# FOR SALE | RESTAURANT | COMMERCIAL SPACE

## 103 TOWLE FARM ROAD, HAMPTON, NH 03842

## PROPERTY HIGHLIGHTS

- Iconic restaurant opportunity available for purchase
- Former Smuttynose Brewery Restaurant with extensive restaurant infrastructure in place
- Flexible setting for indoor and outdoor seating and outdoor entertainment
- Extensive on-site parking to accommodate a variety of uses
- Easy conversion to other uses in flexible industrial zoning district (office, daycare, healthcare, and more)
- Established destination minutes from Hampton Beach, Route 101, and I-95

**SALE PRICE: $1,500,000**

THE BOULOS COMPANY

1 NEW HAMPSHIRE AVENUE, SUITE 207, PORTSMOUTH, NH 03801 | 603.427.1333 | BOULOS.COM

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## PROPERTY DETAILS

| | |
|---|---|
| **YEAR BUILT** | Year Built: 1900 \| Effective Year Built 1999 |
| **BUILDING SIZE** | First Floor: 2,819± SF<br>Upper Level: 937± SF<br>Lower Level: 2,781± SF<br>Total: 6,537± SF |
| **INDOOR SEATING*** | First Floor: 88<br>Upper Level: 45<br>Lower Level: 9<br>Total: 142 |
| **OUTDOOR SEATING*** | Seated: 192<br>Standing: 300 |
| **SEATING CAPACITY** | *Maximum approved seating capacity as of 9/15/2026.<br>Buyer will need to obtain approval for its proposed seating. |
| **LAND AREA** | 4.88± AC |
| **ZONING** | I - Industrial |
| **HEATING/COOLING** | Forced air, central A/C, mini-splits |
| **UTILITIES** | Municipal water (Aquarion), municipal sewer, natural gas |
| **SPRINKLERS** | Wet system |
| **RESTROOMS** | Restrooms on lower level, first floor, and upper level |
| **PARKING** | Ample on-site parking |
| **EASEMENTS** | Yes, inquire for details |
| **ESTIMATED TAXES** | $15,358.98 |
| **SALE PRICE** | $1,500,000 |
| **FF&E** | Furniture, fixtures, and equipment negotiable |
| **TERMS** | Property sold in “as is” condition |

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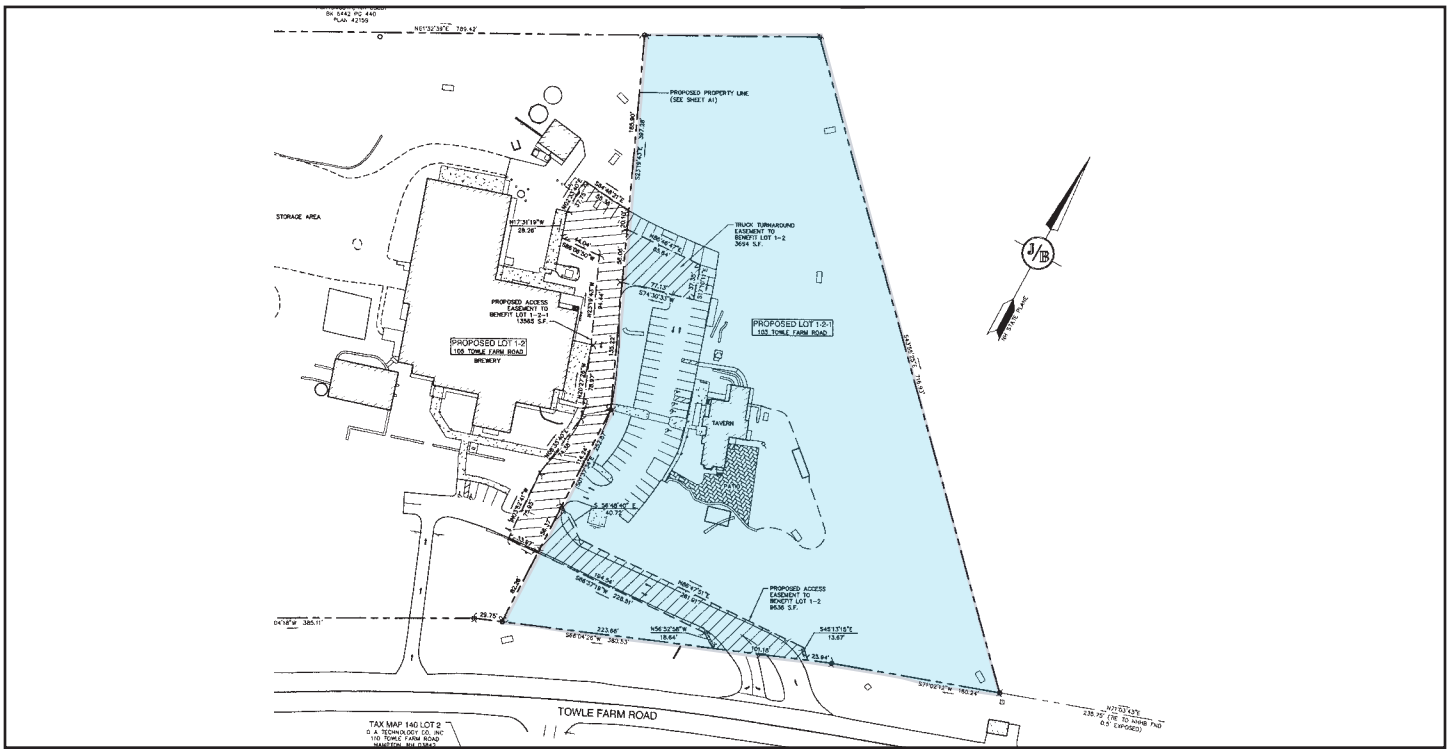
## PHOTOS

## SITE PLAN



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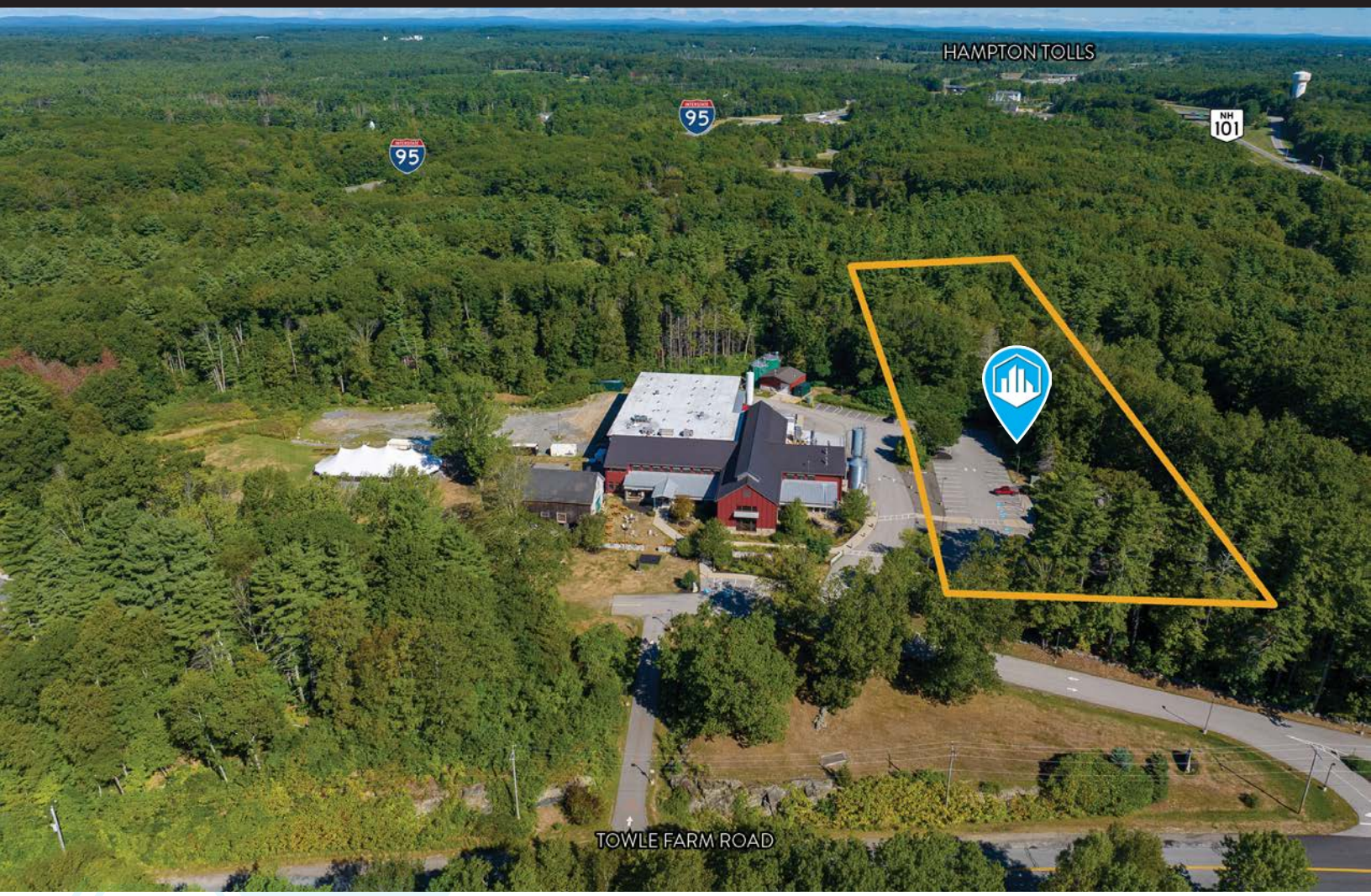


## CONTACT US

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THE BOULOS COMPANY


Property details have been gathered from sources deemed reliable, but no warranty is made as to its accuracy. All information should be independently verified. Boundary lines shown are approximate and are for informational purposes only. They are not suitable for legal, engineering, or surveying purposes.

NEW HAMPSHIRE
OPLC
Office of Professional Licensure and Certification

# State of New Hampshire

**OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION**
**DIVISION OF LICENSING AND BOARD ADMINISTRATION**
**7 Eagle Square, Concord, NH 03301-4980**
**Phone: 603-271-2152**

## BROKERAGE RELATIONSHIP DISCLOSURE FORM

**(This is Not a Contract)**

***This form shall be presented to the consumer at the time of first business meeting, prior to any discussion of confidential information***

***Right Now, You Are a Customer***

As a customer, the licensee with whom you are working is not obligated to keep confidential the information that you might share with him or her. As a customer, you should not reveal any confidential information that could harm your bargaining position.

***As a customer, you can expect a real estate licensee to provide the following customer-level services:***

- To disclose all material defects known by the licensee pertaining to the on-site physical condition of the real estate;
- To treat both the buyer/tenant and seller/landlord honestly;
- To provide reasonable care and skill;
- To account for all monies received from or on behalf of the buyer/tenant or seller/landlord relating to the transaction;
- To comply with all state and federal laws relating to real estate brokerage activity; and
- To perform ministerial acts, such as showing property, preparing, and conveying offers, and providing information and administrative assistance.

***To Become a Client***

Clients receive more services than customers. You become a client by entering into a written contract for representation as a seller/landlord or as a buyer/tenant.

***As a client, in addition to the customer-level services, you can expect the following client-level services***

- Confidentiality;
- Loyalty;
- Disclosure;
- Lawful Obedience; and
- Promotion of the client's best interest.
- For seller/landlord clients this means the agent will put the seller/landlord's interests first and work on behalf of the seller/landlord.
- For buyer/tenant clients this means the agent will put the buyer/tenant's interest first and work on behalf of the buyer/tenant.

**Client-level services also include advice, counsel, and assistance in negotiations.**

**For important information about your choices in real estate relationships, please see page 2 of this disclosure form.**

I acknowledge receipt of this disclosure as required by the New Hampshire Real Estate Commission (Pursuant to Rea 701.01).
**I understand as a customer I should not disclose confidential information.**

| Name of Consumer (Please Print) | | Name of Consumer (Please Print) | |
|---|---|---|---|
| Signature of Consumer | Date | Signature of Consumer | Date |
| Provided by: Name & License # | Date | (Name and License # of Real Estate Brokerage Firm) | |

_____consumer has declined to sign this form
(Licensees Initials)

*To check on the license status of a real estate firm or licensee use the licensee look up at oplc.nh.gov*
Inactive licensees *may not practice real estate brokerage. 8/18/17*

## *Types of Brokerage Relationships commonly practiced in New Hampshire*

### *SELLER AGENCY (RSA 331-A:25-b)*

A seller agent is a licensee who acts on behalf of a seller or landlord in the sale, exchange, rental, or lease of real estate. The seller is the licensee's client, and the licensee has the duty to represent the seller's best interest in the real estate transaction.

### *BUYER AGENCY (RSA 331-A:25-c)*

A buyer agent is a licensee who acts on behalf of a buyer or tenant in the purchase, exchange, rental, or lease of real estate. The buyer is the licensee's client, and the licensee has the duty to represent the buyer's best interests in the real estate transaction.

### *SINGLE AGENCY (RSA 331-A:25-b; RSA 331-A:25-c)*

Single agency is a practice where a firm represents the buyer only, or the seller only, but never in the same transaction. Disclosed dual agency cannot occur.

### *SUB-AGENCY (RSA 331-A:2, XIII)*

A sub-agent is a licensee who works for one firm but is engaged by the principal broker of another firm to perform agency functions on behalf of the principal broker's client. A sub-agent does not have an agency relationship with the customer.

### *DISCLOSED DUAL AGENCY (RSA 331-A:25-d)*

A disclosed dual agent is a licensee acting for both the seller/landlord and the buyer/tenant in the same transaction with the knowledge and written consent of all parties.

The licensee cannot advocate on behalf of one client over another. Because the full range of duties cannot be delivered to both parties, written informed consent must be given by all clients in the transaction.

A dual agent may not reveal confidential information without written consent, such as:

1. Willingness of the seller to accept less than the asking price.
2. Willingness of the buyer to pay more than what has been offered.
3. Confidential negotiating strategy not disclosed in the sales contract as terms of the sale.
4. Motivation of the seller for selling nor the motivation of the buyer for buying.

### *DESIGNATED AGENCY (RSA 331-A:25-e)*

A designated agent is a licensee who represents one party of a real estate transaction and who owes that party client-level services, whether or not the other party to the same transaction is represented by another individual licensee associated with the same brokerage firm.

### *FACILITATOR (RSA 331-A:25-f)*

A facilitator is an individual licensee who assists one or more parties during all or a portion of a real estate transaction without being an agent or advocate for the interests of any party to such transaction. A facilitator can perform ministerial acts, such as showing property, preparing and conveying offers, and providing information and administrative assistance, and other customer-level services listed on page 1 of this form. This relationship may change to an agency relationship by entering into a written contract for representation, prior to the preparation of an offer.

### *ANOTHER RELATIONSHIP (RSA 331-A:25-a)*

If another relationship between the licensee who performs the service and the seller, landlord, buyer or tenant is intended, it must be described in writing and signed by all parties to the relationship prior to services being rendered.