



## PLANNING BOARD

P.O. Box 1305  
Littleton, Massachusetts 01460

### Strawberry Farms at 95 Taylor Street FORM F COVENANT

This covenant is entered into between the Planning Board of the Town of Littleton (in this Agreement referred to as "the Board") and Seal Harbor Companies, LLC, PO Box 2857, 179 Great Road, Suite 212, Acton, MA 01720 (in this Agreement referred to as "Owner"), and Seal Harbor Companies, LLC PO Box 2857m, 179 Great Road, Suite 212, Acton, MA 01720 and Vilena T Friberg, 95 Taylor Street, Littleton, MA 01460, (in this Agreement referred to as "Applicant").

The Applicant has filed a Definitive Plan of the proposed subdivision of land on a plan entitled: "Strawberry Farms at 95 Taylor Street", Definitive Plan of a Subdivision in Littleton, MA. for Seal Harbor Companies, LLC," covering land shown on Littleton Assessor's Map U40 Parcel 8-0 and prepared by Stamski & McNary, Inc., dated February 20, 2024, and last revised June 25, 2024, (hereinafter referred to as "Plan"), which Plan is to be recorded with Middlesex South District Registry of Deeds, herewith; and the Board has approved said subdivision Plan with respect to lots 1, 2, and 3, inclusive as shown on said Plan, subject to his agreement with the Owner to be recorded with said Plan.

For Owners' title to the property, see deeds in Middlesex South District Registry of Deeds, Book 11584, Page 164.

In consideration of the Board approving the Plan without requiring a performance bond, the Owner hereby covenants and agrees with the Board as follows:

1. The lots subject to this Covenant are three (3) buildable lots shown on the Plan.
2. No building permit shall be applied for and no building shall be built or placed on any of the lots subject to this Covenant, nor shall any of the lots subject to this Covenant be transferred or conveyed until all of the work required by the certificate of approval and the conditions of approval specified therein (Consolidated Decision dated June 18, 2024) and the Plan as approved has been completed or a release of this Covenant executed by a majority of the members of the Planning Board has been duly recorded with Middlesex South Registry of Deeds, and if the aforesaid work has not been completed, appropriate surety has been posted for the completion of said work.
3. The streets, sidewalks, curbs, surface water drainage system, street bounds, street signs and other subdivision improvements will be installed in accordance with the plans and profiles on file with the Board, the terms and conditions of the

Decision, and the Planning Board's regulations, such work to be completed on the dates set forth in the decision, which are as follows: All work and infrastructure associated with Strawberry Farm Road will be completed within five (5) years of the date of this Decision. Such date may be extended by the Planning Board for good cause.

4. Notwithstanding the provisions of Section 2, above, it is understood by the parties that the Owner will not install the top coat of pavement on the subdivision roads until the subdivision is substantially complete. Accordingly, the Planning Board may release lots from this Covenant prior to completion of the top coat of pavement, provided it determines that the lots remaining subject to this Covenant provide adequate security for completion of all outstanding work (including the top coat for all subdivision roads).
5. Nothing herein will be deemed to prohibit conveyance by a single deed subject to this Covenant of the entire parcel of land shown on the Subdivision Plan. This provision does not authorize the conveyance of any portion of the parcel shown on the subdivision plan, with the exception of conveying any portion of the parcel to the Littleton Water Department.
6. This covenant shall run with the land and shall be binding upon the heirs, successors, administrators and assigns of the Owner.
7. This covenant shall not affect the use of any existing dwelling and accessory structures, nor shall this Covenant affect or prohibit the conveyance or mortgaging of the entire premises. The Owner warrants and represents to said Board that it is the Owner of record of the land shown on the above-mentioned plan, that there are no mortgages of record or otherwise on any of said Land, and that the representatives of the Owner, if any, is duly authorized to execute this covenant.
8. The Owner agrees to record this Covenant with the Middlesex South District Registry of Deeds with the Plan, and reference to this covenant shall be entered upon the Plan as approved.
9. A deed of any part of the subdivision in violation of the Covenant shall be voidable by the Grantee prior to the release of the Covenant, but not later than three (3) years from the date of such deed, as provided in M.G.L. c. 1, Section 81U.

EXECUTED AND SEALED, this 9 day of July, 2024.

APPLICANT:

Seal Harbor Companies, LLC

BY: [Signature]

Mark P. Gallagher, Managing Member

COMMONWEALTH OF MASSACHUSETTS

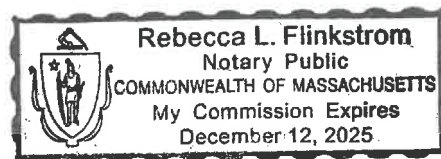
Middlesex, ss.

On this 9 day of July, 2024, before me, the undersigned notary public, personally appeared Mark P. Gallagher, Authorized Signatory of Seal Harbor LLC, proved to me through satisfactory evidence of identification, which was MA Drivers License (source of identification) to be the persons whose names are signed on the preceding/attached document, and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of their knowledge and belief, and acknowledged to me that they signed said document voluntarily for its stated purpose.

[Signature]

Notary Public –

My commission expires:



EXECUTED AND SEALED, this \_\_\_\_\_ day of July, 2024.

TOWN OF LITTLETON PLANNING BOARD:

BY: [Signature]  
Jeff Yates, Chair

BY: [Signature]  
Mark Montanari, Vice Chair

BY: [Signature]  
Daryl K. Baker, Clerk

BY: \_\_\_\_\_  
Anna Hueston, Member

BY: [Signature]  
Bartlett Harvey, Member

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this 15<sup>th</sup> day of August, 2024, before me, the undersigned notary public, personally appeared Jeffrey Yates, Mark Montanari and Bartlett Harvey  
Daryl Baker, Members of the Town of Littleton Planning Board, proved to me through satisfactory evidence of identification, which was personally known to me (source of identification) to be the persons whose names are signed on the preceding/attached document, and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of their knowledge and belief, and acknowledged to me that they signed said document voluntarily for its stated purpose.

[Signature]  
Notary Public – Diane Crony

My commission expires: May 22 2031