

DECLARATION OF DRAINAGE COVENANT AND MAINTENANCE AGREEMENT STRAWBERRY FARMS

In consideration of the approval by the Planning Board of the Town of Littleton, Massachusetts (hereinafter referred to as the “Board”) of the plan of land located in Littleton, Middlesex County, Massachusetts entitled “Definitive Subdivision Plan for Strawberry Farms at 95 Taylor Street in Littleton, Massachusetts ” last revised [DATE OF PLAN], by Stamski and McNary, Inc., and recorded as Plan No. [PLAN NO.] of [PLAN YEAR] (the “Plan”) to preserve and enhance the character of the community and the enjoyment of life therein, Seal Harbor Companies, LLC, a Massachusetts Limited Liability Company with an address of 179 Great Road, Suite 212, Acton, Massachusetts its successors and assigns (the “Owners”), hereby covenant and agree with the Board and the Town as follows:

1. The undersigned developer is the owner of lots 1, 2 and 3 as shown on the Plan. For title reference of the property see Deeds recorded in the Middlesex South Registry of Deeds in Book , Page .
2. Said property shall henceforth be subject to the conditions set forth by Definitive Subdivision Decision of the Littleton Planning Board dated [DATE OF DECISION], recorded with the Middlesex South Registry of Deeds in Book , Page (the “Decision”). The agreements, covenants, reservations and restrictions pursuant to said Decision shall run with the land.
3. The Owners shall bear and have joint responsibilities and obligations to follow the terms of the “Long Term Pollution Prevention and Drainage System Operation and Maintenance Plan” and the “Erosion and Sedimentation Control Notes” contained in the Plan.
4. The Owners shall bear and have joint responsibilities and obligations for any general maintenance and upkeep of drainage systems and basins as shown on the Plan.
5. The Owners shall bear and have joint responsibilities and obligations to comply with all the conditions of the Decision.
6. The Owners shall be responsible for creating and maintaining a Homeowner’s Association unless other mutually acceptable arrangements are made and agreed upon.
7. The Owners Lots 1, 2 and 3 on said Plan hereby grant each other easement rights to enter onto each other lots in order to comply with the conditions of this Covenant.

8. This covenant shall be binding upon the executors, administrators, devisees, heirs, successors and assigns of the developer and constitute a covenant running with the land included in the subdivision and shall operate as restrictions upon the land.

[SIGNATURE AND NOTARY PAGE TO FOLLOW]

Witness my hand and seal this day of

Seal Harbor Companies, LLC

Mark Gallagher, Manager

COMMONWEALTH OF MASSACHUSETTS

Middlesex County

On this day of before me, the undersigned notary public, personally appeared the Mark Gallagher and proved to me through satisfactory evidence of identification, which was [IDENTIFICATION], to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose, as his free act and deed as manager of Seal Harbor Companies, LLC.

Notary Public:
My Commission Expires: