

The Preservation Society of Fall River



P: 508-673-4841 E: psfallriver@gmail.com Web: psfallriver.org

The N. B. Borden School at 45 Morgan Street was built in 1867-68 and listed on the National Register of Historic Places in 1983. It was the oldest operating school in Fall River when it closed in 2007, with Lizzie Borden herself once walking its halls.



It was named after Nathaniel B. Borden, who was the third

mayor of Fall River and owner of the Pocasset Mills as well as a former state representative and member of the United States Congress.

Architecture: The Second Empire style three-story school is the only surviving example of a red brick with a mansard roof, which is pierced by shed-roof dormers, and brownstone belt courses above each level. Other notable features include Renaissance Revival cornices above the windows and doors, along with winding walnut staircases.

Sixth-Month Demolition Delay: **Expired October 18, 2019**

Last Assessment: 2019

Land: 0.991 acres

Building Value: \$15,900

Extra Features Value: \$10,500

Land Value: \$185,600

Total Value: \$212,000

Total Assessed Value (2012): **\$1,015,900**

Total Assessed Value (2019): **\$212,000**

Change in Total Assessed Value (2012-2019): **-79.13%**

Assessed Building Value (2012): **\$818,900**

Assessed Building Value (2019): **\$15,900**

Change in Assessed Building Value (2012-2019): **-98.05%**

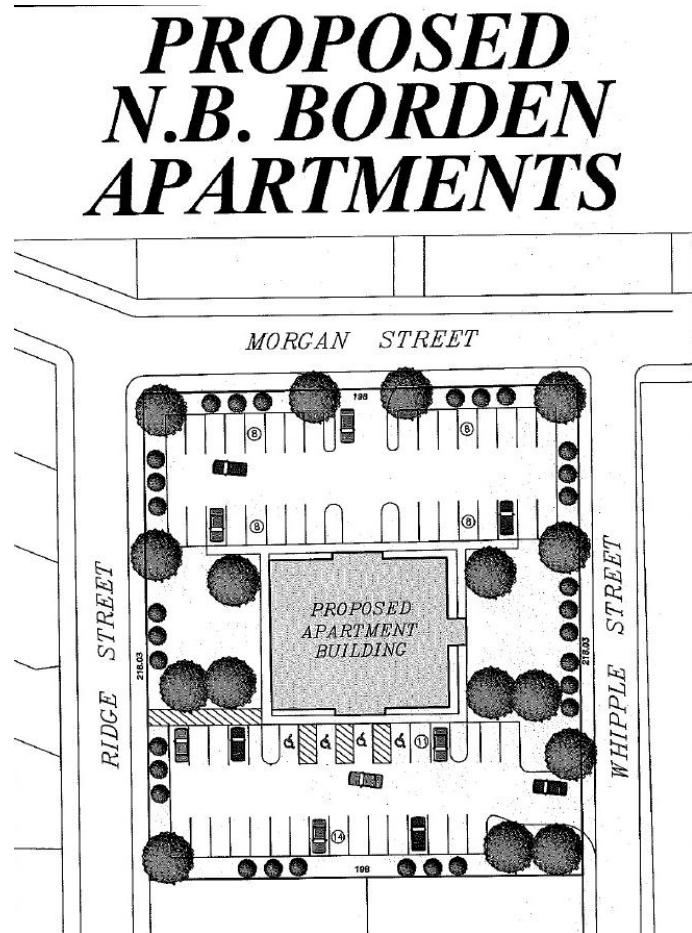
Timeline

November 21, 2011 – The city issued Requests For Proposals for the disposition of the Academic South (Old Henry Lord) Building, Belisle School, Highland School, N.B. Borden School, and Osborn School.

December 26, 2011 – T.A. Restaurant President Kevin Santos signed an affidavit under penalty of perjury that his proposal for N.B. Borden School was submitted in good faith.

January 31, 2012 – At the City Council Committee on Real Estate meeting, the committee voted to award the sale of the Osborn School. The committee withdrew one of the proposals from consideration at this meeting because it did not meet the requirements of the Request For Proposals.

January 31, 2012 – Engineer Daniel Aguiar of SITEC Inc. presented T.A. Restaurant's proposal for the purchase of the N.B. Borden School to the City Council Committee on Real Estate (*See Reference #2*). The plan proposed converting the school into 12 to 16 market rate apartments with two parking areas – 32 spaces in the southern lot for the apartments and 25 spaces in the northern lot for downtown businesses. Aguiar said the school would be rehabbed floor by floor with each unit estimated to cost \$30,000 to renovate, or \$360,000 in total. The cost of parking improvements was estimated to be \$150-200,000. Aguiar said the project was “in of itself rather simple” and “not a very big project.” The committee withdrew one of the proposals from consideration at this meeting because it did not meet the requirements of the Request For Proposals. The committee voted to award the sale to T.A. Restaurant over another bidder.



February 12, 2012 – Multiple residents appeared at the City Council meeting to express concerns over the bidding process of the Belisle School and N.B. Borden School. Some City Councilors expressed concerns with the process.

March 7, 2012 – A 12-page purchase and sale agreement was signed for the sale of the Osborn School. Mayor William Flanagan and Corporation Counsel Steven Torres signed on behalf of the city. The purchase and sale agreement included provisions to ensure the project was completed, requiring that forms and plans for the proposed development be submitted to the city as well as a 36-month project construction timeline.

April 30, 2012 – The quitclaim deed is filed for the sale of the Osborn School from the city to L & M Real Estate Group, Inc., for \$3,111.

April 30, 2012 – The quitclaim deed is filed for the sale of the N.B. Borden School from the city to T.A. Restaurant for \$5,000 (*See Reference #3*). Many of the remaining items in the school are sold in a “cash and carry” event soon after.

Fall 2013 – T.A. Restaurant began construction on improvements to the northern parking lot to be used by its patrons.

March 20, 2014 – Engineer Daniel Aguiar of SITEC Inc. presented T.A. Restaurant’s request for a variance to the Zoning Board of Appeals asking to subdivide the property into two lots – one being the northern parking lot and the other including the building and the southern parking lot. Under the variances, the school would be used as storage/warehouse with office space and waive use, frontage, and dimensional requirements in Apartment District A2 (residential use). The variance request was submitted stating the owner suffered a hardship because of the size of the building and shape of the lot with frontage on three streets limited its use. The request also stated the proposed warehouse use would not be detrimental to the neighborhood because it would be a less intense use than the district’s allowed residential use. Aguiar said the building was to be used as a storage house for a moving company with an entrance into the southern lot for trucks off Whipple Street as well as five parking spaces and a loading area. Aguiar said the plan was to sell the building to the moving company because the company is required to own the building in order to use it for federal contracts. The Zoning Board of Appeals unanimously voted to approve the variance to subdivide the property

into two lots and it's signed by the City Clerk on April 23, 2014 (*See Reference #4*).

January 28, 2016 – T.A. Restaurant took out a \$400,000 mortgage with Fall River Five Cents Saving Bank on the property (*See Reference #5*). Total assessed value of the N.B. Borden School property in 2016 is \$205,800.

March 25, 2019 – T.A. Restaurant President Kevin Santos notified the Historical Commission with a letter of his intent to demolish the N.B. Borden School. In it, Santos said he had invested “well over \$100,000” in repairs and upgrades and that it would cost an estimated \$3.5 million to fully renovate the building and \$400,000 to demolish it. He also said the building was becoming “a safety concern” the longer it is vacant and that its demolition would allow him to complete his parking facility as well as potential for residential construction (*See Reference #6*).

May 21, 2019 – Santos didn't appear at a Historical Commission meeting he was invited to and previously said he would attend to discuss the N.B. Borden School.

May 31, 2019 – In a Herald News article, Santos said the cost to build 12 units would have amounted to roughly \$3 to \$5 million, and that didn't add up with current rents of \$1,100 to \$1,200, plus taxes, water, and insurance. Santos said he's spent some \$300,000 on the building, including hiring an engineer and architect. Santos also said taxes alone have cost him \$20,000 over the last seven years. He said he tried to keep up the building and noted a roof repair in 2018. Santos also said the building is still “solid” and hasn't changed much from when he purchased it.

June 18, 2019 – Santos doesn't show up to another Historical Commission meeting he was invited to and previously said he would attend.

July 15, 2019 – Santos doesn't show up to a City Council Committee on Real Estate meeting he was invited to and previously said he would attend with the Preservation Society and Historical Commission. City Councilor Leo Pelletier said he would discuss the topic with Santos personally (outside of open meeting).

July 25, 2019 – In City Councilor Leo Pelletier's letter to the Historical Commission, he said he spoke with Santos on July 23, where Santos said he'd

invested “well over \$100,000” in repairs and upgrades and that it would cost an estimated \$3.5 million to fully renovate the building. He also said he had no interest in attending a meeting to discuss this further. Councilor Pelletier said, “I truly believe that Mr. Santos has exhausted all possibilities for this property and is looking to demolish the property after the expiration of the October 18, 2019 six-month demolition delay” (*See Reference #7*).

October 23, 2019 – A Massachusetts Public Records Request failed to produce the purchase and sale agreement between the city and T.A. Restaurant for the N. B. Borden School.

May 21, 2020 – The city provided the Preservation Society of Fall River with a letter dated April 30, 2012, from Attorney John Saulino of Saulino & Silvia, P.C., confirming he helped Attorney Jeffrey Medeiros close the sale with the city (*See Reference #8*).

Estimated cost to renovate in 2012: **\$360,000**

Estimated cost to renovate in 2019: **\$3-5 million**

Increase in estimated cost to renovate (2012-2019): **At least +733%**

** Cost estimates were submitted and presented without any supporting documentation*

At the time of the sale:

Mayor – William Flanagan

City Administrator – Shawn Cadime

Corporation Counsel – Steven Torres

City Council Committee on Real Estate – Chairman - Brad Kilby, Joe Camara, Pat Casey, Dave Dennis, Eric Poulin

Of Note:

- T.A. Restaurant's proposal for the redevelopment of the N.B. Borden School was half a page long and missing many of the minimum evaluation criteria that would have excluded it from further consideration, such as developer credentials, developer resources, and a schedule for project implementation (*See Reference #2*).
- At the Jan. 31, 2012, City Council Committee on Real Estate meeting, Corporation Counsel Steven Torres said T.A. Restaurant's proposal for the N.B. Borden School met the minimum criteria of the Request For Proposals, despite it missing multiple of the required minimum criteria.
- The Committee on Real Estate completed a comparative review of competing proposals for N. B. Borden School by T.A. Restaurant and the Capitol Theater before voting – rating the site development proposals, developer credentials, compatibility and/beneficial reuse, and price proposals.
- The Request For Proposals for both the Osborn School and the N. B. Borden School contained similar language and conditions of sale.
- The City Council Committee on Real Estate voted to award the Osborn School and N.B. Borden School sales at the same meeting.
- The purchase and sale agreement for the Osborn School contained provisions to ensure the project was completed. The N.B. Borden School purchase and sale agreement is missing.
- The quitclaim deeds for the Osborn School and the N.B. Borden School were filed on the same day.
- Daniel Aguiar alleged the neighborhood didn't want the previous proposal due to the number of apartments. He said, "The neighborhood itself does not want the applicant to move forward with an apartment development and add an additional 24 units to this neighborhood." Mr. Aguiar made this claim despite previously presenting a neighborhood petition in favor of T. A. Restaurant's proposal to develop N.B. Borden School into apartments.
- When presenting the proposed variance in 2014, Daniel Aguiar omitted the number of apartments originally proposed for the location in 2012 (12-16

units) and instead only cited the maximum number allowed by the zoning. He said, “By right, right now allows us to put in about 24 apartments.”


- When the feasibility of the proposed moving trucks entering from Whipple Street was brought up, Zoning Board of Appeals Chairman David Assad said: “It’s their business model. If the trucks can’t get down, I guess they’re going to go out of business cause the trucks can’t go down there.”
- The Zoning Board of Appeals unanimously voted that no further subdivision would be allowed on the lot with the school building and southern parking lot, but the condition was not included in the official variance filed on April 23, 2014 (*seen in Source #7 @ 2:36:00*).
- When asked at the 2014 Zoning Board of Appeals meeting why the owner needed to subdivide the property, Daniel Aguiar said: “This specific use is a very specific use. Any other use than what this board would grant or potentially grant tonight, it would have to come back before you for any expanded use. So, this is a very low intensity use and that was the intent. The purpose of the subdivision is that there are certain governmental contracts with the federal government for the moving company where they have to own the property where the building is. They can’t lease, they can’t rent. It has to be owner occupied for the moving and storage company. So, this property will be sold to the moving and storage company because it has to be deeded in their name to operate.” No such sale took place and it is unclear to what extent a moving company operated from the building.
- Any rights authorized by the Zoning Board of Appeals variance decision in 2014 were to be exercised within one year or they were to lapse.
- Daniel Aguiar has presented two short petitions – one supporting Santos’ original plan to redevelop the building into apartments in 2012 and another supporting the use variance in 2014. The petitions have overlapping signatures and no petition was presented in favor of demolition.
- The reasoning of hardship for the 2014 Zoning Board of Appeals variance and subdivision was unfounded: 1.) The size of the building and shape of the lot on three streets had not changed since it was purchased in 2012 and limited the owner’s ability to utilize the building no more so than when it was first purchased. 2.) No evidence or metrics were presented explaining how a

variance commercial warehouse use would be less intense than the residential district's allowed residential use.

- Building renovation costs were never mentioned at the Zoning Board of Appeals meeting in 2014 as a hardship or reason not to pursue the original proposal to redevelop the N.B. Borden School into apartments.
- Former abutter Donna Viveiros also bid on the N.B. Borden School in 2012 and brought up concerns with the Request For Proposals process at the Committee on Real Estate Meeting on January 30, 2012, at the City Council Meeting on February 13, 2012, and again at the Zoning Board of Appeals meeting on March 20, 2014.
- The building was described as “abandoned” and “dilapidated” (ZBA, March 20, 2014); “a safety concern” (letter of intent to demolish, March 25, 2019); but then Santos said the building was still “solid” and hasn’t changed much from when he purchased it (The Herald News, May 31, 2019).
- Kevin Santos has given conflicting reports on how much money has been invested in the N.B. Borden School since purchasing it, claiming \$100,000 (March 25, 2019), then \$300,000 (May 31, 2019), and then \$100,000 again (July 25, 2019).
- Despite claims of at least \$100,000 in work being done to the property, no building, electrical, or plumbing permits have been taken out for 45 Morgan Street since at least 2013. *(Per the Fall River Building Department, June 2019)*
- T.A. Restaurant has not provided evidence or documentation of efforts to follow through on the pledge to redevelop the building after the 2012 sale. The only design documents presented were two different versions of the same exterior plan view drawing.
- Kevin Santos has not stated whether T.A. Restaurant has explored available options to reduce the cost of redevelopment, such as grants or historic tax credits.
- The Massachusetts Public Records Request for the missing N.B. Borden School purchase and sale agreement determined it is the only missing document from the building file at City Hall. It also revealed that the purchase and sale agreement for the Healy School was missing as well.

Sources:

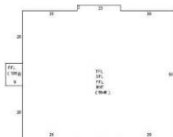

1. Massachusetts Cultural Resource Information System (Form B):
<http://mhc-macris.net/Details.aspx?MhcId=FLR.221>
2. Nathaniel B. Borden Bio:
<http://bioguide.congress.gov/scripts/biodisplay.pl?index=B000636>
3. Deed Research:
<https://www.fallriverdeeds.com/>
4. City Council Committee on Real Estate (January 30, 2012):
<https://youtu.be/Jedd6KJNMWI>
5. Herald News Article (January 31, 2012):
<https://www.heraldnews.com/article/20120131/NEWS/301319453>
6. City Council (February 13, 2012)
<https://youtu.be/RuHtT5eRSw>
7. Zoning Board of Appeals (March 20, 2014): Starts at 2:07:30
<https://www.youtube.com/watch?v=FfywfnRwLsA>
8. Historical Commission (May 21, 2019):
<https://youtu.be/AgeGuRvNOaQ>
9. Herald News Article (May 31, 2019):
<https://www.heraldnews.com/news/20190531/lizzie-bordens-fall-river-school-likely-to-be-demolished>
10. Herald News Article (June 19, 2019):
<https://www.heraldnews.com/news/20190619/borden-school-doomsday-clock-ticking-but-fall-river-historians-trying-to-make-stand>
11. City Council Committee on Real Estate (July 15, 2019):
<https://youtu.be/h26zQBYhowg>



HOME
SEARCH
SUMMARY
INTERIOR
EXTERIOR
SALES
ABOUT

[Printable Record Card](#) | [Previous Assessment](#) | [Condo Info](#) | [Sales](#) | [Zoning](#) | [Comments](#) |

Card 1 of 1

Location 45 MORGAN ST	Property Account Number	Parcel ID 1-08-0001 Old Parcel ID --
Owner RESTAURANT INC. T.A. Address 408 SOUTH MAIN STREET		City FALL RIVER State MA Zip 02721 Zoning A-2
Current Property Sales Information		Legal Reference 7915-225 Grantor(Seller) FALL RIVER,CITY OF
Sale Date 4/30/2012 Sale Price 5,000		
Current Property Assessment		
Year 2020 Land Area 0.991 acres	Card 1 Value Building Value 16,300 Xtra Features Value 10,500 Land Value 185,600 Total Value 212,400	
Narrative Description This property contains 0.991 acres of land mainly classified as COM WHS with a(n) WAREHOUSE style building, built about 1900 , having BRICK exterior and SLATE roof cover, with 1 unit(s), 0 total room(s), 0 total bedroom(s), 0 total bath(s), 0 total half bath(s), 0 total 3/4 bath(s).		
Legal Description		
Property Images		
		

Year	Code	Building	Yard Items	Land Value	Acres	Special Land	Total
2019	316 - COM WHS	15,900	10,500	185,600	43.170.00	0.00	212,000
2018	316 - COM WHS	15,100	11,100	185,600	43.170.00	0.00	211,800
2017	316 - COM WHS	15,100	11,100	185,600	43.170.00	0.00	211,800
2016	316 - COM WHS	9,100	11,100	185,600	43.170.00	0.00	205,800
2015	337 - PARKLOT	276,800	11,100	0	43.170.00	0.00	287,900
2014	934 - CITY ED	431,700	7,500	185,600	43.170.00	0.00	624,800
2013	934 - CITY ED	431,700	7,500	189,500	43.170.00	0.00	628,700
2013	934 - CITY ED	431,700	7,500	189,500	43.170.00	0.00	628,700
2013	934 - CITY ED	541,900	7,500	189,500	43.170.00	0.00	738,900
2012	934 - CITY ED	541,900	7,500	189,500	43.170.00	0.00	738,900
2012	934 - CITY ED	541,900	7,500	189,500	43.170.00	0.00	738,900
2012	934 - CITY ED	818,900	7,500	189,500	43.170.00	0.00	1,015,900
2011	934 - CITY ED	818,900	7,500	189,500	43.170.00	0.00	1,015,900
2011	934 - CITY ED	818,900	7,500	199,500	43.170.00	0.00	1,025,900
2011	934 - CITY ED	818,900	7,500	189,500	43.170.00	0.00	1,015,900
2011	934 - CITY ED	818,900	7,500	189,500	43.170.00	0.00	1,015,900
2010	934 - CITY ED	818,900	7,500	199,500	43.170.00	0.00	1,025,900
2009	934 - CITY ED	866,900	6,600	199,700	43.170.00	0.00	1,073,200
2008	903 - N/A	866,900	6,600	199,700	43.170.00	0.00	1,073,200
2007	903 - N/A	815,900	6,600	199,700	43.170.00	0.00	1,022,200
2006	903 - N/A	768,100	6,600	143,400	43.170.00	0.00	918,100
2005	903 - N/A	0	6,000	110,000	43.170.00	0.00	116,000
2004	903 - N/A		1,159,800	109,600	0.99		1,269,400

(Reference #1)

Proposal For NB Borden School, 45 Morgan St, Fall River, MA

Bidders- Fernando Santos & Kevin Santos

We are currently the owners of the TA Restaurant located at 408 South Main St. for the past nine years. We recently purchased real estate at 420 South Main St directly across the street from the Restaurant. Additionally, we rent parking spaces for our business. We are invested in the area and hopefully will continue to invest in the future. The downtown area of Fall River is where we choose to earn our living. It is becoming increasingly difficult to plan long term for any future investments in our current business with the issue of parking outstanding. We consistently hear from a number of businesses in the area that they would benefit greatly by having additional parking, even if only to find somewhere for employees to park.

Our proposal for the property is as follows:

- Create permanent parking for the long term stability of the TA Restaurant.
- Create off street parking for several neighboring businesses.
- Preserve the structure of the building and explore residential and professional live/work spaces.

Estimates for the residential and professional live/work spaces are currently in process. Work on the proposal will commence immediately upon award.

(Reference #2)



QUITCLAIM DEED

PROPERTY ADDRESS: 45 Morgan Street, Fall River, MA 02721

Fall River, Massachusetts

The City of Fall River, a duly organized and existing municipal corporation, with an address at One Government Center, Fall River, Massachusetts, for consideration paid of Five-Thousand Dollar and 00/100 (\$5,000.00), grants to T.A. Restaurant Inc., a corporation duly created and exiting under the laws of the Commonwealth of Massachusetts with a place of business at 408 South Main Street, Fall River, MA 02721, with quitclaim covenants, the land in Fall River, Bristol County, Massachusetts, with any buildings and improvements thereon, bounded and described as follows: Land with buildings thereon located in Fall River, Massachusetts bounded and described as follows:

Northerly, One Hundred Ninety-Eight and 00/100 (198.00) feet, by the southerly line of Morgan Street;

Easterly, Two Hundred Eighteen and 03/100 (218.03) feet by the westerly line of Whipple Street;

Southerly, One Hundred Ninety-Eight and 00/100 (198.00) feet, by the land now or formerly of James Miranda, and by land now or formerly of Brian & Antone Franco;

Westerly, Two Hundred Eighteen and 03/100 (218.03) feet by the easterly line of Ridge Street;

Containing 43,170 square feet, more or less and being shown on Fall River Assessors Map I as Parcel 08-001.

known as The N.B. Borden School.

For the title of the City see various deed .to the City of Fall River recorded with the Bristol County (Fall River) Registry of Deeds, in Book 60 Page 458, Book 60 Page 482 and Book 61 Page 57 respectively.

The requirements of M.G.L. c. 44, § 63A have been fully satisfied.

(Reference #3)

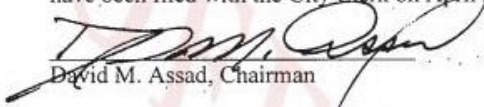
FALL RIVER ZONING BOARD OF APPEALS
DECISION



2014 00006822
Bk: 8472 Pg: 90 Doc: DECSN
Page: 1 of 1 05/23/2014 09:16 PM

Petitioner: T.A. RESTAURANT INC.
Property Location: 45 Morgan Street, Lot 1-8-1
Owned By: T.A. RESTAURANT INC.

I hereby certify that the following is a true and correct copy of the action taken by the Fall River Zoning Board of Appeals on March 20, 2014, and that copies of the same have been filed with the City Clerk on April 3, 2014.


David M. Assad, Chairman

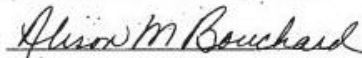
In the matter of T.A. Restaurant for a Variance request to divide property into two lots leaving the existing parking lot on one lot and the existing building as a storage warehouse with office space on the other lot waiving use and dimensional requirements in an Apartment District [A-2]. Lot sizes 21,000 +/- s.f. and 22,000 +/- s.f.

In a vote of 5-0 the Board voted to grant the petitioner's request with the conditions being that: 1. Signage shall be limited to one wall mounted non-illuminated sign not to exceed 24"x48" in size. 2. The hours of operation shall be 7:00 a.m. to 5:30 p.m., Monday through Saturday. 3. There shall be no fencing along the interior property line separating the two lots. 4. There shall be no storage of hazardous materials in the existing building. Mr. Alves, Mr. Mateus, Mr. Calkins, Mr. Frank and Mr. Assad voted in favor of the motion and the petition was granted with conditions.

The Board found that owing to the circumstances relating to the existing parcel, especially affecting the locus but not affecting the Apartment District in which it is located, a literal enforcement of the zoning ordinance would involve substantial hardship to the petitioner and that if relief were not granted, the petitioner would be denied reasonable use of the property. The Board found that the relief requested may be granted, as it would not be detrimental to the neighborhood nor would it derogate from the intent and purpose of the zoning ordinance.

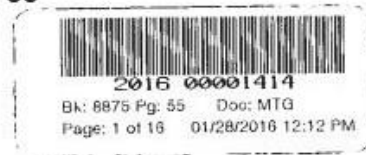
This decision must be recorded at the Registry of Deeds and Rights Authorized by this Decision shall be exercised within **one year of the grant**, otherwise said rights shall lapse.

This is to certify that twenty days have elapsed since the filing on April 3, 2014, of the decision of the Board of Appeals contained herein and no notice of any appeal against the same has been filed with the City Clerk.

Attest: 
Date: APR 24 2014

CITY CLERK
FALL RIVER, MA
2014 APR -3 P 1:
RECEIVED

(Reference #4)



16
 UNOFFICIAL

MORTGAGE

WHEN RECORDED MAIL TO:
 Fall River Five Cents Savings Bank, 79 North Main Street, Fall River, MA 02720

FOR RECORDER'S USE ONLY

Property Address: 45 Morgan Street, Fall River, MA 02721.

THIS MORTGAGE dated January 28, 2016, is made and executed between T.A. Restaurant, Inc., whose address is 408 South Main Street, Fall River, MA 02721 (referred to below as "Grantor") and Fall River Five Cents Savings Bank, whose address is 79 North Main Street, Fall River, MA 02720 (referred to below as "Lender").

GRANT OF MORTGAGE. For valuable consideration, Grantor grants to Lender with **MORTGAGE COVENANTS** all of Grantor's right, title, and interest in and to the following described real property, together with all existing or subsequently erected or affixed buildings, improvements and fixtures; all easements, rights of way, and appurtenances; all water, water rights, watercourses and ditch rights (including stock in utilities with ditch or irrigation rights); and all other rights, royalties, and profits relating to the real property, including without limitation all minerals, oil, gas, geothermal and similar matters, (the "Real Property") located in **Bristol County, Commonwealth of Massachusetts:**

See Exhibit A, which is attached to this Mortgage and made a part of this Mortgage as if fully set forth herein.

The Real Property or its address is commonly known as 45 Morgan Street, Fall River, MA 02721.

Grantor presently assigns to Lender all of Grantor's right, title, and interest in and to all present and future leases of the Property and all Rents from the Property. In addition, Grantor grants to Lender a Uniform Commercial Code security interest in the Personal Property and Rents.

THIS MORTGAGE, INCLUDING THE ASSIGNMENT OF RENTS AND THE SECURITY INTEREST IN THE RENTS AND PERSONAL PROPERTY, IS GIVEN TO SECURE (A) PAYMENT OF THE INDEBTEDNESS AND (B) PERFORMANCE OF ANY AND ALL OBLIGATIONS UNDER THIS

(Reference #5)



T.A. RESTAURANT, INC.

CLERK'S CERTIFICATE


I, Kevin Santos, hereby certify that I am the duly elected Clerk of T.A. Restaurant, Inc., a duly organized Massachusetts Corporation and that at a special meeting of the Board of Directors duly called and held on Thursday, January 28, 2016, at which meeting all of the Directors were present and acting throughout, a vote, of which the following is a true copy, was unanimously adopted, namely:

VOTED:

That Fernando Santos, President and Kevin Santos, Treasurer of the corporation, be and are hereby authorized, in the name and on behalf of this corporation to borrow and guarantee the sum **FOUR HUNDRED THOUSAND 00/100 (\$400,000.00)** DOLLARS from Fall River Five Cents Savings Bank, with an address of 79 North Main Street, Fall River, MA 02720. Fernando Santos, President and Kevin Santos, Treasurer, be and are hereby authorized in the name and on behalf of the corporation to sign, seal, acknowledge and deliver a note, mortgage, assignment of rents & leases and any other loan documents on the real estate located at 45 Morgan Street, Fall River, MA and restaurant equipment and contents located at 400-408 So. Main Street, Fall River, Massachusetts any and all other documents necessary to complete such loan. Such documents to be in such form and on such terms and in such amounts and at such interest rate as the said Fernando Santos, President and Kevin Santos, Treasurer may determine, and the execution thereof, shall be conclusively presumed to be authorized by this vote.

I further certify that said vote is in accordance with the By-Laws of the corporation and has not been altered, amended or rescinded, and is now in full force and effect.

IN WITNESS WHEREOF I hereunto set my hand and the corporate seal of T.A. RESTAURANT INC., this 28th day of January, 2016.

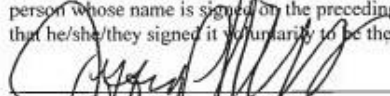

Kevin Santos, Clerk

COMMONWEALTH OF MASSACHUSETTS

BRISTOL, ss

Fall River, January 28, 2016

On this 28th Day of January, 2016, before me, the undersigned notary public, personally appeared the before-named Kevin Santos, to me personally known and personally known to me to be a Secretary of T.A. Restaurant, Inc., and by me personally known to be the party proved to me through satisfactory evidence of identification, which was Mass. driver's license(s) to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she/they signed it voluntarily to be the free act and deed of T.A. Restaurant, Inc.


Notary Public Jeffrey P. Medeiros
My Commission Expires: 2/24/2017



(Reference #5)

March 25, 2019

RE: NB Borden School
Map I-8 Lot 1-45 Morgan Street

Dear Commission Members

I write to you today in regards to above referenced property. In 2012, we purchased the property with the intent of renovating the existing abandoned NB Borden School for the purposes of either residential apartments and or office/ commercial space.

In 2014 we applied for and received a zoning variance allowing the subdivision of the parcel, leaving the existing building on one parcel to be utilized as office space and storage warehouse while creating a parking facility for our adjacent restaurant on the second parcel. We have invested well over \$100,000.00 in repairs/upgrades and have currently completed approximately 80% of the parking facility.

Over this time we have worked extensively with our Engineer, Architect and several contractors in an attempt to develop the property with the intent of leaving the structure standing. As with many of the sold school properties in the City, the restoration/re-use of the structures is very difficult and the cost of such makes the projects economically unfeasible. The cost to complete the needed renovations was estimated to be approximately 3.5 million dollars. The estimated costs of demolishing the building will be approximately \$400,000. We are often approached by residents in the City regarding the project and most request to have the building razed. Additionally, it is becoming more of a safety concern for the neighborhood the longer the building sits vacant.

It is for these reasons that we are requesting a permit for demolition from the City of Fall River Building Commissioner. The demolition of the property will allow for the completion of the parking facility as well as the potential of residential construction along a portion of the Whipple Street frontage. Thank you for your time and attention regarding this matter.

Sincerely,



Kevin Santos

(Reference #6)



City of Fall River
Massachusetts
City Council

LEO O. PELLETIER
City Councilor

July 25, 2019

Kristen Cantara Oliveira, Chair
Fall River Historical Commission
One Government Center
Fall River, MA 02722

Dear Honorable Members,

At a meeting of the City Council Committee on Real Estate held on July 15, 2019, a discussion was held with those present regarding a request to demolish the building located at 45 Morgan Street. During the meeting it was stated that there is a six month delay on the demolition, due to the building being listed on the Fall River Register of Significant Structures.

I have been in contact with Kevin Santos, the owner of this property. After a conversation with Mr. Santos on July 23, 2019, he stated that he has no interest in attending a meeting to discuss this matter further. He also stated that he has owned this property since 2012 and has worked diligently to explore the possibility of renovating the existing building for either residential apartments or commercial office space. During the time since the purchase of this property, he has applied for and received a variance in 2014, invested over \$100,000.00 in repairs and upgrades of the property and has been working on improving the parking area. Over the years he has worked extensively with engineers, architects and several contractors and he has come to realize that the amount of money needed to renovate this building far exceeds his ability to invest the necessary funds.

After this meeting yesterday, I truly believe that Mr. Santos has exhausted all possibilities for this property and is looking to demolish this property after the expiration of the October 18, 2019 six month demolition delay. If you have any questions in this matter, feel free to contact me at 508-642-3824.

Very truly yours,

Leo O. Pelletier, Chair
City Council Committee on Real Estate

cc: Kevin Santos
/ct

One Government Center • Fall River, MA 02722
TEL (508) 324-2233 • FAX (508) 324-2234 • EMAIL city_council@fallriverma.org

(Reference #7)

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April 30, 2012

www.saulinoandsilvia.com

Ms. Nancy Pavao
City of Fall River Law Department
One Government Center
Fall River, Massachusetts 02722

RE: THE CITY OF FALL RIVER TO
T.A. RESTAURANT, INC.
45 MORGAN STREET
FALL RIVER, MASSACHUSETTS
FALL RIVER ASSESSOR MAY I-08 LOT 0001

Dear Ms. Pavao:

As you are aware I have been assisting Attorney Jeffrey P. Medeiros with completing the sale of the referenced property to his client since his recent health issues.


Enclosed herewith please find checks which represent the sums due to the City of Fall River in accordance with our communications. Specifically, enclosed herewith please find the following:

1. Check in the sum of Five Thousand and no/100 (\$ 5,000.00) representing the agreed upon sales price;
2. Check in the sum of twenty-five dollars (\$ 25.44) representing the proforma 2012 real estate taxes;
3. Check in the sum of one hundred seventeen dollars and 70/100 (\$ 117.70) representing the proforma 2013 real estate taxes due per your instruction; and
4. Affidavit of Fernando Santos and Kevin Santos.

I believe this is all that is required for you to release the deed for the property to the buyer. If you need anything further please advise.

Thanking you for your kind cooperation and assistance as always, I am,

Very truly yours,
Saulino & Silvia, P.C.

By: 
John E. Saulino, Esquire

JES/np
Enclosures

HAND DELIVERED THIS DATE

(Reference #8)