

David Lockman
Director, Real Estate and Construction
L.L.Bean, Inc.
15 Casco Street
Freeport, ME 04033

April 20, 2023

Caroline Pelletier
Acting Town Manager
Town of Freeport, Maine
30 Main Street
Freeport, ME 04032

Caroline,

As we've discussed, L.L.Bean is holding conversations with Mr. Tim Gooch relative to a land sale for the purpose of building affordable housing in Freeport. It is my understanding that Mr. Gooch is working collaboratively with Freeport Housing Trust to design, permit and develop this project.

The property we are discussing is 9.1 +/- acres of our parcel off Varney Road (Map 23 Lot 55). As you know, when L.L.Bean and the Town traded lots in 1983, an agreement was made that L.L.Bean would inform the Town of a potential sale thereby giving the Town an option to purchase it instead based on an appraisal.

The purpose of this letter is to inform the Town of the potential sale and to request a decision to waive the option to purchase the land or to move forward with an appraisal. While the Town does have 30 days to respond, I am asking for a quicker decision as Mr. Gooch has some milestone deadlines that could be jeopardized should the decision take the full 30 days.

Thank you and please do not hesitate to reach out to me with questions.

Best Regards,



David Lockman

From: David Lockman <dlockman@lbean.com>
Sent: Wednesday, May 3, 2023 4:58 PM
To: Caroline Pelletier <CPelletier@freeportmaine.com>
Subject: Varney Road

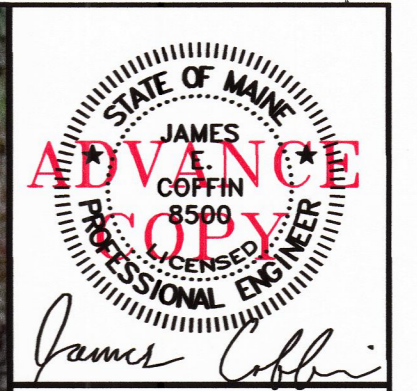
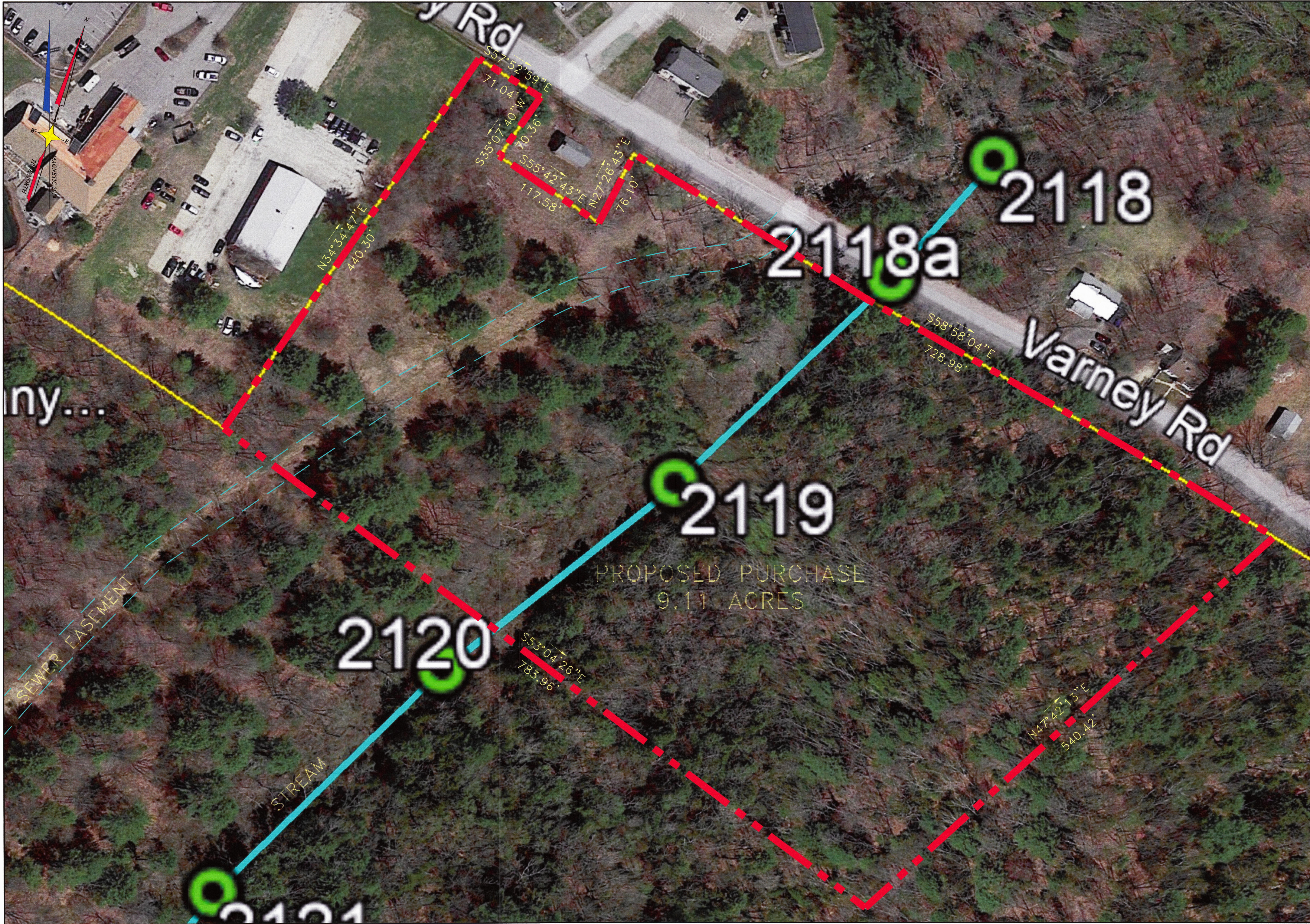
**** CAUTION EXTERNAL EMAIL ****

Hi, Caroline, as discussed, the proposed buyer of the land on Varney Road for affordable housing will be Freeport Housing Trust and not Tim Gooch. Tim is involved, but FHT will own the project.

Please let me know if you have questions.

Best,

Dave



E.S. COFFIN
ENGINEERING
SURVEYING
E.S. COFFIN ENGINEERING & SURVEYING, INC.
432 Camp Road, Chelsea, Maine 04301
Phone (207) 623-9475 Fax (207) 623-1016

NO.	REVISIONS	DATE

CLIENT/PROJECT: SENIOR HOUSING
TIM GOOCH

LOCATION: VARNEY ROAD
TOWN: FREEPORT COUNTY: CUMBERLAND STATE: MAINE

SCALE: 1 INCH = 40 FEET

DATE: APRIL 28, 2023

DRAWN BY: TGH
CHECKED BY: JEC

SHEET TITLE: SKETCH PLAN

PROJ. NO. 2023-016

SK

QUITCLAIM DEED WITH COVENANT

18786

TOWN OF FREEPORT, a municipal corporation located at Freeport, Cumberland County, Maine, for consideration paid, grants to L. L. BEAN, INC., a Maine corporation located at Freeport, Cumberland County Maine, with quitclaim covenant, the land in Freeport, Cumberland County Maine, as follows:

Beginning at a point on the southeasterly sideline of Route 1 in said Freeport, at a stonewall and the northwesterly corner of property now or formerly of Barbara A. Damone; thence S 39°20'30" E, along said stonewall and the westerly boundary of said Damone property, Four Hundred Twenty-Two (422) feet to a point; thence N 56°02'30"E, along the southerly boundary of said Damone property Four Hundred Fifty-Nine and Fifty-Four Hundredths (459.54) feet to a point and the southwesterly sideline of Varney Road, so-called; thence S 40°50'E, along the southwesterly sideline of Varney Road, Seventy-One (71) feet to a point, thence S 59°34'30" W One Hundred Two (102) feet to a point, thence S 40°50' E One Hundred Eighteen (118) feet to a point; thence N 49°10' E One Hundred (100) feet to a point and the southwesterly sideline of said Varney Road; thence S 40°50' E, along the southwesterly sideline of Varney Road, Nine Hundred Fifty-Three (953) feet to a point; thence S 51° 02' 30" W One Thousand Three Hundred Thirty-Three (1,333) feet to a point; thence N 41°42'30" W Five Hundred Ninety-Five (595) feet to a point; thence N 42°36' E Ten (10) feet to a point; thence N 40°37'30" W One Thousand Twenty-One (1,021) feet to an iron and the southeasterly sideline of Route 1; thence northeasterly, along the southeasterly sideline of said Route 1, Eight Hundred Eighty-Nine and Five Tenths (889.5) feet, more or less, to the point of beginning.

The foregoing premises are conveyed subject to various easements granted to New England Telephone & Telegraph Company by the following deeds:

1. Deed of Ernest L. Rogers dated September 23, 1913, and recorded in the Cumberland County Registry of Deeds in Book 934, Page 467.
2. Deed of Lester H. Bolster dated March 22, 1923, and recorded in said Registry of Deeds in Book 1132, Page 83.
3. Deed of Lester H. Bolster dated May 1, 1941, and recorded in said Registry of Deeds in Book 1646, Page 38.
4. Deed of Owen C. Bolster and J. Adelaide Bolster dated February 11, 1947, and recorded in said Registry of Deeds in Book 1864, Page 158.

Being the same premises conveyed to the grantor herein by deed of Casco Bank & Trust Company dated December 21, 1976 and recorded in said Registry of Deeds in Book 3955, Page 167.

Reference is made to a Plan entitled "Plan of Land in Freeport, Maine for Exchange Corporation" by Owen Haskell, Inc. dated January 17, 1972.

As further consideration hereunder L. L. Bean, Inc., for itself, its successors and assigns, covenants and agrees with said Town of Freeport and its successors and assigns that it shall not, for a period of three (3) years from the date of this deed, develop or otherwise improve the above described premises for commercial purposes.

The said Town of Freeport has caused this instrument to be signed in its corporate name by Dale Olmstead, its Town Manager, duly authorized this 15th day of June, 1983.

WITNESS:



TOWN OF FREEPORT


By: 
Its Town Manager

STATE OF MAINE
CUMBERLAND, SS


June 15, 1983

Then personally appeared the above-named Dale Olmstead, Town Manager, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said Town of Freeport.

Before me,



Justice of the Peace
Notary Public NOTARY PUBLIC
My Commission Expires March 10, 1985



JUN 15 1983

REGISTRY OF DEEDS CUMBERLAND COUNTY, MAINE
Received at 11:47 AM, and recorded in

BOOK 6193 PAGE 300

 Register

CURRENT OWNER		TOPO		UTILITIES		STRT / ROAD		LOCATION	
BEAN L L INC									
ATTN: ACCOUNTING DEPT						1 UNDEV Land			
1 CASCO STREET									
FREEMPT ME 04032									
SUPPLEMENTAL DATA		ASSOCIATED DATA		SALE PRICE		VC			
Alt Prcl ID 023055000000		TIF dist		6193 0300		0			
St. Prop Ty 320		ALT NAME							
SOFT		TO REVIE							
MIXED		Voting Dist 1							
HARD		SubDiv							
Zone(s) C3		Assoc Pld#							
GIS ID 023055000000									

RECORD OF OWNERSHIP					
BEAN L L INC	BK-VOL/PAGE	SALE DATE	Q/U	V/I	SALE PRICE
	6193 0300				0

EXEMPTIONS					
Year	Code	Description	Amount	Number	Amount
			0.00		
Total			0.00		

OTHER ASSESSMENTS					
Year	Code	Description	Number	Amount	Comm Int
Total					

ASSESSING NEIGHBORHOOD	
Nbhd	B
CM04	
NOTES	

BUILDING PERMIT RECORD					
Permit Id	Issue Date	Type	Description	Amount	Insp Date
		% Comp	Date Comp	Comments	

LAND LINE VALUATION SECTION					
B	Use Code	Description	Zone	Land Type	Land Units
1	3910	POT DEVEL			3.000 AC
1	3920	COMM EXCES			49.000 AC
		Unit Price	Size Adj	Site Index	Cond.
		1,717.669	0.36666	2	1.00
		7,717.00	0.41716	5	1.00
		Nbhd.	Nbhd.	Nbhd.	Adj
		CM02	0.800		

PREVIOUS ASSESSMENTS (HISTORY)					
Year	Code	Assessed	Year	Code	Assessed
2022	1320	8,000	2021	1320	8,000
	3910	1,120,400		3910	1,120,400
	3920	225,000		3920	225,000
Total		1,353,400	Total		1,353,400

APPRAISED VALUE SUMMARY					
Appraised Bldg. Value (Card)		0		0	
Appraised Xf (B) Value (Bldg)		0		0	
Appraised Ob (B) Value (Bldg)		0		0	
Appraised Land Value (Bldg)		1,366,900		1,366,900	
Special Land Value		0		0	
Total Appraised Parcel Value		1,366,900		1,366,900	
Valuation Method		C		C	

VISION

3208
FREEPORT, ME

VISIT / CHANGE HISTORY

Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments

LAND LINE VALUATION SECTION

B	Use Code	Description	Zone	Land Type	Land Units	Unit Price	Size Adj	Site Index	Cond.	Nbhd.	Nbhd.	Adj	Land Value
1	3910	POT DEVEL			3.000 AC	1,717.669	0.36666	2	1.00	CM02	0.800		1,209,100
1	3920	COMM EXCES			49.000 AC	7,717.00	0.41716	5	1.00		1,000		157,800

VISIT / CHANGE HISTORY					
Date	Type	Is	Cd	Purpost/Result	

This signature acknowledges a visit by a Data Collector or Assessor



2761, 23/55/0/0
O LWP MAIN STREET

UNDEVELOPED, 52 ACRES

1892430.1ft²

57374ft Rd

116923ft

43203ft

43203ft

43203ft

45745ft Blue State Memorial Hwy

16274ft

ert Rd

Pine St

Harward Rd

Spring Hill Ln

Varney Rd

Unity Ln

Varney Rd

CONTRACT FOR EXCHANGE OF REAL ESTATE

This agreement made this 26th day of April, 1983 by and between the Town of Freeport, Maine (hereinafter referred to as "Town") and L.L. Bean, Inc. of Freeport, Maine (hereinafter referred to as "Bean").

1. Exchange. The parties hereto agree that the Town shall convey to Bean approximately 44 acres of land, such property known as the Varney Road property, as shown on Town Assessor's Maps as Map 25, Lot 55 and as described in a deed from Casco Bank & Trust Company to Town of Freeport dated December 21, 1976 and recorded in the Cumberland County Registry of Deeds in Book 3955, Page 167. In exchange, Bean shall convey to the Town approximately 26 acres of land, such property known as the Brown Homes site, as shown on the Town Assessors Maps as Map 12, Lot 59 and as described in a deed from Paul L. Powers to Get Associates dated January 2, 1981 and recorded in said Registry in Book 4722, Page 23.

2. Restriction on Development. Bean further agrees that it will not, for three years from the date of closing, develop or otherwise improve the Varney Road property for commercial purposes, which restriction shall be evidenced by restrictive covenant in the deed from Town to Bean.

3. Option to Purchase. In the event that Bean desires to sell the Varney Road property Bean shall first notify the Town in writing of its intent to sell and, thereafter, the Town shall have an option to purchase said property, which option must be exercised by the Town within thirty (30) days of written notification from Bean to Town. The purchase price of said property upon exercise of the option will be the average of two independent fee appraisals conducted by qualified, independent real estate appraisers each of whom shall be mutually acceptable to the Town and Bean. The appraisal reports shall be submitted to Town and Bean within sixty (60) days of the exercise of said option and the cost of such appraisals, when conducted, shall be shared equally by Town and Bean.


4. Consultation on Development. Prior to commencement of any permitted development of the Varney Road property, Bean shall consult with Town to insure that the property is developed to the benefit of the Town. Bean further agrees to entertain, and give serious consideration to, all reasonable proposals for development of the Varney Road property submitted by Town to Bean.

5. Deeds. The Varney Road property shall be conveyed by Town to Bean by good and sufficient quit-claim deed with covenant which shall convey a marketable title thereto, free from all encumbrances except the restrictive covenant described in Paragraph 2 above. The Brown Homes site shall be conveyed by Bean to Town by good warranty deed which shall convey marketable title thereto, free from all encumbrances.

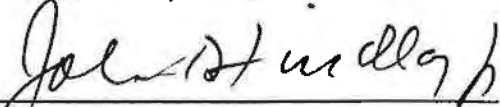
6. Closing. The exchange of property described in Paragraph 1 above shall be closed with the delivery of the respective deeds and the execution of all documents necessary to effectuate this agreement at 10:00 A.M. on Wednesday, June 15, 1983 at the Municipal Building, Main Street, Freeport, Maine.

7. The promises of Bean set forth above, being an essential part of the consideration for the exchange contemplated by this Agreement, shall not merge in the exchange of deeds but shall survive the closing hereunder.

TOWN OF FREEPORT

By: 
Its Town Manager
Duly Authorized

L. L. BEAN, INC.

By: 
Its Vice President, Operations
Duly Authorized