



TOWN OF FALMOUTH

ORDER NO 134-2016

**AUTHORIZE THE TOWN MANAGER TO EXECUTE AN AMENDED
AND RESTATED DEVELOPMENT AGREEMENT**

**BE IT HEREBY ORDERED THIS 9th DAY OF MAY, 2016, BY THE
FALMOUTH TOWN COUNCIL, FALMOUTH MAINE, IN TOWN
COUNCIL ASSEMBLED:**

Pursuant to Section 102 of the Council-Manager Charter of the Town of Falmouth, the Town Council hereby orders and ordains that the interests of the Town require certain amendments to the Development Agreement, dated December 2, 2015 between the Town and Ocean View Retirement Community Limited Partnership ("Ocean View") relating to redevelopment of, and construction of an addition to, the former Plummer School for affordable senior housing, the donation of trail easements to the Town for public access over walking trails, a proposed land exchange, and landscaping/hardscaping improvements to the Village Green and general area, and easements and improvements over the Town owned Mason Motz lot, all as described in a proposed Amended and Restated Development Agreement between the Town of Falmouth and the Ocean View, and that the Town Manager is authorized on behalf of the Town to: (a) execute and deliver the Amended and Restated Development Agreement between the Town and Ocean View; (b) execute and deliver a deed to Ocean View to a strip of land adjoining the Plummer School property (as described in Exhibit B-1 to the Amended and Restated Development Agreement); (c) accept a deed from Ocean View to a parcel of land (as described in Exhibit B-2 to the Amended and Restated Development Agreement); (d) accept an easement deed from Ocean View (as described in Exhibit B-3 to the Amended and Restated Development Agreement) and (e) execute and deliver an Easement and Agreement with Ocean View (as described in Exhibit B-4 to the Amended and Restated Development Agreement), all aforementioned instruments being substantially in the form presented to this meeting.

Attest: _____

**Ellen Planer
Town Clerk**