

CITY OF LAWRENCE

REAL PROPERTY DIRECT DISPOSITION APPLICATION

FOR CITY- OWNED REAL PROPERTY LOCATED AT:

Property Address

**THE CITY OF LAWRENCE HAS ESTABLISHED A PURCHASE
OFFER OF THREE THOUSAND SEVEN HUNDRED DOLLARS
(\$00.00) FOR REAL ESTATE LOCATED AT**

The sale of the property is subject to the vote and approval of the Lawrence City Council. The City of Lawrence reserves the right to reject any offer.

Applicant (s)/ Purchaser (s) signature

Name of individual, corporation, trust

(Typed/ Printed) Name of individual on the Application

Individual's Title

Date

Submitted to:

**Francisco Surillo
Real Property/Acquisition Disposition Asset Officer
The Planning Department
12 Methuen Street
Lawrence, MA 01840**

REAL PROPERTY DIRECT DISPOSITION CONTRACT TERMS AND CONDITIONS

PLEASE READ CAREFULLY

The following terms and conditions will apply to the Sale described within this Application for the Direct Disposition of City-Owned Real Estate:

1. The sale of the property is subject to the Vote and approval of the Lawrence City Council.
2. The Buyer must execute a Purchase and Sales Agreement with the City of Lawrence within **thirty (30) days** of notice by the City of the approval to sell the property. The City reserves the right to waive or extend this deadline.
3. The Buyer must purchase the property within **ninety (90) days** of the execution of the Purchase and Sale Agreement. The City reserves the right to extend this deadline.
4. The Buyer agrees to purchase the property “**AS IS**” and agrees to be solely responsible for obtaining any and all permits, approvals, waivers, releases or any other requirements necessary to use or rehabilitate the property.
5. If applicable the Buyer agrees to submit an Approval Not Required/ Form A Subdivision Plan, merging the city-owned lot(s) with the lot(s) owned by the Applicant to be reviewed and approved by the Land Use Planner within **thirty (30) days** of the execution of the Purchase and Sale Agreement. The City reserves the right to extend this deadline.
6. The Buyer agrees to submit a Landscape Plan to be reviewed and approved by Land Use Planner within **thirty (30) days** of the execution of the Purchase and Sale Agreement. The City reserves the right to extend this deadline.
7. The Buyer agrees to submit a Storm Water Management Plan to be reviewed and approved by Land Use Planner within **thirty (30) days** of the execution of the Purchase and Sale Agreement. The City reserves the right to extend this deadline.
8. The Buyer agrees to comply with all Zoning and Building Permits, Rules and Regulations.
9. The Buyer agrees to comply with the Purchase and Sale Agreement established by the City Attorney’s Office.
10. The Buyer agrees to place a Condition in the Deed or Mortgage not to allow new construction on the lot unless accessory to the existing residence.
11. The City of Lawrence’s Legal Department will make a review of Applicant’s property tax history. An Applicant cannot be delinquent in the payment of taxes on any property in the City of Lawrence, or must be current in a pre-existing repayment agreement with the City of Lawrence Tax Collector – Treasurer’s Office as of the time of purchase. Applicant(s) must also state if they ever had property on which the City of Lawrence foreclosed, and the circumstances leading to the previous foreclosure(s).

12. Submission of an Application constitutes an agreement that the Buyer and any and all grantees in any subsequent deed from the City to be bound by and comply with all provisions of the Application including the following conditions, which shall survive the execution and acceptance of a deed of the subject property.
13. That the property in question, whether occupied or not shall be in compliance with any and all applicable Building, Sanitary and Health Codes by the Buyer within **six (6) months** after the closing.
14. That upon conveyance, the deed and any other documents or plans relevant to the closing shall be recorded at the Buyer's expense in the Registry of Deeds within **thirty (30) days** after the closing.
15. That the Buyer shall also pay for any documentary tax stamps, as may be applicable to the sale of this property within **thirty (30) days** after the closing.
16. That the Buyer shall execute, and include with the Application the affidavit regarding **"Certificate of Non-Collusion."**
 - **See copy hereto attached marked** **Exhibit A.**
17. That the Buyer shall execute, and include with the Application the affidavit regarding **"Acknowledgement of Application Requirements."**
 - **See copy hereto attached marked** **Exhibit B.**
18. That the Buyer has not relied upon any representations by the City regarding the presence of any hazardous materials on the property, and holds the City harmless from any and all liability for same. That the Buyer shall execute, and include with the Application the affidavit regarding **"Release Regarding Hazardous Materials (Hold Harmless Agreement)."**
 - **See copy hereto attached marked** **Exhibit C.**
19. That the Buyer must pay any and all real estate taxes as may be due in compliance with M.G.L. Chapter 44, Section 63A as amended. **"Payment in Lieu of Taxes in the Event of Sale of Real Estate."**
 - **See copy hereto attached marked** **Exhibit D.**
20. That the Buyer must comply with, execute, and include with the Application the affidavit regarding **"Disclosure of Beneficial Interest Statement"** in compliance with the provisions of M.G.L. Chapter 7, Section 40J.
 - **See copy hereto attached marked** **Exhibit E.**
21. That the Buyer is not delinquent in the payment of any real estate taxes to the City of Lawrence, or must be current in a pre-existing repayment agreement with the City of Lawrence Tax Collector-Treasurer's Office. Additionally, the Buyer must state if they ever had property on which the City of Lawrence foreclosed, and the circumstances leading to the previous foreclosure(s). The Buyer must comply with, execute, and include with the Application the affidavit regarding **"Certificate of Tax Compliance"** in compliance with the provisions of M.G.L. Chapter 60, Section 77B.
 - **See copy hereto attached marked** **Exhibit F.**
22. That the Buyer must execute, and include with the Application the affidavit regarding **"Certificate of Property of Stewardship"** in compliance with the provisions of M.G.L. Chapter 60, Section 77B.
 - **See copy hereto attached marked** **Exhibit G.**

23. That the Buyer has not been convicted of any crimes related to arson or fraud. The Buyer must execute, and include with the Application the affidavit of **“Statement of No Arson or Fraudulent Claims”** in compliance with the provisions of M.G.L. Chapter 60, Section 77B.
 - **See copy hereto attached marked Exhibit H.**
24. If applicable, that the Buyer must execute, and include with the Application the affidavit regarding **“Clerk Certificate, Authorization to Sign Contract.”**
 - **See copy hereto attached marked Exhibit I.**
25. If applicable, that the Buyer must execute, and include with the Application the affidavit regarding **“Trustee’s Certificate, Authorization to Sign Contract.”**
 - **See copy hereto attached marked Exhibit J.**
26. If applicable, that the Buyer must execute, and include with the Application the affidavit regarding **“Beneficial Interest Statement, Authorization to Sign Contract.”**
 - **See copy hereto attached marked Exhibit K.**
27. If applicable, that the Buyer must execute, and include with the Application the affidavit regarding **“Schedule of Beneficial Interests and Certificate of Direction, Authorization to Sign Contract.”**
 - **See copy hereto attached marked Exhibit L.**
28. That a failure by the Buyer of the subject property, to comply with any provision or condition hereof shall, at the option of the City require that the Buyer and any and all grantees shall reconvey the subject property to the City of Lawrence for the same price which Applicant paid for the acquisition thereof.
29. If any provision or provisions of this Agreement shall be held to be invalid, illegal, unenforceable or in conflict with the law of any jurisdiction, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

REAL PROPERTY DIRECT DISPOSITION APPLICATION DIRECTIONS

PLEASE READ CAREFULLY

REQUIRED DOCUMENTS and SUBMISSION :

Please submit a **(money order or certified bank check for the total cost)** of the City-owned lot and **(11) eleven copies** of the completed Application and all signed required statutory documents. Please submit all the materials in **(1) one sealed envelope** marked clearly with the name and address of the Applicant (s) as well as the location of the city-owned lot.

Please submit the completed Application and all signed required statutory documents to April Lyskowsky, Real Property Acquisition/Disposition Specialist at the Planning Department located at 147 Haverhill Street, Lawrence, MA 01840. The Application must be **date stamped** by the Planning Department Personnel.

QUESTIONS:

Any questions pertaining to the submission or completion of this Application should be directed to April Lyskowsky, Real Property Acquisition/Disposition Specialist who may be reached at (978) 620-3504.

CHECKLIST INFORMATION:

Information in the top box must be submitted by all Applicants. Information in the bottom box is only applicable to certain Applicants. (See below for details). **Any Application that does not include all applicable materials will not be considered.**

REQUIRED FOR ALL APPLICANTS ...

- Completed Application (pages 1-2).
- Affidavit regarding payment of taxes, arson and related code violations, etc. (page 3).
- Signed Required Statutory Requirements (Exhibits A- H).
- Rough sketch showing proposed improvements and uses of the lot.
- Copy of the Deed that proves that the applicant is an abutter to the city-owned lot.

IF APPLICABLE ...

- **If your organization is a corporation (nonprofit, for-profit, or religious organization)**, please provide the Articles of Incorporation, By-Laws, List of Board Officers' names and addresses, and 501 (c) 3 letter (for applicable nonprofit organizations). Additionally, please provide Clerk's Certificate **Exhibit I**.
- **If your property is held in a Trust**, please provide Declaration of Trust with recording reference; Trustee's Certificate **Exhibit J**; Beneficial Interest Statement for the Trust **Exhibit K**; Schedule of Beneficial Interests **Exhibit L**.

REAL PROPERTY DIRECT DISPOSITION APPLICATION

1. Address of city-owned lot you would like to purchase _____
2. Applicant's Name: _____
Home Address: _____
City: _____ State: _____ Zip Code: _____
Phone Number: Home _____ Work _____ Cell: _____
Mailing Address (if different from above): _____

What is the best time to contact you? AM PM work home cell

3. Address of the property you own next to the city-owned lot: _____

4. Recording reference of the property you own next to the city-owned lot:

Deed Book: _____ Page Number: _____

5. Please indicate the type of property that you own next to the city-owned lot:

- Residence (Owner- Occupied) Business
 Residence (Renter- Occupied) Vacant Land
 Church Other: _____

6. What is your proposed use for the city-owned lot?

- Garden Landscaped Open Space
 Addition to Home or Business Parking
 Garage Side Yard
 Other: _____

7. When do you plan to start and complete your proposed improvements to the city-owned lot?

Start Date: _____ Completion Date: _____

8. If you are proposing to make improvements to the lot, what are your expected project costs?

\$ _____

9. Have you (or your tenants) assisted in maintaining this lot? Yes No

If yes, please explain: _____

10. Describe your proposed use for the city-owned lot in as much detail as possible. If you are going to make improvements to the lot, please tell us the kind of materials that you will be using. Please enclose or attach a rough sketch of your proposed use and design for the lot.

11. What other property do you own in Lawrence? Please include properties in which you have a partial ownership through trusts or other legal entities.

12. Would you want to purchase a section of the city-owned lot if subdivided between several applicants?

Yes No

I CERTIFY THAT ALL THE INFORMATION INCLUDED IN THIS APPLICATION IS ACCURATE AND COMPLETE TO THE BEST OF MY KNOWLEDGE.

Applicant's Signature: _____

Date: _____

If applicable

Co-Applicant's Signature: Date: _____

Co-Applicant's Signature: Date: _____

REAL PROPERTY DIRECT DISPOSITION AFFIDAVIT

Any person submitting an Application for the Direct Disposition of City-Owned Real Estate must truthfully complete this affidavit and submit it with their application. Questions apply to you as an applicant and any co-applicant(s) or co-owner(s). The applicant and all co-applicants must sign this affidavit below.

1. Do you or any of the co-applicants owe the City of Lawrence any monies for incurred real estate taxes, rents or other indebtedness?

No Yes (explain) _____

2. Were you or any of the co-applicants ever the owners of property upon which the City of Lawrence foreclosed for his/her failure to pay real estate taxes or other indebtedness?

No Yes (explain) _____

3. Have you or any of the co-applicants ever been convicted of any arson-related crimes, or are you currently under indictment for any such crime?

No Yes (explain) _____

4. Have you or any of the co-applicants ever been convicted of violating any law, code, statute or ordinance regarding conditions of human habitation?

No Yes (explain) _____

5. Have you or any of the co-applicants ever been convicted of housing discrimination or a violation of fair housing laws and ordinances?

No Yes (explain) _____

6. List the addresses of all property you and the co-applicants own in the City of Lawrence, including the abutting property. Use additional paper and attach if necessary.

Address: _____

Address: _____

Address: _____

Address: _____

Address: _____

Address: _____

SIGNED UNDER THE PAIN S AND PENALTIES OF PERJURY THIS _____ day of

_____, _____.

APPLICANT'S SIGNATURE _____

ADDRESS _____

CO-APPLICANT'S SIGNATURE _____

ADDRESS _____

CO-APPLICANT'S SIGNATURE _____

ADDRESS _____

EXHIBIT A

“CERTIFICATE OF NON-COLLUSION”

CITY OF LAWRENCE

DISPOSITION OF: _____.

Property Address

The undersigned certifies under penalties of perjury that this bid or application 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.

Applicant (s)/ Purchaser (s) signature

Name of individual, corporation, trust

(Typed/ Printed) Name of individual on the Application

Individual's Title

Date

EXHIBIT B

“ACKNOWLEDGMENT OF DIRECT DISPOSITION REQUIREMENTS”

CITY OF LAWRENCE

DISPOSITION OF: _____
Property Address

I, _____ hereby
acknowledge that I fully understand the terms, conditions and requirements contained within
the Application for the Direct Disposition of City-owned property at

Property Address

Applicant (s)/ Purchaser (s) signature

Name of individual, corporation, trust

(Typed/ Printed) Name of individual on the Application

Individual's Title

Date

EXHIBIT C

RELEASE REGARDING HAZARDOUS MATERIALS ("HOLD HARMLESS" AGREEMENT)

CITY OF LAWRENCE

DISPOSITION OF: _____
Property Address

The City of Lawrence, Massachusetts assumes no liability for any release of hazardous materials on the property. The Applicant has not relied upon any representations by the City with respect to hazardous materials, except to the extent of the disclosure herein.

The Applicant agrees to release and hold harmless the City of Lawrence from any liability arising out of any hazardous material that may be present on the property.

Applicant (s)/ Purchaser (s) signature

Name of individual, corporation, trust

(Typed/ Printed) Name of individual on the Application

Individual's Title

Date

EXHIBIT D

M.G.L. CHAPTER 44, SECTION 63A,

“PAYMENT IN LIEU OF TAXES IN EVENT OF SALE OF REAL ESTATE BY MUNICIPALITY”

CITY OF LAWRENCE

DISPOSITION OF: _____

Property Address

I, _____ **HEREBY**
ACKNOWLEDGE THAT I RECEIVED A COPY OF M.G.L. CHAPTER 44, SECTION 63A,
and fully understand the terms, conditions and requirements contained within the Application for the Direct

Disposition of City-owned property at

Property Address

Applicant (s)/ Purchaser (s) signature

Name of individual, corporation, trust

(Typed/ Printed) Name of individual on the Application

Individual's Title

Date

EXHIBIT E

M.G.L. CHAPTER 7, SECTION 40J, “CERTIFICATION REGARDING DISCLOSURE OF BENEFICIAL INTEREST STATEMENT”

DISCLOSURE OF BENEFICIAL INTEREST IN REAL PROPERTY TRANSACTION

[M.G.L. Chapter 7, Section 40J]

THIS FORM CONTAINS A DISCLOSURE OF THE NAMES AND ADDRESSES OF ALL PERSONS WITH A DIRECT OR INDIRECT BENEFICIAL INTEREST IN THE REAL ESTATE TRANSACTION DESCRIBED BELOW. THIS FORM MUST BE FILED WITH THE MASSACHUSETTS DIVISION OF CAPITAL ASSET MANAGEMENT PRIOR TO THE CONVEYANCE OF THE PROPERTY PURSUANT TO M.G.L. c. 7, sec. 40J.

Every party acquiring an interest in this property must file a disclosure.

1. Public agency involved in this transaction: CITY OF LAWRENCE
2. Complete legal description of the property:

THE PROPERTY KNOWN AS: _____
Property Address

AS SHOWN ON THE TAX ASSESSOR'S MAP / LOT .

3. Type of Transaction: SALE OF CITY-OWNED REAL ESTATE
4. Seller: CITY OF LAWRENCE
Purchaser: _____

5. Names and addresses of all persons who have or will have a direct or indirect beneficial interest in the real property described above:

Note: If a corporation has or will have direct or indirect beneficial interest in the real property, the names of all stockholders must be listed except that if the stock of the corporation is listed for sale to the general public, the name of any person holding less than ten percent of the outstanding voting shares need **not be disclosed.*

NAME

ADDRESS

(Attach additional sheets if necessary)

The undersigned certifies that none of the persons listed above is an official elected to public office in the Commonwealth of Massachusetts except as noted below:

NAME

TITLE OR POSITION

(Attach additional sheets if necessary)

6. This section must be signed by the individual(s) or organization(s) entering into this real property transaction with the City of Lawrence. If this form is signed on behalf of a corporation, it must be signed by a duly authorized officer of that corporation. The undersigned acknowledges that any changes or additions to the list of persons with beneficial interests (Item 5 above) will require filing of a new Disclosure Statement with the Planning Department within thirty (30) days following the change.

The undersigned swears under the pains and penalties of perjury that this form is complete and accurate in all respects.

Applicant (s)/ Purchaser (s) signature

Name of individual, corporation, trust

(Typed/ Printed) Name of individual on the Application

Individual's Title

Date

EXHIBIT F

M.G.L. Chapter 60, Section 77B “CERTIFICATION OF TAX COMPLIANCE”

CERTIFICATION OF TAX COMPLIANCE

AS REQUIRED BY M.G.L. Chapter 62, Section 49A

CITY OF LAWRENCE

DISPOSITION OF: _____
Property Address

The undersigned certifies under the pains and penalties of perjury that the purchaser of real estate from the City of Lawrence has complied with all laws of the Commonwealth of Massachusetts and the City of Lawrence relating to taxes.

Every party acquiring and interest in this property must file a Certificate of Tax Compliance.

Applicant (s)/ Purchaser (s) signature

Name of individual, corporation, trust

(Typed/ Printed) Name of individual on the Application

Individual's Title

Date

EXHIBIT G

“CERTIFICATE OF PROPERTY STEWARDSHIP”

AS REQUIRED BY M.G.L. CHAPTER 60, Section 77B

CITY OF LAWRENCE

DISPOSITION OF: _____
Property Address

The undersigned certifies under the pains and penalties of perjury that he or she owns the property listed below in the City of Lawrence and all payments for city services are current and property taxes have been paid or a pending good faith application for abatement has been filed.

Every party acquiring an interest in this property must file a Certificate of Property Stewardship.

I certify that I own the following parcels of land in the City of Lawrence:
(Include all parcels. Use additional sheet if necessary)

Address	Tax Map Number
_____	_____
_____	_____
_____	_____
_____	_____

I certify that I do not own any land in the City of Lawrence:

Applicant (s) signature

Name of individual, corporation, trust

Continued...

(Typed/ Printed) Name of individual on the Application

Individual's Title

Date

EXHIBIT H

“STATEMENT OF NO ARSON OR FRAUDULENT CLAIMS”

M.G.L. CHAPTER 60, SECTION 77B

CITY OF LAWRENCE

DISPOSITION OF _____

Property Address

The undersigned certify under pains and penalties of perjury that neither I nor any person that will gain equity in the above reference real property from this conveyance has ever been convicted of a crime involving the aiding, counseling or procuring of a willful and malicious setting of fire or of a crime involving the fraudulent filing of a claim for fire insurance.

Every party acquiring an interest in this property must file a Statement of No Arson or Fraudulent Claims.

Applicant (s)/ Purchaser (s) signature

Name of individual, corporation, trust

(Typed/ Printed) Name of individual on the Application

Individual's Title

Date

EXHIBIT I

“CLERK CERTIFICATE AUTHORIZATION TO SIGN CONTRACT”

CITY OF LAWRENCE

DISPOSITION OF _____

Property Address

At a duly authorized meeting of the Board of Trustees/Directors of the

_____ held on

Name of Organization

_____ at which all the Trustees/Directors were present and waived

Date

notice, it was VOTED, that _____,

Name

Officer

of this organization, is authorized to execute contract in the name and behalf of said organization,

and affix its corporate seal thereto; and such execution of any contract or obligation in this

organization's name on its behalf by such _____ under the

Officer

seal of the organization shall be valid and binding upon this organization.

I hereby certify that I am the clerk of the _____

Name of Organization

and that _____ is the duly elected _____

Type name

Officer

Continued....

of said organization, and that the above vote has not been amended or rescinded and remains

in full force and effect as of this date.

Corporate Seal Here:
(if no seal, print "none")

Applicant (s)/ Purchaser (s) signature

Name of individual, corporation, trust

(Typed/ Printed) Name of individual on the Application

Individual's Title

Date

EXHIBIT J

TRUSTEE'S CERTIFICATE

(Applicable Only to Property Held in Trust)

CITY OF LAWRENCE

DISPOSITION OF _____

Property Address

The undersigned, being the Trustee(s) of _____ Trust under
declaration of trust dated _____ and recorded with the

Essex County Registry of Deeds in Book _____, Page _____, with a mailing

address care of: _____

(Street Address)

_____, Massachusetts _____
(City or Town) (Zip)

(the "Trust"), hereby certifies as follows:

1. That as of the date hereof, the Trust is in full force and effect and has not been amended modified or revoked;
2. That as of the date hereof, the undersigned are all of the duly elected and appointed Trustee(s) of the Trust; and,
3. That the undersigned hereby consent to and confirm the following which shall be treated for all purposes as a vote taken at a duly called meeting of the Trustee(s) in accordance with Article, _____ Section _____ of the Trust:

That pursuant to Article _____, Section _____ of the Trust, the Trustee(s) are authorized and directed in the name of and on behalf of the Trust to execute and deliver any such instruments and to take all such actions as may be necessary or desirable in order to effectuate the purchase of that certain parcel of vacant land located at, _____, Lawrence, Massachusetts, including but not limited to executing and delivering a Purchase and Sale Agreement, Deed acknowledgment, and Mortgage.

4. That the above vote has not been amended, modified or rescinded and is still of full force and effect.

EXECUTED as a sealed instrument this _____ day of _____, _____.

(Trust Name): _____

BY: _____ as Trustee
Witness (Signature) and not individually

(Trust Name): _____

Continued...

Witness (Signature) BY: _____ as Trustee
and not individually

Witness (Signature) BY: _____ as Trustee
and not individually

COMMONWEALTH OF MASSACHUSETTS

ESSEX S.S., _____, _____

Then personally appeared the above-named

Trustee's Name

Trustee's Name

Trustee(s) as aforesaid, and acknowledged the foregoing instrument to be his/her/their free act and deed as Trustee(s), and the free act and deed of said Trust before me

Name of Notary Public

My Commission expires on: _____

EXHIBIT L

SCHEDULE OF BENEFICIAL INTERESTS AND CERTIFICATE OF DIRECTION

(Applicable Only to Property Held in Trust)

CITY OF LAWRENCE

DISPOSITION OF _____

Property Address

The undersigned, being all the Trustees and Beneficiaries of the _____
Trust's Name

under a Declaration of Trust dated _____ and recorded with Registry District of
Essex North County on _____ as Document No. _____,

hereby certifies that the following is a complete list of the Beneficiaries of said Trust and their
proportionate interest as of this date.

In addition, the undersigned Beneficiaries hereby direct the undersigned Trustee to purchase certain
property with the buildings thereon in Essex North County, Massachusetts having the street address of
_____ from the City of Lawrence, and to do any and all things which the
Trustee may deem necessary in his sole and absolute discretion to effectuate this conveyance.

LIST OF ALL BENEFICIARY 'S NAMES

PERCENTAGE OF INTEREST RESPECTIVELY

_____	_____
_____	_____
_____	_____

Witness the execution hereof takes effect as a sealed instrument this _____ day
of _____, _____.

Trust's Name

Witness (Signature) BY: _____ as Trustee
and not individually

Witness (Signature) BY: _____ as Trustee
and not individually

Witness (Signature) BY: _____ as Beneficiary
and not individually