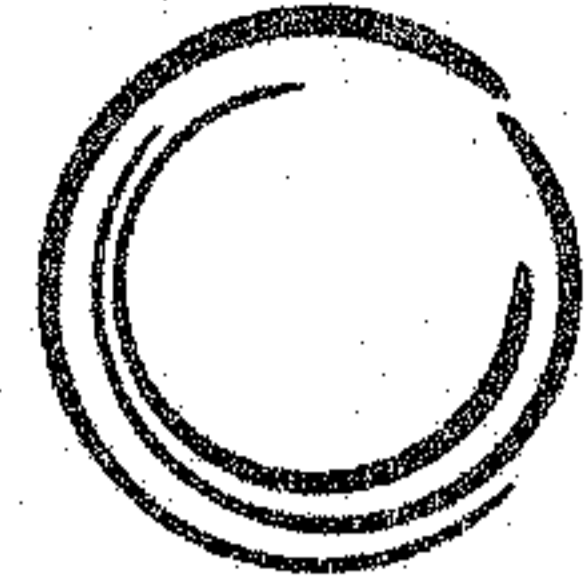


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CAPE COD
COMMISSION

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January 21, 2021

Laura M. Moynihan, Esq
Law Office of Laura M. Moynihan
17 Academy Lane, Suite 1
Falmouth, MA 02540

RE: Falmouth Technology Park, Falmouth MA
Technology Park Drive, Bernard E. Sant Jean Drive,
Langdon G. Burwell Drive, Research Road
File No: DA 92057

Dear Attorney Moynihan,

Attached is the signed Notice of Acknowledgement of Expiration Date of Development Agreement by and between the Cape Cod Commission and the Falmouth Economic Development Industrial Corporation for the Falmouth Technology Park.

Please contact Jon Idman directly, if you have any questions.

Best,

Lisa Dillon
Commission Clerk

Enc.

CC: F, Michael DiGiano, Executive Director, Falmouth EDIC

**Notice
of Acknowledgement of Expiration Date of
Development Agreement by and between the
Cape Cod Commission and the Falmouth Economic Development Industrial
Corporation (FEDIC) for the Falmouth Technology Park
(Commission File #DA 92057)**

Date: January 21, 2021

Locus: Falmouth Technology Park, Falmouth, Massachusetts
Technology Park Drive, Bernard E. Saint Jean Drive,
Langdon G. Burwell Drive, Research Road

Pursuant to Section 7 of the Cape Cod Commission's Development Agreement Regulations (Chapter D of the Code of Cape Cod Commission Regulations of General Application) and Paragraph "P" of the Development Agreement for the Falmouth Technology Park by and between the Cape Cod Commission and the Falmouth Economic Development Industrial Corporation ("FEDIC"), dated February 21, 2006, recorded with the Barnstable Registry of Deeds in Book 20976 Page 59, as modified by instruments dated December 18, 2012 and November 4, 2014 ("Development Agreement"), and after public hearing and by vote of the Cape Cod Commission on FEDIC's 2/15/18 extension request, for good and equitable cause shown, the Cape Cod Commission and FEDIC agreed pursuant to an Extension Agreement dated March 22, 2018, recorded at the Barnstable Registry of Deeds in Book 31217 Page 264, to extend the term of the Development Agreement to **February 19, 2021** such that the expiration date of the Development Agreement pursuant to its terms is **February 19, 2021** (the "Expiration Date")

On August 4, 2010, the Massachusetts legislature adopted "An Act Relative to Economic Development Reorganization", Senate No. 2582, (known as the "Permit Extension Act"), which provides that any "Approval" as defined therein concerning the use or development of real property in effect during the period of August 15, 2008 to August 15, 2012 (the "Tolling Period") is automatically extended for four (4) years in addition to the lawful term of the Approval.

On March 26, 2020, the Massachusetts Governor issued an "Order Suspending State Permitting Deadlines and Extending The Validity of State Permits", COVID-19 Order No. 17, (the

Governor's Order"), which provides that an "approval" issued by a state permitting agency valid as of March 10, 2020 shall not lapse or otherwise expire during the declared COVID-19 state of emergency (the "State of Emergency") and the expiration date of such an "approval" shall toll during the State of Emergency. The State of Emergency is currently in effect as of the date hereof.

The Development Agreement constitutes an "Approval" pursuant to the Permit Extension Act and the Governor's Order as it is a permit or other approval or determination of rights from a state or regional governmental entity concerning the use or development of real property. Further, the Development Agreement is an "Approval" that was in effect during the Tolling Period pursuant to the Permit Extension Act and as of March 10, 2020 pursuant to the Governor's Order.

Accordingly, this is an acknowledgement on behalf of the Cape Cod Commission that the expiration date of the Development Agreement pursuant to the Permit Extension Act is four (4) years to **February 19, 2025** and further, if the State of Emergency is in effect as of February 19, 2021, the expiration date of the Development Agreement will be the day **after February 19, 2025** that represents the same number of calendar days from February 19, 2021 to the day when the State of Emergency is no longer in effect in the Commonwealth of Massachusetts.

This is also an acknowledgement on behalf of the Cape Cod Commission that Development may proceed in the Falmouth Technology Park, subject to the terms and conditions of the Development Agreement, without the requirement for mandatory Development of Regional Impact review where otherwise required so long as all necessary Development Permits for such development are obtained prior to the expiration date of the Development Agreement as acknowledged herein.

(Signature page to follow)

Executed this 21st day of January 2021.

For the Cape Cod Commission By:

Harold W Mitchell
Signature

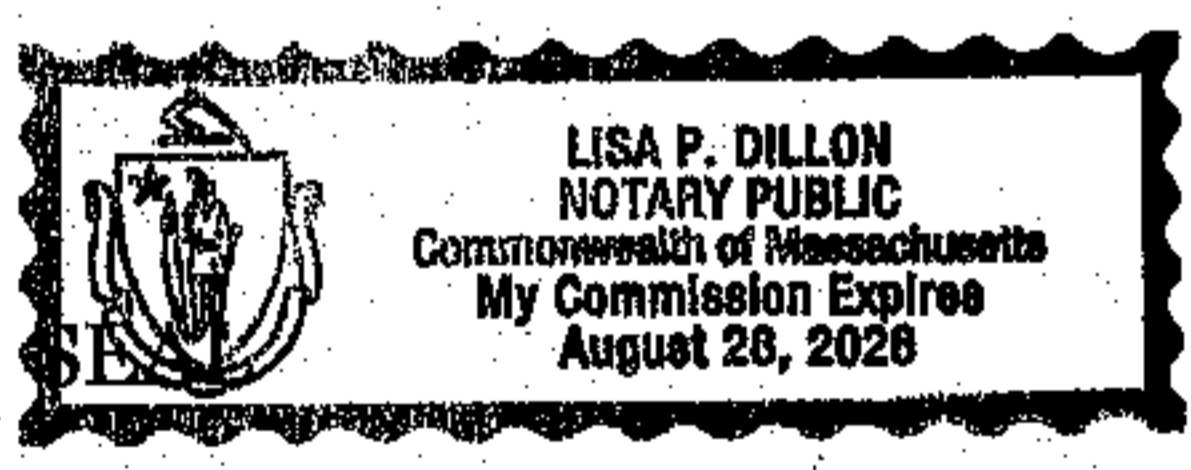
Harold W Mitchell Chair CC Commission
Print Name and Title

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss

January 21, 2021

Before me, the undersigned notary public, personally appeared Harold Mitchell, in his/her capacity as CHAIRMAN of the Cape Cod Commission, whose name is signed on the preceding document, and such person acknowledged to me that he/she signed such document voluntarily for its stated purpose on behalf of the Cape Cod Commission. The identity of such person was proved to me through satisfactory evidence of identification, which was [] photographic identification with signature issued by a federal or state governmental agency, [] oath or affirmation of a credible witness, or personal knowledge of the undersigned.



Lisa P. Dillon
Notary Public
My Commission Expires: 8/28/28