

(Form 1)

PROPOSAL FORM COVER SHEET

SUBMITTED TO: Town of Fairhaven
40 Center Street
Fairhaven, MA 02719

DATE RECEIVED BY TOWN: _____

SUBMITTED BY: Name: Franklin Angevine

Firm: Marathon Development, LLC

Address: 580 Harrison Avenue, Suite 3A

Boston, MA 02118

Telephone: 617-535-3392

Set forth by the Town of Fairhaven, the accompanying proposal is submitted to purchase the Rogers School in the Town of Fairhaven, MA, described therein.

I am fully aware of the requirements established by the Town for selection of a Developer and except these requirements. ***The attached information is complete and accurate.***



Signature

Chief Financial Officer

Title

2022-03-10

Date

(Form 2) BACKGROUND OF PROPOSING ORGANIZATION

Proposed Purchase Price \$ 35,000

- 1. Full Name of Organization: **Marathon Development, LLC**
- 2. Main Office of Organization: **580 Harrison Avenue, Suite 3A,
Boston, MA 02118**
- 3. Local Address of Organization: **Same**
- 4. Telephone Number(s): **+1-617-536-3500**
- 5. The name(s) and address(es) of all persons participating in this application as principals other than the undersigned are:

Harry Angevine

(Use separate sheet of paper and attach if further principals are involved).

- 6. The applicant is a(n):
(Individual/Partnership/Joint/Venture/Corporation/Trust, etc.)

Limited Liability Company

If applicant is a Partnership, state name and residential address of both general and limited partners:

- 7. The Federal Social Security Identification Number of the applicant (the number used on Employers' Quarterly Federal Tax Return, U.S. Treasurer Department Form 941) is: **61-1748438**
- 8. Number of years organization has been in business under current name: **8**
- 9. Has organization ever failed to perform any contract, or been disqualified or barred from bidding or working on public projects?
(If answer is 'yes', please state circumstances).

No

10. Authorization:

Dated at:

This 10th day of March, 2022.

NAME OF ORGANIZATION: Marathon Development LLC

BY: Franklin Angevine

TITLE: CFO

11. Attestation

Franklin Angevine, being duly sworn deposes and says that he/she is the CFO of Marathon Development LLC and that all answers to the foregoing questions and all statements contained herein are true and correct.

Subscribed and sworn before me this 10th day of March, 2022.

Notary Public: Katrina Herold
My Commission expires: 01-01-27


NOTE: This application must bear the written signature of the applicant.

If the applicant is an individual doing business under a name other than his own name, the application must state so, giving the address of the individual.

If the applicant is a partnership, the application must be signed by a partner and designated as such.

If the applicant is a corporation, trust or joint venture, the application must be signed by a duly authorized officer or agent of such corporation, trust or joint venture and contain written evidence of the authority to bind the entity.

Town of Fairhaven
Sale and Development of Former Rogers Elementary School

(Form 3) HAZARDOUS MATERIAL RELEASE

**HAZARDOUS MATERIAL RELEASE
("Hold Harmless" AGREEMENT)**

**RELEASE REGARDING HAZARDOUS MATERIALS
ROGERS SCHOOL
100 PLEASEANT STREET
FAIRHAVEN, MA 02719**

The Town assumes no liability for any release of hazardous materials on this Property. The Proposer has not relied upon any representations by the Town with respect to hazardous materials, except to the extent disclosed herein.

The Proposer agrees to release and hold harmless the Town of Fairhaven from any liability arising out of any hazardous materials that may be present on the Property.

PROPOSER: Franklin Angevine DATE: 2022-03-10
**On behalf of Marathon
Development, LLC**

(Form 4)

CERTIFICATION OF NON-COLLUSION

The undersigned certifies under penalties of perjury that this bid or proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the word "person" shall mean any natural person, business, partnership, corporation, union, committee, club or other organization, entity or group of individuals.



(Signature of individual submitting bid or proposal)

Marathon Development, LLC

(Name of business)

(Form 5)

**DISCLOSURE STATEMENT FOR
TRANSACTION WITH A PUBLIC AGENCY CONCERNING REAL PROPERTY
M.G.L. c. 7C, s. 38 (formerly M.G.L. c. 7, s. 40J)**

INSTRUCTION SHEET

NOTE: The Division of Capital Asset Management and Maintenance (DCAMM) shall have no responsibility for insuring that the Disclosure Statement has been properly completed as required by law. Acceptance by DCAMM of a Disclosure Statement for filing does not constitute DCAMM's approval of this Disclosure Statement or the information contained therein. Please carefully read M.G.L. c. 7C, s. 38 which is reprinted in Section 8 of this Disclosure Statement.

Section (1): Identify the real property, including its street address, and city or town. If there is no street address then identify the property in some other manner such as the nearest cross street and its tax assessors' parcel number.

Section (2): Identify the type of transaction to which this Disclosure Statement pertains --such as a sale, purchase, lease, etc.

Section (3): Insert the exact legal name of the Public Agency participating in this Transaction with the Disclosing Party. The Public Agency may be a Department of the Commonwealth of Massachusetts, or some other public entity. Please do not abbreviate.

Section (4): Insert the exact legal name of the Disclosing Party. Indicate whether the Disclosing Party is an individual, tenants in common, tenants by the entirety, corporation, general partnership, limited partnership, LLC, or other entity. If the Disclosing Party is the trustees of a trust then identify the trustees by name, indicate that they are trustees, and add the name of the trust.

Section (5): Indicate the role of the Disclosing Party in the transaction by checking one of the blanks. If the Disclosing Party's role in the transaction is not covered by one of the listed roles then describe the role in words.

Section (6): List the names and addresses of every legal entity and every natural person that has or will have a direct or indirect beneficial interest in the real property. The only exceptions are those stated in the first paragraph of the statute that is reprinted in Section 8 of this Disclosure Statement. If the Disclosing Party is another public entity such as a city or town, insert "inhabitants of the (name of public entity)." If the Disclosing Party is a non-profit with no individual persons having any beneficial interest then indicate the purpose or type of the non-profit entity. If additional space is needed, please attach a separate sheet and incorporate it by reference into Section 6.

Section (7): Check "NONE" in the box if none of the persons mentioned in Section 6 is employed by DCAMM or an official elected to public office in the Commonwealth of Massachusetts. Otherwise list any parties disclosed in Section 6 that are employees of DCAMM or an official elected to public office.

Section (8): The individual signing this statement on behalf of the Disclosing Party acknowledges that he/she has read the included provisions of Chapter 7C, Section 38 (formerly Chapter 7, Section 40J) of the General Laws of Massachusetts.

Section (9): Make sure that this Disclosure Statement is signed by all required parties. If the Disclosing Party is a corporation, please make sure that this Disclosure Statement is signed by a duly authorized officer of the corporation as required by the statute reprinted in Section 8 of this Disclosure Statement.

DCAMM's acceptance of a statement for filing does not signify any opinion by DCAMM that the statement complies with applicable law.

This completed and signed Disclosure Statement should be mailed or otherwise delivered to:

Deputy Commissioner for Real Estate
Division of Capital Asset Management and Maintenance
One Ashburton Place, 15th Floor, Boston, MA 02108

The undersigned party to a real property transaction with a public agency hereby discloses and certifies, under pains and penalties of perjury, the following information as required by law:

(1) REAL PROPERTY:

Rogers Elementary School, 100 Pleasant Street, Fairhaven, MA 02719

(2) TYPE OF TRANSACTION, AGREEMENT, or DOCUMENT:

Purchase

(3) PUBLIC AGENCY PARTICIPATING in TRANSACTION:

Town of Fairhaven, Massachusetts

(4) DISCLOSING PARTY'S NAME AND TYPE OF ENTITY:

Marathon Development, LLC

(5) ROLE OF DISCLOSING PARTY (Check appropriate role):

____ Lessor/Landlord

____ Lessee/Tenant

Seller/Grantor

____ Buyer/Grantee

____ Other (Please describe): _____

(6) The names and addresses of all persons and individuals who have or will have a direct or indirect beneficial interest in the real property excluding only 1) a stockholder of a corporation the stock of which is listed for sale to the general public with the securities and exchange commission, if such stockholder holds less than ten per cent of the outstanding stock entitled to vote at the annual meeting of such corporation or 2) an owner of a time share that has an interest in a leasehold condominium meeting all of the conditions specified in M.G.L. c. 7C, s. 38, are hereby disclosed as follows (attach additional pages if necessary):

NAME

RESIDENCE

Franklin Angevine

Boston MA

Harry Angevine

Boston MA

(7) None of the above- named persons is an employee of the Division of Capital Asset Management and Maintenance or an official elected to public office in the Commonwealth of Massachusetts, except as listed below (Check "NONE" if NONE):

NONE

NAME:

POSITION:

- (8) The individual signing this statement on behalf of the above-named party acknowledges that he/she has read the following provisions of Chapter 7C, Section 38 (formerly Chapter 7, Section 40J) of the General Laws of Massachusetts:

No agreement to rent or to sell real property to or to rent or purchase real property from a public agency, and no renewal or extension of such agreement, shall be valid and no payment shall be made to the lessor or seller of such property unless a statement, signed, under the penalties of perjury, has been filed by the lessor, lessee, seller or purchaser, and in the case of a corporation by a duly authorized officer thereof giving the true names and addresses of all persons who have or will have a direct or indirect beneficial interest in said property with the commissioner of capital asset management and maintenance. The provisions of this section shall not apply to any stockholder of a corporation the stock of which is listed for sale to the general public with the securities and exchange commission, if such stockholder holds less than ten per cent of the outstanding stock entitled to vote at the annual meeting of such corporation. In the case of an agreement to rent property from a public agency where the lessee's interest is held by the organization of unit owners of a leasehold condominium created under chapter one hundred and eighty-three A, and time-shares are created in the leasehold condominium under chapter one hundred and eighty-three B, the provisions of this section shall not apply to an owner of a time-share in the leasehold condominium who (i) acquires the time-share on or after a bona fide arms length transfer of such time-share made after the rental agreement with the public agency is executed and (ii) who holds less than three percent of the votes entitled to vote at the annual meeting of such organization of unit owners. A disclosure statement shall also be made in writing, under penalty of perjury, during the term of a rental agreement in case of any change of interest in such property, as provided for above, within thirty days of such change.

Any official elected to public office in the commonwealth, or any employee of the division of capital asset management and maintenance disclosing beneficial interest in real property pursuant to this section, shall identify his position as part of the disclosure statement. The commissioner shall notify the state ethics commission of such names, and shall make copies of any and all disclosure statements received available to the state ethics commission upon request.

The commissioner shall keep a copy of each disclosure statement received available for public inspection during regular business hours.

- (9) This Disclosure Statement is hereby signed under penalties of perjury.

Marathon Development, LLC

PRINT NAME OF DISCLOSING PARTY (from Section 4, above)



AUTHORIZED SIGNATURE of DISCLOSING PARTY

03-10-2022

DATE (MM / DD / YYYY)

Franklin Angevine, CFO

PRINT NAME & TITLE of AUTHORIZED SIGNER