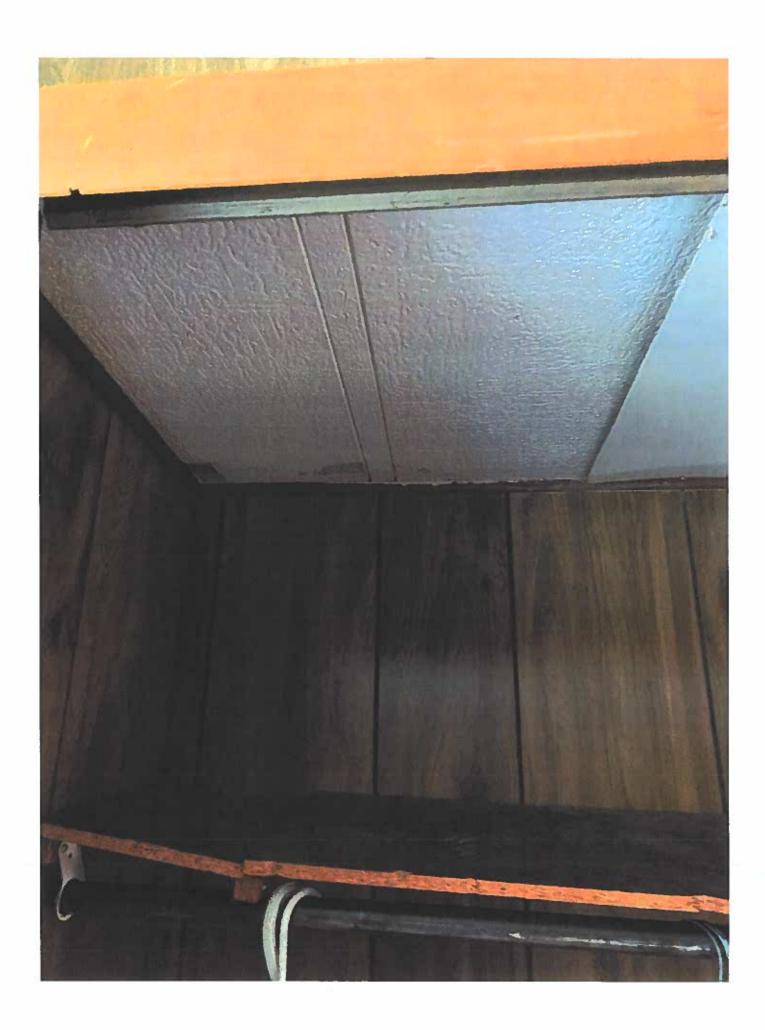












Hermon 8:38 AM

### RE Account 1508 Detail as of 01/16/2025

01/08/2025 Page 1

Name: HERMON MHP LLC

Location: 16 CHICKADEE LANE

Acreage: 0.00 Map/Lot: 035-026-016T Book Page: B11658P64, B9624P239

2024-1 Period Due:

1) 180.94

 Land:
 0

 Building:
 16,600

 Exempt
 0

 Total:
 16,600

Ref1:

-090085016T

Mailing

C/O MICHAEL & JONATHAN BEHLING

Address:

12630 HUSTON ST

VALLEY VILLAGE, CA 91607

Year	Date	Reference	PC	Principal	Interest	Costs	Total
2024-1 R				180.94	0.00	0.00	180.94
2023-1 L	*			177.43	11.27	78.02	266.72
2022-1 L	*			0.00	0.00	0.00	0.00
2021-1 R				0.00	0.00	0.00	0.00
2020-1 R				0.00	0.00	0.00	0.00
2019-1 R				0.00	0.00	0.00	0.00
2018-1 R				0.00	0.00	0.00	0.00
2017-1 R				0.00	0.00	0.00	0.00
2016-1 L	*			0.00	0.00	0.00	0.00
2015-1 L	*			0.00	0.00	0.00	0.00
2014-1 L	*			0.00	0.00	0.00	0.00
2013-1 R				0.00	0.00	0.00	0.00
2012-1 R				0.00	0.00	0.00	0.00
2011-2 R				0.00	0.00	0.00	0.00
2011-1 R				0.00	0.00	0.00	0.00
2010-1 R				0.00	0.00	0.00	0.00
2009-1 R				0.00	0.00	0.00	0.00
2008-1 R				0.00	0.00	0.00	0.00
2007-1 L	*			0.00	0.00	0.00	0.00
2006-1 L	*			0.00	0.00	0.00	0.00
2005-1 L	*			0.00	0.00	0.00	0.00
2003-1 R				0.00	0.00	0.00	0.00
2002-1 R				0.00	0.00	0.00	0.00
Account Totals a	s of 01/1	6/2025		358.37	11.27	78.02	447.66

Per	Diem
2023-1	0.0389
Total	0,0389

**Exempt Codes:** 

Note: Payments will be reflected as positive values and charges to the account will be represented as negative values.

Map Lot 035-026-016T Ac	Account 1508	Location		16 CHICKADEE LANE	NE		Card	1 Of	1 1/	1/08/2025
HERMON MHP LLC		Ь	Property Data	ıta		•	<b>Assessment Record</b>	Secord		
C/O MICHAEL & JONATHAN BEHLING		Neighborhood	28 Fuller Rd Bill/Bgr	II/Bgr	Year	Land	Buil	Buildings	Exempt	Total
VALLEY VILLAGE CA 91607										
		Tree Growth Year	ear O							
		TIF ACCOUNT		0						
B9624P239 B11658P64		Y Coordinate		0						
Previous Owner		Zone/Land Use	12 Residential B	8						
FERNALD. JENNIFER				•						
PO BOX 146		Secondary Zone	ē							
ELLSWORTH ME 04654		Topography 9		61					İ	
Sale Date: 10/10/2013	!									
Previous Owner		1.Level	4.Below St	7.						
BOLSTRIDGE, NORMA		2.Rolling	5.Low	တ် ဝ	_					
16 CHICKADEE LANE			Zwampy							
		Utilities 9 None		9 None						
HERMON ME 04401		:								
Sale Date: 1/25/2011		1.Public	4.Dr Well	7.Cesspool						
		3 Course	5 Cardic	a None						
			andaria.	2500						
		Street 9	9 None							
287 OHIO ST APT 3							-			
		I.Paved	4.Proposed				Land Data	en En		
BANGOR ME 04401		2.Xemi imp	S.FTIVate	o None	Front Foot		Effective	Ir	Influence	Influence
Sale Date: 6/01/2007		2.018861	o.ncai	3.Mulie		Type	Frontage Depth		or Code	Codes
7		Tree Growth Renew	enew	0	11.Regular Lot				%	1. Unimproved
Inspection witnessed by:		Old Permit/Other	ler.	0	12.Delta Triangle				8	2. Excess Frtg
			Sale Data		13.Nabla Triangle			_	8	3.Topography
,	1	Sale Date		10/10/2013	14.Rear Land			+	8 2	4.Size/Shape
×	Late	Serie Loans		207/20/02	15.Miscellaneous		1		<b>\$</b>	5.Access
No./Date Description	Date Insp.	Price					1	_	8 8	6.Restriction
$^{+}$		Sale Type	4 Mobile Home	_				 	P	New/Engine
		1.Land Re	4.Mobile	7.Land & Bid	Square root		Square reet		8	9.Fract Share
		2.L&BRe	5.Other	8.Bidg Comm	16.Regular Lot				P 8	Acres
		3.Bullding R	6.Land Comm	9.	17.Secondary Lot				P 8	30,Rear Land 3
		Financing	9 Unknown		18.Excess Land				2 %	31.Industrial Par
		1.Convent	4.Seller	7.	20 GOLE COLIDEE HO				8	32.Industrial Par
Notes:		2.FHA/VA	5.Private	60					<b>%</b>	33.Pasture/Hay fi
		3.Assumed	6.Cash	9.Unknown					%	34.Gravel Pit
		Validity	8 Other Non Valid	PR	Fract, Acre		Acreage/Sites	10		35.Tillable
		1,4564	4 Collis	7 Change	21.Homesite (Frac				%	22 Coffeened
		2 Related	S. Partial	8 Other	22.Baselot (Fract				8	38 Mirred Wood
		3.Distress	6.Exempt		23.Comi Loti (Frac				%	39.Hardwood
					ACTOS				%	40.Waste 1
		Verified	1 Buyer		25. Baselot			1	8 8	41.Lagoon per acr
		1.Buyer	4.Agent	7.Family	26.Second Acre 1			+	P 3	42.Mobile Home Si
		2.Seller	5.Pub Rec	s.omer	27.Commercial 3				2	43.Condo Site
Lormon	-	מירבו מחבו	The state of the s	6	28.Rear Land 1		<b>Total Acreage</b>	00.00		44.Lot Improvemen 45.Shorefrontage
				•	2 2.NCBI LBIN 2	-				46.Crop Land

	Card 1 Of 1 1/08/2025	14.0'				MADI ETTE		2						RS 0'																	はののでは 一川 大学のから			では、一般の一般の一般の一般の一般の一般の一般の一般の一般の一般の一般の一般の一般の一		AND THE STATE OF THE PARTY OF T				THE REAL PROPERTY AND ADDRESS OF THE PERSON NAMED IN COLUMN TWO IS NOT THE PERSON NAMED IN COLUMN TWO IS				THE RESERVE AND ADDRESS OF THE PARTY OF THE					一下人は、北京教司者 一下に立て
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	16 CHICKADEE LANE		€ ext	ioń		4.Full Fin 7.	5.H/Stair 8.		inimal		9.None		4.B Grade 7.	5.A Grade 8.SC Grade	A Grade		1	China PErr					4.Delap 7.A-frame		6.Struct D 9.None				4. Generate /. KESTRUCT	200	cant	5.Estimate 8.		o 1	4.Agent /. 5.Estimate 8.	6.Other 9.	1.One Story Fram	т		4.1 & 1/2 Story	5.1 & 3/4 Story	6.2 & 1/2 Story	- 22. Frame Shed	23.1 SF Garage	24.1 25 SF Garage	25.1 5 SF Garage	26.1 /5 SF Garage	28.	29.
	Location	Layout						Insulation	1.Full 4.P	2.Heavy 5.	3.Capped 6.	Grade & Factor	1.E Grade 4.B	2.D Grade 5.A	3.C Grade 6.A	SQFT (Footprint)	Condition	Linde the	2,roll 3,A	The Property of	Find & Good	Functional Code	1.Incomp 4.D	2.0-Built 5.B	3.Fire 6.S	Econ. % Good	Economic Code	0.None 3.N	1.Location 4.G	Entrance Code 0	1.Interior 4.V.	2.Refusal 5.E	3.Informed 6.	Information Code	2.Relative 5.E			Sound Value		9 3	0 ,	٥	۰	٥	,0	.0	.0	.0	Į,
	nt 1508				9.No Heat	12.RF/HWBB	: :	****	7.		9.None	7.	œ	9.None		7.	. 60	5.NORE											02								ments	Phys.   Funct.	70	20100	20 100								% %
	Account	<u> </u>	ACF.		S.FWA	6.GravWA	7.Electric	O'U'S MEGII	4.W&C Air	5.Air Exch	٥	4.Obsolete	เง่	9	di.	4.Obsolete	ന് പ	ö				, See														5/25/2011	Additions, Outbuildings & Improvements	Grade   Cond	0	2	<u>,</u>								
		SF Bsmt Living	GAS FIREDIACE		1.HWBB	2,RadFloor	3.H Pump	Cool Type	1.Refrig	2.Evapor	3.H Pump	1. Modern	2.Typical	3.0ld Type	Bath(s) Style	1,Modern	2.Typical	ach pion	# Rouns	# DOUTON #	# Hull baths	# Addn Fixtures	# Fireplaces													Date Inspected	tbuilding	Units	۲	т	3 1	+							
	Map Lot 035-026-016T	o Contract	10 Comp. C	11,Test	12.			7.1 33	8.1.25	.6	2	9.Outer	11.	12.		7.RS Metal	ல்	·						7.Fm/Conc	œi	9.None		7.	9. None	2000		7.	oci c	9.		Date In	ions, Out	Year	1070	13/0	-								
	t 035-(	Charles of	S.Colonyea	7.Contemp	8.Log			4.1.5	5.1.75	625	1	5.Studeo 6.Brick	7.Stone	8.Concrete		4.Composit	5.Wood	o.Oner				_		4.Wood	5.Slab	6.Piers	)	4.Full Bmt	5.None	2 6		4.	uń v	ė			Addit		M/M										
	Map Lo	Style	2 Panch	fi		Dwelling Units	Other Units			- 1	Walls	2.Vin/Al	ĸ.		8	#		S.Metal	or masoniy inn		4	Year Damodalad	Foundation			3.Br/Stone			2.1/2 Bmt	3	Wet Basement		۵	3.Wet				Type	Mohen Cao	אלט ביים ביים ביים ביים ביים ביים ביים ביי	// SIAD								

# NOTICE OF HEARING Pursuant to 17 M.R.S.A. §§ 2851-2859 (Dangerous Buildings)

**Parties in Interest** You are hereby notified that the Municipal Officers of the TOWN OF HERMON, MAINE will hold a public hearing on \_\_\_\_\_\_///6/2025 at 6.30 P.M., at the Hermon Town Office at 333 BILLINGS ROAD, HERMON, MAINE 04401 for the purpose of determining whether one or more buildings or other structures located on the property identified as 16 CHICKADEE LANE, HERMON, MAINE 04401, and more particularly described in a deed from Hermon Park, LLC to HERMON MHP, LLC. dated October 9, 2013, and recorded in BOOK 13363, PAGE 1, of the Penobscot County Registry of Deeds, constitutes a "dangerous building," as that term is defined in Title 17 M.R.S.A. § 2851. If the Municipal Officers, following the public hearing, find that one or more buildings or structures on the properties constitutes a "dangerous building," they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Municipal Officers may take the corrective action at municipal expense and recover all expenses, including reasonable attorney's fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the buildings or structures are not dangerous and to oppose any corrective action ordered by the Municipal Officers. \_, Municipal Officers of the Town of Hermon, Maine Absent Joshua Berry Richard Cyr John Snyer HI, Council Chair Derek Wood

TO:

**Property Owner** 

## STATE OF MAINE PENOBSCOT COUNTY, ss.

Date: 12/5\_\_\_, 2024

Then personally appeared the above-named Joshua Berry, Richard Cyr, Christoper Gray, Terry Hamm-Morris, Ronald Murphy, John Snyer III, and Derek Wood, and acknowledged the foregoing instrument to be their free act and deed in their said capacities.

Before me,

KEELY HOPE WARE GONYEA

Notary Public, State of Maine My Commission Expires September 5, 2030

A true copy, attest

Kristen Cushman, Town Clerk Hermon, Maine

### NOTICE OF HEARING

Pursuant to 17 M.R.S.A. §§ 2851-2859 (Dangerous Buildings)

TO: Hermon MHP, LLC C/O Michael & Johnathan Behling 12630 Huston Street Valley Village, CA 91607

### Building at 16 Chickadee Lane, Hermon, Maine

You are hereby notified that the HERMON TOWN COUNCIL will hold a hearing at THE HERMON TOWN OFFICE, 333 BILLINGS ROAD, HERMON, MAINE 04401 on 1/14/2025 AT 6.30 P.M, to determine whether the residential building located on land owned by HERMON MHP, LLC, as shown on MAP 35, LOT 26-016T of the current Tax Maps of Hermon, Maine, described in BOOK 13363, PAGE 1 at the Penobscot County Registry of Deeds, is a nuisance or dangerous within the meaning of 17 M.R.S. § 2851.

If the Council, following the public hearing, find that one or more buildings or structures on the properties constitutes a "dangerous building," they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Council may take the corrective action at municipal expense and recover all expenses, including reasonable attorney's fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the building(s) or structure(s) are not dangerous and to oppose any corrective action ordered by the Hermon Town Council.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals this // day of /anvary . 2024.2025

Alosent

Joshua Berry

Christopher Gray

Christopher Gray

Ronald Murphy

Derek Wood

Alosent

Richard Cyr

Terry Halmm-Morris

John Snyer III, Council Chair

## STATE OF MAINE COUNTY OF PENOBSCOT

12/5\_\_\_, 2024

Then personally appeared the above-named Joshua Berry, Richard Cyr, Christoper Gray, Terry Hamm-Morris, Ronald Murphy, John Snyer III, and Derek Wood, and acknowledged the foregoing instrument to be their free act and deed in their said capacities.

Before me,

Notary Public/Maine Attorn

Printed Name: Commission Expires:

KEELY HOPE WARE GONYEA

Notary Public, State of Maine My Commission Expires September 5, 2030

#### NOTICE OF HEARING

Pursuant to 17 M.R.S.A. §§ 2851-2859 (Dangerous Buildings)

TO: Machias Savings Bank P.O. Box 318 Machias, Maine 04654

### Building at 16 Chickadee Lane, Hermon, Maine

You are hereby notified that the HERMON TOWN COUNCIL will hold a hearing at THE HERMON TOWN OFFICE, 333 BILLINGS ROAD, HERMON, MAINE 04401 on 1/1/2024/2025 AT 6:30 P.M, to determine whether the residential building located on land owned by HERMON MHP, LLC, as shown on MAP 35, LOT 26-016T of the current Tax Maps of Hermon, Maine, described in BOOK 13363, PAGE 1 at the Penobscot County Registry of Deeds, is a nuisance or dangerous within the meaning of 17 M.R.S. § 2851.

You are an interested party in this hearing by virtue of: (i) Mortgage dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 7; (2) Assignment of Leases and Rents dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 22; and (iii) UCC Financing Statement recorded October 11, 2013, at the Penobscot County Registry of Deeds in Book 13363, Page 38; UCC Continuation recorded September 19, 2018, at the Penobscot County Registry of Deeds in Book 14943, Page 318; and UCC Continuation recorded November 8, 2023, at the Penobscot County Registry of Deeds in Book 16996, Page 17.

If the Council, following the public hearing, find that one or more buildings or structures on the properties constitutes a "dangerous building," they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Council may take the corrective action at municipal expense and recover all expenses, including reasonable attorney's fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the building(s) or structure(s) are not dangerous and to oppose any corrective action ordered by the Hermon Town Council.

IN WITNESS WHEREOF, the undersigned have of <u>December</u> , 2024.	we hereunto set their hands and seals this $5$ day
Joshua Berry  Christopher Gray  Pon Murphy  Ronald Murphy  Derek Wood	Richard Cyr  Lungham Mun  Terry Hamm-Morris  John Suyer III, Council Chair
STATE OF MAINE COUNTY OF PENOBSCOT	12/52024

Then personally appeared the above-named Joshua Berry, Richard Cyr, Christoper Gray, Terry Hamm-Morris, Ronald Murphy, John Snyer III. and Derek Wood, and acknowledged the foregoing instrument to be their free act and deed in their said capacities.

Before me,

Printed Name:

Commission Expires: KEELY HOPE WARE GONYEA

Notary Public, State of Maine
My Commission Expires September 5, 2030



### O24-25-09

### DANGEROUS BUILDING DECISION AND ORDER

Pursuant to 17 M.R.S. §§ 2851-2859

TO: Hermon MHP, LLC
C/O Michael & Johnathan Behling
12630 Huston Street
Valley Village, CA 91607

### Building at 2027 Park Drive, Hermon, Maine

The Hermon Town Council ("Council"), acting as the municipal officers of the Town of Hermon, hereby adopt and issue this Decision and Order pursuant to 17 M.R.S. §§ 2851 et seq. (Maine Dangerous Buildings statute) with respect to a building on property with an address of **2027 Park Drive, Hermon, Maine**, also known as **Map 35**, **Lot 26-002T** on the Town of Hermon Tax Maps, being a mobile home in a mobile home park, said park being more particularly described in a deed from Hermon Park, LLC to Hermon MHP, LLC, dated October 9, 2013, and recorded in **Book 13363, Page 1**, of the Penobscot County Registry of Deeds.

### **Preliminary**

This is a dangerous building proceeding under 17 M.R.S. § 2851-2859. A Notice of Hearing was served on the property owner, Hermon MHP, LLC (the "Property Owner" or "HMHP"), and on all parties-in-interest, in accordance with 17 M.R.S. §§ 2851 and 2857.

The Council convened a hearing on the matter in accordance with the Dangerous Buildings statute on January 16, 2025 at 6:30 p.m. at the Hermon Town Office at 333 Billings Road, Hermon, ME 04401. Notice of said hearing was duly served upon all known property owners and parties in interest pursuant to 17 M.R.S. § 2857.

Participants at the January 16, 2025 public hearing included Jessefa Murphy, Hermon Code Enforcement Officer ("CEO Murphy") and Cody Sullivan, Hermon Fire Chief ("Chief Cody").

Information concerning the history and condition of the mobile home at 2027 Park Drive, including a number of photographs, were presented by CEO Murphy and Chief Cody.

[Insert any additional information provided at the hearing].

### **Factual Findings**

Based on the testimony and other evidence presented, including without limitation photographs, reports, and testimony of CEO Murphy and Chief Cody, the Council hereby finds as follows:

1. The subject property has an address of 2027 Park Drive, Hermon, Maine, as more particularly described in a deed from Hermon Park, LLC to Hermon

MHP, LLC, dated October 9, 2013, and recorded in Book 13363, Page 1, of the Penobscot County Registry of Deeds. ("Property").

- 2. The current owner of the Property is Hermon MHP, LLC per the deed referenced previously in this Decision and Order.
- 3. A title search current through the date of this Decision and Order identified Machias Savings Bank as a party in interest by virtue of: (i) Mortgage dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 7; (2) Assignment of Leases and Rents dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 22; and (iii) UCC Financing Statement recorded October 11, 2013, at the Penobscot County Registry of Deeds in Book 13363, Page 38; UCC Continuation recorded September 19, 2018, at the Penobscot County Registry of Deeds in Book 14943, Page 318; and UCC Continuation recorded November 8, 2023, at the Penobscot County Registry of Deeds in Book 16996, Page 17.
- 4. Located on the Property is a mobile home that is in extremely poor condition ("Building"). Specifically, without limitation, the building has:
  - Collapsed bathroom floor and exposed electrical hazards.
  - Mold presence and structural deficiencies due to water damage.
  - Lack of fire safety systems, including improperly attached smoke/CO detectors.
  - Poorly maintained exterior, including damaged siding and skirting.
  - Health risks from rodent infestation and poor air quality.
  - Inadequate maintenance leading to structural instability and sanitation issues.
  - Unsecured entry points, including compromised windows and sealing.

and is not structurally sound.

5. The state of the building is dangerous and a nuisance because it is structurally unsafe, is unsuitable for human occupancy, constitutes a hazard to health or safety because of inadequate maintenance and abandonment, presents a fire hazard, and is otherwise dangerous to life or property of the public.

### **Conclusions of Law**

Based on the foregoing factual findings, the Council adjudges that the Building located on the Property constitutes a dangerous building within the meaning of 17 M.R.S. § 2851(2-A).

#### **Disposal and Expenses**

Based on the foregoing factual findings and conclusions of law, the Council hereby determines:

1. The Building located on the Property is a dangerous building, and must be disposed of by demolition as set forth herein unless timely rehabilitated by the Property Owner consistent with this Decision and Order.

2. The Property Owner shall repay the Town of Hermon all expenses pursuant to 17 M.R.S. § 2853.

### **ORDER**

NOW THEREFORE, based on the foregoing, the Council hereby ORDERS as follows:

- 1. Within ninety (90) days starting the day after this Decision and Order is issued, or if appealed within ninety (90) days after a final decision affirming the judgment, the Property Owner shall:
  - a. Rehabilitate the aforedescribed building on the Property to completely abate the dangerous conditions, as follows:
    - (i) Submit to the Town Code Enforcement Office, and be approved by the Code Enforcement Officer, a written rehabilitation work plan from a qualified structural engineer for any and all work that must be completed to abate the dangerous conditions in compliance with applicable ordinances and codes of the Town of Hermon (the "Rehabilitation Work Plan") in sufficient time to allow review, approval and implementation.
    - (ii) Obtain all necessary permits or approvals to complete the scope of work in the Rehabilitation Work Plan; and
    - (iii) Submit a final written report from a structural engineer certifying the dangerous conditions have been completely abated.

### <u>OR</u>

- b. Remove or demolish or cause to be removed or demolished, the aforedescribed building on the Property including removal of all structures appurtenances, debris, trash, footers, etc., and shall fill and compact the remaining foundation/hole to the grade level of the lot. The Property owner must also obtain any and all necessary permits in consultation with the Hermon Code Enforcement Officer.
- 2. If the Property Owner elects to rehabilitate building and has not completed rehabilitation but has otherwise demonstrated substantial progress towards completing rehabilitation (e.g., demonstrated ability and willingness to satisfactorily rehabilitate this building by performing continuous work to substantially address the dangerous conditions consistent with this Decision and Order), as determined at the Council s discretion, the Council may extend the deadline for such rehabilitation work to be completed.

- 3. No occupancy or use of the Property or building may occur unless in compliance with this Decision and Order and all applicable Town of Hermon ordinances and codes.
- 4. Repay all expenses to the Town of Hermon as set forth in 17 M.R.S. § 2853.
- 5. In the event the Property Owner shall fail to repay the Town of Hermon's expenses; or shall fail to rehabilitate the building; or shall fail to remove or demolish this building, or cause the same to be removed or demolished; or shall fail to fill around the existing open foundation/hole, the Town may proceed to demolish the aforedescribed building and fill the open foundation/hole as provided in 17 M.R.S. § 2853, with the Town's expenses, including without limitation attorney's fees, to be recovered by as provided in that section or otherwise as available in law.
- 6. In the event the Town proceeds to demolish the building consistent with this Decision and Order, the Town shall first follow the applicable procedures and requirements as set forth in 30-A M.R.S. § 3106 regarding "covered property" as defined therein.
- 7. The Town Clerk shall record and cause service of attested copies of this Decision and Order in accordance with 17 M.R.S. § 2851(3).

This Decision and Order may be appealed to Superior Court under the Maine Rules of Civil Procedure, Rule 80B and/or pursuant to 17-A M.R.S. § 2852. If this Decision and Order is not timely complied with and no timely appeal is taken, the Hermon Town Council may undertake the ordered corrective action at the Town's expense and recover all expenses, including without limitation reasonable attorney's fees by means of a special tax or civil action.

John	Snyer III, Chair	Ronald Murphy, Vice Chair
Joshu	а Ветту	Richard Cyr
Chris	topher Gray	Terry Hamm-Morris
	Derek	Wood
true copy, attest:	Kristen L. Cushman, Town Clerk Hermon, Maine	<b>C</b>
Motion	Yeas	
Second	Nays	Date

### Town of Hermon, Maine

Property Inspection Report

<b>Todays Date:</b>	12/4/2024	Date of Inspection: 4/27/2023
<b>Tax Map: 35</b> '	Tax Lot: 26-002T	Book: 13363 Page: 1
Property Add	ress: 2027 Park Drive, Her	
Owner 1: Her	mon MHP, LLC, C/O Mich	nael & Johnathan Behling
	ress: 12630 Huston Street,	Valley Village, California 91607
Owner 2:	MAGGA	
——————————————————————————————————————		onal owners on a separate sheet.
I, Jessefa Murp		ry as Code Enforcement Officer for the Town of Hermon, ed property and found the following to be true:
☑ The bu	ilding on the property is str	ucturally unsafe, unstable, or unsanitary.
<		bathroom floor, exposed electrical hazards, improperly labled electrical uctural deficienceies, exterior hazards, inadequate fire safety measures, ealing, and general neglect.
✓	_	d bathroom floor, deteriorated structural components, water damage and g and skirting, unaddressed repairs over time due to neglect.
✓	-	nce of mold, exposed insulation due to rodents, collapsed bathroom floor ity, lack of proper maintenance and neglect.
☑ The bu	ilding on the property cons	titutes a fire hazard.
✓	electrical panel, lack of work	fire hazard because exposed electrical wiring, improperly maintained ing smoke/co dectectors, improperly attached smoke/co detector,
	poorly sealed and maintaine	turctural damage and instability, precense of mold and moisture, d building, general neglect.
it is pu	t.	or improper because Structural instability, health hazards from mold,

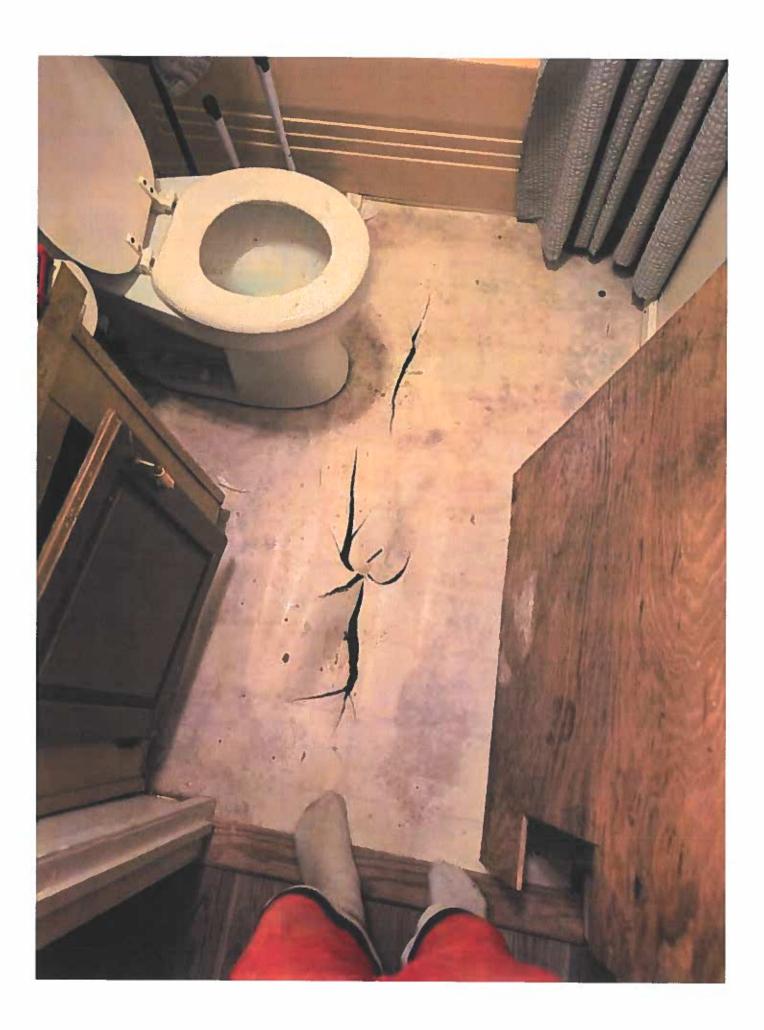
		fire hazards, unsanitary conditions, inadequat maintenance, general neglect, energy ineffiency
		from damaged windows, exposed insulation, and evidence of rodents.
M	The bu	ilding on the property constitutes a hazard to health or safety because of inadequate nance, dilapidation, obsolescence, or abandonment.
	V	Inadequate Maintenance: Structural instability and damage, electrical system neglect,
		exterior damage, water damage, visable mold, poor window and door conditions, sanitation issues, lack of functional safety features, and general neglect.
	✓	Dilapidation: Structural failures, severe water damage, exterior deterioration, electrical and safety hazards, unstable entry points, mold and rot, deteriorating/damaged/improperly sealed doors and windows, and general neglect.
	√	Obsolescence: inadequate electrical system, structural issues, poor sanitaion issues due to mold and rot, lack life safety codes, aging material and fixtures, and general neglect.
	<	Abandonment: Inadequate maintenenace, structural damage, mold and moisture, electrical hazards rodent issues, visable decay, and general neglect.
Ø	The bu	ilding on the property is otherwise dangerous to life or property.
	<	Dangerous to life or property because Structural hazards including (but not limited to) collapsed bathroom floor, damaged walls and flooring, exterior damage to skirting, siding, and stairs
		Health hazards such as mold, mildew, rot, unsanitarty condtions, and pest infestation. Fire and safety
		hazards, and general neglect.
Ø	Picture	es of the property are attached.

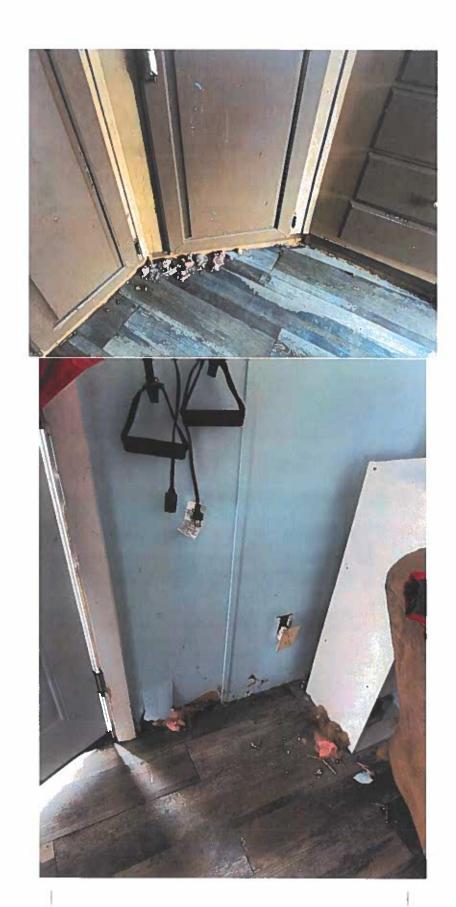
Under 17 M.R.S. § 2851, in order to adjudge a building to be a nuisance or dangerous, the municipal officers or county commissioners must find that the building is structurally unsafe, unstable or unsanitary; constitutes a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment; or is otherwise dangerous to life or property. This report was prepared for the municipal officers and is the opinion of the Code Enforcement Officer.

The above information is based on my pe of my knowledge and belief.	rsonal inspection of the property and is true to the best
Name:	
Its: Town of Hermon	
STATE OF MAINE COUNTY OF PENOBSCOT	, 2024
Personally appeared before me the of the Town of F be their free act and deed in their said capa	Iermon, and acknowledged the foregoing instrument to
	Notary Public/Attorney at Law Printed Name: Commission Expires:

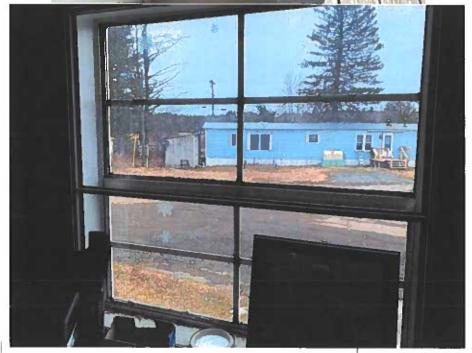




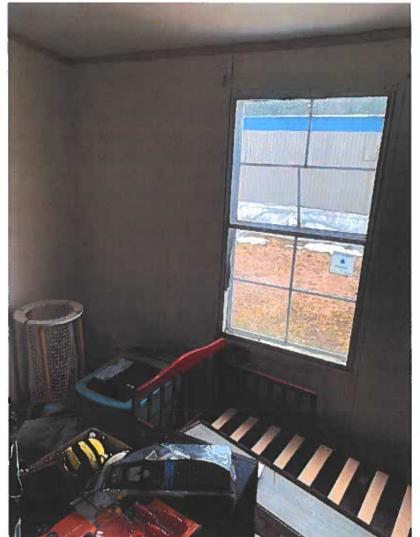




















Hermon 8:46 AM

## RE Account 1512 Detail as of 01/16/2025

01/08/2025 Page 1

Name: HERMON MHP LLC

Location: 2027 PARK DRIVE

Acreage: 0.00 Map/Lot: 035-026-002T

Book Page: B12095P311

2024-1 Period Due:

1) 122.08

 Land:
 0

 Building:
 11,200

 Exempt
 0

 Total:
 11,200

Ref1: B P

Mailing C/O MICHAEL & JONATHAN BEHLING

Address: 12630 HUSTON ST

VALLEY VILLAGE, CA 91607

Year	Date	Reference	PC	Principal	Interest	Costs	Total
2024-1 R				122.08	0.00	0.00	122.08
2023-1 L	*			119.85	7.61	78.02	205.48
2022-1 L	*			0.00	0.00	0.00	0.00
2021-1 R				0.00	0.00	0.00	0.00
2020-1 R				0.00	0.00	0.00	0.00
2019-1 R				0.00	0.00	0.00	0.00
2018-1 R				0.00	0.00	0.00	0.00
2017-1 R				0.00	0.00	0.00	0.00
2016-1 L	*			0.00	0.00	0.00	0.00
2015-1 L	*			0.00	0.00	0.00	0.00
2014-1 L	*			0.00	0.00	0.00	0.00
2013-1 R				0.00	0.00	0.00	0.00
2012-1 R				0.00	0.00	0.00	0.00
2011-1 R				0.00	0.00	0.00	0.00
2010-1 R				0.00	0.00	0.00	0.00
2009-1 R				0.00	0.00	0.00	0.00
2008-1 L	*			0.00	0.00	0.00	0.00
2007-1 L	*			0.00	0.00	0.00	0.00
2006-1 L	*			0.00	0.00	0.00	0.00
2005-1 R				0.00	0.00	0.00	0.00
2004-1 R				0.00	0.00	0.00	0.00
2003-1 R				0.00	0.00	0.00	0.00
2002-1 R				0.00	0.00	0.00	0.00
Account Totals a	s of 01/16	5/2025	_	241.93	7.61	78.02	327.56

Per I	Diem
2023-1	0.0263
Total	0.0263

**Exempt Codes:** 

Note: Payments will be reflected as positive values and charges to the account will be represented as negative values.

Map Lot 035-026-002T	Account 1512	Location		2027 PARK DRIVE			Card 1	Of 1	1/08/2025	10
HERMON MHP LLC		Ь	Property Data	ata		A	<b>Assessment Record</b>	cord		
		Neighborhood	28 Fuller Rd Bill/Bgr	III/Bgr	Year	Land	Buildings	igs Exempt		Total
VALLEY VILLAGE CA 91607										
		Tree Growth Year	ear 0							
		TIF ACCOUNT		0				1	1	
B12095P311		Y Coordinate		0						
Previous Owner		Zone/Land Use	12 Residential B	2 B						
FERNALD, JENNIFER				•		i				
		Secondary Zone	يه ا							
PO BOX 146										
ELLSWORTH ME 04605		Topography 9		6						
Sale Date: 10/10/2013										
		1.Level	4. Below St	7.						
PERRY SR, MICHAEL *508		2.Rolling	5.Low 6.Swamov	ഞ് ക						
2027 PARK DRIVE		Utilities 9 None		y None				1	<u> </u>	
HERMON ME 04401		4.	1000	1						
Sale Date: 4/01/2010		2.Water	5.Dug Well	8.Lagoon						
Drowing Outper		3.Sewer	6.Septic	9.None					  -	
PIEVIOUS OWING										
PELEKS, WINIFRED		oneer a	y none							
812 OHIO ST APT 8		1.Paved	4. Proposed	7.			l and Data			
BANCOD ME 04401 9101		2.Semi Imp	5.Private	é			במנות המנים			
DAINGUR ME U4401 SIOI		3.Gravel	6.Rear	9.None	Front Foot	Type	쥥		Τ,	Influence
Sale Date: 1/13/2006		Tree Growth Renew	enew	•	11 Pagular Lot	+	Frontage Depth	Factor	Code	des
Inspection Witnessed By:		Old Permit/Other	ē	•	12.Delta Triangle			8	2, Excess Frta	g
			Calo Data	١.	13.Nabla Triangle			*	3.Topography	hy.
			Sale Date	_1	14.Rear Land			8	4.Size/Shape	` <b>%</b>
×	Date	Sale Date		10/10/2013	15. Miscellaneous			%	5.Access	
H	Code C	Price						8	6. Restriction	c
No./Date Description	nate rusb.	Sale Type	4 Mobile Home					8	7.Comer Infl	E
		1.Land Re	4.Mobile	7.Land & Bld	Square Foot		Square Feet		8.View/Environ	iron
		2.L&B Re	5.0ther	8.Bldg Comm	16.Regular Lot			%	9.Fract Share	are
		3.Building R	6.Land Comm	9.	17.Secondary Lot			8	20 Dogs Land 2	Acres 1 and 2
		Financino	1 Conventional		18.Excess Land	1		8 ;	20. Real Laint 3	Par Par
			4 College		19.Condominlum			8 8	32.Industrial Par	al Par
Notes:		T.CONSIL.	r. Schol		20,GOLF COURSE HO			R 3	33, Pasture/Hay fi	'Hay fi
4.5		2 Accumed	S,ruvaic 6 Cach	O Introdum				k s	34.Gravel Pit	. #
		DAMING C	o,casii	2.CIINCIAII	Fract Acres		10.4	P	35.Tillable	
		Validity	8 Other Non Valid	PIR	21 Homesite (Frac		Acreage/Sites	1	36.Pasture	
		1.Valid	4.Split	7.Changes	22.Baselot (Fract			P a	37.Softwood	٥
		2.Related	5.Partial	8.Other	23.Coml Lot1(Frac			2 %	38.Mixed Wood	poo/
		3.Distress	6.Exempt	9.	Acres			2 %	39.Hardwood	8
		Verified	5 Public Record	-	24.Homesite			* *	40.Waste 1	
		Brance	A Ament	7 Camilia	25.Baselot			%	41.Lagoon per act	per act
		2.Seller	S.Pub Rec	8.Other	26.Second Acre 1			%	42.Mobile Home Si	lome Si
		3.Lender	6.MLS	6	27.Commercial 3				44 Lot Improvemen	nic musman
Lormon					28.Kear Land 1		Total Acreage	0.00	45. Shorefrontage	ntage
				•	2 20100	-			46.Crop Land	, pe

Card 1 Of 1 1/08/2025				MALSON MIT														_					2 7 7	14.0	The second secon		** ** ** ** ** ** ** ** ** ** ** ** **	· · · · · · · · · · · · · · · · · · ·	と 日本の 一日本の 一日本の 一日本の 一日本の 一日本の 一日本の 一日本の	1913年1913日						75								The state of the s	では、日本の一大人の一大人の一大人の一大人の一大人の一大人の一大人の一大人の一大人の一大人	
<b>Hermon</b> 2027 PARK DRIVE	r	· 60	6		× ×			. 0	9.None			e 7.		Ш		7,4 6	EXC	System				7.A-rrame	5. S.None	П		rer b.view			7.			7.	8 o	1.One Story Fram	2.Two Story Fram	3.Three Story Fr	4.1 & 1/2 Story 5.1 & 3/4 Story	6.2 & 1/2 Story	The state of the s	22. Frame Shed	24.1 SF Galage	25.1 5 SF Garage	26.1 75 SF Garage	27.2 SF Garage		
Location 2		2.Inaded 5.			1.1/4 Fin 5. FlyStair		5		3.Capped 6.	Unfinished %	actor	1.E Grade 4.B Grade 2.D Grade 5.A Grade		튪	Condition			3.Awg- 6.Good	Phys. % Good	Funct. % Good	3	_	3.Fire 6.Struct D	9 Good	c Code	U.None 3.No Power 1.Location 4.Generate		쁑		2.Refusal 5.Estimate 3.Teformed 6	8	1.0wner 4.Agent	2.Relative 5.Estimate 3.Tenant 6.Other		Sound Value 2.Tv	$\overline{}$		6.2	21.	72.	24.1	25.1	26.1	27.2	79 28	
Account 1512				5.FWA 9.No Heat	7 Flectric 11			4.W&C Air 7.	9.None		4.Obsolete 7.	80 G		4.Obsolete 7.	ගේ	9.None																			Cond Dhve Finct	% 0	%									
	SF Bsmt Living	GAS FIREPLACE	Heat Type		2.Kadrioor 6.c				3.H Pump 6.	ه ا		2.Typical 5.	ڀ			3.Old Type 6.	# Rooms	# Bedrooms	# Full Baths	# Half Baths	# Addn Fixtures	# Fireplaces				ì							Date Inspected 5/25/2011		Thirt Grade	200										
035-026-0027		Ga 9.Omer 10.Como. C		12.			7.1 33	8.1.25	oi.	9.Other		11. 12		sit 7.RS Metal		6							A. TITI/CORIC	9.None		. %	9.None		,	7.	ó oi		Date In	Iditione Out	Vear	÷	1				-					
Map Lot 03	Style	2.Ranch 6.Solit	5	4.Cape 8.Log	Other Units	Stories			5.3 6.2.5 Exterior Walls			3.Compos. 7.Stone	l e	1.Asphalt 4.Composit		3.Metal 6.Other	SF Masonry Trim			Year Built	Year Remodeled		2.C Block 5.Slab	a		1.1/4 Bmt 4.Full Bmt 2.1/7 Bmt 5 None		Bsmt Gar # Cars	asement	1.Dry 4.	3.Wet 6.			4	Two	Manejon										

# NOTICE OF HEARING Pursuant to 17 M.R.S.A. §§ 2851-2859 (Dangerous Buildings)

You are hereby notified that the Municipal Officers of the TOWN OF HERMON, MAINE will hold a public hearing on \_\_\_\_\_\_/\_\_/25\_\_, at \_\_\_\_/30\_\_P.M., at the Hermon Town Office at 333 BILLINGS ROAD, HERMON, MAINE 04401 for the purpose of determining whether one or more buildings or other structures located on the property identified as 2027 PARK DRIVE, HERMON, MAINE 04401.

and more particularly described in a deed from Hermon Park, LLC to **HERMON MHP**, **LLC**, dated October 9, 2013, and recorded in **BOOK 13363**, **PAGE 1**, of the Penobscot County Registry of Deeds, constitutes a "dangerous building," as that term is defined in Title 17 M.R.S.A. § 2851.

If the Municipal Officers, following the public hearing, find that one or more buildings or structures on the properties constitutes a "dangerous building," they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Municipal Officers may take the corrective action at municipal expense and recover all expenses, including reasonable attorney's fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the buildings or structures are not dangerous and to oppose any corrective action ordered by the Municipal Officers.

r	
Dated: $12/5/24$ , Municipal Officers of th	e Town of Hermon, Maine
Absent	Dichard Cyr
Joshua Berry	Richard Cyr
Chio	leves Hamm Man.
Christopher Gray	Terry Hamm-Morris
Bon Murphy	John Brutt
Ronald Murphy	John Snyer HI, Council Chair
Sule hord	Company Council Chair
Derek Wood	

TO:

**Property Owner** 

## STATE OF MAINE PENOBSCOT COUNTY, ss.

Date: 12/5 \_\_. 2024

Then personally appeared the above-named Joshua Berry, Richard Cyr, Christoper Gray, Terry Hamm-Morris, Ronald Murphy, John Snyer III, and Derek Wood, and acknowledged the foregoing instrument to be their free act and deed in their said capacities.

Before me.

KEELY HOPE WARE GONYEA

Notary Public, State of Maine My Commission Expires September 5, 2030

A true copy, attest

Kristen Cushman, Town Clerk Hermon, Maine

### NOTICE OF HEARING

Pursuant to 17 M.R.S.A. § § 2851-2859 (Dangerous Buildings)

TO: Hermon MHP, LLC
C/O Michael & Johnathan Behling
12630 Huston Street
Valley Village, CA 91607

### Building at 2027 Park Drive, Hermon, Maine

You are hereby notified that the HERMON TOWN COUNCIL will hold a hearing at THE HERMON TOWN OFFICE, 333 BILLINGS ROAD, HERMON, MAINE 04401 on AT 6.30 P.M, to determine whether the residential building located on land owned by Hermon MHP, LLC, as shown on MAP 35, LOT 26-016T of the current Tax Maps of Hermon, Maine, described in BOOK 13363, PAGE 1 at the Penobscot County Registry of Deeds, is a nuisance or dangerous within the meaning of 17 M.R.S. § 2851.

If the Council, following the public hearing, find that one or more buildings or structures on the properties constitutes a "dangerous building," they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Council may take the corrective action at municipal expense and recover all expenses, including reasonable attorney's fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the building(s) or structure(s) are not dangerous and to oppose any corrective action ordered by the Hermon Town Council.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals this 5 day of December, 2024.

ADSENT

Joshua Berry

Christopher Gray

Terry Hamm-Morris

Ronald Mürphy

John Snyer III, Council Chair

Derek Wood

### STATE OF MAINE COUNTY OF PENOBSCOT

Then personally appeared the above-named Joshua Berry, Richard Cyr, Christoper Gray, Terry Hamm-Morris, Ronald Murphy, John Snyer III, and Derek Wood, and acknowledged the foregoing instrument to be their free act and deed in their said capacities.

Before me,

Notary Public/Maine Attorney at I

Printed Name:

Printed Name:
Commission Expires: KEELY HOPE WARE GONYEA
Notary Public, State of Maine
My Commission Expires September 5, 2030

### NOTICE OF HEARING

Pursuant to 17 M.R.S.A. § § 2851-2859 (Dangerous Buildings)

TO: Machias Savings Bank P.O. Box 318 Machias, Maine 04654

### Building at 2027 Park Drive, Hermon, Maine

You are hereby notified that the HERMON TOWN COUNCIL will hold a hearing at THE HERMON TOWN OFFICE, 333 BILLINGS ROAD, HERMON, MAINE 04401 on 1/14/25 AT 4:30 P.M, to determine whether the residential building located on land owned by HERMON MHP, LLC, as shown on MAP 35, LOT 26-016T of the current Tax Maps of Hermon, Maine, described in BOOK 13363, PAGE 1 at the Penobscot County Registry of Deeds, is a nuisance or dangerous within the meaning of 17 M.R.S. § 2851.

You are an interested party in this hearing by virtue of: (i) Mortgage dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in **Book 13363**, **Page 7**; (2) Assignment of Leases and Rents dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in **Book 13363**, **Page 22**; and (iii) UCC Financing Statement recorded October 11, 2013, at the Penobscot County Registry of Deeds in **Book 13363**, **Page 38**; UCC Continuation recorded September 19, 2018, at the Penobscot County Registry of Deeds in **Book 14943**, **Page 318**; and UCC Continuation recorded November 8, 2023, at the Penobscot County Registry of Deeds in **Book 16996**, **Page 17**.

If the Council, following the public hearing, find that one or more buildings or structures on the properties constitutes a "dangerous building," they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Council may take the corrective action at municipal expense and recover all expenses, including reasonable attorney's fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the building(s) or structure(s) are not dangerous and to oppose any corrective action ordered by the Hermon Town Council.

IN WITNESS WHEREOF, the undersigned ha of <u>December</u> , 2024.	ve hereunto set their hands and seals this <u>5</u> d
Joshua Berry Christopher Gray	Ling Kym Hm Terry Hamm-Morris
Ronald Murphy	John Snyer III, Council Chair
Derek Wood	
&	
STATE OF MAINE COUNTY OF PENOBSCOT	<u> 12/5</u> , 2024

Then personally appeared the above-named Joshua Berry, Richard Cyr, Christoper Gray, Terry Hamm-Morris, Ronald Murphy, John Snyer III, and Derek Wood, and acknowledged the foregoing instrument to be their free act and deed in their said capacities.

Before me,

Notary Public/Maine Attorney-at-Law

Printed Name:

Commission Expires: KEELY HOPE WARE GONYEA
Notary Public, State of Maine
My Commission Expires September 5, 2030



**O24-25-10** 

### **DANGEROUS BUILDING DECISION AND ORDER**

Pursuant to 17 M.R.S. §§ 2851-2859

TO: Hermon MHP, LLC
C/O Michael & Johnathan Behling
12630 Huston Street
Valley Village, CA 91607

### Building at 2032 Park Drive, Hermon, Maine

The Hermon Town Council ("Council"), acting as the municipal officers of the Town of Hermon, hereby adopt and issue this Decision and Order pursuant to 17 M.R.S. §§ 2851 et seq. (Maine Dangerous Buildings statute) with respect to a building on property with an address of 2032 Park Drive, Hermon, Maine, also known as Map 35, Lot 26-004T on the Town of Hermon Tax Maps, being a mobile home in a mobile home park, said park being more particularly described in a deed from Hermon Park, LLC to Hermon MHP, LLC, dated October 9, 2013, and recorded in Book 13363, Page 1, of the Penobscot County Registry of Deeds.

### **Preliminary**

This is a dangerous building proceeding under 17 M.R.S. § 2851-2859. A Notice of Hearing was served on the property owner, Hermon MHP, LLC (the "Property Owner" or "HMHP"), and on all parties-in-interest, in accordance with 17 M.R.S. §§ 2851 and 2857.

The Council convened a hearing on the matter in accordance with the Dangerous Buildings statute on January 16, 2025 at 6:30 p.m. at the Hermon Town Office at 333 Billings Road, Hermon, ME 04401. Notice of said hearing was duly served upon all known property owners and parties in interest pursuant to 17 M.R.S. § 2857.

Participants at the January 16, 2025 public hearing included Jessefa Murphy, Hermon Code Enforcement Officer ("CEO Murphy") and Cody Sullivan, Hermon Fire Chief ("Chief Cody").

Information concerning the history and condition of the mobile home at 2032 Park Drive, including a number of photographs, were presented by CEO Murphy and Chief Cody.

[Insert any additional information provided at the hearing].

### Factual Findings

Based on the testimony and other evidence presented, including without limitation photographs, reports, and testimony of CEO Murphy and Chief Cody, the Council hereby finds as follows:

- 1. The subject property has an address of 2032 Park Drive, Hermon, Maine, as more particularly described in a deed from Hermon Park, LLC to Hermon MHP, LLC, dated October 9, 2013, and recorded in Book 13363, Page 1, of the Penobscot County Registry of Deeds. ("Property").
- 2. The current owner of the Property is Hermon MHP, LLC per the deed referenced previously in this Decision and Order.
- 3. A title search current through the date of this Decision and Order identified Machias Savings Bank as a party in interest by virtue of: (i) Mortgage dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 7; (2) Assignment of Leases and Rents dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 22; and (iii) UCC Financing Statement recorded October 11, 2013, at the Penobscot County Registry of Deeds in Book 13363, Page 38; UCC Continuation recorded September 19, 2018, at the Penobscot County Registry of Deeds in Book 14943, Page 318; and UCC Continuation recorded November 8, 2023, at the Penobscot County Registry of Deeds in Book 16996, Page 17.
- 4. Located on the Property is a mobile home that is in extremely poor condition ("Building"). Specifically, without limitation, the building has:
  - Rodent infestation with pervasive odor.
  - Accumulated garbage and decomposing food creating health hazards.
  - Poorly maintained exterior stairs and structural decay.
  - Mold and bacteria growth from unsanitary conditions.
  - Fire hazards due to improper storage of combustibles and exposed wiring.
  - General neglect, including blocked pathways and inadequate egress.

and is not structurally sound.

5. The state of the building is dangerous and a nuisance because it is structurally unsafe, is unsuitable for human occupancy, constitutes a hazard to health or safety because of inadequate maintenance and abandonment, presents a fire hazard, and is otherwise dangerous to life or property of the public.

### **Conclusions of Law**

Based on the foregoing factual findings, the Council adjudges that the Building located on the Property constitutes a dangerous building within the meaning of 17 M.R.S. § 2851(2-A).

### **Disposal and Expenses**

Based on the foregoing factual findings and conclusions of law, the Council hereby determines:

1. The Building located on the Property is a dangerous building, and must be disposed of by demolition as set forth herein unless timely rehabilitated by the Property Owner consistent with this Decision and Order.

2. The Property Owner shall repay the Town of Hermon all expenses pursuant to 17 M.R.S. § 2853.

### **ORDER**

NOW THEREFORE, based on the foregoing, the Council hereby ORDERS as follows:

- 1. Within ninety (90) days starting the day after this Decision and Order is issued, or if appealed within ninety (90) days after a final decision affirming the judgment, the Property Owner shall:
  - a. Rehabilitate the aforedescribed building on the Property to completely abate the dangerous conditions, as follows:
    - (i) Submit to the Town Code Enforcement Office, and be approved by the Code Enforcement Officer, a written rehabilitation work plan from a qualified structural engineer for any and all work that must be completed to abate the dangerous conditions in compliance with applicable ordinances and codes of the Town of Hermon (the "Rehabilitation Work Plan") in sufficient time to allow review, approval and implementation.
    - (ii) Obtain all necessary permits or approvals to complete the scope of work in the Rehabilitation Work Plan; and
    - (iii) Submit a final written report from a structural engineer certifying the dangerous conditions have been completely abated.

### <u>OR</u>

- b. Remove or demolish or cause to be removed or demolished, the aforedescribed building on the Property including removal of all structures appurtenances, debris, trash, footers, etc., and shall fill and compact the remaining foundation/hole to the grade level of the lot. The Property owner must also obtain any and all necessary permits in consultation with the Hermon Code Enforcement Officer.
- 2. If the Property Owner elects to rehabilitate building and has not completed rehabilitation but has otherwise demonstrated substantial progress towards completing rehabilitation (e.g., demonstrated ability and willingness to satisfactorily rehabilitate this building by performing continuous work to substantially address the dangerous conditions consistent with this Decision and Order), as determined at the Council's discretion, the Council may extend the deadline for such rehabilitation work to be completed.

- 3. No occupancy or use of the Property or building may occur unless in compliance with this Decision and Order and all applicable Town of Hermon ordinances and codes.
- 4. Repay all expenses to the Town of Hermon as set forth in 17 M.R.S. § 2853.

- 5. In the event the Property Owner shall fail to repay the Town of Hermon's expenses; or shall fail to rehabilitate the building; or shall fail to remove or demolish this building, or cause the same to be removed or demolished; or shall fail to fill around the existing open foundation/hole, the Town may proceed to demolish the aforedescribed building and fill the open foundation/hole as provided in 17 M.R.S. § 2853, with the Town's expenses, including without limitation attorney's fees, to be recovered by as provided in that section or otherwise as available in law.
- 6. In the event the Town proceeds to demolish the building consistent with this Decision and Order, the Town shall first follow the applicable procedures and requirements as set forth in 30-A M.R.S. § 3106 regarding "covered property" as defined therein.
- 7. The Town Clerk shall record and cause service of attested copies of this Decision and Order in accordance with 17 M.R.S. § 2851(3).

This Decision and Order may be appealed to Superior Court under the Maine Rules of Civil Procedure, Rule 80B and/or pursuant to 17-A M.R.S. § 2852. If this Decision and Order is not timely complied with and no timely appeal is taken, the Hermon Town Council may undertake the ordered corrective action at the Town's expense and recover all expenses, including without limitation reasonable attorney's fees by means of a special tax or civil action.

Hermon Town Council, Dated this 16 day of January 2025

John Snyer III, Chair	Ronald Murphy, Vice Chair
Joshua Berry	Richard Cyr
Christopher Gray	Terry Hamm-Morris

Derek Wood

	Kristen L. Cushman, Town Clerk Hermon, Maine	
Motion	Yeas	
Second	Nays	 Date

# Town of Hermon, Maine

Property Inspection Report

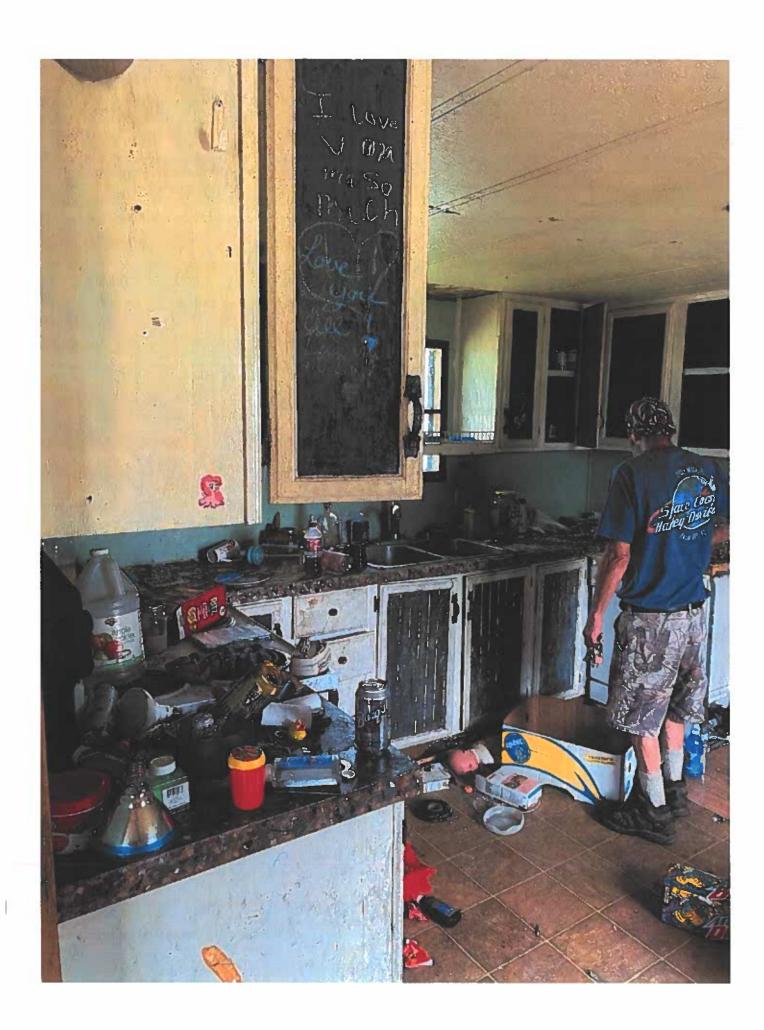
Todays Date:	12/4/2024 Date of Inspection: 09/06/2024
Tax Map: 35	Tax Lot: 26-004T Book: 13363 Page: 1
Property Add	dress: 2032 Park Drive, Hermon, Maine 04401
	rmon MHP, LLC, C/O Michael & Johnathan Behling
Owner 2:	lress: 12630 Huston Street, Valley Village, California 91607
Owner 2 Add	Iress:
	Please list additional owners on a separate sheet.
I, Jessefa Murp	
have personal	ly inspected the above-named property and found the following to be true:
☑ The bu	ailding on the property is structurally unsafe, unstable, or unsanitary.
✓	Unsafe because Rodent infestation accompanied by a pervasive odor, unstable exterior stairs,
	clutter and debris, debris and decomposing garbage, fire hazards, poor sanitaion, electrical hazards, air quality, mold, general neglect.
<b>∀</b>	Unstable because Deteriorated exterior stairs, weakend floor, neglected exterior maintenance, rodent infestation, accumulated trash, lack of foundation.
8	Unsanitary because Rodent infestation, presence of rodent feces and urine, decomposing food and trash, accumulation of garbage, lack of proper cleaning, and poor ventilation promoting mold, bacteria,
	and other harfum pathogens from the rodents.
☑ The bu	ailding on the property constitutes a fire hazard.
✓	The building constitutes a fire hazard because accumulation of garbage and clutter, potential wiring damage from rodent infestation, improper storage of combustibles, obstructed
	pathways, poor maintenance and neglect.
☑ The bu	uilding on the property is unsuitable or improper for the use of occupancy to which
_	The building is unsuitable or improper because. Health risk, structural bazards, unsanitary

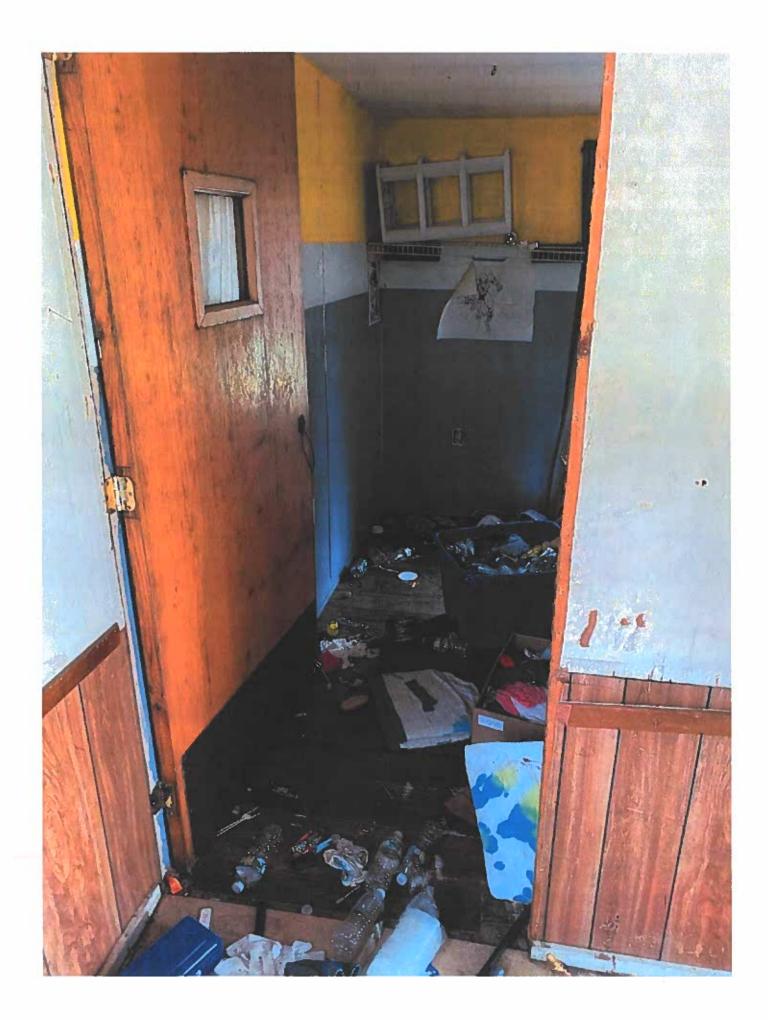
		conditions, fire hazards, lack of basic livability, poor air quaility, neglected maintenance, and
		general neglect.
ď		nilding on the property constitutes a hazard to health or safety because of inadequate enance, dilapidation, obsolescence, or abandonment.
	Ø	Inadequate Maintenance: Rodent infestation which is eveident from the foul odor of urine and feces, structural deterioration, accumulated garbage and debris, fire hazards, poor air quality, lack of basic repairs, and general neglect.
	⊌	Dilapidation: Severe sturcural decay, exterior deterioration, unstable entry/exit points, rodent induced damage, interior decay from decomposing garbage, poor hygiene due to dilapidation, and general neglect.
	\$	Obsolescence: inadequate electrical system, structural issues, poor sanitaion issues due to rodent infestation and decomposing garbage, insufficient ventilation and insulation, outdated sanitation, failure to meet modern fire safety standards, and general neglect.
	Ø	Abandonment: Lack of general maintenance and repair, rodent infestation, accumulation of garbage clutter and debris, fire hazards, structural deterioration, unsecure property, degraded air quality.
凶	The bu	ailding on the property is otherwise dangerous to life or property.
	Ø	Dangerous to life or property because Severe structural hazards, rodent infestation, fire hazards, fire hazards, unsanitary conditions, inadequat maintenance, blocked egress, exposure to toxic fumes or material, and general neglect.
Ø	Picture	es of the property are attached.

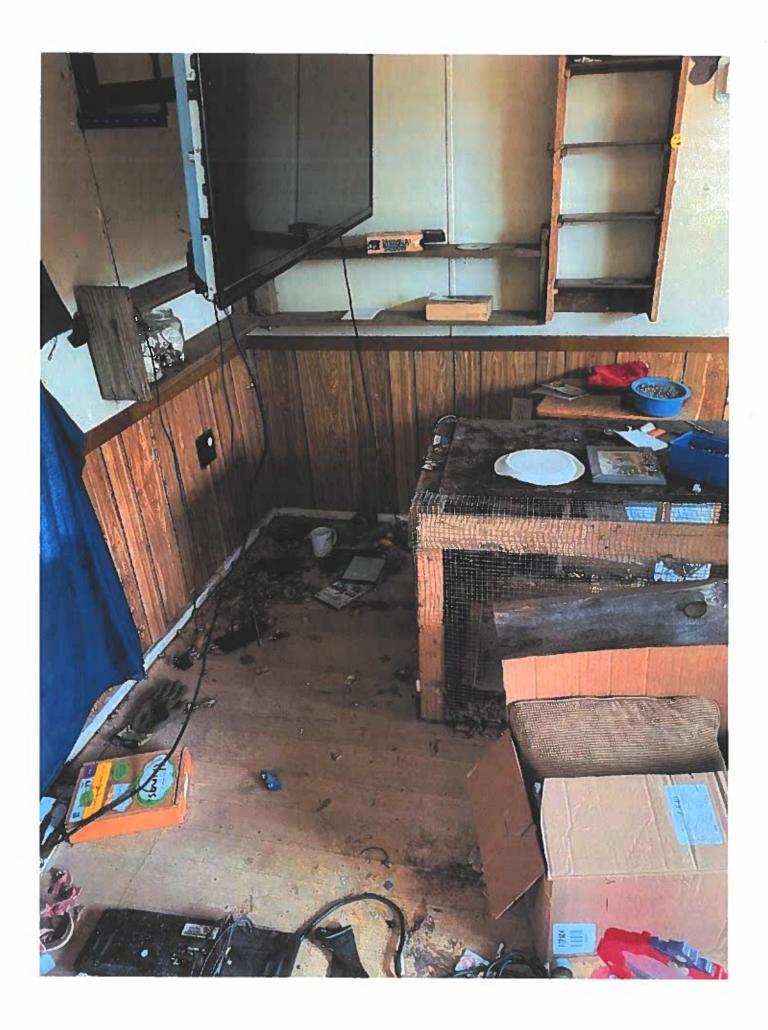
Under 17 M.R.S. § 2851, in order to adjudge a building to be a nuisance or dangerous, the municipal officers or county commissioners must find that the building is structurally unsafe, unstable or unsanitary; constitutes a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment; or is otherwise dangerous to life or property. This report was prepared for the municipal officers and is the opinion of the Code Enforcement Officer.

The above information is based on my per of my knowledge and belief.	sonal inspection of the property and is true to the best
Name:	
Its: Town of Hermon	
STATE OF MAINE COUNTY OF PENOBSCOT	, 2024
Personally appeared before me the and of the Town of H be their free act and deed in their said capa	ermon, and acknowledged the foregoing instrument to
	Notary Public/Attorney at Law Printed Name: Commission Expires:









# DANGEROUS BUILDING DECISION AND ORDER Pursuant to 17 M.R.S. §§ 2851-2859

TO: Hermon MHP, LLC
C/O Michael & Johnathan Behling
12630 Huston Street
Valley Village, CA 91607

# Building at 2032 Park Drive, Hermon, Maine

The Hermon Town Council ("Council"), acting as the municipal officers of the Town of Hermon, hereby adopt and issue this Decision and Order pursuant to 17 M.R.S. §§ 2851 et seq. (Maine Dangerous Buildings statute) with respect to a building on property with an address of 2032 Park Drive, Hermon, Maine, also known as Map 35, Lot 26-004T on the Town of Hermon Tax Maps, being a mobile home in a mobile home park, said park being more particularly described in a deed from Hermon Park, LLC to Hermon MHP, LLC, dated October 9, 2013, and recorded in Book 13363, Page 1, of the Penobscot County Registry of Deeds.

# **Preliminary**

This is a dangerous building proceeding under 17 M.R.S. § 2851-2859. A Notice of Hearing was

served on the property owner, Hermon MHP, LLC (the "Property Owner" or "HMHP"), and on all parties-in-interest, in accordance with 17 M.R.S. §§ 2851 and 2857.

The Council convened a hearing on the matter in accordance with the Dangerous Buildings statute on \_\_\_\_\_\_, 2024 at \_\_\_\_\_\_ p.m. at the Hermon Town Office at 333 Billings Road, Hermon, ME 04401. Notice of said hearing was duly served upon all known and unknown property owners and parties in interest pursuant to 17 M.R.S. § 2857.

Participants at the \_\_\_\_\_\_, 2024 public hearing included Jessefa Murphy, Hermon Code Enforcement Officer ("CEO Murphy"), Cody Sullivan, Hermon Fire Chief ("Chief Cody"), and

Information concerning the history and condition of the mobile home at 2032 Park Drive, including a number of photographs, were presented by CEO Murphy and Chief Cody. [Insert any additional information provided at the hearing].

# **Factual Findings**

Based on the testimony and other evidence presented, including without limitation photographs, reports, and testimony of CEO Murphy and Chief Cody, the Council hereby finds as follows:

- 1. The subject property has an address of 2032 Park Drive, Hermon, Maine, as more particularly described in a deed from Hermon Park, LLC to Hermon MHP, LLC, dated October 9, 2013, and recorded in Book 13363, Page 1, of the Penobscot County Registry of Deeds. ("Property").
- 2. The current owner of the Property is Hermon MHP, LLC per the deed referenced previously in this Decision and Order.
- 3. A title search current through the date of this Decision and Order identified Machias Savings Bank as a party in interest by virtue of: (i) Mortgage dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 7; (2) Assignment of Leases and Rents dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 22; and (iii) UCC Financing Statement recorded October 11, 2013, at the Penobscot County Registry of Deeds in Book 13363, Page 38; UCC Continuation recorded September 19, 2018, at the Penobscot County Registry of Deeds in Book 14943, Page 318; and UCC Continuation recorded November 8, 2023, at the Penobscot County Registry of Deeds in Book 16996, Page 17.

4.	Located on the Property is a mobile home that is in extremely poor condition
	("Building"). Specifically, without limitation, the building has
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5. The state of the building is dangerous and a nuisance because it is structurally unsafe, is unsuitable for human occupancy, constitutes a hazard to health or safety because of inadequate maintenance and abandonment, presents a fire hazard, and is otherwise dangerous to life or property of the public.

# Conclusions of Law

Based on the foregoing factual findings, the Council adjudges that the Building located on the Property constitutes a dangerous building within the meaning of 17 M.R.S. § 2851(2-A).

# **Disposal and Expenses**

Based on the foregoing factual findings and conclusions of law, the Council hereby determines:

- 1. The Building located on the Property is a dangerous building, and must be disposed of by demolition as set forth herein unless timely rehabilitated by the Property Owner consistent with this Decision and Order.
- The Property Owner shall repay the Town of Hermon all expenses pursuant to 17 M.R.S. § 2853.

# **ORDER**

NOW THEREFORE, based on the foregoing, the Council hereby ORDERS as follows:

- 1. Within ninety (90) days starting the day after this Decision and Order is issued, or if appealed within ninety (90) days after a final decision affirming the judgment, the Property Owner shall:
  - a. Rehabilitate the aforedescribed building on the Property to completely abate the dangerous conditions, as follows:
    - (i) Submit to the Town Code Enforcement Office, and be approved by the Code Enforcement Officer, a written rehabilitation work plan from a qualified structural engineer for any and all work that must be completed to abate the dangerous conditions in compliance with applicable ordinances and codes of the Town of Hermon (the "Rehabilitation Work Plan") in sufficient time to allow review, approval and implementation.
    - (ii) Obtain all necessary permits or approvals to complete the scope of work in the Rehabilitation Work Plan; and
    - (iii) Submit a final written report from a structural engineer certifying the dangerous conditions have been completely abated.

# <u>OR</u>

- b. Remove or demolish or cause to be removed or demolished, the aforedescribed building on the Property including removal of all structures appurtenances, debris, trash, footers, etc., and shall fill and compact the remaining foundation/hole to the grade level of the lot. The Property owner must also obtain any and all necessary permits in consultation with the Hermon Code Enforcement Officer.
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- 3. No occupancy or use of the Property or building may occur unless in compliance with this Decision and Order and all applicable Town of Hermon ordinances and codes.

- 4. Repay all expenses to the Town of Hermon as set forth in 17 M.R.S. § 2853.
- 5. In the event the Property Owner shall fail to repay the Town of Hermon's expenses; or shall fail to rehabilitate the building; or shall fail to remove or demolish this building, or cause the same to be removed or demolished; or shall fail to fill around the existing open foundation/hole, the Town may proceed to demolish the aforedescribed building and fill the open foundation/hole as provided in 17 M.R.S. § 2853, with the Town's expenses, including without limitation attorney's fees, to be recovered by as provided in that section or otherwise as available in law.
- 6. In the event the Town proceeds to demolish the building consistent with this Decision and Order, the Town shall first follow the applicable procedures and requirements as set forth in 30-A M.R.S. § 3106 regarding "covered property" as defined therein.
- 7. The Town Clerk shall record and cause service of attested copies of this Decision and Order in accordance with 17 M.R.S. § 2851(3).

This Decision and Order may be appealed to Superior Court under the Maine Rules of Civil Procedure, Rule 80B and/or pursuant to 17-A M.R.S. § 2852. If this Decision and Order is not timely complied with and no timely appeal is taken, the Hermon Town Council may undertake the ordered corrective action at the Town's expense and recover all expenses, including without limitation reasonable attorney's fees by means of a special tax or civil action.

	Dated this day of,	2024
	HERMON TOWN COUNCIL	
Joshua Berry	Richard Cyr	
Christopher Gray	Terry Hamn	n-Morris
Ronald Murphy	John Snyer I	III, Council Chair
Derek Wood	A true copy, attest	
	Kristen Cushman, Town Clerk Hermon, Maine	

Hermon 8:47 AM

# RE Account 1516 Detail as of 01/16/2025

01/08/2025 Page 1

Name: HERMON MHP LLC

Location: 2032 PARK DRIVE

Acreage: 0.00 Map/Lot: 035-026-004T

Book Page: B13363P1

2024-1 Period Due:

1) 144.97

 Land:
 0

 Building:
 13,300

 Exempt
 0

 Total:
 13,300

Ref1:

B13363P1(Lots 35-26 &

Mailing

C/O MICHAEL & JONATHAN BEHLING

Address: 12630 HUSTON ST

VALLEY VILLAGE, CA 91607

Year Date	Reference	PC	Principal	Interest	Costs	Total
2024-1 R	( = :		144.97	0.00	0.00	144.97
2023-1 L *			142.18	9.03	78.02	229.23
2022-1 L *			0.00	0.00	0.00	0.00
2021-1 R			0.00	0.00	0.00	0.00
2020-1 R			0.00	0.00	0.00	0.00
2019-1 R			0.00	0.00	0.00	0.00
2018-1 L *			0.00	0.00	0.00	0.00
2017-1 R			0.00	0.00	0.00	0.00
2016-1 L *			0.00	0.00	0.00	0.00
2015-1 L *			0.00	0.00	0.00	0.00
2014-1 L *			0.00	0.00	0.00	0.00
2013-1 R			0.00	0.00	0.00	0.00
2012-1 R			0.00	0.00	0.00	0.00
2011-1 R			0.00	0.00	0.00	0.00
2010-1 R			0.00	0.00	0.00	0.00
2009-1 R			0.00	0.00	0.00	0.00
2008-1 R			0.00	0.00	0.00	0.00
2007-1 R			0.00	0.00	0.00	0.00
2006-1 R			0.00	0.00	0.00	0.00
2005-2 R			0.00	0.00	0.00	0.00
2005-1 R			0.00	0.00	0.00	0.00
2004-1 R			0.00	0.00	0.00	0.00
2003-1 R			0.00	0.00	0.00	0.00
2002-1 L *			0.00	0.00	0.00	0.00
Account Totals as of 01/	16/2025		287.15	9.03	78.02	374.20

Per l	Diem
2023-1	0.0312
Total	0.0312

Exempt Codes:

Note: Payments will be reflected as positive values and charges to the account will be represented as negative values.

Map Lot 035-026-004T Acc	Account 1516	Location		2032 PARK DRIVE	111		Card	-	Of 1	1/08/2025
HERMON MHP LLC			Property Data	ata			<b>Assessment Record</b>	t Recor		
C/O MICHAEL & JONATHAN BEHLING		Neighborhood	28 Fuller Rd Bill/Bgr	III/8gr	Year	Land	8	Buildings	Exempt	t Total
VALLET VILLAGE CA 9100/		Tree Growth Year	g Jea						+	
		TIF ACCOUNT								
B13363P1		Y Coordinate		0						
Previous Owner		Zone/Land Use	e 12 Residential B	3 E						
HERMON PARK LLC										
		Secondary Zone	æ				+		+	
PU BUX 146										
ELLSWORTH ME 04605 Sale Date: 10/11/2013		Topography 9		ø.						!
Previous Owner		1.Level	4.Below St	7.						
EMERALD HOLDINGS LLC		2.Rolling	5.Low 6.Swamny	ගේ අ						
			1dinonic							
PO BOX 220		California of N	9 None 91	9 None					+	
AUBURN ME 04212		1 Public	4 Dr Well	7 Cacennol					_	
Sale Date: 9/19/2007		2.Water	5.Dug Well	8.Lagoon						
Previous Owner		3.Sewer	6.Septic	9.None						
STINSON, CHERYL		Street 9	9 None							
				•			_			
PO BOX 6135		1.Paved	4.Proposed				Land Data	)ata		
HERMON ME 04402 6135		2.Semi Imp	5.Private	zó c	Front Foot		Effective	_	Influence	Treffice
Sale Date: 11/22/2005		3.Grave	o.Kear	9.None		Type	Frontage D	Depth	Factor Code	т
Thomas Albert (Albert Control Day)		Tree Growth Renew	enew	•	11.Regular Lot		Li		8	П
Inspection Witnessed By:		Old Permit/Other	ler.	0	12,Delta Triangle				%	2, Excess Frtg
			Sale Data		13.Nabla Triangle			$\frac{1}{1}$	*	3. Topography
	Date	Sale Date		10/11/2013	14.Rear Land			+	8 8	4. Size/Shape
	2000	Price		348.250	to the second records				8	6. Restriction
No./Date Description	Date Insp.	Sale Type	2 Land & Buildings -	ines -					*	7.Comer Infl
		1.Land Re	4.Mobile	7.Land & Bld	Square Foot	_	Square Feet	et		8.View/Environ
		2.L&B Re	5.Other	8.Bldg Comm	16.Regular Lot				%	9.Fract Share
		3.Bulding R	6.Land Comm	6	17.Secondary Lot			+	8	Acres
		Financing	1 Conventional		18.Excess Land			+	8 8	31. Industrial Par
		1.Convent	4 Seller		19.Condominium			+	₹ \$	32. Industrial Par
Notes:		2.FHA/VA	5.Private	eó:	20.60LF COURSE NO			<u> </u>	8	33.Pasture/Hay fi
		3.Assumed	6.Cash	9.Unknown					8	34.Gravel Pit
		Validity	4 Split/Assemblage	blage	Fract. Acre		Acreage/Sites	ites		35.Tillable
		. 72	4		21.Homesite (Frac				%	30.PdSture
		1.vand 2 Delated	4.Split	/.Changes	22.Baselot (Fract				%	37.Sortwood
		3.Distress	5.Exempt		23.Coml Lot1(Frac				%	39 Hardwood
					Acres		į	+	%	40.Waste 1
		Verified	1 Buyer		25. Baselot			+	8 :	41.Lagoon per acr
		1.Buyer	4.Agent	7.Family	26.Second Acre 1				8 8	42.Mobile Home Si
		2,Seller	5.Pub Rec	8.Other	27.Commercial 3				P	43.Condo Site
Hermon		2.Lerver	Silvio	*	28.Rear Land 1		<b>Total Acreage</b>	19e 0.00	0	44.Lot Improvemen
				•						46.Crop Land

- F	(IVE								-0 00	0.00																	をおとれ、これらして、日からは、日のことからのなどに対して		というない というできる またがない はんしゅう			人 は は と こう																
Hermon	2032 PARK UKIVE	,	÷ oc	5 0		7.	<b>6</b>	9.None		7.	S. 9. None			7.		9.Same	T	2.0.6	. E. C.	9.Ѕате				7.A-frame	œ i	9.None		6.View	7.RESTRICT	9.None	7	: ed	.6		, 0	ó oi	1.One Story Fram	2.Two Story Fram	3.Three Story Fr	4.1 & 1/2 Story	5.1 & 3/4 Story	1/2 Story	22.Frame Shed	23.1 SF Garage	24.1 25 SF Garage	25.1 5 SF Garage	20.1 /3 Sr Galage	
	- 1	4	ř Lr	i vo		4.Full Fin				4.Minimal	ഗ് ഗ	و.	tor	4.B Grade	5.A Grade	6.AA Grade	STINE)	4.Avg	5.Avo+	5.Avg+ 6.Good	poog	Po	ode	4.Delap	ilt 5.Bsmt 6.Struct D	Good	2 2	3.No Power	4.Generate		de U	S,Estimate	ý	Code 0	4.Agent	6.Other	1.0ne	$\mathbf{T}$	T	4.1 &	5.1.8	31.02	22.Frag	23.1 SF	24.12	25.15	72.5	28
-	Location	Layout	2 Inaded	3 Hordo	Attic	1,1/4 Fin	2.1/2 Fin	3.3/4 Fin	Insulation	<u>.</u>	2.Heavy	Unfinished %	Grade & Fac	1.E Grade	2.D Grade	Coade	SQFI (Footprint)	1.Poor	2.Fair	3.Avg-	Phys. % Good	Funct. % Good	Functional Code	1.Incomp	2.0-Built	3.Fire	Economic Code	0.None	1.Location	2.Encroach	1 Inhariar	2.Refusal	3.Informed	Information Code	1.Owner	3.Tenant		Sound Value	_									
712	1210				9.No Heat	88		100			8. 9 None				9.None			Vone												2				5000			2	Find	1 /	- 1								% %
	Account ,				16			12.					ze 7.	eć i	9.		 8	6 6																			Wemen	Dhve				1	6	6	6	6	6	o`
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_	긺	Building Style	J.Conv.	2. Ranch	4.Cape	Dwelling Units	Other Units	Stories			3.3 Exterior Walk	1.Wood	2.Vin/Al	3.Compos.	9.Asbestos	Roof Surface	1.Asphalt	3. Metal	SF Masonry Trim			Year Built	Year Remodeled	Foundation	1.Concrete	2.C Block	Sasement	1.1/4 Bmt	2.1/2 Bmt	3.3/4 Bmt	BSmt Gar # Cars	1.Drv	2. Damp	3.Wet				924	800 Poloran	5				1				

# NOTICE OF HEARING Pursuant to 17 M.R.S.A. §§ 2851-2859 (Dangerous Buildings)

TO: Property Owner Parties in Interest

ÿ.
You are hereby notified that the Municipal Officers of the TOWN OF HERMON, MAINE will hold a
public hearing on 1/16/2025, at 6:30 P.M., at the Hermon Town Office at 333 BILLINGS
ROAD, HERMON, MAINE 04401 for the purpose of determining whether one or more buildings or
other structures located on the property identified as 2032 PARK DRIVE, HERMON, MAINE 04401,
and more particularly described in a deed from Hermon Park, LLC to HERMON MHP, LLC, dated
October 9, 2013, and recorded in BOOK 13363, PAGE 1, of the Penobscot County Registry of Deeds,
constitutes a "dangerous building," as that term is defined in Title 17 M.R.S.A. § 2851.
If the Municipal Officers, following the public hearing, find that one or more buildings or structures on the properties constitutes a "dangerous building," they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Municipal Officers may take the corrective action at municipal expense and recover all expenses, including reasonable attorney's fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the buildings or structures are not dangerous and to oppose any corrective action ordered by the Municipal Officers.
Dated: 25/24, Municipal Officers of the Town of Hermon, Maine
Joshua Berry  Richard Cyr  Christopher Gray  Terry Hamm-Morris  Ronald Murphy  John Snyer III, Council Chair

STATE OF MAINE PENOBSCOT COUNTY, ss.

Date: 12/5 ... 2024

Then personally appeared the above-named Joshua Berry, Richard Cyr, Christoper Gray, Terry Hamm-Morris, Ronald Murphy, John Snyer III, and Derek Wood, and acknowledged the foregoing instrument to be their free act and deed in their said capacities.

Before me,

Xeely Hope Will younger Notary Public Attorney at Law

**KEELY HOPE WARE GONYEA** 

Notary Public, State of Maine My Commission Expires September 5, 2030

A true copy, attest

Kristen Cushman, Town Clerk Hermon, Maine

#### NOTICE OF HEARING

Pursuant to 17 M.R.S.A. §§ 2851-2859 (Dangerous Buildings)

TO: Machias Savings Bank P.O. Box 318 Machias, Maine 04654

# Building at 2032 Park Drive, Hermon, Maine

You are hereby notified that the HERMON TOWN COUNCIL will hold a hearing at THE HERMON TOWN OFFICE, 333 BILLINGS ROAD, HERMON, MAINE 04401 on AT 6.30 P.M, to determine whether the residential building located on land owned by Hermon MHP, LLC, as shown on MAP 35, LOT 26-004T of the current Tax Maps of Hermon, Maine, described in BOOK 13363, PAGE 1 at the Penobscot County Registry of Deeds, is a nuisance or dangerous within the meaning of 17 M.R.S. § 2851.

You are an interested party in this hearing by virtue of: (i) Mortgage dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 7; (2) Assignment of Leases and Rents dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 22; and (iii) UCC Financing Statement recorded October 11, 2013, at the Penobscot County Registry of Deeds in Book 13363, Page 38; UCC Continuation recorded September 19, 2018, at the Penobscot County Registry of Deeds in Book 14943, Page 318; and UCC Continuation recorded November 8, 2023, at the Penobscot County Registry of Deeds in Book 16996, Page 17.

If the Council, following the public hearing, find that one or more buildings or structures on the properties constitutes a "dangerous building," they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Council may take the corrective action at municipal expense and recover all expenses, including reasonable attorney's fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the building(s) or structure(s) are not dangerous and to oppose any corrective action ordered by the Hermon Town Council.

IN WITNESS WHEREOF, the undersigned ha of <u>December</u> , 2024.	ve hereunto set their hands and seals this 5 day
Joshua Berry  Christopher Gray  Murphy  Ronald Murphy  Derek Wood	Richard Cyr  Terry Hamm-Morris  John Snyer III, Council Chair
STATE OF MAINE COUNTY OF PENOBSCOT	12/5, 2024
Then personally appeared the above-named Jos	hua Berry Richard Cyr Christoper Gray Terry

Hamm-Morris, Ronald Murphy, John Snyer III, and Derek Wood, and acknowledged the foregoing instrument to be their free act and deed in their said capacities.

Before me,

Notary Public/Maine Attorney-at-Law

Printed Name:

Commission Expires: KEELY HOPE WARE GONYEA

Notary Public, State of Maine
My Commission Expires September 5, 2030

### NOTICE OF HEARING

Pursuant to 17 M.R.S.A. §§ 2851-2859 (Dangerous Buildings)

TO: Hermon MHP, LLC
C/O Michael & Johnathan Behling
12630 Huston Street
Valley Village, CA 91607

# Building at 2032 Park Drive, Hermon, Maine

You are hereby notified that the HERMON TOWN COUNCIL will hold a hearing at THE HERMON TOWN OFFICE, 333 BILLINGS ROAD, HERMON, MAINE 04401 on 1/4/25 AT 6:30 P.M, to determine whether the residential building located on land owned by Hermon MHP, LLC, as shown on MAP 35, LOT 26-004T of the current Tax Maps of Hermon, Maine, described in BOOK 13363, PAGE 1 at the Penobscot County Registry of Deeds, is a nuisance or dangerous within the meaning of 17 M.R.S. § 2851.

If the Council, following the public hearing, find that one or more buildings or structures on the properties constitutes a "dangerous building," they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Council may take the corrective action at municipal expense and recover all expenses, including reasonable attorney's fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the building(s) or structure(s) are not dangerous and to oppose any corrective action ordered by the Hermon Town Council.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals this 5 day of December, 2024.

ADSCOT

Joshua Berry

Christopher Gray

Terry Hamm-Morris

Terry Hamm-Morris

John Snyer III, Council Chair

Derek Wood

# STATE OF MAINE **COUNTY OF PENOBSCOT**

Then personally appeared the above-named Joshua Berry, Richard Cyr, Christoper Gray, Terry Hamm-Morris, Ronald Murphy, John Snyer III, and Derek Wood, and acknowledged the foregoing instrument to be their free act and deed in their said capacities.

Before me,

Notary Public/Maine Attorney-at-Law

Printed Name:

Printed Name:
Commission Expires: KEELY HOPE WARE GONYEA
Notary Public, State of Maine
My Commission Expires September 5, 2030



O24-25-11

# DANGEROUS BUILDING DECISION AND ORDER Pursuant to 17 M.R.S. §§ 2851-2859

TO: Hermon MHP, LLC
C/O Michael & Johnathan Behling
12630 Huston Street
Valley Village, CA 91607

# Building at 2033 Park Drive, Hermon, Maine

The Hermon Town Council ("Council"), acting as the municipal officers of the Town of Hermon, hereby adopt and issue this Decision and Order pursuant to 17 M.R.S. §§ 2851 et seq. (Maine Dangerous Buildings statute) with respect to a building on property with an address of 2033 Park Drive, Hermon, Maine, also known as Map 35, Lot 26-005T on the Town of Hermon Tax Maps, being a mobile home in a mobile home park, said park being more particularly described in a deed from Hermon Park, LLC to Hermon MHP, LLC, dated October 9, 2013, and recorded in Book 13363, Page 1, of the Penobscot County Registry of Deeds.

# <u>Preliminary</u>

This is a dangerous building proceeding under 17 M.R.S. § 2851-2859. A Notice of Hearing was served on the property owner, Hermon MHP, LLC (the "Property Owner" or "HMHP"), and on all parties-in-interest, in accordance with 17 M.R.S. §§ 2851 and 2857.

The Council convened a hearing on the matter in accordance with the Dangerous Buildings statute on January 16, 2025 at 6:30 p.m. at the Hermon Town Office at 333 Billings Road, Hermon, ME 04401. Notice of said hearing was duly served upon all known property owners and parties in interest pursuant to 17 M.R.S. § 2857.

Participants at the January 16, 2025 public hearing included Jessefa Murphy, Hermon Code Enforcement Officer ("CEO Murphy") and Cody Sullivan, Hermon Fire Chief ("Chief Cody").

Information concerning the history and condition of the mobile home at 2033 Park Drive, including a number of photographs, were presented by CEO Murphy and Chief Cody.

[Insert any additional information provided at the hearing].

# Factual Findings

Based on the testimony and other evidence presented, including without limitation photographs, reports, and testimony of CEO Murphy and Chief Cody, the Council hereby finds as follows:

- 1. The subject property has an address of 2033 Park Drive, Hermon, Maine, as more particularly described in a deed from Hermon Park, LLC to Hermon MHP, LLC, dated October 9, 2013, and recorded in Book 13363, Page 1, of the Penobscot County Registry of Deeds. ("Property").
- 2. The current owner of the Property is Hermon MHP, LLC per the deed referenced previously in this Decision and Order.
- 3. A title search current through the date of this Decision and Order identified Machias Savings Bank as a party in interest by virtue of: (i) Mortgage dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 7; (2) Assignment of Leases and Rents dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 22; and (iii) UCC Financing Statement recorded October 11, 2013, at the Penobscot County Registry of Deeds in Book 13363, Page 38; UCC Continuation recorded September 19, 2018, at the Penobscot County Registry of Deeds in Book 14943, Page 318; and UCC Continuation recorded November 8, 2023, at the Penobscot County Registry of Deeds in Book 16996, Page 17.
- 4. Located on the Property is a mobile home that is in extremely poor condition ("Building"). Specifically, without limitation, the building has:
  - Severely compromised flooring and water damage.
  - Mold and rodent infestation due to neglect.
  - Exposed electrical hazards and potential wiring damage.
  - Structural instability and deteriorated exterior components.
  - Non-operational heating system and poor energy efficiency.
  - Safety risks from blocked egress and outdated systems.
  - Unsecured entry points, including broken windows and damaged exterior stairs.

and is not structurally sound.

5. The state of the building is dangerous and a nuisance because it is structurally unsafe, is unsuitable for human occupancy, constitutes a hazard to health or safety because of inadequate maintenance and abandonment, presents a fire hazard, and is otherwise dangerous to life or property of the public.

# **Conclusions of Law**

Based on the foregoing factual findings, the Council adjudges that the Building located on the Property constitutes a dangerous building within the meaning of 17 M.R.S. § 2851(2-A).

# **Disposal and Expenses**

Based on the foregoing factual findings and conclusions of law, the Council hereby determines:

- 1. The Building located on the Property is a dangerous building, and must be disposed of by demolition as set forth herein unless timely rehabilitated by the Property Owner consistent with this Decision and Order.
- 2. The Property Owner shall repay the Town of Hermon all expenses pursuant to 17 M.R.S. § 2853.

# <u>ORDER</u>

NOW THEREFORE, based on the foregoing, the Council hereby ORDERS as follows:

- 1. Within ninety (90) days starting the day after this Decision and Order is issued, or if appealed within ninety (90) days after a final decision affirming the judgment, the Property Owner shall:
  - a. Rehabilitate the aforedescribed building on the Property to completely abate the dangerous conditions, as follows:
    - (i) Submit to the Town Code Enforcement Office, and be approved by the Code Enforcement Officer, a written rehabilitation work plan from a qualified structural engineer for any and all work that must be completed to abate the dangerous conditions in compliance with applicable ordinances and codes of the Town of Hermon (the "Rehabilitation Work Plan") in sufficient time to allow review, approval and implementation.
    - (ii) Obtain all necessary permits or approvals to complete the scope of work in the Rehabilitation Work Plan; and
    - (iii) Submit a final written report from a structural engineer certifying the dangerous conditions have been completely abated.

# <u>OR</u>

- b. Remove or demolish or cause to be removed or demolished, the aforedescribed building on the Property including removal of all structures appurtenances, debris, trash, footers, etc., and shall fill and compact the remaining foundation/hole to the grade level of the lot.
  The Property owner must also obtain any and all necessary permits in consultation with the Hermon Code Enforcement Officer.
- If the Property Owner elects to rehabilitate building and has not completed rehabilitation but has otherwise demonstrated substantial progress towards

completing rehabilitation (e.g., demonstrated ability and willingness to satisfactorily rehabilitate this building by performing continuous work to substantially address the dangerous conditions consistent with this Decision And Order), as determined at the Council's discretion, the Council may extend the deadline for such rehabilitation work to be completed.

- 3. No occupancy or use of the Property or building may occur unless in compliance with this Decision and Order and all applicable Town of Hermon ordinances and codes.
- 4. Repay all expenses to the Town of Hermon as set forth in 17 M.R.S. § 2853.

- 5. In the event the Property Owner shall fail to repay the Town of Hermon's expenses; or shall fail to rehabilitate the building; or shall fail to remove or demolish this building, or cause the same to be removed or demolished; or Shall fail to fill around the existing open foundation/hole, the Town may proceed to demolish the aforedescribed building and fill the open foundation/hole as provided in 17 M.R.S. § 2853, with the Town's expenses, including without limitation attorney's fees, to be recovered by as provided in that section or otherwise as available in law.
- 6. In the event the Town proceeds to demolish the building consistent with this Decision and Order, the Town shall first follow the applicable procedures and requirements as set forth in 30-A M.R.S. § 3106 regarding "covered property" as defined therein.
- 7. The Town Clerk shall record and cause service of attested copies of this Decision and Order in accordance with 17 M.R.S. § 2851(3).

This Decision and Order may be appealed to Superior Court under the Maine Rules of Civil Procedure, Rule 80B and/or pursuant to 17-A M.R.S. § 2852. If this Decision and Order is not timely complied with and no timely appeal is taken, the Hermon Town Council may undertake the ordered corrective action at the Town's expense and recover all expenses, including without limitation reasonable attorney's fees by means of a special tax or civil action.

Hermon Town Council, Da	ated this 16 day of January 2025
John Snyer III, Chair	Ronald Murphy, Vice Chair
Joshua Berry	Richard Cyr

	Christopher Gray		Terry Hamm-Mo	orris
		Derek Wood		
A true copy, a	Kristen L. Cushman Hermon, Maine	, Town Clerk		
Motion	Yeas	<b>3</b>		
Second	Nays	s		Date

# Town of Hermon, Maine

Property Inspection Report

<b>Todays Date:</b> 12/4/2024	Date of Inspection: 4/11/2023
Tax Map: 35 Tax Lot: 2	•
<b>Property Address: 2033</b>	3 Park Drive, Hermon, Maine 04401
Owner 1: Hermon MHP	, LLC, C/O Michael & Johnathan Behling
	0 Huston Street, Valley Village, California 91607
Owner 2:	
Owner 2 Address:	Please list additional owners on a separate sheet.
	•
	, in my capacity as Code Enforcement Officer for the Town of Hermon, d the above-named property and found the following to be true:
☑ The building on t	the property is structurally unsafe, unstable, or unsanitary.
rodent infe	ecause Severely comprismised floor, mold growth, non-operational heating system, estation, structural damage, visable water damage, exposed electrical hazards, deteriorated, overall habitability, and general neglect.
	because Comprised structural flooring, water damage and rot, unstable load-bearing terior structural decay, lack of foundation, prest damage, general neglect.
	y because Mold growth, rodent infestation, water damage, accumulated trash and debris, nsulation, non-operating heating system, unsealed or broken windows, poor ventilation, eglect.
☐ The building on t	the property constitutes a fire hazard.
	ing constitutes a fire hazard because exposed electrical wiring, high potential of wiring due to rodents, accumation of combustable materials, non-operating heating system
	decay, mold and damp insulation, improper ventilation, inadequate means of egress,
aging utili	tes and systems, general neglect.
The building on it is put.	the property is unsuitable or improper for the use of occupancy to which
✓ The build	ing is unsuitable or improper because Structural instability, health hazards,

		lack of functioning heating system, fire hazards, rodent infestation, inadequate protection from w	
		general neglect.	
Ø		nilding on the property constitutes a hazard to health or safety because of inadequate mance, dilapidation, obsolescence, or abandonment.	
	✓	Inadequate Maintenance: Structural deterioration, lack of floor system, mold growth,	
		Mold growth, rodent infestation, water damage, accumulated trash and debris, non-functioning heating system, exposed electrical hazards, unsecured windows and	
	,	siding, accumulation of debris, general neglect.	
	<b>◊</b>	Dilapidation: Severely damaged flooring system, deterioating walls and ceilings, rot and decay, comprised entry points, unstable exterior siding and stairs, unfit windows	
		and doors, health hazards, fire hazards, general structural instability, general neglect.	
	√	Obsolescence: outdated and non-functioning heating system, comprimised electrical system poor insulatino and energy efficiency, lack of flooring system, inadeguate structural system,	
		comprimised windows and sealing, lack of pest control measures, extreme wear and tear, general neglect.	
	</td <td>Abandonment: Unsecured premises, accelerated deterioration, pest infestation, fire hazard vandalism and illegal activity, exposure to the elements, environmental hazards,</td>	Abandonment: Unsecured premises, accelerated deterioration, pest infestation, fire hazard vandalism and illegal activity, exposure to the elements, environmental hazards,	
		general neglect.	
Ą	The bu	ailding on the property is otherwise dangerous to life or property.	
	Ø	Dangerous to life or property because Unsecured premises, accelerated deterioration, pest infestation, fire hazards, vandalism and illegal activities, exposure to the elements,	
		environmental hazards, non-functioning heating system, lack of flooring system,	
		extreme neglect.	
1			
V	Picture	es of the property are attached	

Under 17 M.R.S. § 2851, in order to adjudge a building to be a nuisance or dangerous, the municipal officers or county commissioners must find that the building is structurally unsafe, unstable or unsanitary; constitutes a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment; or is otherwise dangerous to life or property. This report was prepared for the municipal officers and is the opinion of the <a href="Code Enforcement Officer">Code Enforcement Officer</a>.

The above information is based on my proof my knowledge and belief.	personal inspection of the property and is true to the best
Name:	
Its:	
Town of Hermon	
STATE OF MAINE	
COUNTY OF PENOBSCOT	, 2024
Personally appeared before me the	/
be their free act and deed in their said ca	Hermon, and acknowledged the foregoing instrument to
be then free act and deed in their said ca	packy.
	Notary Public/Attorney at Law
	Printed Name:
	Commission Expires:

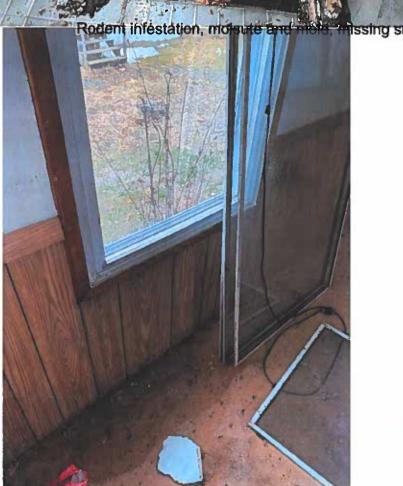


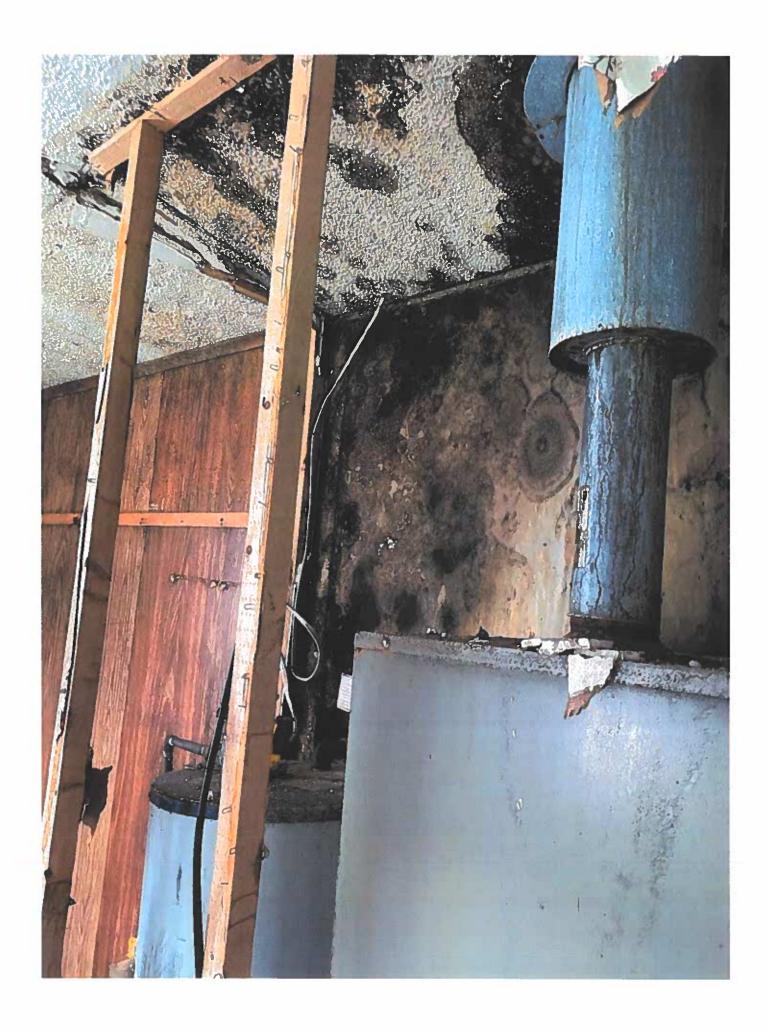












# **DANGEROUS BUILDING DECISION AND ORDER**

Pursuant to 17 M.R.S. §§ 2851-2859

TO: Hermon MHP, LLC
C/O Michael & Johnathan Behling
12630 Huston Street
Valley Village, CA 91607

# Building at 2033 Park Drive, Hermon, Maine

The Hermon Town Council ("Council"), acting as the municipal officers of the Town of Hermon, hereby adopt and issue this Decision and Order pursuant to 17 M.R.S. §§ 2851 et seq. (Maine Dangerous Buildings statute) with respect to a building on property with an address of 2033 Park Drive, Hermon, Maine, also known as Map 35, Lot 26-005T on the Town of Hermon Tax Maps, being a mobile home in a mobile home park, said park being more particularly described in a deed from Hermon Park, LLC to Hermon MHP, LLC, dated October 9, 2013, and recorded in Book 13363, Page 1, of the Penobscot County Registry of Deeds.

# **Preliminary**

This is a dangerous building proceeding under 17 M.R.S. § 2851-2859. A Notice of Hearing was

served on the property owner, Hermon MHP, LLC (the "Property Owner" or "HMHP"), and on all parties-in-interest, in accordance with 17 M.R.S. §§ 2851 and 2857.

The Council convened a hearing on the matter in accordance with the Dangerous Buildings statute on \_\_\_\_\_\_\_, 2024 at \_\_\_\_\_\_\_ p.m. at the Hermon Town Office at 333 Billings Road, Hermon, ME 04401. Notice of said hearing was duly served upon all known and unknown property

Participants at the \_\_\_\_\_, 2024 public hearing included Jessefa Murphy, Hermon Code Enforcement Officer ("CEO Murphy"), Cody Sullivan, Hermon Fire Chief ("Chief Cody"), and

owners and parties in interest pursuant to 17 M.R.S. § 2857.

Information concerning the history and condition of the mobile home at 2033 Park Drive, including a number of photographs, were presented by CEO Murphy and Chief Cody. [Insert any additional information provided at the hearing].

## **Factual Findings**

Based on the testimony and other evidence presented, including without limitation photographs, reports, and testimony of CEO Murphy and Chief Cody, the Council hereby finds as follows:

- 1. The subject property has an address of 2033 Park Drive, Hermon, Maine, as more particularly described in a deed from Hermon Park, LLC to Hermon MHP, LLC, dated October 9, 2013, and recorded in Book 13363, Page 1, of the Penobscot County Registry of Deeds. ("Property").
- 2. The current owner of the Property is Hermon MHP, LLC per the deed referenced previously in this Decision and Order.
- 3. A title search current through the date of this Decision and Order identified Machias Savings Bank as a party in interest by virtue of: (i) Mortgage dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 7; (2) Assignment of Leases and Rents dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 22; and (iii) UCC Financing Statement recorded October 11, 2013, at the Penobscot County Registry of Deeds in Book 13363, Page 38; UCC Continuation recorded September 19, 2018, at the Penobscot County Registry of Deeds in Book 14943, Page 318; and UCC Continuation recorded November 8, 2023, at the Penobscot County Registry of Deeds in Book 16996, Page 17.

4.	Located on the Property is a mobile home that is in extremely poor condition
	("Building"). Specifically, without limitation, the building has
	, and is not structurally sound.

5. The state of the building is dangerous and a nuisance because it is structurally unsafe, is unsuitable for human occupancy, constitutes a hazard to health or safety because of inadequate maintenance and abandonment, presents a fire hazard, and is otherwise dangerous to life or property of the public.

# **Conclusions of Law**

Based on the foregoing factual findings, the Council adjudges that the Building located on the Property constitutes a dangerous building within the meaning of 17 M.R.S. § 2851(2-A).

### **Disposal and Expenses**

Based on the foregoing factual findings and conclusions of law, the Council hereby determines:

- 1. The Building located on the Property is a dangerous building, and must be disposed of by demolition as set forth herein unless timely rehabilitated by the Property Owner consistent with this Decision and Order.
- 2. The Property Owner shall repay the Town of Hermon all expenses pursuant to 17 M.R.S. § 2853.

# <u>ORDER</u>

NOW THEREFORE, based on the foregoing, the Council hereby ORDERS as follows:

- 1. Within ninety (90) days starting the day after this Decision and Order is issued, or if appealed within ninety (90) days after a final decision affirming the judgment, the Property Owner shall:
  - a. Rehabilitate the aforedescribed building on the Property to completely abate the dangerous conditions, as follows:
    - (i) Submit to the Town Code Enforcement Office, and be approved by the Code Enforcement Officer, a written rehabilitation work plan from a qualified structural engineer for any and all work that must be completed to abate the dangerous conditions in compliance with applicable ordinances and codes of the Town of Hermon (the "Rehabilitation Work Plan") in sufficient time to allow review, approval and implementation.
    - (ii) Obtain all necessary permits or approvals to complete the scope of work in the Rehabilitation Work Plan; and
    - (iii) Submit a final written report from a structural engineer certifying the dangerous conditions have been completely abated.

# <u>OR</u>

- b. Remove or demolish or cause to be removed or demolished, the aforedescribed building on the Property including removal of all structures appurtenances, debris, trash, footers, etc., and shall fill and compact the remaining foundation/hole to the grade level of the lot. The Property owner must also obtain any and all necessary permits in consultation with the Hermon Code Enforcement Officer.
- 2. If the Property Owner elects to rehabilitate building and has not completed rehabilitation but has otherwise demonstrated substantial progress towards completing rehabilitation (e.g., demonstrated ability and willingness to satisfactorily rehabilitate this building by performing continuous work to substantially address the dangerous conditions consistent with this Decision and Order), as determined at the Council's discretion, the Council may extend the deadline for such rehabilitation work to be completed.
- 3. No occupancy or use of the Property or building may occur unless in compliance with this Decision and Order and all applicable Town of Hermon ordinances and codes.

- 4. Repay all expenses to the Town of Hermon as set forth in 17 M.R.S. § 2853.
- 5. In the event the Property Owner shall fail to repay the Town of Hermon's expenses; or shall fail to rehabilitate the building; or shall fail to remove or demolish this building, or cause the same to be removed or demolished; or shall fail to fill around the existing open foundation/hole, the Town may proceed to demolish the aforedescribed building and fill the open foundation/hole as provided in 17 M.R.S. § 2853, with the Town's expenses, including without limitation attorney's fees, to be recovered by as provided in that section or otherwise as available in law.
- 6. In the event the Town proceeds to demolish the building consistent with this Decision and Order, the Town shall first follow the applicable procedures and requirements as set forth in 30-A M.R.S. § 3106 regarding "covered property" as defined therein.
- 7. The Town Clerk shall record and cause service of attested copies of this Decision and Order in accordance with 17 M.R.S. § 2851(3).

This Decision and Order may be appealed to Superior Court under the Maine Rules of Civil Procedure, Rule 80B and/or pursuant to 17-A M.R.S. § 2852. If this Decision and Order is not timely complied with and no timely appeal is taken, the Hermon Town Council may undertake the ordered corrective action at the Town's expense and recover all expenses, including without limitation reasonable attorney's fees by means of a special tax or civil action.

	ERMON TOWN COUNCIL
Joshua Berry	Richard Cyr
Christopher Gray	Terry Hamm-Morris
Ronald Murphy	John Snyer III, Council Chair
Derek Wood	A true copy, attest
_	
k	Kristen Cushman, Town Clerk

Hermon, Maine

Hermon 8:48 AM

# RE Account 1517 Detail as of 01/16/2025

01/08/2025 Page 1

Name: HERMON MHP LLC

Location: 2033 PARK DRIVE

Acreage: 0.00 Map/Lot: 035-026-005T

Book Page:

2024-1 Period Due:

1) 163.50

 Land:
 0

 Building:
 15,000

 Exempt
 0

 Total:
 15,000

Ref1: B P

Mailing C/O MICHAEL & JONATHAN BEHLING

Address: 12630 HUSTON ST

VALLEY VILLAGE, CA 91607

Year Date	Reference	PC	Principal	Interest	Costs	Total
2024-1 R			163.50	0.00	0.00	163.50
2023-1 L *			160.98	10.23	59.69	230.90
2022-1 L *			0.00	0.00	0.00	0.00
2021-1 R			0.00	0.00	0.00	0.00
2020-1 R			0.00	0.00	0.00	0.00
2019-1 R			0.00	0.00	0.00	0.00
2018-1 L *			0.00	0.00	0.00	0.00
2017-1 R			0.00	0.00	0.00	0.00
2010-1 R			0.00	0.00	0.00	0.00
2009-1 R			0.00	0.00	0.00	0.00
2008-1 R			0.00	0.00	0.00	0.00
2007-1 R			0.00	0.00	0.00	0.00
2006-1 R			0.00	0.00	0.00	0.00
2005-1 R			0.00	0.00	0.00	0.00
2004-1 R			0.00	0.00	0.00	0.00
2003-1 R			0.00	0.00	0.00	0.00
2002-1 R			0.00	0.00	0.00	0.00
Account Totals as of 01/16/	2025		324.48	10.23	59.69	394.40

	Per Diem	
2023-1		0.0353
Total		0.0353

**Exempt Codes:** 

Note: Payments will be reflected as positive values and charges to the account will be represented as negative values.

Map Lot	035-026-005T	Account 1517	Location		2033 PARK DRIVE			Card	-	of 1	1/08/2025	025
HERMON MHP LLC	HP LLC		ď	Property Data	ıta		7	Assessm	<b>Assessment Record</b>	Lq.		
C/O MICHAE	C/O MICHAEL & JONATHAN BEHLING		Neighborhood	28 Fuller Rd Bill/Bgr	W/Bgr	Year	Land		Buildings	Exempt	npt	Total
VALLEY VILL	VALLEY VILLAGE CA 91607											
			Tree Growth Year	ear 0							-	
			TIF ACCOUNT		0					-	+	
			Y Coordinate		0							
Previous Owner	ner		Zone/Land Use	12 Residential B	3 IE							
COTE, RICHARD V	ARD V							_			<u> </u>	
			Secondary Zone	ā						+	+	
2033 PARK DRIVE	ORIVE									-		
HERMON ME 04401	: 04401 (72/2002		Topography 1 Level		6							
Sale Date: 3/30/2006	(30/2008		1.1 evel	4.Below St	7							
			2.Rolling	5.Low	: 66			_				
			3.Above St	6.5 жапру	.6	1		-		+	+	
			Utilities 9 None		9 None							
			•									
			1.Public	4.Dr Well	7.Cesspool	6		+			+	
			Z.Water	5.Dug Well	8.Lagoon						+	
				o.sepac	9.None							
			Street 9 N	9 None				-				
			Dayon	4 Proposed	,					-	$\frac{1}{1}$	
			2.Semi Imo	5.Private	. 80			Lanc	Land Data		}	
			3.Gravel	6.Rear	9.None	Front Foot		Effective	ive	neu		Influence
	2		Tree Growth Renew	Snew	0	to Contract of	- Abc	Frontage	Depth	Factor	See	Codes
Inspection W	Inspection Witnessed By:		Old Bornith			11.Regular Lot		†		R a	15. 4. C	1.Unimproved
			200	Solo Data	Ι.	13.Nabla Triangle				8	3.Top	3.Topography
				Sale Data		14.Rear Land				***************************************	4.Size	4.Size/Shape
×		Date	Sale Date		3/30/2008	15.Miscellaneous				%	5.Access	SS
Г		Total	Price							%	6.Res	6.Restriction
No./Date	Description	Date Insp.	Sale Type	1 Land Only - Res	tes					%		7.Corner Infl
			1.Land Re	4. Mobile	7.Land & Bld	Square Foot	ot	Square Feet	Feet		8.Viev	8.View/Environ
	:		2.L&B Re	5.Other	8.Bldg Comm	16.Regular Lot				8	T E	share.
			3.Building R	6.Land Comm	6	17.Secondary Lot				8 3	30 05	30 Rear Land 3
			Financing	1 Conventional	_	18. Excess Land				<b>8</b> 8	31 In	31. Industrial Par
			1 Convent	4 Selpt		19.Condominium			+	8 8	32.Inc	32.Industrial Par
Notes:			2.FHA/VA	5. Private	200	20.601-COURSE NO				%	33.Par	33.Pasture/Hay fi
			3.Assumed	6.Cash	9.Unknown					*	34.67	34.Gravel Pit
			- Appendix	4000	4100	Fract. Acre		Acreage/Sites	Sites		35.Tillable	able
			Validity	I Arms Length Sale	Piek	21.Homesite (Frac				%	36.Pasture	ture
			1.Valid	4.Split	7.Changes	22.Baselot (Fract				8		37.Softwood
			2.Related	5.Partial	8.Other	23.Comi Lot1(Frac				%	38.80 38.80	38.Mixed Wood
			3.UISTRESS	b.Exempt	ari.	Acres				%	39.Hardwoo	39.Hardwood
			Verified	1 Buyer		24.Homesite				%	41.40	41 Lannon ner acr
			1.Buyer	4.Agent	7.Family	25.Baselot				%	42.18	42 Mobile Home Ci
			2.Seller	5.Pub Rec	8.Other	26.Second Acre 1				%	\$ \$	43. Condo Sire
			3.Lender	6.MLS	.6	28.Rear Land 1					4.10	44.Lot Improvemen
Hermon						29.Rear Land 2		Total Acreage	reage 0.00	8	45.Sh	45.Shorefrontage
											46.Cr	46.Crop Land

on 2033 PARK DRIVE Card 1 Of 1 1/08/2025				<b>രാ</b>				S.Fl/Stair 8.				/ Initial /	ń (	b. S.None			7.	Grade 8.SC Grade 1	A Grade 9.Same		4 Aug 7 V.C			2000			d Polish 7 Anfrance		Struct D			- Arbeitade - Arbsi HULI - Arbeitade - Arbsi HULI - Arbeitade - Arbsi HULI	ndag.	cant	S. Estmans			4.Agent 7.	ţ.	6.Other 9.	1.One Story Fram	т	7	4.1 8 1/2 Story	5.1 & 3/4 Story	6.2 & 1/2 Story	13.	22. Frame Shed	2.5.1.5.1.5.3.3.3.3.3.3.3.3.3.3.3.3.3.3.3	24.1.25 SF Garage	Let 1. 25. 17 St Garage		
Location	Lavort				3.Horrid			2.1/2 Fin 5		l.				3.Capped	Unmished %	ğ		2.D Grade 5	3.C Grade 6.A	Condition	1 Poor	Pair C		A Coop	Eura M. Cood	Functional Code	1 Income		3.Fire	% Good	Economic Code	1.Location 4	l ફ	3	2.Refusal 5		Information Code 0		2.Relative 5			Count Value											
Account 1517	ı						6.GravWA 12.RF/HWBB	7.Electric 11.				יייייייייייייייייייייייייייייייייייייי		6. 9.None		Obsolete		6. 9.None		c oc	o Nose																				Additions. Outbuildings & Improvements	Cond Phys Fund	, 70	00100	% %	% %	% %					% 3	
	SF Remt I hino	or demic Living			Heat Type		_	3.H Pump			,				yle Yle				Bath(s) Style		9		# Redmome	# Euli Bathe	# Call Catilia	* nall balls	* Finantiane	# chapters							_				4	Date Inspected	tbuildings &	I hite Grade	╁	т				<u>_</u>		+	1		
-026-005				10.Comp. C	11.Test	12.				7 1 33	1, 0	67:1:0	9.		S.C.Der	10.	11,	12.	2 DC Modes	- C	ó a	-						7 Em/Coor	8	9.None		. o	A PAIN		7.	, có	ioi			Date In	tions, Ou	Year	╅	7007				<u> </u>	+	+	#	#	
Map Lot 035-026-005T	Chole	N.	1.Conv. 5.Colon/Ga		5	4.Cape 8.Log	Dwelling Units	Other Units	Stories	4 7 2		C/-T-C	6.2.5	Walls				4. Asbestos 8. Concrete	Roof Surface			F	THE PARTY OF THE P		487.6	Year Built	Foundation	Coorate 4 Wood		a		2.1/2 Bmt 5.None	٥	Wet Racement	1.Drv 4.	0					Addi	Tyne	one Dodmin	Redinali									

# NOTICE OF HEARING Pursuant to 17 M.R.S.A. §§ 2851-2859 (Dangerous Buildings)

TO: Property Owner Parties in Interest

You are hereby notified that the Municipal Officers of the TOWN OF HERMON, MAINE will hold a
public hearing on 1/14/25, at 4:30 P.M., at the Hermon Town Office at 333 BILLINGS
ROAD, HERMON, MAINE 04401 for the purpose of determining whether one or more buildings or
other structures located on the property identified as 2033 PARK DRIVE, HERMON, MAINE 04401,
and more particularly described in a deed from Hermon Park, LLC to HERMON MHP, LLC, dated
October 9, 2013, and recorded in BOOK 13363, PAGE 1, of the Penobscot County Registry of Deeds,
constitutes a "dangerous building," as that term is defined in Title 17 M.R.S.A. § 2851.
If the Municipal Officers, following the public hearing, find that one or more buildings or structures on the properties constitutes a "dangerous building," they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Municipal Officers may take the corrective action at municipal expense and recover all expenses, including reasonable attorney's fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the buildings or structures are not dangerous and to oppose any corrective action ordered by the Municipal Officers.
Dated: 12/5/24, Municipal Officers of the Town of Hermon. Maine
Joshua Berry  Richard Cyr  Christopher Gray  Terry Hammi Morris  Ronald Murphy  John Snyer Ht, Cotincil Chair

STATE OF MAINE PENOBSCOT COUNTY, ss.

Date: 12/5 \_\_\_\_, 2024

Then personally appeared the above-named Joshua Berry, Richard Cyr, Christoper Gray, Terry Hamm-Morris, Ronald Murphy, John Snyer III, and Derek Wood, and acknowledged the foregoing instrument to be their free act and deed in their said capacities.

Before me,

Notary Public Attorney at Land

KEELY HOPE WARE GONYEA

Notary Public, State of Maine My Commission Expires September 5, 2030

A true copy, attest

Kristen Cushman, Town Clerk

Hermon, Maine

#### NOTICE OF HEARING

Pursuant to 17 M.R.S.A. §§ 2851-2859 (Dangerous Buildings)

TO: Hermon MHP, LLC C/O Michael & Johnathan Behling 12630 Huston Street Valley Village, CA 91607

#### Building at 2033 Park Drive, Hermon, Maine

You are hereby notified that the HERMON TOWN COUNCIL will hold a hearing at THE HERMON TOWN OFFICE, 333 BILLINGS ROAD, HERMON, MAINE 04401 on \_\_\_\_\_\_\_\_ AT \_\_\_\_\_\_\_ AT \_\_\_\_\_\_\_\_ P.M., to determine whether the residential building located on land owned by Hermon MHP, LLC, as shown on MAP 35, LOT 26-005T of the current Tax Maps of Hermon, Maine, described in BOOK 13363, PAGE 1 at the Penobscot County Registry of Deeds, is a nuisance or dangerous within the meaning of 17 M.R.S. § 2851.

If the Council, following the public hearing, find that one or more buildings or structures on the properties constitutes a "dangerous building," they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Council may take the corrective action at municipal expense and recover all expenses, including reasonable attorney's fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the building(s) or structure(s) are not dangerous and to oppose any corrective action ordered by the Hermon Town Council.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals this 5 day of December, 2024.

Absent	Richard Cin
Joshua Berry	Richard Cyr
Cho	Leur Harm. Phon
Christopher Gray	Terry Hamm-Mørris
Bon Murphy	CAR B
Ronald Murphy	John Snyer III, Council Chair
Luck Mond	July 11 111, Common Common
Derek Wood	

## STATE OF MAINE **COUNTY OF PENOBSCOT**

Then personally appeared the above-named Joshua Berry, Richard Cyr, Christoper Gray, Terry Hamm-Morris, Ronald Murphy, John Snyer III, and Derek Wood, and acknowledged the foregoing instrument to be their free act and deed in their said capacities.

Before me,

Printed Name:
Commission Expires:

KEELY HOPE WARE GONYEA

Notary Public, State of Maine
My Commission Expires September 5, 2030

#### NOTICE OF HEARING

Pursuant to 17 M.R.S.A. §§ 2851-2859 (Dangerous Buildings)

TO: Machias Savings Bank P.O. Box 318 Machias, Maine 04654

### Building at 2033 Park Drive, Hermon, Maine

You are an interested party in this hearing by virtue of: (i) Mortgage dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 7; (2) Assignment of Leases and Rents dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 22; and (iii) UCC Financing Statement recorded October 11, 2013, at the Penobscot County Registry of Deeds in Book 13363, Page 38; UCC Continuation recorded September 19, 2018, at the Penobscot County Registry of Deeds in Book 14943, Page 318; and UCC Continuation recorded November 8, 2023, at the Penobscot County Registry of Deeds in Book 16996, Page 17.

If the Council. following the public hearing, find that one or more buildings or structures on the properties constitutes a "dangerous building," they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Council may take the corrective action at municipal expense and recover all expenses, including reasonable attorney's fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the building(s) or structure(s) are not dangerous and to oppose any corrective action ordered by the Hermon Town Council.

of <u>December</u> , 2024.	ve hereunto set their hands and seals this 2 day
Absent Joshua Berry  Christopher Gray  And Murphy  Ronald Marphy  Derek Wood	Richard Cyr  Richard Cyr  Terry Hamm-Morris  John Snyer III, Council Chair
STATE OF MAINE COUNTY OF PENOBSCOT	_12/5, 2024

Then personally appeared the above-named Joshua Berry, Richard Cyr, Christoper Gray, Terry Hamm-Morris, Ronald Murphy, John Snyer III, and Derek Wood, and acknowledged the foregoing instrument to be their free act and deed in their said capacities.

Notary Public/Maine Attorney-at-Law

Printed Name:

Printed Name:
Commission Expires: KEELY HOPE WARE GONYEA
Notary Public, State of Maine
My Commission Expires September 5, 2030

Before me,



**O24-25-12** 

#### **DANGEROUS BUILDING DECISION AND ORDER**

Pursuant to 17 M.R.S. §§ 2851-2859

TO: Hermon MHP, LLC
C/O Michael & Johnathan Behling
12630 Huston Street
Valley Village, CA 91607

#### Building at 2035 Park Drive, Hermon, Maine

The Hermon Town Council ("Council"), acting as the municipal officers of the Town of Hermon, hereby adopt and issue this Decision and Order pursuant to 17 M.R.S. §§ 2851 et seq. (Maine Dangerous Buildings statute) with respect to a building on property with an address of 2035 Park Drive, Hermon, Maine, also known as Map 35, Lot 26-006T on the Town of Hermon Tax Maps, being a mobile home in a mobile home park, said park being more particularly described in a deed from Hermon Park, LLC to Hermon MHP, LLC, dated October 9, 2013, and recorded in Book 13363, Page 1, of the Penobscot County Registry of Deeds.

#### Preliminary

This is a dangerous building proceeding under 17 M.R.S. § 2851-2859. A Notice of Hearing was served on the property owner, Hermon MHP, LLC (the "Property Owner" or "HMHP"), and on all parties-in-interest, in accordance with 17 M.R.S. §§ 2851 and 2857.

The Council convened a hearing on the matter in accordance with the Dangerous Buildings statute on January 16, 2025 at 6:30 p.m. at the Hermon Town Office at 333 Billings Road, Hermon, ME 04401. Notice of said hearing was duly served upon all known property owners and parties in interest pursuant to 17 M.R.S. § 2857.

Participants at the January 16, 2025 public hearing included Jessefa Murphy, Hermon Code Enforcement Officer ("CEO Murphy") and Cody Sullivan, Hermon Fire Chief ("Chief Cody").

Information concerning the history and condition of the mobile home at 2035 Park Drive, including a number of photographs, were presented by CEO Murphy and Chief Cody.

[Insert any additional information provided at the hearing].

#### **Factual Findings**

Based on the testimony and other evidence presented, including without limitation photographs, reports, and testimony of CEO Murphy and Chief Cody, the Council hereby finds as follows:

- 1. The subject property has an address of 2035 Park Drive, Hermon, Maine, as more particularly described in a deed from Hermon Park, LLC to Hermon MHP, LLC, dated October 9, 2013, and recorded in Book 13363, Page 1, of the Penobscot County Registry of Deeds. ("Property").
- 2. The current owner of the Property is Hermon MHP, LLC per the deed referenced previously in this Decision and Order.
- 3. A title search current through the date of this Decision and Order identified Machias Savings Bank as a party in interest by virtue of: (i) Mortgage dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 7; (2) Assignment of Leases and Rents dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 22; and (iii) UCC Financing Statement recorded October 11, 2013, at the Penobscot County Registry of Deeds in Book 13363, Page 38; UCC Continuation recorded September 19, 2018, at the Penobscot County Registry of Deeds in Book 14943, Page 318; and UCC Continuation recorded November 8, 2023, at the Penobscot County Registry of Deeds in Book 16996, Page 17.
- 4. Located on the Property is a mobile home that is in extremely poor condition ("Building"). Specifically, without limitation, the building has:
  - Structural deterioration, including compromised flooring and broken windows.
  - Rodent infestation and mold growth.
  - Lack of fire-resistant materials and poorly maintained electrical system.
  - Unsanitary living conditions due to accumulation of debris.
  - · General neglect of structural and weatherproofing measures.
  - Unsecured entry points, including broken and poorly sealed windows and doors.

and is not structurally sound.

5. The state of the building is dangerous and a nuisance because it is structurally unsafe, is unsuitable for human occupancy, constitutes a hazard to health or safety because of inadequate maintenance and abandonment, presents a fire hazard, and is otherwise dangerous to life or property of the public.

#### **Conclusions of Law**

Based on the foregoing factual findings, the Council adjudges that the Building located on the Property constitutes a dangerous building within the meaning of 17 M.R.S. § 2851(2-A).

#### **Disposal and Expenses**

Based on the foregoing factual findings and conclusions of law, the Council hereby determines:

- 1. The Building located on the Property is a dangerous building, and must be disposed of by demolition as set forth herein unless timely rehabilitated by the Property Owner consistent with this Decision and Order.
- 2. The Property Owner shall repay the Town of Hermon all expenses pursuant to 17 M.R.S. § 2853.

#### **ORDER**

NOW THEREFORE, based on the foregoing, the Council hereby ORDERS as follows:

- 1. Within ninety (90) days starting the day after this Decision and Order is issued, or if appealed within ninety (90) days after a final decision affirming the judgment, the Property Owner shall:
  - a. Rehabilitate the aforedescribed building on the Property to completely abate the dangerous conditions, as follows:
    - (i) Submit to the Town Code Enforcement Office, and be approved by the Code Enforcement Officer, a written rehabilitation work plan from a qualified structural engineer for any and all work that must be completed to abate the dangerous conditions in compliance with applicable ordinances and codes of the Town of Hermon (the "Rehabilitation Work Plan") in sufficient time to allow review, approval and implementation.
    - (ii) Obtain all necessary permits or approvals to complete the scope of work in the Rehabilitation Work Plan; and
    - (iii) Submit a final written report from a structural engineer certifying the dangerous conditions have been completely abated.

#### <u>OR</u>

- b. Remove or demolish or cause to be removed or demolished, the aforedescribed building on the Property including removal of all structures appurtenances, debris, trash, footers, etc., and shall fill and compact the remaining foundation/hole to the grade level of the lot. The Property owner must also obtain any and all necessary permits in consultation with the Hermon Code Enforcement Officer.
- 2. If the Property Owner elects to rehabilitate building and has not completed rehabilitation but has otherwise demonstrated substantial progress towards

completing rehabilitation (e.g., demonstrated ability and willingness to satisfactorily rehabilitate this building by performing continuous work to substantially address the dangerous conditions consistent with this Decision and Order), as determined at the Council's discretion, the Council may extend the deadline for such rehabilitation work to be completed.

- 3. No occupancy or use of the Property or building may occur unless in compliance with this Decision and Order and all applicable Town of Hermon ordinances and codes.
- 4. Repay all expenses to the Town of Hermon as set forth in 17 M.R.S. § 2853.

- 5. In the event the Property Owner shall fail to repay the Town of Hermon's expenses; or shall fail to rehabilitate the building; or shall fail to remove or demolish this building, or cause the same to be removed or demolished; or shall fail to fill around the existing open foundation/hole, the Town may proceed to demolish the aforedescribed building and fill the open foundation/hole as provided in 17 M.R.S. § 2853, with the Town's expenses, including without limitation attorney's fees, to be recovered by as provided in that section or otherwise as available in law.
- 6. In the event the Town proceeds to demolish the building consistent with this Decision and Order, the Town shall first follow the applicable procedures and requirements as set forth in 30-A M.R.S. § 3106 regarding "covered property" as defined therein.
- 7. The Town Clerk shall record and cause service of attested copies of this Decision and Order in accordance with 17 M.R.S. § 2851(3).

This Decision and Order may be appealed to Superior Court under the Maine Rules of Civil Procedure, Rule 80B and/or pursuant to 17-A M.R.S. § 2852. If this Decision and Order is not timely complied with and no timely appeal is taken, the Hermon Town Council may undertake the ordered corrective action at the Town's expense and recover all expenses, including without limitation reasonable attorney's fees by means of a special tax or civil action.

110111101111111111111111111111111111111	Dated this 16 day of January 2025
ohn Snyer III, Chair	Ronald Murphy, Vice Chair

Joshua E	Berry		Richard Cyr	ſ	
Christop	her Gray		Terry Hamn	n-Morris	_
		Derek Wood		-	
	risten L. Cushman, Tovermon, Maine	wn Clerk			
Motion	Yeas				
Second	Nays			Date	

# Town of Hermon, Maine

Property Inspection Report

Todays Date:	12/4/2024	Date of Inspection:	4/11/2023
		Book: 13363 Page:	
Property Ado	dress:2035 Park Drive, Hermon, Maine 04401	•	
		<u></u>	
	rmon MHP, LLC, C/O Michael & Johnathan B	•	
	Iress: 12630 Huston Street, Valley Village, Cal	lifornia 91607	
Owner 2: Owner 2 Add	Pass.	3-2	
Owner 2 Auc	Please list additional owners on a se	eparate sheet.	
I, Jessefa Mu	rphy , in my capacity as Code Enforce	ment Officer for the	Town of Hermon.
have personal	ly inspected the above-named property and fou		
,	·	_	
☑ The bu	ailding on the property is structurally unsafe, un	nstable, or unsanitar	y.
/	Unsafe because Strucural hazards, health risl	k from mold and rad	lant infactation
V	environmental exposures, fire and safety con		
	and general neglect.	iodino, violation of h	outling standards,
		·	
∀	Unstable because Structural deterioration, co	omprimised flooring,	lack of founation,
	exposed and damaged skirting, lack of wear	therproofing, broker	windows and doors,
	rodent infestation, general neglect.		
d	Unsanitary because Rodent infestation, mold	growth, water dama	age, accumulation of
•	debris, unsealed and damaged windows and		
	neglect.		J. V
The b	uilding on the property constitutes a fire hazard	l.	
_/	The huilding constitutes - Gus beaud beauty	. Rodent infestation	accumulation of
Ø	The building constitutes a fire hazard because flamable materials, poorly maintained electric	cal system, lack of fi	re resistant materials
	blocked inadequate means of egress, genera		io rosistant materiais,
	and the second of the second o		
		1000	
☑ The b	uilding on the property is unsuitable or improp	per for the use of occ	cupancy to which
it is pu	ıt.		
إ	Trians to Plate and the second second	Comprimised stru	icural integrity, health ha
Ø	The building is unsuitable or improper because	se	

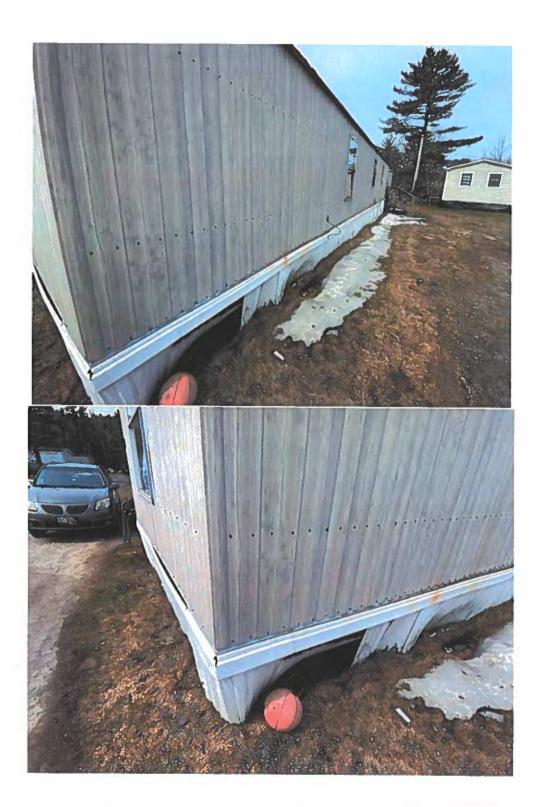
	lack of life safety items, inadequate weatherproofing, first and safety hazards, rodent
	festation, failure to meet housing standards, general neglect.
The mai	building on the property constitutes a hazard to health or safety because of inadequate ntenance, dilapidation, obsolescence, or abandonment.
,	Inadequate Maintenance: Rodent infestation, water damage and mold, compromised struct integrity, unsecured openings, fire hazards, unsanitary living conditions, lack of general maintenance, general neglect.
,	Dilapidation: Comprimised strucural integrity, exposed and damaged skirting, broken windows and doors, water damage and mold growth, rodent infestation, fire hazards, unsanitary living conditions, general neglect.
	Obsolescence: Outdate electrical system, health and safety hazard, damaged skirting, structural deficiencies, inadequate sanitation, energy inefficency, and general neglect.
	Abandonment: Rodent and pest infestation, unsecured premises, pest infestation, fire haza exposure to the elemnts, environmental hazards, general neglect.
The	building on the property is otherwise dangerous to life or property.
	✓ Dangerous to life or property because Comprismised structural integrity, health hazards,
	safety hazards, fire hazards, security risk, non-compliance with safety codes, general

Under 17 M.R.S. § 2851, in order to adjudge a building to be a nuisance or dangerous, the municipal officers or county commissioners must find that the building is structurally unsafe, unstable or unsanitary; constitutes a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment; or is otherwise dangerous to life or property. This report was prepared for the municipal officers and is the opinion of the <u>Code Enforcement Officer</u>.

of my knowledge and belief.	ersonal inspection of the property and is true to the bes
Name:	
Its:	
Town of Hermon	
STATE OF MAINE	
COUNTY OF PENOBSCOT	, 2024
Personally appeared before me the of the Town of	e above-named, Hermon, and acknowledged the foregoing instrument to
be their free act and deed in their said cap	
	Notary Public/Attorney at Law Printed Name:
	Commission Expires:
	Commission Expires.





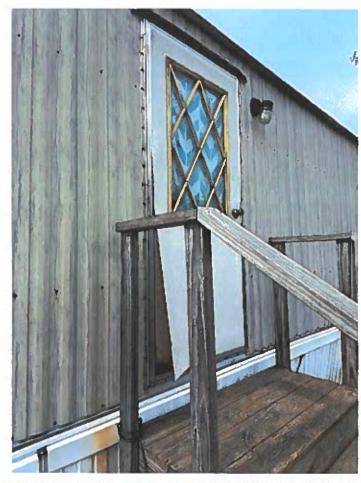






















#### **DANGEROUS BUILDING DECISION AND ORDER**

Pursuant to 17 M.R.S. §§ 2851-2859

TO: Hermon MHP, LLC C/O Michael & Johnathan Behling 12630 Huston Street Valley Village, CA 91607

#### Building at 2035 Park Drive, Hermon, Maine

The Hermon Town Council ("Council"), acting as the municipal officers of the Town of Hermon, hereby adopt and issue this Decision and Order pursuant to 17 M.R.S. §§ 2851 et seq. (Maine Dangerous Buildings statute) with respect to a building on property with an address of 2035 Park Drive, Hermon, Maine, also known as Map 35, Lot 26-006T on the Town of Hermon Tax Maps, being a mobile home in a mobile home park, said park being more particularly described in a deed from Hermon Park, LLC to Hermon MHP, LLC, dated October 9, 2013, and recorded in Book 13363, Page 1, of the Penobscot County Registry of Deeds.

#### **Preliminary**

This is a dangerous building proceeding under 17 M.R.S. § 2851-2859. A Notice of Hearing was

served on the property owner, Hermon MHP, LLC (the "Property Owner" or "HMHP"), and on all parties-in-interest, in accordance with 17 M.R.S. §§ 2851 and 2857.

The Council convened a hearing on the matter in accordance with the Dangerous Buildings statute on \_\_\_\_\_\_\_\_, 2024 at \_\_\_\_\_\_\_ p.m. at the Hermon Town Office at 333 Billings Road, Hermon, ME 04401. Notice of said hearing was duly served upon all known and unknown property owners and parties in interest pursuant to 17 M.R.S. § 2857.

Participants at the \_\_\_\_\_\_\_, 2024 public hearing included Jessefa Murphy, Hermon Code Enforcement Officer ("CEO Murphy"), Cody Sullivan, Hermon Fire Chief ("Chief Cody"), and \_\_\_\_\_\_.

Information concerning the history and condition of the mobile home at 2035 Park Drive, including a number of photographs, were presented by CEO Murphy and Chief Cody. [Insert any additional]

#### **Factual Findings**

Based on the testimony and other evidence presented, including without limitation photographs, reports, and testimony of CEO Murphy and Chief Cody, the Council hereby finds as follows:

information provided at the hearing].

- 1. The subject property has an address of 2035 Park Drive, Hermon, Maine, as more particularly described in a deed from Hermon Park, LLC to Hermon MHP, LLC, dated October 9, 2013, and recorded in Book 13363, Page 1, of the Penobscot County Registry of Deeds. ("Property").
- 2. The current owner of the Property is Hermon MHP, LLC per the deed referenced previously in this Decision and Order.
- 3. A title search current through the date of this Decision and Order identified Machias Savings Bank as a party in interest by virtue of: (i) Mortgage dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 7; (2) Assignment of Leases and Rents dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 22; and (iii) UCC Financing Statement recorded October 11, 2013, at the Penobscot County Registry of Deeds in Book 13363, Page 38; UCC Continuation recorded September 19, 2018, at the Penobscot County Registry of Deeds in Book 14943, Page 318; and UCC Continuation recorded November 8, 2023, at the Penobscot County Registry of Deeds in Book 16996, Page 17.

4.	Located on the Property is a mobile home that is in extremely poor condition
	("Building"). Specifically, without limitation, the building has
	, and is not structurally sound

5. The state of the building is dangerous and a nuisance because it is structurally unsafe, is unsuitable for human occupancy, constitutes a hazard to health or safety because of inadequate maintenance and abandonment, presents a fire hazard, and is otherwise dangerous to life or property of the public.

#### **Conclusions of Law**

Based on the foregoing factual findings, the Council adjudges that the Building located on the Property constitutes a dangerous building within the meaning of 17 M.R.S. § 2851(2-A).

#### Disposal and Expenses

Based on the foregoing factual findings and conclusions of law, the Council hereby determines:

- 1. The Building located on the Property is a dangerous building, and must be disposed of by demolition as set forth herein unless timely rehabilitated by the Property Owner consistent with this Decision and Order.
- 2. The Property Owner shall repay the Town of Hermon all expenses pursuant to 17 M.R.S. § 2853.

#### <u>ORDER</u>

NOW THEREFORE, based on the foregoing, the Council hereby ORDERS as follows:

- 1. Within ninety (90) days starting the day after this Decision and Order is issued, or if appealed within ninety (90) days after a final decision affirming the judgment, the Property Owner shall:
  - a. Rehabilitate the aforedescribed building on the Property to completely abate the dangerous conditions, as follows:
    - (i) Submit to the Town Code Enforcement Office, and be approved by the Code Enforcement Officer, a written rehabilitation work plan from a qualified structural engineer for any and all work that must be completed to abate the dangerous conditions in compliance with applicable ordinances and codes of the Town of Hermon (the "Rehabilitation Work Plan") in sufficient time to allow review, approval and implementation.
    - (ii) Obtain all necessary permits or approvals to complete the scope of work in the Rehabilitation Work Plan; and
    - (iii) Submit a final written report from a structural engineer certifying the dangerous conditions have been completely abated.

#### **OR**

- b. Remove or demolish or cause to be removed or demolished, the aforedescribed building on the Property including removal of all structures appurtenances, debris, trash, footers, etc., and shall fill and compact the remaining foundation/hole to the grade level of the lot. The Property owner must also obtain any and all necessary permits in consultation with the Hermon Code Enforcement Officer.
- 2. If the Property Owner elects to rehabilitate building and has not completed rehabilitation but has otherwise demonstrated substantial progress towards completing rehabilitation (e.g., demonstrated ability and willingness to satisfactorily rehabilitate this building by performing continuous work to substantially address the dangerous conditions consistent with this Decision and Order), as determined at the Council's discretion, the Council may extend the deadline for such rehabilitation work to be completed.
- 3. No occupancy or use of the Property or building may occur unless in compliance with this Decision and Order and all applicable Town of Hermon ordinances and codes.

- 4. Repay all expenses to the Town of Hermon as set forth in 17 M.R.S. § 2853.
- 5. In the event the Property Owner shall fail to repay the Town of Hermon's expenses; or shall fail to rehabilitate the building; or shall fail to remove or demolish this building, or cause the same to be removed or demolished; or shall fail to fill around the existing open foundation/hole, the Town may proceed to demolish the aforedescribed building and fill the open foundation/hole as provided in 17 M.R.S. § 2853, with the Town's expenses, including without limitation attorney's fees, to be recovered by as provided in that section or otherwise as available in law.
- 6. In the event the Town proceeds to demolish the building consistent with this Decision and Order, the Town shall first follow the applicable procedures and requirements as set forth in 30-A M.R.S. § 3106 regarding "covered property" as defined therein.
- 7. The Town Clerk shall record and cause service of attested copies of this Decision and Order in accordance with 17 M.R.S. § 2851(3).

2024

This Decision and Order may be appealed to Superior Court under the Maine Rules of Civil Procedure, Rule 80B and/or pursuant to 17-A M.R.S. § 2852. If this Decision and Order is not timely complied with and no timely appeal is taken, the Hermon Town Council may undertake the ordered corrective action at the Town's expense and recover all expenses, including without limitation reasonable attorney's fees by means of a special tax or civil action.

J --- - C

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	ERMON TOWN COUNCIL
Joshua Berry	Richard Cyr
Christopher Gray	Terry Hamm-Morris
Ronald Murphy	John Snyer III, Council Chair
Derek Wood	A train come attent
	A true copy, attest
	Cristen Cushman, Town Clerk

Hermon, Maine

Hermon 8:48 AM

# RE Account 1518 Detail as of 01/16/2025

01/08/2025 Page 1

0

10,700

10,700

Name: HERMON MHP LLC

Location: 2035 PARK DRIVE

Acreage: 0.00 Map/Lot: 035-026-006T

Book Page:

Ref1: B P

Land:

Building:

Exempt

Total:

2024-1 Period Due:

1) 116.63

Mailing C/O MICHAEL & JONATHAN BEHLING

Address: 12630 HUSTON ST

VALLEY VILLAGE, CA 91607

Year Date	Reference	PC	Principal	Interest	Costs	Total
2024-1 R			116.63	0,00	0.00	116.63
2023-1 L *			115.15	7.32	78.02	200.49
2022-1 L *			0.00	0.00	0.00	0.00
2021-1 R			0.00	0.00	0.00	0.00
2020-1 R			0.00	0.00	0.00	0.00
2019-1 R			0.00	0.00	0.00	0.00
2018-1 R			0.00	0.00	0.00	0.00
2017-1 R			0.00	0.00	0.00	0.00
2016-1 L *			0.00	0.00	0.00	0.00
2015-1 L *			0.00	0.00	0.00	0.00
2014-1 L *			0.00	0.00	0.00	0.00
2013-1 R			0.00	0.00	0.00	0.00
2012-1 R			0.00	0.00	0.00	0.00
2011-1 R			0.00	0.00	0.00	0.00
2010-2 R			0.00	0.00	0.00	0.00
2010-1 R			0.00	0.00	0.00	0.00
2009-1 R			0.00	0.00	0.00	0.00
2008-1 R			0.00	0.00	0.00	0.00
2007-1 R			0.00	0.00	0.00	0.00
2006-1 R			0.00	0.00	0.00	0.00
2005-1 R			0.00	0.00	0.00	0.00
2004-1 R			0.00	0.00	0.00	0.00
2003-1 R			0.00	0.00	0.00	0.00
2002-1 R			0.00	0.00	0.00	0.00
Account Totals as of 01/16/2	2025	100	231.78	7.32	78.02	317.12

	Per Diem	
2023-1		0.0252
Total		0.0252

Exempt Codes:

Note: Payments will be reflected as positive values and charges to the account will be represented as negative values.

Map Lot 035-026-006T Account 15	1518 Lc	Location 2035	2035 PARK DRIVE			Card 1	of 1	1/08/2025	2025
HERMON MHP LLC		Property Data	ata		•	<b>Assessment Record</b>	cord		=
C/O MICHAEL & JONATHAN BEHLING	Neighborhood	rhood 28 Fuller Rd Bill/Bgr	III/Bgr	Year	Land	Buildings	$\dashv$	Exempt	Total
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	Y Coordinate	nate	0						
Previous Owner	Zone/Land Use	nd Use 12 Residential B	al B						
FERNALD, JENNIFER									
22 WESTWOOD DR	Secondary Zone	ry Zone							
ELLSWORTH ME 04654	Topography 9	phy 9	6						
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CARMEL ME 04419	1.Public	4.Dr Well	7.Cesspool			1	1	+	
sale Date: 3/30/2009	2.Water	5.Dug Well	8.Lagoon						
	3.Sewer	6.Septic	9.None						
	Street	9 None							
	1.Paved		7.			Land Data			
	2.Semi Imp	p 5.Private	o o	Front Foot		Effective	Influence	<u> </u>	Tuflionco
	3.Grave	b.Kear	9.None		Type	Frontage Depth	Factor	ě	Codec
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N Date	a la			15.Miscellaneous			8 8	Ž .	5.Access
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	3.Building R		fine o	17.Secondary Lot			%		Acres
				18.Excess Land			%	30.8	30.Rear Land 3
	Financing	_		19.Condominium			8	3.1.0	31,industrial Par 32 feductrial Bar
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	2.FHAVA		zi c				\$ 3	7.5	34 Gravel Dir
	3.Assumed		9.Unknown	Contract Acres			o,	35.1	35.Tillable
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	1.Valid	4.Split	7.Changes	22.Baselot (Fract			8 8	37.5	37.Softwood
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	1 Rander	4 Ament	7 Family	25.Baselot			%	41.1	41.Lagoon per acr
	2.Seller	5.Pub Rec	8,0ther	26.Second Acre 1			%	42.8	42.Mobile Home Si
	3.Lender	6.MLS	.6	27.Commercial 3				2.5. 4	43.Condo Site 44.Lot Immovemen
Hermon				26.Rear Land 1		<b>Total Acreage</b>	0.00	45.5	45. Shorefrontage
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Map Lot	Building Style		_	3.R Ranch 7		Dwelling Units	Other Units	5000es			Walk	1.Wood 5	9	'	يو ا	alt		3.Metal	SF Masonry Trim			Year Built	Year Remodeled		a		3.Br/stone			- 1	Bsmt Gar # Cars	asement	I.Ory					F	À	757 Commodore	22 Frame Shed		, and a							

# NOTICE OF HEARING Pursuant to 17 M.R.S.A. §§ 2851-2859 (Dangerous Buildings)

Parties in Interest You are hereby notified that the Municipal Officers of the TOWN OF HERMON, MAINE will hold a public hearing on 1/14/24206 at Li.30 P.M., at the Hermon Town Office at 333 BILLINGS ROAD, HERMON, MAINE 04401 for the purpose of determining whether one or more buildings or other structures located on the property identified as 2035 PARK DRIVE, HERMON, MAINE 04401, and more particularly described in a deed from Hermon Park, LLC to HERMON MHP, LLC, dated October 9, 2013, and recorded in BOOK 13363, PAGE 1, of the Penobscot County Registry of Deeds, constitutes a "dangerous building," as that term is defined in Title 17 M.R.S.A. § 2851. If the Municipal Officers, following the public hearing, find that one or more buildings or structures on the properties constitutes a "dangerous building," they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Municipal Officers may take the corrective action at municipal expense and recover all expenses, including reasonable attorney's fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the buildings or structures are not dangerous and to oppose any corrective action ordered by the Municipal Officers. \_\_, Municipal Officers of the Town of Hermon, Maine Absent Joshua Berry Richard Cvr Christopher Gray Ronald Marphy Derek Wood

TO:

**Property Owner** 

STATE OF MAINE PENOBSCOT COUNTY, ss.

Date:  $\frac{12/5}{2}$ , 2024

Then personally appeared the above-named Joshua Berry, Richard Cyr, Christoper Gray, Terry Hamm-Morris, Ronald Murphy, John Snyer III, and Derek Wood, and acknowledged the foregoing instrument to be their free act and deed in their said capacities.

Before me,

Xeely Hope Mive Somyeo Notary Public Attorney at Law

KEELY HOPE WARE GONYEA

Notary Public, State of Maine My Commission Expires September 5, 2030

A true copy, attest

Kristen Cushman, Town Clerk

Hermon, Maine

#### **NOTICE OF HEARING**

Pursuant to 17 M.R.S.A. §§ 2851-2859 (Dangerous Buildings)

TO: Hermon MHP, LLC
C/O Michael & Johnathan Behling
12630 Huston Street
Valley Village, CA 91607

## Building at 2035 Park Drive, Hermon, Maine

You are hereby notified that the HERMON TOWN COUNCIL will hold a hearing at THE HERMON, TOWN OFFICE, 333 BILLINGS ROAD, HERMON, MAINE 04401 on 1/4/2025 AT 6:30 P.M., to determine whether the residential building located on land owned by Hermon MHP, LLC, as shown on MAP 35, LOT 26-006T of the current Tax Maps of Hermon, Maine, described in BOOK 13363, PAGE 1 at the Penobscot County Registry of Deeds, is a nuisance or dangerous within the meaning of 17 M.R.S. § 2851. If the Council, following the public hearing, find that one or more buildings or structures on the properties constitutes a "dangerous building," they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Council may take the corrective action at municipal expense and recover all expenses, including reasonable attorney's fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the building(s) or structure(s) are not dangerous and to oppose any corrective action ordered by the Hermon Town Council. IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals this 5 of December, 2024. Joshua Berry Christopher Gray Ronald Murphy III, Council Chair

Derek Wood

## STATE OF MAINE **COUNTY OF PENOBSCOT**

Then personally appeared the above-named Joshua Berry, Richard Cyr, Christoper Gray, Terry Hamm-Morris, Ronald Murphy, John Snyer III, and Derek Wood, and acknowledged the foregoing instrument to be their free act and deed in their said capacities.

Before me,

Notary Public/Maine Attorney-att Law

Printed Name:

Commission Expires: KEELY HOPE WARE GONYEA Notary Public, State of Maine My Commission Expires September 5, 2030

#### NOTICE OF HEARING

Pursuant to 17 M.R.S.A. §§ 2851-2859 (Dangerous Buildings)

TO: Machias Savings Bank P.O. Box 318 Machias, Maine 04654

#### Building at 2035 Park Drive, Hermon, Maine

You are hereby notified that the HERMON TOWN COUNCIL will hold a hearing at THE HERMON TOWN OFFICE, 333 BILLINGS ROAD, HERMON, MAINE 04401 on 1/1/2025 AT 1/2020 P.M., to determine whether the residential building located on land owned by HERMON MHP, LLC, as shown on MAP 35, LOT 26-006T of the current Tax Maps of Hermon, Maine, described in BOOK 13363, PAGE 1 at the Penobscot County Registry of Deeds, is a nuisance or dangerous within the meaning of 17 M.R.S. § 2851.

You are an interested party in this hearing by virtue of: (i) Mortgage dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 7; (2) Assignment of Leases and Rents dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 22; and (iii) UCC Financing Statement recorded October 11, 2013, at the Penobscot County Registry of Deeds in Book 13363, Page 38; UCC Continuation recorded September 19, 2018, at the Penobscot County Registry of Deeds in Book 14943, Page 318; and UCC Continuation recorded November 8, 2023, at the Penobscot County Registry of Deeds in Book 16996, Page 17.

If the Council, following the public hearing, find that one or more buildings or structures on the properties constitutes a "dangerous building," they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Council may take the corrective action at municipal expense and recover all expenses, including reasonable attorney's fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the building(s) or structure(s) are not dangerous and to oppose any corrective action ordered by the Hermon Town Council.

Of December, 2024.

History

Christopher Gray

Ronald Murphy

Derek Wood

STATE OF MAINE

COUNTY OF PENOBSCOT

Richard Cyr

Lun Salan In Murphy

John Snyer III, Coencil Chair

125, 2024

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals this 5 day

Then personally appeared the above-named Joshua Berry, Richard Cyr, Christoper Gray, Terry Hamm-Morris, Ronald Murphy, John Snyer III, and Derek Wood, and acknowledged the foregoing instrument to be their free act and deed in their said capacities.

Before me,

Notary Public/Maine Attorney-at

Printed Name:

Commission Expires: KEELY HOPE WARE GONYEA

Notary Public, State of Maine My Commission Expires September 5, 2030



**O24-25-13** 

# **DANGEROUS BUILDING DECISION AND ORDER**

Pursuant to 17 M.R.S. §§ 2851-2859

TO: Hermon MHP, LLC
C/O Michael & Johnathan Behling
12630 Huston Street
Valley Village, CA 91607

#### Building at 2041 Park Drive, Hermon, Maine

The Hermon Town Council ("Council"), acting as the municipal officers of the Town of Hermon, hereby adopt and issue this Decision and Order pursuant to 17 M.R.S. §§ 2851 et seq. (Maine Dangerous Buildings statute) with respect to a building on property with an address of 2041 Park Drive, Hermon, Maine, also known as Map 35, Lot 26-019T on the Town of Hermon Tax Maps, being a mobile home in a mobile home park, said park being more particularly described in a deed from Hermon Park, LLC to Hermon MHP, LLC, dated October 9, 2013, and recorded in Book 13363, Page 1, of the Penobscot County Registry of Deeds.

#### **Preliminary**

This is a dangerous building proceeding under 17 M.R.S. § 2851-2859. A Notice of Hearing was served on the property owner, Hermon MHP, LLC (the "Property Owner" or "HMHP"), and on all parties-in-interest, in accordance with 17 M.R.S. §§ 2851 and 2857.

The Council convened a hearing on the matter in accordance with the Dangerous Buildings statute on January 16, 2025 at 6:30 p.m. at the Hermon Town Office at 333 Billings Road, Hermon, ME 04401. Notice of said hearing was duly served upon all known property owners and parties in interest pursuant to 17 M.R.S. § 2857.

Participants at the January 16, 2025 public hearing included Jessefa Murphy, Hermon Code Enforcement Officer ("CEO Murphy") and Cody Sullivan, Hermon Fire Chief ("Chief Cody").

Information concerning the history and condition of the mobile home at 2041 Park Drive, including a number of photographs, were presented by CEO Murphy and Chief Cody.

[Insert any additional information provided at the hearing].

## Factual Findings

Based on the testimony and other evidence presented, including without limitation photographs, reports, and testimony of CEO Murphy and Chief Cody, the Council hereby finds as follows:

- 1. The subject property has an address of 2041 Park Drive, Hermon, Maine, as more particularly described in a deed from Hermon Park, LLC to Hermon MHP, LLC, dated October 9, 2013, and recorded in Book 13363, Page 1, of the Penobscot County Registry of Deeds. ("Property").
- 2. The current owner of the Property is Hermon MHP, LLC per the deed referenced previously in this Decision and Order.
- 3. A title search current through the date of this Decision and Order identified Machias Savings Bank as a party in interest by virtue of: (i) Mortgage dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 7; (2) Assignment of Leases and Rents dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 22; and (iii) UCC Financing Statement recorded October 11, 2013, at the Penobscot County Registry of Deeds in Book 13363, Page 38; UCC Continuation recorded September 19, 2018, at the Penobscot County Registry of Deeds in Book 14943, Page 318; and UCC Continuation recorded November 8, 2023, at the Penobscot County Registry of Deeds in Book 16996, Page 17.
- 4. Located on the Property is a mobile home that is in extremely poor condition ("Building"). Specifically, without limitation, the building has:
  - Rodent infestation and evidence of poor sanitation.
  - Structural decay and lack of maintenance.
  - Exposed plumbing and damaged interior surfaces.
  - Missing or non-operational smoke/CO detectors.
  - Electrical hazards and gas safety violations.
  - General neglect, including broken windows and lack of skirting.
  - **Unsecured entry points**, including broken and poorly sealed windows.

and is not structurally sound.

5. The state of the building is dangerous and a nuisance because it is structurally unsafe, is unsuitable for human occupancy, constitutes a hazard to health or safety because of inadequate maintenance and abandonment, presents a fire hazard, and is otherwise dangerous to life or property of the public.

## Conclusions of Law

Based on the foregoing factual findings, the Council adjudges that the Building located on the Property constitutes a dangerous building within the meaning of 17 M.R.S. § 2851(2-A).

## **Disposal and Expenses**

Based on the foregoing factual findings and conclusions of law, the Council hereby determines:

- 1. The Building located on the Property is a dangerous building, and must be disposed of by demolition as set forth herein unless timely rehabilitated by the Property Owner consistent with this Decision and Order.
- 2. The Property Owner shall repay the Town of Hermon all expenses pursuant to 17 M.R.S. § 2853.

### <u>ORDER</u>

NOW THEREFORE, based on the foregoing, the Council hereby ORDERS as follows:

- 1. Within ninety (90) days starting the day after this Decision and Order is issued, or if appealed within ninety (90) days after a final decision affirming the judgment, the Property Owner shall:
  - a. Rehabilitate the aforedescribed building on the Property to completely abate the dangerous conditions, as follows:
    - (i) Submit to the Town Code Enforcement Office, and be approved by the Code Enforcement Officer, a written rehabilitation work plan from a qualified structural engineer for any and all work that must be completed to abate the dangerous conditions in compliance with applicable ordinances and codes of the Town of Hermon (the "Rehabilitation Work Plan") in sufficient time to allow review, approval and implementation.
    - (ii) Obtain all necessary permits or approvals to complete the scope of work in the Rehabilitation Work Plan; and
    - (iii) Submit a final written report from a structural engineer certifying the dangerous conditions have been completely abated.

#### <u>OR</u>

- b. Remove or demolish or cause to be removed or demolished, the aforedescribed building on the Property including removal of all structures appurtenances, debris, trash, footers, etc., and shall fill and compact the remaining foundation/hole to the grade level of the lot. The Property owner must also obtain any and all necessary permits in consultation with the Hermon Code Enforcement Officer.
- 2. If the Property Owner elects to rehabilitate building and has not completed rehabilitation but has otherwise demonstrated substantial progress towards completing rehabilitation (e.g., demonstrated ability and willingness to

satisfactorily rehabilitate this building by performing continuous work to substantially address the dangerous conditions consistent with this Decision and Order), as determined at the Council's discretion, the Council may extend the deadline for such rehabilitation work to be completed.

- 3. No occupancy or use of the Property or building may occur unless in compliance with this Decision and Order and all applicable Town of Hermon ordinances and codes.
- 4. Repay all expenses to the Town of Hermon as set forth in 17 M.R.S. § 2853.

- 5. In the event the Property Owner shall fail to repay the Town of Hermon's expenses; or shall fail to rehabilitate the building; or shall fail to remove or demolish this building, or cause the same to be removed or demolished; or shall fail to fill around the existing open foundation/hole, the Town may proceed to demolish the aforedescribed building and fill the open foundation/hole as provided in 17 M.R.S. § 2853, with the Town's expenses, including without limitation attorney's fees, to be recovered by as provided in that section or otherwise as available in law.
- 6. In the event the Town proceeds to demolish the building consistent with this Decision and Order, the Town shall first follow the applicable procedures and requirements as set forth in 30-A M.R.S. § 3106 regarding "covered property" As defined therein.
- 7. The Town Clerk shall record and cause service of attested copies of this Decision and Order in accordance with 17 M.R.S. § 2851(3).

This Decision and Order may be appealed to Superior Court under the Maine Rules of Civil Procedure, Rule 80B and/or pursuant to 17-A M.R.S. § 2852. If this Decision and Order is not timely complied with and no timely appeal is taken, the Hermon Town Council may undertake the ordered corrective action at the Town's expense and recover all expenses, including without limitation reasonable attorney's fees by means of a special tax or civil action.

Hermon Town Council, Dated this 16 day of January 2025

John Sny	er III, Chair	Ronald Murphy, Vice Chair
Joshua Be	етту	Richard Cyr
Christoph	er Gray	Terry Hamm-Morris
		•
	Derek Wood	1
	Derek Wood sten L. Cushman, Town Clerk mon, Maine	
Kri	sten L. Cushman, Town Clerk mon, Maine	

# Town of Hermon, Maine

Property Inspection Report

Todays Date:	: 12/4/2024 Date of Ir	spection:	4/11/2023	
_	Tax Lot: 26-019T Book: 133	363 Page:	1	
Property Add	dress: 2041 Park Drive, Hermon, Maine 04401			
Owner 1: Her	rmon MHP, LLC, C/O Michael & Johnathan Behling			
Owner 1 Add	dress: 12630 Huston Street, Valley Village, California 91	607		
Owner 2:				
Owner 2 Add	Please list additional owners on a separate sh	eet.		
	rphy , in my capacity as Code Enforcement Office			
have personal	lly inspected the above-named property and found the fo	llowing to	be true:	
☑ The bu	uilding on the property is structurally unsafe, unstable, or	r unsanitar	y.	
<b>4</b>	Unsafe because Rodent infestation, moisture and m			
	electrical hazards, environmental concerns, broke access and egress concerns, sanitation issues, no			
	missing or damaged skirting, and general neglect		onal neating sys	sterri,
✓	Unstable because Structural decay and rot, water in	trusion, la	ack of proper ma	aintenance,
	rodent infestation, broken and poorly sealed windo	ws, roder	nt infestation, la	ck of proper
	flooring, and general neglect.			
✓	Unsanitary because Roden infestation, water damage	e and mo	old, damaged ar	nd
	exposed surfaces, exposed pluminbing, poor main	ntenance	and hygiene, br	
	ineffective windows, accumulated dirt and debris,	and gene	ral neglect.	
☑ The bu	uilding on the property constitutes a fire hazard.			
✓	The building constitutes a fire hazard because Missing damaged electrical fixtures, rodent infestation, according to the building constitutes a fire hazard because Missing damaged electrical fixtures, rodent infestation, according to the building constitutes a fire hazard because Missing damaged electrical fixtures.	smoke/co	dectors, expos	ed and nbustable
	material, lack of gas shut-off valves for gas applic	ances, ex	pired extinguish	e,
	access and egress concerns, and general neglect			
☑ The bu	uilding on the property is unsuitable or improper for the at.	use of occ	supancy to which	
✓	The building is unsuitable or improper because lack of	working s	smok/co detecto	rs,

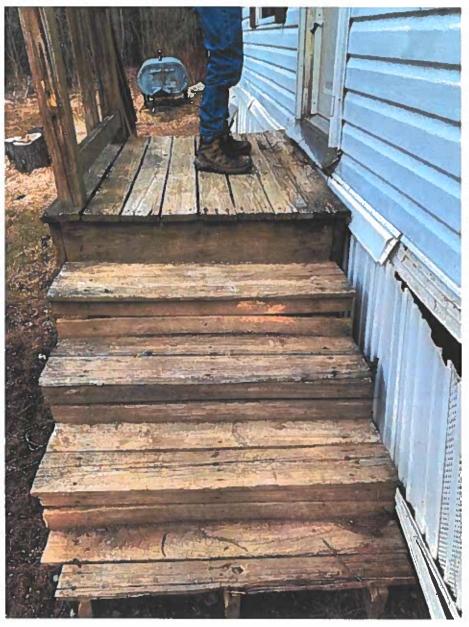
structural instability, health and sanitation concerns, fire hazards, lack of weatherproofing and insulation, poor maintenance, gas code violations, accumulated dirt and debris, general neglect.

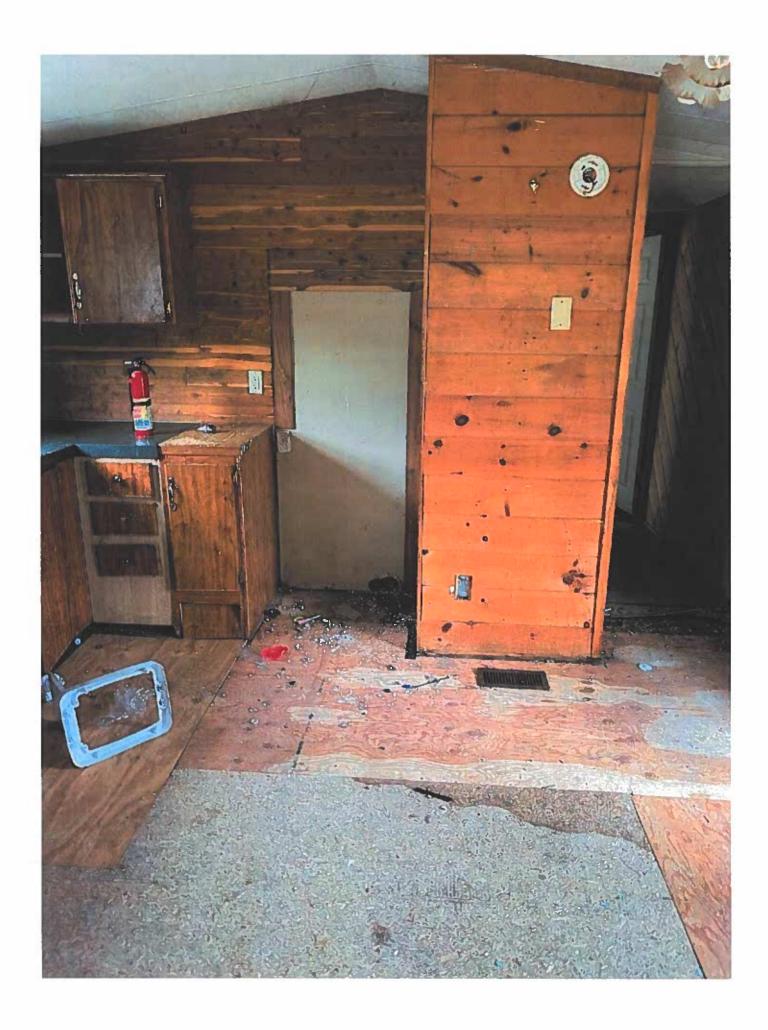
- The building on the property constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence, or abandonment.
  - ✓ Inadequate Maintenance: Structural deficiencies, health hazards, fire hazards, safety hazards, weatherproofing failures, poor repairs and maintenance, and general neglect.
  - ✓ Dilapidation: Structural decay, damaged/missing interior flooring, broken/damaged windows, electrical hazards, plumbing hazards, rodent infestation, fire hazards, exposed wiring, inadequate waterproofing, damaged walls and gaps, uninhabitable living conditions, prolonged maitenance, general neglect.
  - ✓ Obsolescence: Outdated structural systems, lack of modern safety features, health and sanitation risks from antiquated systems, energy inefficiency and weatherproofing deficiencies, inadequate fire protection infrastructure, failure to meet modern building standards, general neglect.
  - Abandonment: Structural decay, health and sanitation hazards, environmental hazards, pest infestation, fire and safety risk, unsafe accessibility of egress, weather and environmental exposure, and general neglect.
- ☐ The building on the property is otherwise dangerous to life or property.
  - ✓ Dangerous to life or property because Structural hazards, health risk, fire hazards, gas safety concerns, environmental exposure and damage, risk to neighbors and surrounding properties, general neglect.
- ☑ Pictures of the property are attached.

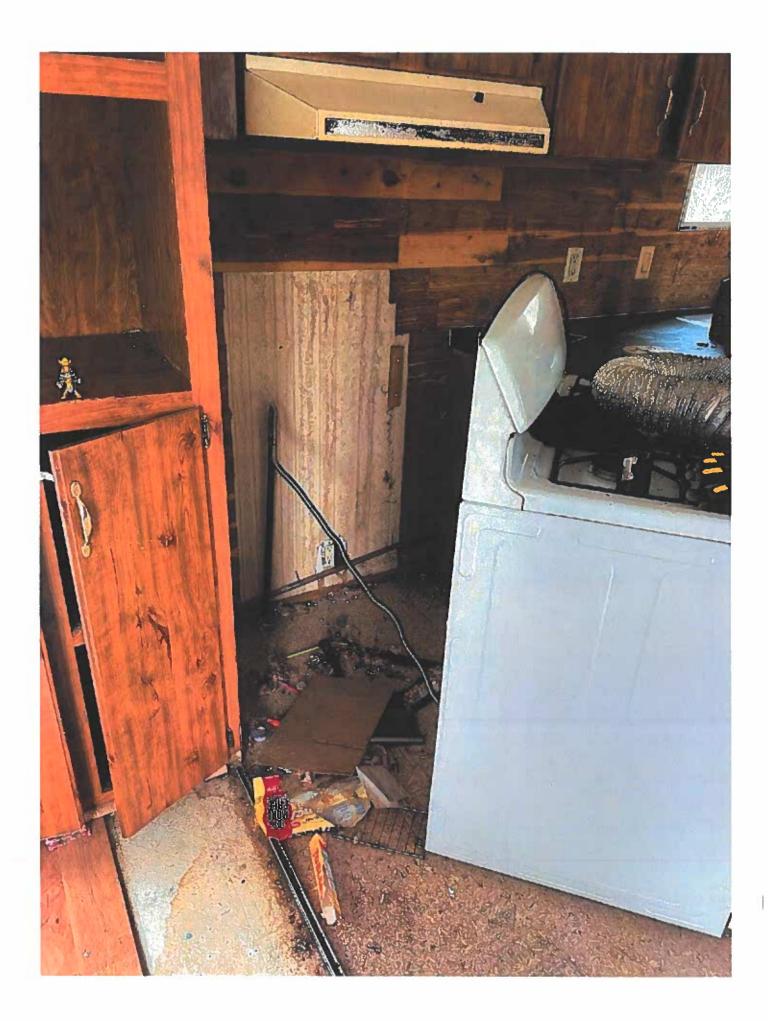
Under 17 M.R.S. § 2851, in order to adjudge a building to be a nuisance or dangerous, the municipal officers or county commissioners must find that the building is structurally unsafe, unstable or unsanitary; constitutes a fire hazard; is unsuitable or improper for the use or occupancy to which it is put; constitutes a hazard to health or safety because of inadequate maintenance, dilapidation, obsolescence or abandonment; or is otherwise dangerous to life or property. This report was prepared for the municipal officers and is the opinion of the <u>Code Enforcement Officer</u>.

of my knowledge and belief.	y personal inspection of	the property and is true to t	the best
Name:	_		
Its:			
Town of Hermon			
STATE OF MAINE			
COUNTY OF PENOBSCOT		, 20	)24
Personally appeared before me	the above-named		
·		ledged the foregoing instrut	ment to
be their free act and deed in their said	capacity.		
	Notary Public/Att	orney at Law	
	Printed Name:	·	
	Commission Expi	res:	



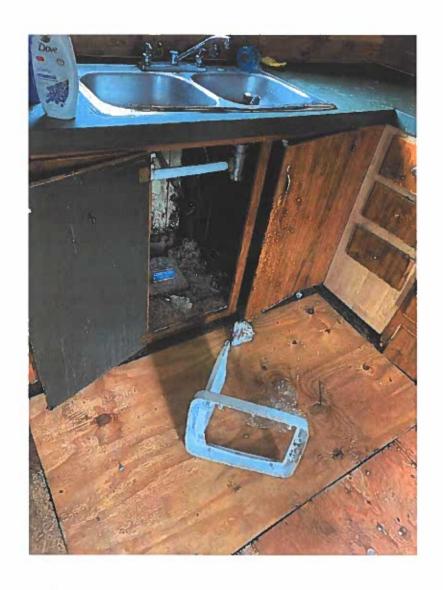
















#### **DANGEROUS BUILDING DECISION AND ORDER**

Pursuant to 17 M.R.S. §§ 2851-2859

TO: Hermon MHP, LLC
C/O Michael & Johnathan Behling
12630 Huston Street
Valley Village, CA 91607

#### Building at 2041 Park Drive, Hermon, Maine

The Hermon Town Council ("Council"), acting as the municipal officers of the Town of Hermon, hereby adopt and issue this Decision and Order pursuant to 17 M.R.S. §§ 2851 et seq. (Maine Dangerous Buildings statute) with respect to a building on property with an address of 2041 Park Drive, Hermon, Maine, also known as Map 35, Lot 26-019T on the Town of Hermon Tax Maps, being a mobile home in a mobile home park, said park being more particularly described in a deed from Hermon Park, LLC to Hermon MHP, LLC, dated October 9, 2013, and recorded in Book 13363, Page 1, of the Penobscot County Registry of Deeds.

#### **Preliminary**

This is a dangerous building proceeding under 17 M.R.S. § 2851-2859. A Notice of Hearing was served on the property owner, Hermon MHP, LLC (the "Property Owner" or "HMHP"), and on all parties-in-interest, in accordance with 17 M.R.S. §§ 2851 and 2857.

The Council convened a hearing on the matter in accordance with the Dangerous Buildings statute

The Council convened a he	aring on the matter in accordance with the Dangerous Buildings statute
on, 2024	at p.m. at the Hermon Town Office at 333 Billings Road,
Hermon, ME 04401. Notice	e of said hearing was duly served upon all known and unknown property
owners and parties in interes	est pursuant to 17 M.R.S. § 2857.
Participants at the	, 2024 public hearing included Jessefa Murphy, Hermon Code
Enforcement Officer ("CE	O Murphy"), Cody Sullivan, Hermon Fire Chief ("Chief Cody"), and
A THE TAXABLE CONTRACTOR	Efficient Programme and Constitution of the Co
_	history and condition of the mobile home at 2041 Park Drive, including
a number of photographs, v	vere presented by CEO Murphy and Chief Cody. [Insert any additional

#### **Factual Findings**

Based on the testimony and other evidence presented, including without limitation photographs, reports, and testimony of CEO Murphy and Chief Cody, the Council hereby finds as follows:

information provided at the hearing].

- 1. The subject property has an address of 2041 Park Drive, Hermon, Maine, as more particularly described in a deed from Hermon Park, LLC to Hermon MHP, LLC, dated October 9, 2013, and recorded in Book 13363, Page 1, of the Penobscot County Registry of Deeds. ("Property").
- 2. The current owner of the Property is Hermon MHP, LLC per the deed referenced previously in this Decision and Order.
- 3. A title search current through the date of this Decision and Order identified Machias Savings Bank as a party in interest by virtue of: (i) Mortgage dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 7; (2) Assignment of Leases and Rents dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in Book 13363, Page 22; and (iii) UCC Financing Statement recorded October 11, 2013, at the Penobscot County Registry of Deeds in Book 13363, Page 38; UCC Continuation recorded September 19, 2018, at the Penobscot County Registry of Deeds in Book 14943, Page 318; and UCC Continuation recorded November 8, 2023, at the Penobscot County Registry of Deeds in Book 16996, Page 17.

4.	Located on the Property is a mobile home that is in extremely poor condition
	("Building"). Specifically, without limitation, the building has
	, and is not structurally sound

5. The state of the building is dangerous and a nuisance because it is structurally unsafe, is unsuitable for human occupancy, constitutes a hazard to health or safety because of inadequate maintenance and abandonment, presents a fire hazard, and is otherwise dangerous to life or property of the public.

#### **Conclusions of Law**

Based on the foregoing factual findings, the Council adjudges that the Building located on the Property constitutes a dangerous building within the meaning of 17 M.R.S. § 2851(2-A).

#### **Disposal and Expenses**

Based on the foregoing factual findings and conclusions of law, the Council hereby determines:

- 1. The Building located on the Property is a dangerous building, and must be disposed of by demolition as set forth herein unless timely rehabilitated by the Property Owner consistent with this Decision and Order.
- 2. The Property Owner shall repay the Town of Hermon all expenses pursuant to 17 M.R.S. § 2853.

#### **ORDER**

NOW THEREFORE, based on the foregoing, the Council hereby ORDERS as follows:

- 1. Within ninety (90) days starting the day after this Decision and Order is issued, or if appealed within ninety (90) days after a final decision affirming the judgment, the Property Owner shall:
  - a. Rehabilitate the aforedescribed building on the Property to completely abate the dangerous conditions, as follows:
    - (i) Submit to the Town Code Enforcement Office, and be approved by the Code Enforcement Officer, a written rehabilitation work plan from a qualified structural engineer for any and all work that must be completed to abate the dangerous conditions in compliance with applicable ordinances and codes of the Town of Hermon (the "Rehabilitation Work Plan") in sufficient time to allow review, approval and implementation.
    - (ii) Obtain all necessary permits or approvals to complete the scope of work in the Rehabilitation Work Plan; and
    - (iii) Submit a final written report from a structural engineer certifying the dangerous conditions have been completely abated.

#### <u>OR</u>

- b. Remove or demolish or cause to be removed or demolished, the aforedescribed building on the Property including removal of all structures appurtenances, debris, trash, footers, etc., and shall fill and compact the remaining foundation/hole to the grade level of the lot. The Property owner must also obtain any and all necessary permits in consultation with the Hermon Code Enforcement Officer.
- 2. If the Property Owner elects to rehabilitate building and has not completed rehabilitation but has otherwise demonstrated substantial progress towards completing rehabilitation (e.g., demonstrated ability and willingness to satisfactorily rehabilitate this building by performing continuous work to substantially address the dangerous conditions consistent with this Decision and Order), as determined at the Council's discretion, the Council may extend the deadline for such rehabilitation work to be completed.
- 3. No occupancy or use of the Property or building may occur unless in compliance with this Decision and Order and all applicable Town of Hermon ordinances and codes.

- 4. Repay all expenses to the Town of Hermon as set forth in 17 M.R.S. § 2853.
- 5. In the event the Property Owner shall fail to repay the Town of Hermon's expenses; or shall fail to rehabilitate the building; or shall fail to remove or demolish this building, or cause the same to be removed or demolished; or shall fail to fill around the existing open foundation/hole, the Town may proceed to demolish the aforedescribed building and fill the open foundation/hole as provided in 17 M.R.S. § 2853, with the Town's expenses, including without limitation attorney's fees, to be recovered by as provided in that section or otherwise as available in law.
- 6. In the event the Town proceeds to demolish the building consistent with this Decision and Order, the Town shall first follow the applicable procedures and requirements as set forth in 30-A M.R.S. § 3106 regarding "covered property" as defined therein.
- 7. The Town Clerk shall record and cause service of attested copies of this Decision and Order in accordance with 17 M.R.S. § 2851(3).

2024

This Decision and Order may be appealed to Superior Court under the Maine Rules of Civil Procedure, Rule 80B and/or pursuant to 17-A M.R.S. § 2852. If this Decision and Order is not timely complied with and no timely appeal is taken, the Hermon Town Council may undertake the ordered corrective action at the Town's expense and recover all expenses, including without limitation reasonable attorney's fees by means of a special tax or civil action.

day of

Dated this

	Dated this day of, 2024
	HERMON TOWN COUNCIL
Joshua Berry	Richard Cyr
Christopher Gray	Terry Hamm-Morris
Ronald Murphy	John Snyer III, Council Chair
Derek Wood	A true copy, attest
	···· <b>F /</b> ·····
	Kristen Cushman, Town Clerk

Hermon, Maine

Hermon 8:49 AM

# RE Account 1511 Detail as of 01/16/2025

01/08/2025 Page 1

Name: HERMON MHP LLC

Location: 2041 PARK DRIVE

Acreage: 0.00 Map/Lot: 035-026-019T

Book Page: B13363P1

2024-1 Period Due:

1) 152.60

 Land:
 0

 Building:
 14,000

 Exempt
 0

 Total:
 14,000

Ref1:

B13363P1 (Lots 35-

Mailing

C/O MICHAEL & JONATHAN BEHLING

Address:

12630 HUSTON ST

VALLEY VILLAGE, CA 91607

Year Da	te Reference	PC	Principal	Interest	Costs	Total
2024-1 R			152.60	0.00	0.00	152.60
2023-1 L *			149.23	9.48	78.02	236.73
2022-1 L *			0.00	0.00	0.00	0.00
2021-1 R			0.00	0.00	0.00	0.00
2020-1 R			0.00	0.00	0.00	0.00
2019-1 R			0.00	0.00	0.00	0.00
2018-1 R			0.00	0.00	0.00	0.00
2017-1 R			0.00	0.00	0.00	0.00
2016-1 L *			0.00	0.00	0.00	0.00
2015-1 L *			0.00	0.00	0.00	0.00
2014-1 L *			0.00	0.00	0.00	0.00
2013-1 R			0.00	0.00	0.00	0.00
2012-1 R			0.00	0.00	0.00	0.00
2011-1 R			0.00	0.00	0.00	0.00
2010-1 R			0.00	0.00	0.00	0.00
2009-1 R			0.00	0.00	0.00	0.00
2008-2 R			0.00	0.00	0.00	0.00
2008-1 R			0.00	0.00	0.00	0.00
2007-1 R			0.00	0.00	0.00	0.00
2006-1 R			0.00	0.00	0.00	0.00
2004-1 R			0.00	0.00	0.00	0.00
2003-1 R			0.00	0.00	0.00	0.00
2002-1 R			0.00	0.00	0.00	0.00
Account Totals as of	01/16/2025		301.83	9.48	78.02	389.33

	Per Diem	
2023-1		0.0327
Total		0.0327

**Exempt Codes:** 

Note: Payments will be reflected as positive values and charges to the account will be represented as negative values.

Map Lot 035-026-019T	Account 1511	Location		2041 PARK DRIVE	111		Card	1 Of	1	1/08/2025
HERMON MHP LLC		٩	Property Data	ita			<b>Assessment Record</b>	Record		
C/O MICHAEL & JONATHAN BEHLING		Neighborhood	28 Fuller Rd Bill/Bgr	11/Bgr	Year	Land	Bu	Buildings	Exempt	Total
		Tree Growth Year	ear 0							
		TIF ACCOUNT								
B13363P1		Y Coordinate		0						
Previous Owner		Zone/Land Use	12 Residential B	91						
HERMON PARK LLC							-			
		Secondary Zone	e.				<u> </u>			
PO BOX 146			ı						i.	8
ELLSWORTH ME 04605 Sale Date: 10/11/2013		Topography 9		6						
Previous Owner		1.Level	4.Below St	7.						
A & W PROPERTIES LLC		2.Rolling 3.Above St	S.Low 6.Swampy	∞ త						
		I Militac O Mone		9 Mone					! :	
/18 WILSON STREET				2						
BKEWEK ME 04412 5-10 Data: 1272272005		1.Public	4.Dr Well	7.Cesspool						
Sale Date: 12/22/2000		2.Water	5.Dug Well	8.Lagoon						
Previous Owner		3.Sewer	6.Septic	9.None						
FOURNIER		Street 9 P	9 None	•		Ę				
		1.Paved	4.Proposed	7.				4		
		2.Semi Imp	S. Private	60			Lang Data			
Hermon ME 04401		3.Grave	6.Rear	9.None	Front Foot		묎		nen	Influence
Sale Date: 9/18/2005		Tree Growth Renew	enew	•	11 Bootslav Lot	K.	Frontage Depth	4	Factor Code	Codes
Inspection Witnessed By:		Old Permit/Other	ē	0	12.Delta Triangle			<u> </u>	* *	2. Excess Frta
			Sale Data		13.Nabla Triangle				%	3.Topography
;		400		000000000000000000000000000000000000000	14.Rear Land			_	%	4.Size/Shape
×	Date	Sale Late		10/11/2013	15.Miscellaneous			+	8 :	5.Access
No./Date Description	Date Insp.	Price		348,250				+	8 8	6.Restriction
$^{+}$		odk i Abe	2 Land & Buildings	- s6u	Courses Foot		Saliano Foot			8.View/Environ
		1.Land Re	4.Mobile	7.Land & Bid	16 Decular lot			_	*	9.Fract Share
		3.Building R	6.Land Comm	6	17.Secondary Lot				%	Acres
					18.Excess Land			+	*	30,Rear Land 3
		Charles	4 Collection	r	19.Condominium			+	8 8	32 Industrial Par
Notes:		1.Convent	4.Seller		20,GOLF COURSE HO			+	f a	33.Pasture/Hav fi
		2.rnwvvA 3.Assumed	5.Private 6.Cash	o. 9 Hoknown				+	P 3	34.Gravel Plt
			- Company		Fract, Acre		Acresno/Sitos	<u> </u>	2	35,Tillable
		Validity	4 Split/Assemblage	lage	21.Homesite (Frac		ACIESHE/ OIC	a	8	-36.Pasture
		1.Valid	4.Split	7.Changes	22.Baselot (Fract			1	%	37.Softwood
		2.Related	5.Partial	8.Other	23.Coml Lot1(Frac			-	8	38.Mixed Wood
		3.Distress	6.Exempt	.6	Acres				*	39.Hardwood
		Verified	1 Buyer	•	24.Homesite				%	40.waste 1
		1.Buyer	4.Agent	7.Family	25.Baselot				%	41. Laybon per act
		2.Seller	5.Pub Rec	8.0ther	26.Second Acre 1			_	*	43 Condo Siba
		3.Lender	6.MLS	σń	28.Rear Land 1					44.Lot Improvemen
Hermon	_			_	29.Rear Land 2	_	iotal Acreage	0.00		45.Shorefrontage
										46.Crop Land

	IVE Card 1 Of 1 1/08/2025	14.0'				FLEETWOOD MH							10 25												The state of the s	では、いというのでは、		一人 一人 一人 一人 一人 一人 一人 一人 一人 一人 一人 一人 一人 一											2000年一を必要を	The state of the s						大人人が作りなる (大人) (大人) (大人) (大人) (大人) (大人) (大人) (大人)
Hermon	2041 PARK DRIVE	7.	có	oi.		, có				9.None			de 7.		Н	0.76	5 W					7.A-frame		D 9.None		wer 6.View		at 9.None			.6		. e. e.	1.One Story Fram	2.Two Story Fram	3.Three Story Fr	4.1 & 1/2 Story	5.1 & 3/4 Story	Alme 7/7 w	22.Frame Shed	23.1 SF Garage	24.1 25 SF Garage	25.1 5 SF Garage	20.1 /2 SF Garage		=
	Location	Layout 1.Tvoical 4.	2.Inadeq 5.	된	Attic			noi		2.Heavy 5. 3.Capped 6.	Unfinished %	Grade & Factor	1.E Grade 4.B Grade 2.D Grade 5.A Grade	3.C Grade 6.AA Grade	SQFT (Footprint)	Condition	L.Poor 4.Avg	-	Poog &	Funct. % Good	Functional Code	1.Incomp 4.Delap	2.0-Built 5.Bsmt	3.Fire 6.Struct D	Fronti Code	0.None 3.No Power	1.Location 4.Generate	2.Encroach 5.Antiquat	Tabariar A Manage	2.Refusal S.Estimate	Informed 6.	Information Code 0	1.Owner 4.Agent 2.Relative 5.Estimate 3.Tenant 6.Other	1.0	Sound Value 2.1	Т	1			R	33	24	25.	20.	\$	23.
	nt 1511				9.No Heat	11.		0.50	7.	lone		7.	audi		7.		9,NONE																		Phys. Funct.	1.7		%							% %	% %
	Account	ding	ACE		5.FWA	7.Electric	8.Fl/Wall		4.W&C Air	5.Air Exch 6.		4.Obsolete	ഗ്യ		4.0bsolete	ហំ	o i			s	TILES	S						-					5/25/2011	Additions, Outhuildings & Improvements	Grade Cond	4	-	+	†	+						
		SF Bsmt Living Fin Bsmt Grade	_	Heat Type	1.HWBB	3.H Pump	4 Steam	Cool Type	1.Refrig	2.Evapor 3.H Pump	Kitchen Style	1.Modern	2.Typical 3.Old Type	Bath(s) Style		2.Typical	# Booms	# Bedrooms	# Full Baths	# Half Baths	# Addn Fixtures	# Fireplaces			T T			_	T				Date Inspected	uthuilding	Units	+	- 1		1	1	+				1	
	035-026-019T	9.Other	10.Comp. C	11.Test	12.			7,133	8.1.25	oi.	9.0ther	10.	11.		7.RS Metal	ထံ (	, i						7.Fm/Conc	8. O Mone	2.NORE	7.	œί	9.None		7.	œ i	5	Date I	itions. Or	Year		-	1	1	1						
	ᇷ	5.Colon/Ga	6.Split	7.Contemp	8.109			4.1.5	5.1.75	6.2.5	5.Stucco	6.Brick	7.Store			5.Wood	b.Caler				Jed Ped		4.Wood	5.Slab	o.rigo	4.Full Bmt	5.None	9	4		rų,	ö		Addi		Poor	MOOO									
	Map Lot	Building Style 1.Conv.	2.Ranch	3.R Ranch	4.Cape	Other Units	Stories	1.1	2.2	3.3 Exterior Walls	1.Wood	2.Vin/Al	3.Compos.	Roof Surface	1.Asphait	2.Slate	S.Metal b.	incept to		Year Built	Year Remodeled	Foundation	1.Concrete	2.C Block	Rasement	1.1/4 Bmt	2.1/2 Bmt	3.3/4 Bmt	Mark Dronger	1.Dry	2.Damp	3.Wet			Appe	786 Eloohuood	700 LIEEL									

# NOTICE OF HEARING Pursuant to 17 M.R.S.A. §§ 2851-2859 (Dangerous Buildings)

Property Owner
Parties in Interest

You are hereby notified that the Municipal Officers of the TOWN OF HERMON, MAINE will hold a

If the Municipal Officers, following the public hearing, find that one or more buildings or structures on the properties constitutes a "dangerous building," they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Municipal Officers may take the corrective action at municipal expense and recover all expenses, including reasonable attorney's fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the buildings or structures are not dangerous and to oppose any corrective action ordered by the Municipal Officers.

Dated: 12/5/24, Municipal Officers of t	he Town of Hermon, Maine
Alosent Joshua Berry	Richard Cyr
Cl S	Comes Hamm- Monn
Christopher Gray	Terry Hamm-Morris
Box Murphy	Calm Born
Ronald Murphy	John Sayer III, Council Chair
Jule Troo	
Derek Wood	

TO:

# STATE OF MAINE PENOBSCOT COUNTY, ss.

Date: 12/5 ... 2024

Then personally appeared the above-named Joshua Berry, Richard Cyr, Christoper Gray, Terry Hamm-Morris, Ronald Murphy, John Snyer III, and Derek Wood, and acknowledged the foregoing instrument to be their free act and deed in their said capacities.

Before me,

Notary Public Attorney at Law 1

**KEELY HOPE WARE GONYEA** 

Notary Public, State of Maine My Commission Explres September 5, 2030

A true copy, attest

Kristen Cushman, Town Clerk

Hermon, Maine

#### NOTICE OF HEARING

Pursuant to 17 M.R.S.A. §§ 2851-2859 (Dangerous Buildings)

TO: Machias Savings Bank P.O. Box 318 Machias, Maine 04654

## Building at 2041 Park Drive, Hermon, Maine

You are hereby notified that the HERMON TOWN COUNCIL will hold a hearing at THE HERMON, TOWN OFFICE, 333 BILLINGS ROAD, HERMON, MAINE 04401 on AT 10.30 P.M, to determine whether the residential building located on land owned by HERMON MHP, LLC, as shown on MAP 35, LOT 26-019T of the current Tax Maps of Hermon, Maine, described in BOOK 13363, PAGE 1 at the Penobscot County Registry of Deeds, is a nuisance or dangerous within the meaning of 17 M.R.S. § 2851.

You are an interested party in this hearing by virtue of: (i) Mortgage dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in **Book 13363**, **Page 7**; (2) Assignment of Leases and Rents dated October 9, 2013, and recorded at the Penobscot County Registry of Deeds in **Book 13363**, **Page 22**; and (iii) UCC Financing Statement recorded October 11, 2013, at the Penobscot County Registry of Deeds in **Book 13363**, **Page 38**; UCC Continuation recorded September 19, 2018, at the Penobscot County Registry of Deeds in **Book 14943**, **Page 318**; and UCC Continuation recorded November 8, 2023, at the Penobscot County Registry of Deeds in **Book 16996**, **Page 17**.

If the Council, following the public hearing, find that one or more buildings or structures on the properties constitutes a "dangerous building," they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Council may take the corrective action at municipal expense and recover all expenses, including reasonable attorney's fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the building(s) or structure(s) are not dangerous and to oppose any corrective action ordered by the Hermon Town Council.

of <u>December</u> , 2024.	ve hereunto set their hands and seals this <u>5</u>
Joshua Berry  Christopher Gray  Christopher Gray  Ronald Murphy  Powel  Derek Wood	Richard Cyr  Terry Hamm-Morris  John Snyer III, Council Chair
STATE OF MAINE COUNTY OF PENOBSCOT	

Then personally appeared the above-named Joshua Berry, Richard Cyr, Christoper Gray, Terry Hamm-Morris, Ronald Murphy, John Snyer III, and Derek Wood, and acknowledged the foregoing instrument to be their free act and deed in their said capacities.

Printed Name:

Printed Name:
Commission Expires: KEELY HOPE WARE GONYEA
Notary Public, State of Maine
My Commission Expires September 5, 2030

Before me,

#### NOTICE OF HEARING

Pursuant to 17 M.R.S.A. §§ 2851-2859 (Dangerous Buildings)

TO: Hermon MHP, LLC
C/O Michael & Johnathan Behling
12630 Huston Street
Valley Village, CA 91607

Building at 2041 Park Drive, Hermon, Maine You are hereby notified that the HERMON TOWN COUNCIL will hold a hearing at THE HERMON TOWN OFFICE, 333 BILLINGS ROAD, HERMON, MAINE 04401 on AT 6.30 P.M, to determine whether the residential building located on land owned by Hermon MHP, LLC, as shown on MAP 35, LOT 26-019T of the current Tax Maps of Hermon, Maine, described in BOOK 13363, PAGE 1 at the Penobscot County Registry of Deeds, is a nuisance or dangerous within the meaning of 17 M.R.S. § 2851. If the Council, following the public hearing, find that one or more buildings or structures on the properties constitutes a "dangerous building," they may order appropriate corrective action, including but not limited to demolition and removal of the buildings or structures. If the order is not complied with by the deadline stated in the order and no appeal is taken, the Council may take the corrective action at municipal expense and recover all expenses, including reasonable attorney's fees, by means of a special tax or civil action. This hearing is your opportunity to present evidence as to why the building(s) or structure(s) are not dangerous and to oppose any corrective action ordered by the Hermon Town Council. IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals this 5 day of December, 2024. Joshua Berry Richard Cyr Terry-Hamm-Morris Ronald Murphy John Snyer III, Council Chair

Derek Wood

# STATE OF MAINE **COUNTY OF PENOBSCOT**

Then personally appeared the above-named Joshua Berry, Richard Cyr, Christoper Gray, Terry Hamm-Morris, Ronald Murphy, John Snyer III, and Derek Wood, and acknowledged the foregoing instrument to be their free act and deed in their said capacities.

Before me,

Printed Name:

Commission Expires:

KEELY HOPE WARE GONYEA

Notary Public, State of Maine
My Commission Expires September 5, 2030



# FR24-25-12

Be it resolved by the Hermon Town Council in Town Council assembled to authorize the Treasurer or his/her designee, to abate the following Personal Property Taxes because they have been deemed uncollectible.

ccount #	Name		Amount	
(2015)		Adam's Automotive LLC		184.80
• •		Adam's Automotive LLC		184.80
` ,				187.88
` /				178.64
` ,		Advanced Development		464.00
31 (2018)		The William 1994 - 1		258.68
5 (2013)		14-00		128.63
5 (2014)		TH 1/4 - UDX (C)-S-		130.80
5 (2015)		40000 ACCOMMUNICATION	\$	130.80
5 (2016)		AVG Acquisition Inc	\$	130.80
5 (2017)		7.5. 407	\$	164.70
5 (2018)		AVG Acquisition Inc	\$	155.44
08 (2015)		Clear Wireless LLC	\$	30.00
08 (2016)		Clear Wireless LLC	\$	30.00
08 (2017)		Clear Wireless LLC	\$	30.50
08 (2018)		Clear Wireless LLC	\$	29.00
3 (2014)		Coastal Med Tech	\$	1,320.00
3 (2015)		Coastal Med Tech	\$	1,200.00
3 (2016)		Coastal Med Tech	\$	1,200.00
3 (2017)		Coastal Med Tech	\$	1,434.72
3 (2018)		Coastal Med Tech	\$	1,350.24
14 (2017)		Dorr, Alan Inc	\$	2,357.04
` /		Dorr, Alan Inc	\$	2,352.48
15 (2016)		Douglass Photography	\$	56.40
15 (2017)		Douglass Photography	\$	78.08
,		Douglass Photography	\$	91.64
30 (2015)		John Deer Financial	\$	732.00
	(2018) (2018) (2013) (2014) (5) (2015) (5) (2016) (5) (2016) (6) (2017) (8) (2018) (2018) (3) (2014) (3) (2014) (3) (2014) (3) (2015) (3) (2016) (3) (2017) (4) (2018) (4) (2018) (4) (2017) (4) (2018) (5) (2018) (6) (6) (7) (7) (8) (8) (8) (9) (9) (9) (9) (9) (9) (9) (9) (9) (9	12 (2015) 12 (2016) 13 (2018) 14 (2018) 15 (2018) 15 (2014) 15 (2015) 15 (2016) 15 (2017) 15 (2018) 18 (2015) 18 (2016) 18 (2017) 18 (2018) 19 (2018) 10 (2017) 11 (2018) 12 (2018) 13 (2017) 14 (2018) 15 (2016) 15 (2017) 16 (2018) 17 (2018) 18 (2017) 19 (2018) 19 (2018) 19 (2018) 19 (2018) 19 (2018) 19 (2018) 19 (2018) 19 (2018) 19 (2018) 19 (2018)	Adam's Automotive LLC Adam's Automotive LLC	42 (2015)         Adam's Automotive LLC         \$           42 (2016)         Adam's Automotive LLC         \$           42 (2017)         Adam's Automotive LLC         \$           42 (2018)         Adam's Automotive LLC         \$           49 (2018)         Adam's Automotive LLC         \$           49 (2018)         Adam's Automotive LLC         \$           40 (2018)         Adam's Automotive LLC         \$           40 (2018)         Adam's Automotive LLC         \$           40 (2018)         Adam's Automotive LLC         \$           40 (2018)         Adam's Automotive LLC         \$           40 (2018)         Adam's Automotive LLC         \$           40 (2018)         Adam's Automotive LLC         \$           40 (2018)         Adam's Automotive LLC         \$           40 (2014)         Adam's Automotive LLC         \$           40 (2015)         Adam's Automotive LLC         \$           40 (2016)         AVG Acquisition Inc         \$           41 (2016)         AVG Acquisition Inc         \$           42 (2016)         AVG Acquisition Inc         \$           43 (2016)         Clear Wireless LLC         \$           44 (2018)         Coastal Med Tech



127	(2017)	Johnson, Heather \$	69.54
127	(2018)	Johnson, Heather \$	64.96
438	(2018)	Leaf Capital Funding, LLC \$	924.52
143	(2015)	Sitewerx Inc \$	1,346.40
143	(2016)	Sitewerx Inc \$	979.20
682	(2013)	Thayers Automotive \$	414.47
682	(2014)	Thayers Automotive \$	417.60
682	(2015)	Thayers Automotive \$	417.60
682	(2016)	Thayers Automotive \$	417.60
682	(2017)	Thayers Automotive \$	455.06
682	(2018)	Thayers Automotive \$	540.56
		\$.	20,639.58

**SIGNED** this January 16, 2024 by the Hermon Town Council:

John Snyer III, Chair	Ronald Murphy	, Vice Chair	
Joshua Berry	Richard Cyr		
Christopher Gray	Terry Hamm-M	Iorris	
-	Derek Wood		
Attest Original:			
Motion	Yeas	1, 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	13
Second	Nays_ '	Date	15



## FR24-25-13

# **Hermon Elderly Project**

Be it resolved by the Hermon Town Council in town council assembled that the request from the	he
owner of the Hermon Elderly Project so-called Boulier Apartments for an agreement for	
payment by a non-profit corporation in lieu of taxes (PILOT) on exempt property be authorized	d
for a period of five years effective 4-1-2023 through March 31, 2027 and the amount of the	
annual payment be \$11,000.	

Be it further resolved that the request be granted only if the Assessor, Rylee Cushman, determines that the owner and property qualify for such exemption pursuant to Title 36, M.R.S.A. Section 652.

John Snyer III, Chair

Ronald Murphy, Vice Chair

Joshua Berry

Richard Cyr

Christopher Gray

Terry Hamm-Morris

Derek Wood

Attest Original:

Date

Yeas

Nays

Motion

Second



# FR24-25-14

Be it resolved by the Hermon Town Council in town council assembled the Town Manager or his Designee be authorized to accept a donation in the amount of \$15,000.00 from Danforth family for the High School Athletic Complex. Funds are to be deposited in the new Track Donation Revenue account, R37-134.

John Snyer III, Chair	Ronald Murphy, Vice Chair
Joshua Berry	Richard Cyr
Christopher Gray	Terry Hamm-Morris
	Derek Wood
ginal:	



# R24-25-19

WHEREAS, the Town of Hermon is committed to adhering to all applicable state laws governing municipal operations, including property taxation, revenue collection, and fiscal management; and

WHEREAS, Title 36 of the Maine Revised Statutes establishes the legal framework for the administration of property tax laws, including assessment, collection, abatements, and related procedures; and

WHEREAS, compliance with Title 36 ensures equitable treatment of taxpayers, promotes proper fiscal management, and upholds the Town's legal obligations under Maine state law;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of Hermon, that:

- 1. The Town of Hermon reaffirms its commitment to full compliance with Title 36 of the Maine Revised Statutes.
- 2. Municipal officers, employees, and agents involved in property tax administration and related activities shall ensure their actions align with the requirements of Title 36.
- 3. The Town Manager or their designee is directed to review municipal practices periodically to maintain compliance and recommend any necessary updates to the Town Council.

**BE IT FURTHER RESOLVED**, that this resolve shall take effect immediately upon adoption by the Town Council.

John Snyer III, Ch	air	Ronald Murphy, Vice Chair
Joshua Berry		Richard Cyr
Christopher Gray		Terry Hamm-Morris
		Derek Wood
inal:		
tion	Yeas	
ond	Nays	Date



# R24-25-20

WHEREAS, beginning in 2009, Neighbors Supporting Neighbors Community Food Pantry ("Pantry") approached the Hermon Town Council regarding locating the Pantry on a Town-owned lot located off Billings Road identified on Hermon Map 42 Lot 73 ("Billings Road Lot"); and

WHEREAS, on March 13, 2014, the Town Council signed Resolve R13-14-93 authorizing the preparation of, for future Town Council approval, a lease agreement between the Town and the Pantry for the Billings Road Lot subject to certain conditions specified in Resolve R13-14-93; and

WHEREAS, after the entry of Resolve R13-14-93, the Town Council did not enter into a lease agreement with the Pantry for the Billings Road Lot; and

WHEREASE, after conducting due diligence regarding the history of discussions between the Town Council and the Pantry and having concluded there is no definitive agreement obligating the Town to allow the Pantry to use the Billings Road Lot; and

WHEREAS, the Pantry has recently approached the Town Council requesting the Town Council consider entering into a lease agreement or otherwise allowing the Pantry to use the Billings Road Lot; and

WHEREAS, after careful consideration of the Pantry's most recent request to allow it to use the Billings Road Lot through a lease agreement or other mechanism;

Be it resolved by the Hermon Town Council in Town Council assembled that the request from the Neighbors Supporting Neighbors Community Food Pantry

to build a food pantry on property owned by the Town and located off Billings Road identified on Hermon Map 42 Lot 73 is denied.

John Snyer III	Ronald Murphy	
Joshua Berry	Richard Cyr	
Christopher Gray	Terry Hamm-Morris	
	Derek Wood	
inal:		



# R24-25-21

#### RESERVE POLICY

The Reserve Policy defines and explains usage of the Hermon Reserve Funds. All Funds are to be created and funded in accordance with the Charter of the Town of Hermon.

# 1. DEFINITIONS OF RESERVES

**HERM01** LAW ENFORCEMENT CONTRACT RESERVE

Used for anticipated cost increase for contracting law enforcement services.

**HERM02** ADMINISTRATION RESERVE

The reserve account is designated to fund municipal obligations, including unemployment claims, legal liabilities, public land acquisition, planning and ordinance development, and the accrual of sick leave reserves.

**HERM05** PUBLIC SAFETY & FIRE DEPARTMENT RESERVE

Designated to fund repairs and equipment for the Fire Department, as well as repairs and maintenance of rural fire ponds.

HERM06 PUBLIC WORKS AND ROAD RESERVE

The reserve account is designated to fund public works road and building repairs, equipment purchases, maintenance and operation of the transfer station, and upkeep of the Veteran's Park.

**HERM07** SCHOOL REPAIRS RESERVE

Repairs to schools not covered by regular budget.

**HERM09** PARKS AND RECREATION RESERVE

The reserve account is designated to fund the construction of redreation facilities and other related projects, repair and expansion of cemeteries, and maintenance of Jackson Beach.

# **HERM10** SPECIAL EDUCATION OUT OF DISTRICT PLACEMENT RESERVE

The reserve account is designated to fund the tuition, transportation and legal compliance costs associated with providing specialized education services to students who require placement outside of the district's standard programs.

#### **HERM11** PUBLIC FACILITY RESERVE

The reserve account is designated to fund municipal building repairs, expansion, replacement, and the purchase of software and technology equipment for the Town Office.

# **HERM12** SEWER MAINTENANCE RESERVE

The reserve account is designated to fund the expansion, repair, and maintenance of sewer lines and pump stations, as well as funding solid waste trash services.

#### **HERM21** SCHOOL CAPITAL RESERVE

Major purchases by the school (Information Technology, telephone system), building of schools.

# **HERM24** HHS SCIENCE LAB RESERVE

The reserve account is designated to fund the construction, expansion, repair, replacement, and maintenance of Hermon High School facilities designated for the science curriculum.

HERM27 SCHOOL FUEL RESERVE

**HERM30** ELEMENTARY REC RESERVE

**HERM33** SCHOOL BUS RESERVE

**HERM36** FOOD SERVICE RESERVE

**HERM37** ENROLLMENT RESERVE

# 2. CREDIT RESERVE ACCOUNT

- 2.1 Funding: The Reserve may be funded through two sources:
  - 1. Direct appropriation from the annual municipal budget, not to exceed 5% of the current tax commitment.
  - 2. Appropriation of unrestricted net assets pursuant to the Unrestricted Net Asset Policy.

- 2.2 Expenditures: The following are the only allowed uses of the account, all uses require authorization from a Special or Annual Town Meeting vote:
  - 1. As recommended by the Council with authority through a Special or Annual Town Meeting Vote, or for emergencies that are not covered or sufficiently covered by the operating budget or another reserve account.
  - 2. As recommended by the Council with authority through a Special or Annual Town Meeting Vote, appropriations to prevent the necessity of a Tax Anticipation Note (TAN).
  - 3. As recommended by the Council with authority through a Special or Town Meeting Vote, appropriations or transfers to other reserves.
  - 4. As recommended by the Council with authority through a Special or Annual Town Meeting Vote, appropriations to stabilize the tax rate, not to exceed 10% of the previous year's commitment. The purpose of limiting tax rate stabilization to 10% is to prevent subsidizing one year's tax commitment at the expense of the Credit Reserve balance.

# 3. SCHOOL RESERVES

- 3.1 Shall be funded from the annual operating budget of the school.
- 3.2 The Town through Special or Town Meeting can increase the appropriation to reserves, but this will not be included as part of the school annual operating budget.
- 3.3 The Credit Reserve Account, with recommendation from the Hermon School Committee, can be used for expenses associated with schools with authorization by a Special or Annual Town Meeting Vote.
- 3.4 Carry Forward as defined in Law shall never be included as a portion of the School Reserves or Unrestricted Net Assets.

#### 4. GENERAL PROVISIONS

- 4.1 The Town Council has the authority to recommend the creation any reserve account, in accordance with the Town Charter.
- 4.2 Only Special or Annual Town Meetings may appropriate funds to a reserve.
- 4.3 Per Town Charter the Council must adopt a Capital Improvement Plan annually.
- 4.4 Transfers of funds from one reserve to another reserve must be authorized by a Special or Annual Town Meeting Vote. Elimination of a reserve account, with a zero balance, is at the discretion of the Town Council.
- 4.5 Investment of funds shall be in accordance with an adopted investment policy. Without an adopted policy the Town Council will oversee the investments as conducted by the Town Treasurer and Finance Director.

- 4.6 Annually the Town Council must set guidelines for anticipated expenditures from reserves expected in the next fiscal year, 1 to 3 fiscal years, 3 to 5 fiscal years, and greater than 5 years. This shall be completed as part of the Capital Improvement Plan.
- 4.7 All interest accrued from reserves shall be distributed on a prorated basis amongst the reserves and shall not be used as operating revenues.

SIGNED this January 16, 2024 by th	e Hermon Town Council:
John Snyer III	Ronald Murphy
Joshua Berry	Richard Cyr
Christopher Gray	Terry Hamm-Morris
	Derek Wood

Attest Original:			
Motion	Yeas		
Second	Nays	Date	