



**GARDINER CITY COUNCIL
AGENDA ITEM INFORMATION SHEET**



Meeting Date	07/07/2021	Department	City Clerk
Agenda Item	4.q) This is a First Read and consideration of a license for a marijuana testing facility located at 11 Technology Drive, Gardiner.		
Est. Cost			

Background Information	<p>This is a First Read and consideration of a license for a marijuana testing facility located at 11 Technology Drive, Gardiner. The applicant is MCR Labs ME/ Michael Kahn. The required paperwork is attached to this agenda item.</p>		
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Requested Action	"I move to issue a license for a marijuana testing facility located at 11 Technology Drive, Gardiner to MCR Labs ME/ Michael Kahn."
City Manager and/or Finance Review	
Council Vote/ Action Taken	
Departmental Follow-Up	

City Clerk Use Only	1 st Reading _____	Advertised _____	EFFECTIVE DATE _____
	2 nd Reading _____	Advertised _____ w/in 15 Days	
	Final to Dept _____	Updated Book _____	Online _____

Marijuana Business License Application

- New Application
- Renewal Application
- Existing Facility as of 12/13/20
- Medicinal to Adult Use Conversion

Adult Use Business

- Retail Marijuana Store \$1500
- Cultivation Facility
- Tier 3 2k-7k sq ft of canopy \$2000
- Tier 4 > 7k sq ft of canopy \$2500
- Manufacturing Facility \$2000
- Testing Facility \$500
- Nursery \$1500

Medical Business

- Medical Retail Marijuana/Dispensary \$1000
- Medical Marijuana Cultivation Facility
- Tier 1 30-60 plants \$500
- Tier 2 <2000 sq ft of canopy \$1500
- Tier 3 2k-7k sq ft of canopy \$2000
- Tier 4 > 7k sq ft of canopy \$2500
- Medical Marijuana Manufacturing Facility \$2000
- Medical Marijuana Testing Facility \$500

Applicant Information

Name Michael Kahn
Address 50 Radcliffe Rd. Weston, MA 02493
Phone (617) 750-6666
Email mikahn@mcrlabs.com

Do you own any other marijuana businesses? Yes

If yes, Please list and describe: MCR Labs MA, MCR Labs PA
Allied Hemp Labs

Do you currently hold any marijuana licenses or conditional marijuana licenses? We have been granted a conditional license w/ the OMP

Are you licensed caregiver? No

Property Information

Physical address of proposed marijuana business 11 Technology Dr
Map 007 Lot 018-A-013 Zone PIC
Property owner's Name and address Tom Moody
Property owner's phone (207) 215 - 9935
Property owner's email tpmdy72@gmail.com

Business Information

Type of marijuana business Testing Facility
Name of Business MCR Labs ME
Number of employees 3 (will grow to 10+)
Hours of operation 7:30 AM - 6:30 PM
Brief description of the business We work with Registered Marijuana dispensaries, patients, doctors, & caregivers to ensure the safety of their products and assist with regulatory compliance measures set by the state governing body.
Square feet of retail space N/A
Square feet of indoor plant canopy N/A
Square feet of outdoor plant canopy N/A
Square feet of manufacturing space N/A
Describe any security protocols We will be in full compliance with all security, alarm & video surveillance requirements

extraction will be performed, please describe the process to be used and the machines/chemicals

Involved N/A

Are there any Hazardous processes or chemicals to be used at the business, if so please describe _____

Hazardous chemicals include organic solvents & strong acid for analytical testing.

Describe any fire protection/suppression equipment N/A

Do you own or have financial interest in any other marijuana businesses in any state MCR Labs

has locations in MA and PA

If manufacturing, please describe the processes as well as the products that will be manufactured N/A

We contact a third party hazardous materials waste management company for safe handling.

M. Keh
Signature

03 JUN 2021
Date

For Municipal Use Only

Approvals

Code Enforcement [Signature] Date 6-24-21

Economic Development [Signature] Date 6-25-21

City Manager [Signature] Date 6/25/2021

Ordiner Fire Department [Signature] Date 6-24-21

Ordiner Police Department [Signature] Date 6/28/21

Public Works [Signature] Date 6-24-21

City Council Approval Date: _____

PO 6/24/21

MCR LABS MAINE LLC
85 SPEEN ST
FRAMINGHAM, MA 01701

DATE 6/24/21 53-139/113

TO THE ORDER OF City of Gardiner
Five hundred dollars \$ 500.⁰⁰
DOLLARS

Century Bank
Medford, Massachusetts 02155

APPROVED BY: *Steph O'Connell*

FOR

1001



OFFICE OF MARIJUANA POLICY

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES

Maine Adult Use Local Authorization Form

This Local Authorization Form must be completed by the host municipality, county commissioners or the Maine Land Use Planning Commission. The authorized local official responsible for completing this Form must forward the Form to the Office of Marijuana Policy at Licensing.OMP@maine.gov or 162 State House Station, Augusta, Maine 04333.

If the authorized local official in receipt of this Form has not recently met with the Office of Marijuana Policy to discuss the local authorization process and OMP's expectations for completion of this Form, please contact Elisa C Ellis, Acting Director of Licensing, at Licensing.OMP@maine.gov or (207) 287-3282 prior to filling it out.

Section 1: License Information. Information to be completed				
Business Legal Name: MCR LABS ME, LLC	Business DBA:	License Number: MTF722		
License Type: MARIJUANA TESTING FACILITY				
Mailing Address: 123 SECOND ST APT 1 HALLOWELL, ME 04347-1339	Facility Phone: +1 (207) 631-7282	Primary Contact Person: STEPHANIE HANSEN		
		Primary Contact Email: shansen@mcrlabs.com		
Section 2: Marijuana Establishment and Local Authorization Information. This section to be completed by the Municipality, County Commissioners, or Maine Land Use Planning Commission in receipt of request for Local Authorization.				
Physical Location of Establishment (include unit number)	Municipality/Town/Plantation/Township	County	State	ZIP
Tax Map #:	Tax Lot #:			
Owner of Record of the Physical Location Listed Above:				
Date Local Authorization Form Presented to the Municipality, County Commissioners, or Maine Land Use Planning Commission:		Date Local Authorization Form Approved by Municipality, County Commissioners, or Maine Land Use Planning Commission:		
If you are requesting Local Authorization from a <i>municipality</i> , complete Section 3.				
If you are requesting Local Authorization from a <i>town, plantation or township in the unorganized and deorganized areas</i> through the county commissioners or the Maine Land Use Planning Commission, complete Section 4.				
Section 3: Local Authorization of Marijuana Establishments within Municipalities. This section to be completed by the Municipality in receipt of request for Local Authorization.				
Section 3(a): Request for local authorization to operate marijuana establishment in municipality prohibited unless authorized by municipal ordinance or warrant article. A person seeking to operate a marijuana establishment within a municipality may not request local authorization to operate the marijuana establishment and a municipality may not accept as complete the person's request for local authorization unless the following questions are answered in the affirmative.				
1. Has the legislative body of the municipality voted to adopt a new ordinance, amend an existing ordinance or approve a warrant article allowing some or all types of marijuana establishments within the municipality, including the type of marijuana establishment the person seeks to operate as indicated in the "License Type" box of Section 1 of this form?				

1. Has the town, plantation or, in the case of a township, the county commissioners of the county in which the township is located, certified to the Maine Land Use Planning Commission that the person has obtained all applicable local approvals, permits or licenses **not** relating to land use planning and development?
 Yes No Not applicable
2. Is a copy of the certification including a list of all applicable approvals, permits, or licenses **not** relating to land use planning and development with the issuance and expiration dates attached or included with the submission of this form?
 Yes No Not applicable
3. Has the person obtained all applicable Maine Land Use Planning Commission approvals, permits, or licenses that are required for the operation of this type of adult use marijuana establishment? By selecting "yes" below, the Maine Land Use Planning Commission is affirming that all Maine Land Use Planning Commission approvals, permits, or licenses have been approved, granted, or issued and no further action by the Maine Land Use Planning Commission is required prior to the Office of Marijuana Policy's issuance of an active license. The Office of Marijuana Policy encourages the Maine Land Use Planning Commission to coordinate the issuance date of a local license with the Office when appropriate.
 Yes No Not applicable
4. Is a list and copy of all applicable Maine Land Use Planning Commission approvals, permits, or licenses with the issuance and expiration dates attached or included with the submission of this form? The Office of Marijuana Policy encourages Maine Land Use Planning Commission to coordinate the issuance date of a local license with the Office when appropriate.
 Yes No Not applicable

Statutory Guidance for Municipalities/County Commissioners/Maine Land Use Planning Commission

Pursuant to 28-B M.R.S. §§ 402-403, failure to act on a person's request for local authorization to operate a marijuana establishment in a municipality, town, plantation, or township in an unorganized and deorganized area does not satisfy the local authorization requirement.

Typically, a request for local authorization should be approved or denied within 90 days. For additional information regarding failure to act on a person's request for local authorization and result appeal rights, see 28-B M.R.S. §§402-403.

Pursuant to 28-B M.R.S. §406, any changes in the status of local authorization require notification to the Office of Marijuana Policy within 14 days of the date on which the change occurs, including without limitation, withdrawing authorization or suspending or revoking a local license for the operation of a marijuana establishment.

The completed Maine Adult Use Local Authorization Form can be emailed to the Office of Marijuana Policy at Licensing.OMP@maine.gov or sent to Office of Marijuana Policy, 162 State House Station, Augusta, ME 04333-0162.

Municipality/LUPC Representative

Legal Name and Title of Municipality/County Commissioners/LUPC Representative:	City:	County:
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I hereby affirm and acknowledge that the information above is truthful and complete to the best of my knowledge.

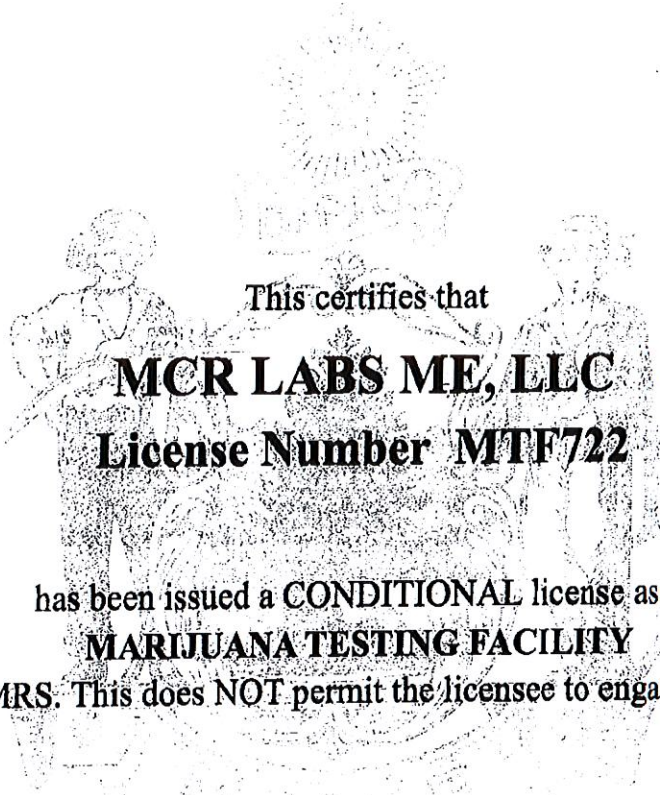
Signature of Municipality/County Commissioners/LUPC Representative (Do not sign until witnessed by notary):	Date:
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Notarization

The foregoing instrument was acknowledged before me this _____ day of _____, 20__, at _____, Maine, by _____ to be his/her free act and deed.

Name of Notary Public (Printed):	Signature of Notary Public:
Notary Public, State of Maine	STAMP/SEAL
My commission expires:	

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
OFFICE OF MARIJUANA POLICY
MAINE ADULT USE MARIJUANA PROGRAM



This certifies that

MCR LABS ME, LLC
License Number MTF722

has been issued a **CONDITIONAL** license as a
MARIJUANA TESTING FACILITY
under 28-B MRS. This does **NOT** permit the licensee to engage in any activity.

NOTE: THIS IS NOT AN ACTIVE LICENSE

Issued on:
June 23, 2021

A handwritten signature in black ink, appearing to read 'Erik Gundersen', is written over a horizontal line.

Erik Gundersen, Director
OFFICE OF MARIJUANA POLICY
MAINE ADULT USE MARIJUANA
PROGRAM

Expires on:
June 22, 2022

To make a complaint about this licensed Adult Use Marijuana Establishment:
Email: Licensing.OMP@maine.gov

The Conditional License for MTF722 has been issued based on the following organizational structure:

Principals:

MICHAEL KAHN, DIRECTOR

Owners:

100.00% - IRON CAN LLC

NOTICE: This conditional license was issued based upon the information indicated above and submitted on application forms provided by the conditional licensee. The conditional licensee acknowledged and affirmed that the foregoing information was truthful and complete in the presence of a notary. Any changes to the information indicated above must be timely reported to the Office of Marijuana Policy and may affect the conditional licensee's licensure status. A conditional licensee will be required, at a minimum, to obtain a new local authorization based upon any changes to the entity ownership structure listed above.



OFFICE OF MARIJUANA POLICY
Maine Adult Use Marijuana Program

Individual ID Card

ID #: [REDACTED]

STEPHANIE RITA HANSEN

DOB: [REDACTED]

Date Issued: 02/18/2021

Expiration Date: 02/17/2022





May 10, 2021

MCR Labs Maine, LLC,
Michael Kahn Manager
85 Speen St. Framingham, MA 01701

Dear Mr. Kahn,

On behalf of the City of Gardiner, we would like to congratulate you on your February 9, 2021 Planning Board approval Change of use at 11 Technology Drive, Gardiner, ME to a Marijuana Testing Facility in the Libby Hill Business Park with three conditions: 1. There needs to be a screened dumpster. 2. They will need a lighting plan that will comply with state and city standards. 3. Any planting or landscaping will only utilize native plants.

Please let me know if there is anything you need from either City staff or me.

Again, thank you for choosing Gardiner.

Sincerely,


Debby Willis, Planning Board Chair

c:Tracey K. Desjardins
Director of Economic Development/Planning
Kris McNeill, CEO

State of Maine



Department of the Secretary of State

I, the Secretary of State of Maine, certify that according to the provisions of the Constitution and Laws of the State of Maine, the Department of the Secretary of State is the legal custodian of the Great Seal of the State of Maine which is hereunto affixed and of the reports of formation, amendment and cancellation of articles of organization of limited liability companies and annual reports filed by the same.

I further certify that MCR LABS ME, LLC is a duly formed limited liability company under the laws of the State of Maine and that the date of formation is June 11, 2021.

I further certify that said limited liability company has filed annual reports due to this Department, and that no action is now pending by or on behalf of the State of Maine to forfeit the articles of organization and that according to the records in the Department of the Secretary of State, said limited liability company is a legally existing limited liability company in good standing under the laws of the State of Maine at the present time.

In testimony whereof, I have caused the Great Seal of the State of Maine to be hereunto affixed. Given under my hand at Augusta, Maine, this fourteenth day of June 2021.



Shenna Bellows

Shenna Bellows

Secretary of State



GARDINER POLICE DEPARTMENT



Chief James M. Toman

CEO Kris McNeill
Gardiner Planning Board
Office of Economic and Community Development

Ms. Stephanie Hansen, GM
MCR Labs Maine
11 Technology Drive
Gardiner, Maine 04345

Per review criteria 6.5.1.13- Based upon information provided by Ms. Hansen, this business that wishes to be at 11 Technology Drive, Gardiner, appears to have appropriate operational and safety and security measures in place to operate in the City of Gardiner. Based upon the proposed location, it is my belief that the Gardiner Police Department will have the ability to respond promptly, safely and effectively to any emergency or criminal activity that may occur at the above mentioned business location. This business, as with any type of business, may result in some calls for police services, however, it is not anticipated that these calls will have an impact on the overall services that the Gardiner Police Department delivers. For the benefit and safety of all, it is imperative that the appropriate standards and requirements that are established by the State of Maine and by the City of Gardiner to operate this type of business are always, strictly followed by the business owner.

Sincerely,

Chief James M. Toman
Gardiner Police Department
City of Gardiner



Office of Code Enforcement

6 Church Street
Gardiner, Maine 04345

Phone: 207 582-6892
Fax: 207 582-6895

MCR Labs
11 Technology Drive
Gardiner Maine, 04345

June 24, 2021

Based on the information you provided for the marijuana testing facility located at 11 Technology Drive, the Code Enforcement Department does not anticipate any safety concerns or negative impacts, and is therefore ok with the license being issued. If any information you provided were to change, I would ask that you inform us of those changes.

Thank You,

A handwritten signature in black ink, appearing to read "Kris McNeill", written over a white background.

Kris McNeill
Code Enforcement Officer
City of Gardiner Maine



April 27th, 2021

Stephanie Hansen
11 Technology Drive
Gardiner Maine, 04345

Dear Stephanie,

Based on the information you provided for your medical marijuana testing facility located at 11 Technology Drive, the Public Works Department does not anticipate any safety concerns. If any information you provided were to change, I would ask that you inform us of those changes.

Thank You,

A handwritten signature in cursive script that reads "Jerry Douglass".

Jerry Douglass
Public Works Director
Phone: 582-4408

Department of Public Works
6 Church Street | Gardiner, ME 04345
207-582-4800 | 207-582-6895 (fax) | jdouglass@gardinermaine.com
www.GardinerMaine.com



CITY OF GARDINER FIRE & RESCUE DEPARTMENT



Chief Richard Sieberg

April 29, 2021

Dear Stephanie Hansen,

I have received your application to establish a business at 11 Technology Drive in Gardiner under the name MCR Labs Maine. Upon careful review of your proposal and discussion with the City's Code Enforcement officer I feel comfortable that your business would not create a significant impact on the Fire Department.

As always we look forward to working with all of the businesses in the City. Please feel free to reach out to the Fire Department if you have questions or concerns.

Sincerely,

Richard Sieberg
Gardiner Fire Department
Fire Chief



May 10, 2021

Planning Board
City of Gardiner
6 Church Street
Gardiner, ME 04345

RE: MCR Lab Testing

Based on the information provided for the medical marijuana testing facility located at 11 Technology Drive, this project will not create any additional usage of the Wastewater Treatment Facility.

Best regards,

Douglas E. Clark
Wastewater Director
City of Gardiner, Maine



GARDINER WATER DISTRICT

P.O. Box 536 • Gardiner, Maine 04345 • (207) 582-5500 • Fax (207) 582-3093

April 27, 2021

MCR Labs
11 Technology Dr.
Gardiner Me. 04345
Attn: Stephanie Hansen

Dear Ms. Hansen,

In regards to your proposed marijuana testing facility to be located at 11 Technology Drive in Gardiner, the Gardiner Water District has the hydraulic capacity to serve your business. Also, your business will produce no negative impact on the Gardiner Water District.

Sincerely,


Paul Gray Superintendent

Gardiner Water District

Tracey Desjardins

From: Collins, Kristin M. <KCollins@preti.com>
Sent: Tuesday, April 6, 2021 10:13 AM
To: Tracey Desjardins
Cc: Kristopher McNeill; Debby Willis
Subject: RE: Libby Hill Park - Gardiner Maine

That's great news, Tracey. We will need to circle back with our client as I know they have been looking for alternate locations while they waited. We or they will be in touch if they decide to move forward with further permitting.

Thanks so much for your efforts on this. If nothing else I suppose it's good you have cleared this issue up for future businesses.

Kristin M. Collins
Attorney
PretiFlaherty

From: Tracey Desjardins <TDesjardins@gardinermaine.com>
Sent: Tuesday, April 6, 2021 10:05 AM
To: Collins, Kristin M. <KCollins@preti.com>
Cc: Kristopher McNeill <kmcneill@gardinermaine.com>; Debby Willis <debbywillis@roadrunner.com>
Subject: FW: Libby Hill Park - Gardiner Maine

Note: * This email originated from outside of Preti. Please do not click on any links or open attachments unless you can verify the sender and content.*****

Good Morning Kristin – I have received an update from EDA and they agreed there is no formal release that EDA needs to sign. I'm not sure where things stand with your client, but they are good to go if they haven't found another location. (see below)

Thank you

Tracey K. Desjardins
Economic Development Director/Planning
6 Church Street

Gardiner, ME 04345
Office: 207-582-4200 Cell: 207-242-1907 Fax: 207-582-6895
e: tdesjardins@gardinermaine.com
w: www.gardinermaine.com

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From: Anderson, Christopher (Federal) <CAnderson@eda.gov>
Sent: Tuesday, April 6, 2021 9:26 AM
To: Tracey Desjardins <TDesjardins@gardinermaine.com>
Cc: Brigham, Alan (Federal) <ABrigham@eda.gov>; Pottle, Jonathan <JPottle@eatonpeabody.com>; Anne Davis <ADavis@gardinermaine.com>
Subject: RE: Libby Hill Park - Gardiner Maine

Good morning Tracey,

I was able to speak with the Regional Director yesterday, and we are in agreement that if the Useful Life has elapsed and if there is no formal release that EDA needs to sign (e.g., a release of a covenant), then EDA does not need to be involved in your decisions about what businesses may locate in the Libby Hill Business Park.

If you have any questions or want to discuss anything, please give me a call at (202) 875-9201.

Regards,
Chris

From: Tracey Desjardins <TDesjardins@gardinermaine.com>
Sent: Friday, April 2, 2021 9:52 AM
To: Anderson, Christopher (Federal) <CAnderson@eda.gov>
Cc: Brigham, Alan (Federal) <ABrigham@eda.gov>; Pottle, Jonathan <JPottle@eatonpeabody.com>; Anne Davis <ADavis@gardinermaine.com>
Subject: Libby Hill Park - Gardiner Maine
Importance: High

Good Morning Chris – As a follow-up to our conversation yesterday, I had my assistant research through the Kennebec Registry of Deeds to see if there was a document (mortgage, covenant) recorded from the City of Gardiner and EDA for the Phase I of the Libby Hill Business Park as we discussed. My assistant was unable to locate any such document being recorded through their database. I have also copied our City Solicitor to see if he is aware of anything as well.

Please let me know what you were able to find out on your end and/or if you need more information from me.

Thank you for helping us with this matter.

Tracey K. Desjardins
Economic Development Director/Planning
6 Church Street
Gardiner, ME 04345

Office: 207-582-4200 Cell: 207-242-1907 Fax: 207-582-6895

e: tdesjardins@gardinermaine.com

w: www.gardinermaine.com

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CURRENT OWNER		UTILITIES		STRT / ROAD		LOCATION		CURRENT ASSESSMENT	
1	Level	1	All Public	1	Paved	5	Industrial	Code	Assessed
4	Rolling							4010	173,400
								4010	111,400
TPM REALTY LLC								3510	
11 TECHNOLOGY DR								GARDINER, ME	

RECORD OF OWNERSHIP		BK-VOL/PAGE		SALE DATE		Q/U		V/I		SALE PRICE		VC	
13278	277	07-24-2019		Q	I	255,000	00						
11949	0167	03-05-2015		U	I	180,000	1L						
11949	0164	02-02-2015		U	I	0	1L						
10214	0063	09-15-2009		U	V	113,365	1E						
10094	0340	05-27-2009		U	V	0	1E						
TPM REALTY LLC													
DEERFIELD ASSOCIATES LLC													
FINANCE AUTHORITY OF MAINE													
NRT PROPERTIES LLC													
GARDINER BOARD OF TRADE													

EXEMPTIONS		OTHER ASSESSMENTS	
Year	Code	Description	Amount
			284,800
Total			284,800
This signature acknowledges a visit by a Data Collector or Assessor			

CURRENT ASSESSMENT		PREVIOUS ASSESSMENTS (HISTORY)	
Description	Code	Year	Code
INDUSTR.	4010	2020	4010
IND LAND	4010	2019	4010
		2018	4010
		2017	4010
		2016	4010
		2015	4010
		2014	4010
		2013	4010
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CONSTRUCTION DETAIL		Element	Cd	Description
Style:	96	Office/Warehse		
Model	96	Industrial		
Grade	04	Average +10		
Stories:	2			
Occupancy	1.00			
Exterior Wall 1	25	Vinyl Siding		
Exterior Wall 2				
Roof Structure	03	Gable/Hip		
Roof Cover	03	Asph/F Glis/Cmp		
Interior Wall 1	04	Plywood Panel		
Interior Wall 2				
Interior Floor 1	03	Concrete		182,249
Interior Floor 2	02	Minimum/Plywood		
Heating Fuel	04	Electric		
Heating Type	07	Radiant-Elec.		
AC Type	01	None		
Bldg Use	4010	IND WHSES		
Total Rooms	4			
Total Bedrms				
Total Baths	2			
Heat/AC	02	Heat/Ac Split		
Frame Type	02	Wood		
Baths/Plumbing	02	Average		
Ceiling/Wall	06	Ceil and Walls		
Rooms/Prtns	02	Average		
Wall Height	12.00			
% Conn Wall				
1st Floor Use:				



CONSTRUCTION DETAIL (CONTINUED)		Element	Cd	Description
MIXED USE				
Code	4010	IND WHSES		Percentage
				100
				0
				0
COST / MARKET VALUATION				
RCN				182,249
Year Built				2010
Effective Year Built				2008
Depreciation Code				A
Remodel Rating				0
Year Remodeled				5
Depreciation %				0
Functional Obso				5
External Obso				1
Trend Factor				1
Condition %				95
Condition %				173,100
RCNLD				
Dep % Ovr				
Dep Ovr Comment				
Misc Imp Ovr				
Misc Imp Ovr Comment				
Cost to Cure Ovr				
Cost to Cure Ovr Comment				

OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)		L/B	Units	Unit Price	Yr Bld	Cond.	Cd	% Good	Grade	Grade Adj	Appr. Value
SPR3	DRY	B	100	2.70	2008			95		0.00	300
BUILDING SUB-AREA SUMMARY SECTION											
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprc Value					
BAS	First Floor	1,728	1,728	1,728	52.73	91,124					
FUS	Upper Story, Finished	1,728	1,728	1,728	52.73	91,124					
SLB	Slab	0	0	0	0.00	0					
Ttl Gross Liv / Lease Area		3,456	5,184	3,456		182,248					