



**TOWN OF FALMOUTH
ORDER NO 116-2016**

SALE OF REAL ESTATE

WHEREAS, pursuant to Section 204.12 of the Falmouth Charter and Part II, Chapter 16, Section 16-43 of the Code of Ordinances, the Town Council has determined that a certain 2.01 acre of undeveloped land at 55 Hadlock Road, comprising a portion of the Hadlock Community Forest (the “Property”) is surplus property and should be sold; and

WHEREAS, considering the nature of the undeveloped Property and the current real estate market, the Town Council has determined that the aid of a professional real estate agent in securing multiple competitive offers for this particular Property justifies waiver pursuant to Part II, Chapter 16, Section 16-43 of the Code of Ordinances of a separate competitive bidding process for the Property with publication and invitations to bid at least thirty (30) days prior; and

WHEREAS, pursuant to Order 89-2016 dated February 8, 2016, the Town Council voted to authorize the Town Manager to dispose of the Property through a real estate agent; and

WHEREAS, the Town Manager received two competitive offers from potential buyers and shared the offers with the Town Council; and

WHEREAS, the Town Manager has recommended that the Town Council approve the sale of the Property in accordance with the “Purchase and Sale Agreement – Land Only” by and between the Town and EC Builders, LLC, a Maine limited liability company (“Buyer”) effective as of March 17, 2016 (together with any exhibits, amendments or addendums thereto, the “Purchase and Sale Agreement”); and

WHEREAS, the Town Council has reviewed the terms of the Purchase and Sale Agreement and has determined that it is in the best interests of the Town to sell the Property in accordance therewith;

NOW THEREFORE, BE IT HEREBY ORDERED THIS 11th DAY OF APRIL, 2016, BY THE FALMOUTH TOWN COUNCIL, FALMOUTH MAINE, IN TOWN COUNCIL ASSEMBLED:

THAT the Town approves of the sale of the Property in accordance with the terms and conditions of the Purchase and Sale Agreement and authorizes the Town Manager to execute and deliver a Municipal Quitclaim Deed in substantially the form presented to this meeting on behalf of the Town of Falmouth sufficient to convey the Property to the Buyer, and to execute and deliver such other documents as may be reasonably necessary to accomplish the transfer of the Property.

Attest: _____

**Ellen Planer
Town Clerk**