

FORM I (Page 1 of 2)

APPROVAL WITH COVENANT CONTRACT

Know all by these present that whereas the undersigned has submitted an application dated July 25, 2012 to the Wayland Planning Board for application of a definitive plan of a certain subdivision entitled Covered Bridge Conservation Cluster Development, and that such plan has been approved by

(i) a Special Permit dated July 25, 2012 and recorded in Book 599³⁵ at page 22 of the Middlesex South Registry of Deeds, and

(ii) a plan approved by the Wayland Planning Board on September 4, 2012, recorded as Plan 627 of 2012 at the Middlesex South Registry of Deeds

and amended by

(a) a Release of Lot 12A by the Wayland Planning Board dated November 19, 2013, and recorded in Book 62959 at page 323 of the Middlesex South Registry of Deeds, and

(b) a revised Site Plan approved by the Wayland Planning Board on December 3, 2013, and recorded as Plan 955 of 2013 at the Middlesex South Registry of Deeds,

and has requested the Board to approve such plans without requiring a performance bond,

NOW THEREFORE, THIS AGREEMENT WITNESSETH that in consideration of the Wayland Planning Board approving said plan without requiring a performance bond, and in consideration of one dollar in hand paid, receipt whereof is hereby acknowledged, the undersigned covenants and agrees with the Town of Wayland as follows:

1. The undersigned will not sell any lot in the subdivision or erect or place any permanent building on any such lot until the work on the ground necessary to serve adequately such lot has been completed in the manner specified in the aforesaid application, and in accordance with the covenants, conditions, agreements, terms and provisions thereof.
2. This agreement shall be binding upon the executors, administrators, devisees, heirs, successors and assigns of the undersigned.

It is the intention of the undersigned and it is hereby understood and agreed that this contract shall constitute a covenant running with the land included in the aforesaid subdivision and shall operate as restrictions upon said land.

It is understood and agreed that lots within the subdivision shall, respectively, be released from the foregoing conditions upon the recording of a certificate of performance executed by a majority of said Planning Board and enumerating the specific lots to be so released.

3. The undersigned represents and covenants that undersigned is the owner* in fee simple of all the land included in the aforesaid subdivision and that there are no mortgages of record or otherwise on any of said land, except such as are described below and subordinated to this contract, and the present holders of said mortgage have assented to this contract prior to its execution by the undersigned.

*If there is more than one owner, all must sign.

James F. Sterio, Esq.
Regnante Sterio & Osborne LLP
401 Edgewater Place, Suite 630
Wakefield, MA 01880

FORM I (page 2 of 2)

IN WITNESS WHEREOF the undersigned, applicant as aforesaid, does hereunto set his hand and seal this 1st day of December, 20 13.

Applicant Covered Bridge, Inc., by:

Devens H. Hamlen
Devens H. Hamlen, President

Description of Mortgages:

A1 Mortgage to East Boston Savings Bank dated December 10, 2013, and recorded at herewith
Book page of the Middlesex South Registry of Deeds.

Assent of mortgagee East Boston Savings Bank by:

Brian R. Haney, V.P.
Print name and title: Brian R. Haney, V.P.

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS. Dec 10, 20 13.

Then personally appeared the above named **Devens H. Hamlen** and acknowledged the foregoing instrument to be his free act and deed, before me.

[Signature]
Notary Public

My commission expires:

JAMES F. STERIO
Notary Public
Commonwealth of Massachusetts
My Commission Expires
April 8, 2016

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS. Dec 10, 20 13.

Then personally appeared the above named Brian R. Haney Vice President
for and and acknowledged the foregoing instrument to be
his/her free act and deed, before me.

[Signature]
Notary Public

My commission expires:

JAMES F. STERIO
Notary Public
Commonwealth of Massachusetts
My Commission Expires
April 8, 2016