

Application # _____

For Administrative Use Only

**TOWN OF HARWICH - COMMUNITY PRESERVATION COMMITTEE
2020 CPA PROJECT FUNDING REQUEST APPLICATION
FISCAL YEAR 2021-2022**

Submission Date: October 29, 2020

APPLICANT INFORMATION

Applicant: Town of Harwich Real Estate & Open Space Committee

Town Committee, Board or Organization: Town of Harwich Real Estate & Open Space Committee

Legal Mailing Address: Town Hall, 732 Main Street, Harwich, MA 02645

Phone: 908-839-6147 Email Address: elaine90ru@gmail.com

Project Manager: Elaine Shovlin, Chair, Town Real Estate & Open Space Committee

Legal Mailing Address: 35 Wales Road, Harwich, MA 02645

Phone: 908-839-6147 Email Address: elaine90ru@gmail.com

Second Contact Person: Kathy Green

Legal Mailing Address: 2261 Head of the Bay Road, Harwich, MA 02645

Phone: 617-901-0030 Email Address: ksgr58@gmail.com

PROJECT INFORMATION

PROJECT TITLE: Hinckleys Pond Watershed Preservation Project

PROJECT AMOUNT REQUESTED: \$360,000 in open space acquisition funds

PROJECT DESCRIPTION: Through partnership between the Town of Harwich, nonprofit Harwich Conservation Trust (HCT), and State acquire an approximately 31-acre property next to the Cape Cod Rail Trail and fronting Pleasant Lake Avenue as well as Headwaters Drive for water quality protection, conservation and passive recreation purposes. The acquisition structure and natural resource protection benefits are described in this Community Preservation Act (CPA) funding application.

ESTIMATED START DATE: July 2021

ESTIMATED COMPLETION DATE: June 2023

**Three years from the release of funds (July 2021) funds may be rescinded automatically;
waivers may be sought.**

CPA CATEGORY

APPLICANTS PLEASE TAKE NOTE **please check boxes for all that apply**

☒ **Open Space:** This application is for the “acquisition, preservation, rehabilitation and/or preservation of open space”.

☐ **Historic:** This application is for the “acquisition, preservation, rehabilitation and/or restoration of historic resources”. Please provide the date on which the HDHC reviewed and endorsed this application.

☐ **Community Housing:** This application is for the “acquisition, creation, preservation and/or support of community housing”.

☐ **Recreation:** This application is for the “acquisition, creation, preservation, rehabilitation and/or restoration of land for recreational use”.

Project summary:

The goal of this **Hinckleys Pond Watershed Preservation Project** is to support a funding partnership between the Town, State, and nonprofit Harwich Conservation Trust (HCT) that will result in the preservation of approximately 31 acres in the Hinckleys Pond/Herring River Watershed to protect water quality, walking trails, land bordering the Cape Cod Rail Trail bike path, scenic views, and wildlife habitat. The land has an appraised fair market value of \$732,500. The Real Estate and Open Space Committee seeks \$360,000 in Town Community Preservation Act (CPA) open space funding toward the land purchase of the following parcels owned by the Jenkins Nominee Trust (Attachment 9: deed):

Assessor Map 81, Lot G1:	1.17 acres
Assessor Map 81, Lot G2-1:	0.15 acre
Assessor Map 81, Lot G2-2:	22.4 acres
Assessor Map 81, Lot G2-3:	0.96 acre
Assessor Map 81, Lot G2-4-1:	3.75 acres
Assessor Map 81, Lot G2-4-2:	1.38 acres
Assessor Map 81, Lot G3:	0.66 acre
Assessor Map 81, Lot G3-1:	0.54 acre

The land is comprised of the above listed eight (8) parcels located off Headwaters Drive and Pleasant Lake Avenue, and on both sides of the Cape Cod Rail Trail (CCRT). The two parcels west of the CCRT have frontage on Hinckleys Pond. HCT will own the fee simple title in the parcels east of the CCRT with a conservation restriction to be held by the Town.* The parcels west of the CCRT will also be subject to a conservation restriction; HCT is in discussion with the Town about what property interests the Town might hold in these two parcels.*

A conservation restriction will meet the State Community Preservation Act open space funding requirement. The acquisitions will be completed over a two-year installment approach as shown in the attached map (Attachment 2). Public parking access is anticipated on Headwaters Dr. from the existing bike trail parking and/or additional parking area east of the CCRT.

* HCT has been in discussions with the Massachusetts Dept. of Conservation & Recreation (DCR) which might be interested in funding and acquiring a property interest in any of the parcels that comprise the approx. 31-acre property.

The total land acquisition project budget is \$800,000 when including expenses for due diligence, legal, conveyancing, and land stewardship steps to create a parking area and trailhead on Headwaters Drive. If the Community Preservation Committee (CPC) approves this \$360,000 CPA funding proposal and Town Meeting voters approve the warrant article, then an anonymous HCT donor has pledged \$220,000 in challenge funds to encourage HCT to raise the remaining \$220,000 in matching funds needed for the total \$800,000 project goal. See attached project budget (Attachment 3) for more detail.

Cranberry farming has been discontinued on the property by the landowner (Fred & Barbara Jenkins) owing to economic market pressures including an over supply of cranberries from the Midwest which drives down prices and lack of available labor, both of which are contributing to local growers exiting the industry by selling their farmlands for development or conservation. HCT is currently exploring ecological restoration opportunities to enhance habitat diversity, water quality, and walking trail experience.

How does this project fit into Harwich's Local Comprehensive Plan and/or other Plan?

Preservation of this property is consistent with the following town and regional open space planning goals and objectives:

1. Town of Harwich 2017 Open Space and Recreation Plan

- ✓ *Page 64, Goal VI: Preserve and Enhance the Following Natural Resources: Groundwater and Surface Water; Coastal Water and Adjacent Shoreline Areas; Inland and Coastal Wetlands; and Wildlife and Plant Habitats*
- ✓ *Page 64, Objective 1. Maintain the overall quality and quantity of Harwich's ground water to ensure a sustainable supply of high quality, minimally treated drinking water.*
- ✓ *Page 65, Objective 2. Preserve and improve the ecological integrity of marine and fresh surface waters.*
- ✓ *Page 66, Objective 8. Preserve, protect and enhance the quality and quantity of inland and coastal wetlands in Harwich.*
- ✓ *Page 67, Objective 9. Continue to prevent the loss or degradation of critical wildlife and plant habitats, minimize the impact of new development on wildlife and plant habitats, and maintain existing populations and species diversity.*

2. Barnstable County 2018 Regional Policy Plan

In July 1991, the Barnstable Assembly of Delegates, pursuant to the Cape Cod Commission Act (Chapter 716 of the Acts of 1989), adopted a Regional Policy Plan (RPP), amended in 1996, 2002 and 2009, and 2018 which states (references are to the 2018 Plan):

- ✓ *Goals organized around three systems, one of which is Natural Systems: water resources, wetland resources, wildlife and plant habitat, and open space. These goals serve "to protect and restore the quality and function of the region's natural environment that provides the clean water and healthy ecosystems upon which life depends" (RPP, 2018, pp. 60);*
- ✓ *Water Resources Goal: "(t)o maintain a sustainable supply of high quality untreated drinking water and protect, preserve, or restore the ecological integrity of Cape Cod's fresh and marine surface water resources;*
- ✓ *Wildlife and Plant Habitat Goal: "(t)o protect, preserve, or restore wildlife and plant habitat to maintain the region's natural diversity. And objectives include: to (m)aintain existing plant and wildlife populations and species diversity;"*
- ✓ *Wetland Resource Goal: "(t)o protect, preserve, or restore the quality and natural values*

and functions of inland and coastal wetlands and their buffers;"

- ✓ *Open Space Goal: "(t)o conserve, preserve, or enhance a network of open space that contributes to the region's natural and community resources and systems" (RPP, 2018, pp. 61); and,*

How does this project benefit the citizens of Harwich? If appropriate, has the application sought public opinion or input? If not, why?

This property stands out as an important conservation and passive recreation (walking trail) acquisition for the following reasons:

- ✓ The property is adjacent to a Zone 2 Wellhead Protection Area for public water supply (Attachment 8: see letter of support from the Harwich Board of Water/Wastewater Commissioners).
- ✓ The property contains approx. 31 acres, which is substantial acreage that can provide a new walking trail destination with scenic views for residents and visitors.
- ✓ The land borders both sides of the 25-mile Cape Cod Rail Trail; each side buffering more than 1,000 feet of the scenic regional bike path that spans from Yarmouth to Wellfleet. This bike path section in Harwich offers panoramic scenic views of the property and Hinckleys Pond.
- ✓ The property is almost entirely within the watershed to Hinckleys Pond, the primary surface water source for the Herring River. River herring spawn in Hinckleys Pond and also transit Hinckleys Pond through herring runs to additional spawning ponds of Long Pond and Seymours Pond. **If the land is developed, then at least six houses would occupy the site, which would negatively impact the scenic views as well as add six septic systems to the Hinckleys Pond/Herring River watershed.**
- ✓ Preserving the property will help reduce septic system nutrient loading in the Herring River watershed, which is included in Phase 8 for sewerage in the Town of Harwich Comprehensive Wastewater Management Plan. Preserving the property will result in less sewer infrastructure, which also saves taxpayer money.
- ✓ The property includes approx. 233 feet of pond shore that connects to another approx. 600 feet of Town-owned pond shore within state-designated BioMap 2 Core Habitat defined as *"critical for the long-term persistence of rare species and other Species of Conservation Concern, as well as a wide diversity of natural communities and intact ecosystems across the Commonwealth,"* which is also state-designated Priority Habitats of Rare Species defined as *"the geographical extent of habitat for all state-listed rare species, both plants and animals, and is codified under the Massachusetts Endangered*



The property borders both sides of the Cape Cod Rail Trail, offering panoramic scenic views. If the property is developed, then at least six lots would negatively impact the scenic views and six septic systems would be added to the Hinckleys Pond/Herring River watershed.

Species Act (MESA).” (Cwcej o gpv': <see letter of support from the Town Conservation Commission)

- ✓ The property includes extensive public road frontage including approx. 1,200 feet on Pleasant Lake Avenue (Route 124) and approx. 1,500 feet of frontage on Headwaters Drive with both roadways offering motorists and travelers scenic views of the property.
- ✓ The property is adjacent to approx. 6.5 acres of Town-owned land under jurisdiction of the Selectmen and shares a common border of approx. 844 feet.
- ✓ The property is directly opposite the new state-of-the-art \$120 million Cape Cod Regional Technical High School. With the simple addition of a crosswalk between the school and the land to allow students and faculty pedestrian access, this unique proximity to a regionally important educational center could offer “outdoor classroom” learning opportunities for students.
- ✓ Because of the property’s overall relatively flat topography with slight slopes and wide trails, a future aspiration could include creating a wheelchair accessible trail loop compatible with Americans with Disabilities Act (ADA) standards.
- ✓ This acquisition is consistent with the Town of Harwich Open Space and Recreation planning goals, including protecting Landscape Character, Water Resources, Wetlands, Fisheries and Wildlife, and Scenic Resources.
- ✓ This acquisition is responsive to the results of the 2015 Community Survey, which was part of the 2017 Town Open Space & Recreation Plan drafting process. A vast majority of survey respondents replied that it is “very important” for the Town to continue to acquire and preserve open space and natural areas (see excerpted key survey results below).

PUBLIC OPINION SURVEY RESULTS

(excerpted from Appendix G of the 2017 Town Open Space & Recreation Plan):

As part of the Town Planning Department’s effort to update the Town Open Space & Recreation Plan, a public survey was conducted in 2015 with both hard copy and on-line versions available to the general public. A total of 379 survey responses were received with the large majority returned electronically.

- ✓ 70% of responses were from full-time residents, and 12% were from part-time residents. The latter was a considerable increase from 1.7% in the previous survey five years earlier. 17% of respondents identified themselves as visitors or “other”.
- ✓ 85% of respondents said it is “very important” for the Town to continue to acquire and preserve open space and natural areas in Harwich. An additional 10% responded that it is “important”. 5% responded that continued acquisition and preservation is “neutral” or “not important”.
- ✓ 99% of respondents said it is “important” to acquire land for protection of groundwater, drinking water and watersheds and 96% of respondents said it is “important” to acquire wildlife habitat areas, such as woodland, wetlands and rare species habitat.

ESTIMATED START DATE:
July 1, 2021

ESTIMATED COMPLETION DATE:
June 30, 2023

PLEASE LIST OTHER COMMISSIONS/BOARDS/COMMITTEES/ORGANIZATIONS that may have involvement, jurisdiction, partnering, etc:

Commissions/Boards/Committees/Organizations	Please have them initial here after their review
Conservation Commission	please see support letter
Board of Water/Wastewater Commissioners	please see support letter
Natural Resources Department	please see support letter
Bikeways Committee	please see support letter
Hinckleys Pond Association	please see support letter

Describe their response, or provided written comments/input:

Harwich Conservation Trust (HCT) is leading an effort to raise the additional \$440,000 in funds needed to complete the land acquisition project and also researching steps for ecological restoration, which will involve additional HCT fundraising. Conservation Commission, Natural Resources Dept., Board of Water/Wastewater Commissioners, Bikeways Committee, and Hinckleys Pond Association support this project.

Please see letters of support attached.

PROJECT BUDGET: Attach a dated and detailed line item project budget estimate for your funding request. If the request involves a Town-owned asset, provide the project's projected operating expenses, including maintenance. See Attachment 3: Land Acquisition Budget

COST ESTIMATE(S): Attach cost estimates or firm quotes (if available) for all projects.

LAND and/or BUILDING ACQUISITION PROJECTS:

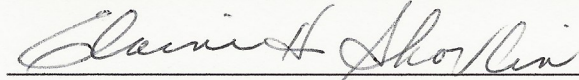
The following **must** also be submitted, as applicable:

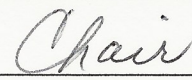
- ✓ Surveys and/or plot plans for the property
- ✓ Appraisals and agreements, if available.
- ✓ Name of present owner and attach copy of deed conveying property unto present owner.
- ✓ Property address, Harwich Assessor's property identification (Map#, Parcel #).
- ✓ For proposed Open Space land purchases, be prepared to discuss public access with the Committee.

Please see corresponding list of application attachments for project budget, appraisal summary, preliminary subdivision plan of land, assessor's field cards, maps of the subject property, and letters of support.

By signing below, the Applicant represents and warrants that all the information included is true and correct to the best of the signer's knowledge and belief. Further, the Applicant acknowledges in the event that the Community Preservation Committee agrees to grant funds to Applicant (and subject to Town Meeting approval), this application together with any Terms and Conditions shall constitute a binding agreement, between the Applicant and the Community Preservation Committee. Further, Applicant acknowledges and agrees to execute any additional grant agreements should the Community Preservation Committee so request.

ATTESTATION: I HEREBY ATTEST THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.





Signature - Chief Executive Officer or Chief Administrative Officer
or Board Chair

Title

Printed Name ELAINE H. SHOVLIN

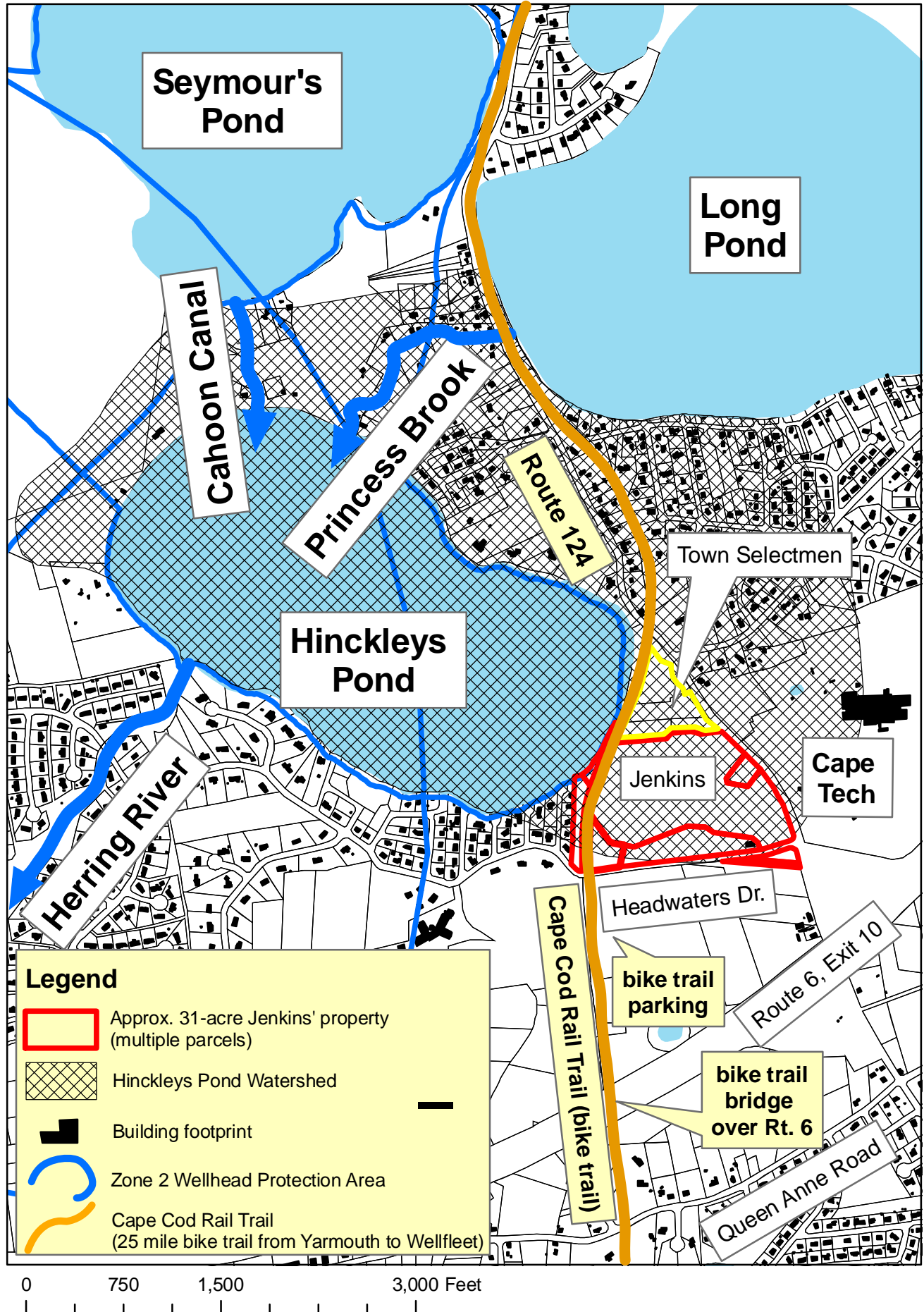
Date 10/29/2020

APPLICATIONS MUST BE RECEIVED BY OCTOBER 30, 2020 NO LATER THAN 4 PM
Must submit eight (8) paper copies and if possible, a thumb drive (USB memory stick)
containing a digital copy of the Application in a PDF file format.

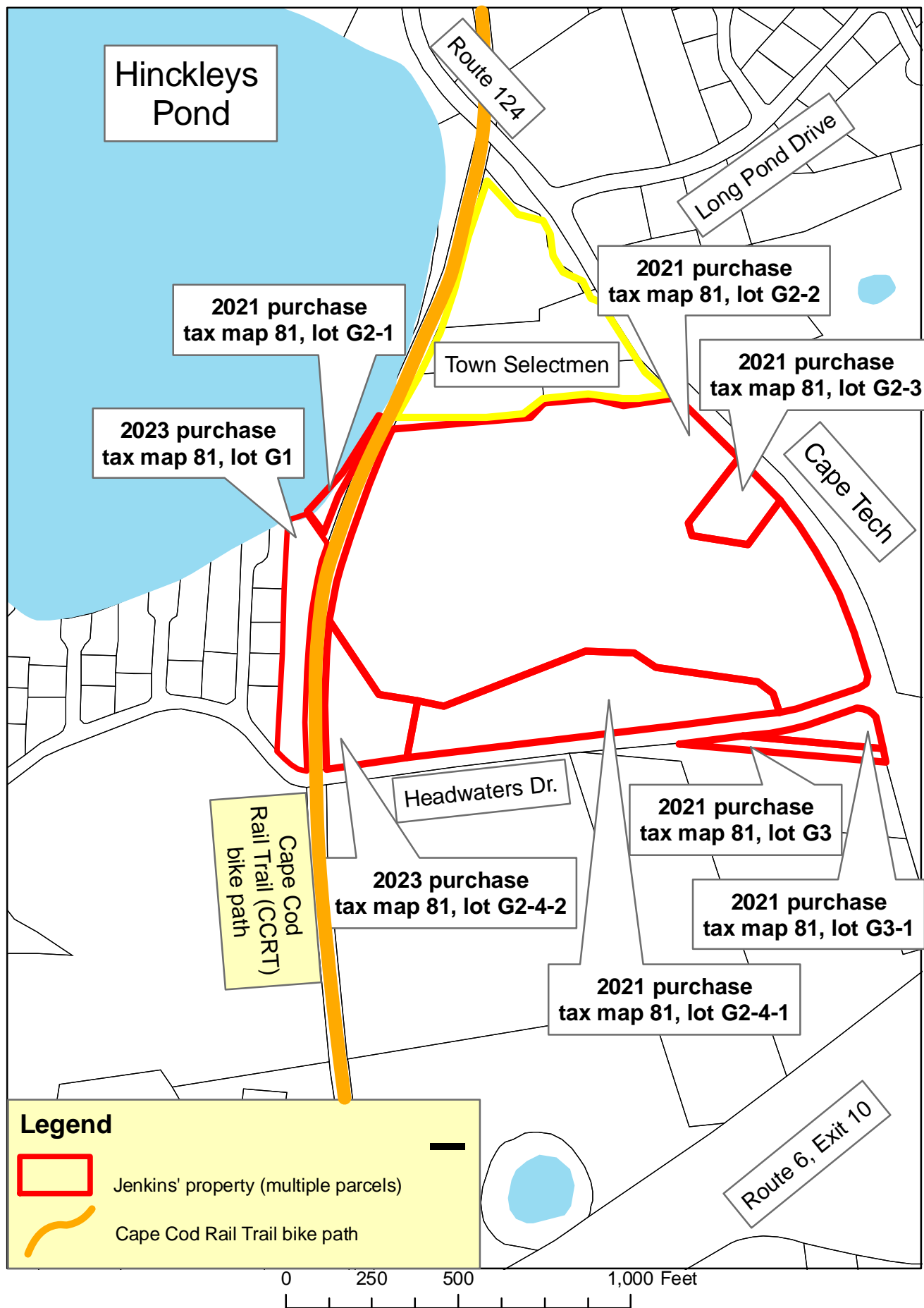
List of Attachments:

1. Map of subject properties in context of Hinckleys Pond Watershed and Zone 2 Wellhead Protection Area of Public Water Supply
2. Map of subject properties that are proposed for two-year installment purchase
3. Project Budget
4. Preliminary subdivision plan for 3.75-acre parcel
(lot G2-4-1 and lot G2-4-2)
5. Town report: real estate tax status of parcels as of Oct. 15, 2020
6. Town Assessor field cards for parcels
7. Appraisal Summary (pages 1-8; full appraisal available upon request)
8. Letters of Support
 - Board of Water/Wastewater Commissioners
 - Department of Natural Resources
 - Conservation Commission
 - Bikeways Committee
 - Hinckleys Pond Association
9. Deed to subject property

Zone 2 Wellhead Protection Area Map Hinckleys Pond Watershed Preservation Project Harwich MA



Installment Purchase Parcel Map Hinckleys Pond Watershed Preservation Project Harwich MA



Land Acquisition Budget as of 29.Oct.2020: Hinckley Pond Watershed Preservation Project

➤ **PROJECT COSTS:**

31-acre purchase price	\$ 732,500
Appraisal	\$ 3,000
Attorney fees	\$ 6,000
Fundraising costs	\$ 5,000
Closing costs	\$ 4,500
Technical assistance (Compact)	\$ 5,000
Due diligence	\$ 8,500
Eco-restoration feasibility study	\$ 20,000
Parking area design, construction	\$ 10,000
Trail mapping	\$ 1,000
Trailhead kiosk, materials	\$ 3,000
Signage	\$ 1,500
<i>TOTAL COSTS:</i>	\$ 800,000

➤ **FUNDING SOURCES:**

Town CPA Funds	\$ 360,000
HCT Challenge donor	\$ 220,000
HCT fundraising	
+ potential State funding	\$ 220,000
<i>TOTAL FUNDING:</i>	\$ 800,000

Cape Cod Rail (Bike) Trail

#0 Pleasant Lake Ave
Assess Map 81
Parcel G2-2
Plan: Bk 122, Pg 1
North Portion of Lot D

#10 Headwaters Drive
Assess Map 81
Parcel G2-4-1
Plan: Bk 455, Pg 43
Existing Lot D-1-2
Proposed Lots 1,2,3,4
Total Area = 163,210 SF
3.7 Acres

60245.1 Sq. Feet
1.4 Acres

#0 Headwaters Drive
Assess Map 81
Parcel G2-4-2
Plan: Bk 455, Pg 43
Lot D-1-1

Existing Lot

New Lot 1

40808.2 Sq. Feet
0.9 Acres
P= 923.33'
Shape Factor= 20.9

New Lot 2

40050.7 Sq. Feet
0.9 Acres
P= 801.55'
Shape Factor= 16.0

New Lot 3

42091.0 Sq. Feet
1.0 Acres
P= 802.81'
Shape Factor= 15.3

New Lot 4

40260.3 Sq. Feet
0.9 Acres
P= 936.01'
Shape Factor= 21.8

Existing Building

HEADWATERS DRIVE

*Preliminary Subdivision Of Lot D-1-2
Shown On Plan Bk 455 Pg 43
(Assess. Map 81, Parcel G2-4-1)*

*PREPARED FOR
HARWICH CONSERVATION TRUST*

PLAN PREPARED BY:

MORAN ENGINEERING ASSOC.,LLC
508-432-2878 941 MAIN STREET (RTE 28), HARWICH, MA

SCALE: 1"= 60'

DATE: 1/18/20



10/15/2020 09:22
abullock

TOWN OF HARWICH - LIVE DATA
CUSTOMER STATEMENT

P 1
arcidstm

CURRENT ADDRESS:
JENKINS JAMES A TRUSTEE
JENKINS NOMINEE TRUST
PO BOX 199
MARSTONS MILLS MA 02648

LOCATION:
MULTIPLE

PROPERTY CODE:
MULTIPLE

CUSTOMER ID: 66062

INTEREST DATE: 10/15/2020

YEAR	TYPE	CHARGE	BILLED	PRIN DUE	INT DUE	FEE/PEN DUE	TOTAL DUE	PER DIEM
2021	RE-R 1	RE TAX	.26	.00	.00	.00 PAID		
	1	CPA	.01	.00	.00	.00 PAID		
		BILL# 6081	.27	.00	.00	.00	.00	.00
2021	RE-R 1	RE TAX	.05	.00	.00	.00 PAID		
		BILL# 6082	.05	.00	.00	.00	.00	.00
2021	RE-R 1	RE TAX	103.45	.00	.00	.00 PAID		
	1	CPA	3.11	.00	.00	.00 PAID		
	1st	INST. TOTAL	106.56	.00	.00	.00	.00	
2021	RE-R 2	RE TAX	103.45	103.45	.00	.00	103.45	
	2	CPA	3.10	3.10	.00	.00	3.10	
	2nd	INST. TOTAL	106.55	106.55	.00	.00	106.55	
		BILL# 6083	213.11	106.55	.00	.00	106.55	.00
2021	RE-R 1	RE TAX	.22	.00	.00	.00 PAID		
	1	CPA	.01	.00	.00	.00 PAID		
		BILL# 6084	.23	.00	.00	.00	.00	.00
2021	RE-R 1	RE TAX	102.76	.00	.00	.00 PAID		
	1	CPA	3.08	.00	.00	.00 PAID		
	1st	INST. TOTAL	105.84	.00	.00	.00	.00	
2021	RE-R 2	RE TAX	102.75	102.75	.00	.00	102.75	
	2	CPA	3.09	3.09	.00	.00	3.09	
	2nd	INST. TOTAL	105.84	105.84	.00	.00	105.84	
		BILL# 6085	211.68	105.84	.00	.00	105.84	.00
2021	RE-R 1	RE TAX	.31	.00	.00	.00 PAID		
	1	CPA	.01	.00	.00	.00 PAID		
		BILL# 6086	.32	.00	.00	.00	.00	.00
2021	RE-R 1	RE TAX	.13	.00	.00	.00 PAID		
	1	CPA	.01	.00	.00	.00 PAID		
		BILL# 6087	.14	.00	.00	.00	.00	.00

10/15/2020 09:22
abullock

TOWN OF HARWICH - LIVE DATA
CUSTOMER STATEMENT

P 2
arcidstm

CURRENT ADDRESS:
JENKINS JAMES A TRUSTEE
JENKINS NOMINEE TRUST
PO BOX 199
MARSTONS MILLS MA 02648

LOCATION:
MULTIPLE

PROPERTY CODE:
MULTIPLE

CUSTOMER ID: 66062

INTEREST DATE: 10/15/2020

YEAR	TYPE	CHARGE	BILLED	PRIN DUE	INT DUE	FEE/PEN DUE	TOTAL DUE	PER DIEM
2021	RE-R 1	RE TAX	.13	.00	.00	.00 PAID		
	1	CPA	.01	.00	.00	.00 PAID		
		BILL# 6088	.14	.00	.00	.00	.00	.00
2020	RE-R 1	RE TAX	.26	.00	.00	.00 PAID		
	1	CPA	.01	.00	.00	.00 PAID		
	1st	INST. TOTAL	.27	.00	.00	.00	.00	
2020	RE-R 3	RE TAX	.26	.00	.00	.00 PAID		
	3	CPA	.01	.00	.00	.00 PAID		
	3rd	INST. TOTAL	.27	.00	.00	.00	.00	
		BILL# 6066	.54	.00	.00	.00	.00	.00
2020	RE-R 1	RE TAX	.05	.00	.00	.00 PAID		
2020	RE-R 3	RE TAX	.04	.00	.00	.00 PAID		
		BILL# 6067	.09	.00	.00	.00	.00	.00
2020	RE-R 1	RE TAX	102.74	.00	.00	.00 PAID		
	1	CPA	3.09	.00	.00	.00 PAID		
	1st	INST. TOTAL	105.83	.00	.00	.00	.00	
2020	RE-R 2	RE TAX	102.74	.00	.00	.00 PAID		
	2	CPA	3.08	.00	.00	.00 PAID		
	2nd	INST. TOTAL	105.82	.00	.00	.00	.00	
2020	RE-R 3	RE TAX	104.16	.00	.00	.00 PAID		
	3	CPA	3.12	.00	.00	.00 PAID		
	3rd	INST. TOTAL	107.28	.00	.00	.00	.00	
2020	RE-R 4	RE TAX	104.16	.00	.00	.00 PAID		
	4	CPA	3.12	.00	.00	.00 PAID		
	4th	INST. TOTAL	107.28	.00	.00	.00	.00	
		BILL# 6068	426.21	.00	.00	.00	.00	.00
2020	RE-R 1	RE TAX	.22	.00	.00	.00 PAID		
	1	CPA	.01	.00	.00	.00 PAID		
	1st	INST. TOTAL	.23	.00	.00	.00	.00	

[illegible]

Key: 6608

Town of HARWICH - Fiscal Year 2020

12/13/2019

11:57 am

SEQ #: 5,618

[illegible]

Key:

Town of HARWICH - Fiscal Year 2020

11:57 am

SEQ #: 5,619

LEGAL

LAND

DETACHED

BUILDING

Key: 6610

Town of HARWICH - Fiscal Year 2020

12/13/2019

11:57 am

SEQ #: 5,620

CURRENT OWNER										PARCEL ID				LOCATION						CLASS	CLASS%	DESCRIPTION				BN ID	BN	CARD	
JENKINS JAMES A TRUSTEE JENKINS NOMINEE TRUST PO BOX 199 MARSTONS MILLS, MA 02648										81-G2-3-0				0 PLEASANT LAKE AV						7200	100	NEC REL LAND						1 of 1	
										TRANSFER HISTORY				DOS		T	SALE PRICE		BK-PG (Cert)		PMT NO	PMT DT	TY	DESC	AMOUNT	INSP	BY	1st	%
										JENKINS JAMES A TRUSTEE MELLO WILSON CRANBERRY CO				06/24/1997 01/18/1989		N V	750,000 1,260,000		10817-273 6597-252										
CD	T	AC/SF/UN		Ngh		Infl1		Infl2	ADJ BASE	SAF	Topo		Lpi		VC	CREDIT AMT		ADJ VALUE											
100	S	41,818 2		1.00	1	1.00	100	1.00	231,795	1.00	100	1.00	5	1.35	720A	222,480		50											

[illegible]

TOTAL	41,818 SF	ZONING		FRNT	0	ASSESSED	CURRENT	PREVIOUS
Ngh	NGH 2	N O T E				LAND	50	50
Inf1	NONE					BUILDING	0	0
Inf2	FACTOR 100					DETACHED	0	0
						OTHER	0	0
						TOTAL	50	50

[illegible]

BUILDING	CD	ADJ	DESC	MEASURE			BLDG COMMENTS
MODEL				LIST			
STYLE				REVIEW			
QUALITY							
FRAME							

[illegible]

LEGAL

LAND

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E
D

BUILDING

CURRENT OWNER	PARCEL ID	LOCATION			
JENKINS JAMES A TRUSTEE JENKINS NOMINEE TRUST PO BOX 199 MARSTONS MILLS, MA 02648	81-G2-4-1-0	10 HEADWATERS DR			
	TRANSFER HISTORY	DOS	T	SALE PRICE	BK-PG (Cert)
	JENKINS JAMES A TRUSTEE MELLO WILSON CRANBERRY CO	06/24/1997 01/18/1989	N R	750,000 1,260,000	10817-273 6597-252

CD	T	AC/SF/UN	Ngh	Infl1	Infl2	ADJ BASE	SAF	Topo	Lpi	VC	CREDIT AMT	ADJ VALUE	
100	S	40,000	2	1.00	1	1.00	100	1.00	5	1.35	720A	212,810	4
200	A	2.754	2	1.00	1	1.00	100	1.00	5	1.35	720A	318,870	13
300	A	0.078	2	1.00	1	1.00	100	1.00	5	1.35			1,41

TOTAL	3.750 Acres	ZONING		FRNT	0	ASSESSED	CURRENT	PREVIOUS
Ngh	NGH 2	N O T E				LAND	1,580	1,530
Inf1	NONE					BUILDING	45,500	45,400
Inf2	FACTOR 100					DETACHED	0	0
						OTHER	0	0
						TOTAL	47,080	46,930

TY	QUAL	COND	DIM/NOTE	YB	UNITS	ADJ PRICE	RCNLD



BUILDING	CD	ADJ	DESC	MEASURE	5/3/2012	MO
MODEL	5		CIM			
STYLE	56	0.84	WAREHOUSE [100%]	LIST		
QUALITY	L	0.83	LOW COST [100%]			
FRAME	4	1.00	METAL FRAME [100%]	REVIEW	5/8/2012	DS

BLDG COMMENTS	

[illegible]

Key: 16266

Town of HARWICH - Fiscal Year 2020

12/13/2019

11:57 am

SEQ #: 10,815

[illegible]

Key: 6613

Town of HARWICH - Fiscal Year 2020

12/13/2019

11:57 am

SEQ #: 5,621

CURRENT OWNER										PARCEL ID				LOCATION						CLASS	CLASS%	DESCRIPTION				BN ID	BN	CARD	
JENKINS JAMES A TRUSTEE JENKINS NOMINEE TRUST PO BOX 199 MARSTONS MILLS, MA 02648										81-G3-0				0 PLEASANT LAKE AV						7200	100	NEC REL LAND						1 of 1	
										TRANSFER HISTORY				DOS		T	SALE PRICE		BK-PG (Cert)		PMT NO	PMT DT	TY	DESC	AMOUNT	INSP	BY	1st	%
										JENKINS JAMES A TRUSTEE MELLO WILSON CRANBERRY CO				06/24/1997 01/18/1989		N V	750,000 1,260,000		10817-273 6597-252										
CD	T	AC/SF/UN		Nqh		Infl1		Infl2		ADJ BASE		SAF		Topo		Lpi		VC		CREDIT AMT		ADJ VALUE							
100	S	28,750		2	1.00	1	1.00	100	1.00	40,779		1.22		25	0.25	2	0.95	720A		32,730		30							

[illegible]

TOTAL	28,750 SF	ZONING		FRNT	0	ASSESSED	CURRENT	PREVIOUS
Ngh	NGH 2	N O T E				LAND	30	30
Inf1	NONE		BUILDING	0	0			
Inf2	FACTOR 100		DETACHED	0	0			
			OTHER	0	0			
						TOTAL	30	30

[illegible]

BUILDING	CD	ADJ	DESC	MEASURE			BLDG COMMENTS
MODEL				LIST			
STYLE				REVIEW			
QUALITY							
FRAME							

[illegible]

[illegible]

File # Harwich Bog 2020

Uniform Agricultural Appraisal Report

**Harwich Bog
Pleasant Lake Ave/Headwaters Dr
Harwich, MA**



Prepared For:

Harwich Conservation Trust
PO Box 101
South Harwich, MA 02661

Intended User:

Harwich Conservation Trust
The Compact of Cape Cod Conservation Trusts, Inc.
Division of Conservation Services
MA Executive Office of Energy and Environmental Affairs

Prepared By:

Brian Thomas and Cara Penley
Farm Credit East, ACA
2 Constitution Drive
Bedford, NH 03110

Date Prepared:

March 2020

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Uniform Agricultural Appraisal Report

Property Identification

Owner/Occupant:	Jenkins James A Trustee, Jenkins Nominee Trust		Total Deeded Acres:	37.41
Property Address:	Pleasant Lake Ave/Headwaters Drive		Effective Unit Size:	18.83
State/County:	MA	/ Barnstable	Zip Code:	
Property Location:	Town of Harwich		Property Code #:	
Highest & Best Use:	Cranberry w/ Residential Development	"As If" Vacant	FAMC Comd'ty Gp:	
	Cranberry w/ Residential Development	"As Improved"	Primary Land Type:	Cranberry
Zoning:	RR/IL		Primary Commodity:	Cranberry
Unit Type:	<input type="checkbox"/> Economic Sized Unit	<input checked="" type="checkbox"/> Supplemental/Add-On Unit		
FEMA Community #		FEMA Map #	FEMA Zone/Date:	
Legal Description:	Copy of deed attached	SEC	TWP	RNG
Purpose of Report:	To Determine Market Value for sale purposes			
Use/Intended User(s):	See Extent of Data Collection Page			
Rights Appraised:	Fee Simple Estate			
Value Definition:	Market Value		Attached	<input checked="" type="checkbox"/>
Assignment:	Determine Market Value	Report Type:	Appraisal Report	
Extent of Process/Scope of Work: See Scope of Work.				

Summary of Facts and Conclusions

Appraisal Report Summary

Date of Inspection:	03/05/20	Effective Date of Appraisal:	03/05/20
Value Indication	- Cost Approach:	\$	N/A
	- Income Approach:	\$	730,000
	- Sales Comparison Approach:	\$	735,000
Opinion of Value:	(Estimated Marketing Time 6-18 months)	\$	732,500
Cost of Repairs:	\$ 0	Cost of Additions:	\$ 0
Allocation:	Land:	\$ 732,500	\$ 19,580 / acre (100 %)
	Land Improvements:	\$ 0	\$ 0 / (0 %)
	Structural Improvement Contribution:	\$ 0	\$ 0 / (0 %)
	Non-Realty Items:	\$ 0	\$ 0 / (0 %)
Leased Fee Value (Remaining term of encumbrance)	\$ 0	\$ 0 / (0 %)	
Leasehold Value:	\$ 0	\$ 0 / (0 %)	
	Overall Value:	\$ 19,580 / acre (100 %)	
Income and Other Data Summary:	<input type="checkbox"/> Cash Rent	<input type="checkbox"/> Share	<input checked="" type="checkbox"/> Owner/Operator
	<input type="checkbox"/> FAMC Suppl. Attached		
Income Multiplier (4)	Income Estimate:	\$ / (unit)	
Expense Ratio %	Expense Estimate:	\$ / (unit)	
Overall Cap Rate: %	Net Property Income:	\$ / (unit)	

Area-Regional-Market Area Data and Trends:

	Above Avg.	Avg.	Below Avg.	N/A
Value Trend	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sales Activity Trend	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Property Compatibility	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Effective Purchase Power	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Demand	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Development Potential	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Desirability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Subject Property Rating:

	Above Avg.	Avg.	Below Avg.	N/A
Location	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Soil Quality/Productivity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Improvement Rating	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Compatibility	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rentability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Market Appeal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Overall Property Rating	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Summary of Salient Facts and Conclusions

Effective Date of Appraisal: 3/5/2020

Date of Report: 3/16/2020

Owner of Record: Jenkins James A Trustee, Jenkins Nominee Trust

Tax ID: See Property Comments

Type of Appraisal: Appraisal Report (UAAR Form)

Subject Property: Commercial Cranberry Bog

Location: Town of Harwich, Barnstable County, MA

Property Rights Appraised: Fee Simple

Purpose of the Appraisal: To determine Market Value for sale purposes.

Land:

Cranberry OS	18.83 acres x \$11,816/Bog Acre =	\$222,500
Support Land	12.49 acres (included with cranberry acres)	
Land/Dev	5.13 acres x \$70,175/acre=	\$360,000
<u>Residential Lots</u>	<u>1 lot x \$150,000/lot=</u>	<u>\$150,000</u>
		Total =\$732,500

Buildings:

Morton Building	No Value
<u>Pump houses</u>	<u>Value included in land valuation</u>

Highest and Best Use: Cranberry Bog with Residential Development

Value via Sales Comparison Approach \$735,000

Value via Income Approach \$730,000

Final Value Estimate: \$732,500

EXTENT OF DATA COLLECTION

Pursuant to the application of the approaches utilized herein, a search of the Barnstable County Registry of Deeds and the MA MLS was completed to provide subject property information and the most current comparable sales data. Sales were verified with the buyers and/or seller as most sales are farmer to farmer transactions. The Town of Harwich assessor information was referenced. The MLS, local brokers, and the Registry of Deeds were utilized to confirm sales along with other pertinent market information. Current listings were analyzed and considered.

CLIENT

Harwich Conservation Trust

INTENDED USE/PURPOSE OF THE APPRAISAL

The intended use of this appraisal is to estimate the Market Value, and the Marketing Period, of the owner's marketable rights in the subject property, as of the effective date of the appraisal for the client, Harwich Conservation Trust, for purchase negotiations and potential financing.

INTENDED USER OF THE APPRAISAL

The intended users are Harwich Conservation Trust, The Compact of Cape Cod Conservation Trusts, Inc., Division of Conservation Services, and MA Executive Office of Energy and Environmental Affairs.

DATE OF VALUATION & INSPECTION

The Market Value estimate is effective as of March 5, 2020. The inspection was completed March 5, 2020.

HYPOTHETICAL CONDITIONS:

None.

EXTRAORDINARY ASSUMPTIONS:

The following assumptions are made:

Client supplied information including cranberry production and acreage is correct.

Any and all necessary permits for the operation of the existing bogs and water withdrawal permits are valid and allow for continued cranberry production on the property.

That all Ocean Spray Exhibit A contracts will transfer with the bog in the event of a sale.

If any/all of the above assumptions are found to be false, the value conclusion could be affected.

USPAP, Organizational, or Other Requirements

Report Type: Appraisal Report**Date of Inspection:** 03/05/20**Date of Value Opinion:** 03/05/20**Date of Report:** 03/16/20

Scope of Work *(Describe the amount and type of information researched and the analysis applied in this assignment. The Scope of Work includes, but is not limited to the degree and extent of the property inspection; the extent of research into physical and economic factors affecting the property; the extent of data research; and the type and extent of analysis applied to arrive at the opinions or conclusions. Additionally, describe sales availability & ability to demonstrate market - "as vacant" - and "as improved" if applicable - or describe sales available to form value opinion "as completed" or proposed if requested; describe income sources and ability of income to support existing or proposed construction; discuss extent of third party verification of RCN, if applicable.)*

The scope of work for this appraisal included an inspection of the subject and its associated cranberry bogs. Pictures of the subject property were taken at the time of inspection. The Agridata website was used for mapping and obtaining soil, topography and wetland information. The Town of Harwich website was used to collect assessment information and to collect additional information relating to planning and zoning data. The Barnstable County Registry of Deeds was used to obtain the legal description. The Farm Credit East Database provided comparable sales information for the approaches utilized.

Subject Property Sale & Marketing History: *(Analyze and report any agreements of sale, options, or current listings as of the date of the appraisal - and all sales within three (3) years prior to the effective date of appraisal. For UASFLA assignments, report the details of the LAST SALE OF THE SUBJECT - no matter when it occurred):*

The subject has not sold in the prior three years. The subject has not been publicly listed in the prior three years. It is currently in negotiation for sale between the owners, Jenkins Nominee Trust, and the client, Harwich Conservation Trust. A final purchase price has not been agreed upon to the knowledge of the appraiser.

Market Conditions *(Volume of Competing Listings, Volume of Sales, Amenities Sought by Buyers):*

See Cranberry Industry Analysis page of the report.

Approaches to Value *(Explain Approaches Used and/or Omitted):*

Both the Income Approach and the Sales Comparison Approach to value were completed. The Cost Approach was not completed due to the older effective age of the bogs and supporting improvements. See Methodology and Approaches to Value and Cranberry Valuation Methodology pages of the report for further detail.

MARKET VALUE DEFINITION

Regulations published by federal regulatory agencies pursuant to title XI of the Financial Institutions Reform, Recovery and Enforcement Act (FIRREA)

The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. Buyer and seller are typically motivated;
2. Both parties are well informed or well advised, and acting in what they consider their best interests;
3. A reasonable time is allowed for exposure on the open market;
4. Payment is made in terms of cash in United States dollars or in terms of financial arrangements comparable thereto; and
5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

Other:

The market for cranberry bogs is generally through farmer-to-farmer transactions without being listed via more typical marketing avenues such as the MLS. This is expected and considered normal for the industry.

EXPOSURE AND MARKETING TIME ESTIMATES

Market value (see above definition) conclusion and the costs and other estimates used in arriving at conclusion of value is as of the date of the appraisal. Because markets upon which these estimates and conclusions are based upon are dynamic in nature, they are subject to change over time. Further, the report and value conclusion is subject to change if future physical, financial, or other conditions differ from conditions as of the date of appraisal.

In applying the market value definition to this appraisal, a reasonable exposure time of 6-18 months has been estimated. Exposure time is the estimated length of time the property interest being appraised would have been offered in the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal; exposure time is always presumed to **precede** the effective date of the appraisal.

Marketing time, however, is an estimate of the amount of time it takes to sell a property interest at the market value conclusion during the period **after** the effective date of the appraisal. An estimate of marketing time is not intended to be a prediction of a date of sale. It is inappropriate to assume that the value as of the effective date of appraisal remains stable during a marketing period. Additionally, the appraiser(s) have considered market factors external to this appraisal report and have concluded that a reasonable marketing time for the property is 6-18 months.

Comments: Due to the current industry outlook, commercial cranberry properties are experiencing extended marketing periods as the market of buyers is limited. Due to the residential upland contained in the subject, a quicker marketing time would be expected in comparison to other strictly bog properties.

Assumptions and Limiting Conditions

The certification of the Appraiser(s) appearing in the appraisal report is subject to the following conditions and to such other specific and limiting conditions as are set forth in the report.

1. The Appraiser(s) assume no responsibility for matters of a legal nature affecting the property appraised or the title thereto, nor does the Appraiser(s) render any opinion as to title, which is assumed to be good and marketable. The property is appraised as though under responsible ownership.
2. Sketches in the report may show approximate dimensions and are included only to assist the reader in visualizing the property. The Appraiser(s) have made no survey of the property. Drawings and/or plats are not represented as an engineer's work product, nor are they provided for legal reference.
3. The Appraiser(s) are not required to give testimony or appear in court because of having made the appraisal with reference to the property in question, unless arrangements have been previously made.
4. Any distribution of the valuation in the report applies only under the existing program of utilization. The separate valuations of components must not be used outside of this appraisal and are invalid if so used.
5. The Appraiser(s) have, in the process of exercising due diligence, requested, reviewed, and considered information provided by the ownership of the property and client, and the Appraiser(s) have relied on such information and assumes there are no hidden or unapparent conditions of the property, subsoil, or structures, which would render it more or less valuable. The Appraiser(s) assume no responsibility for such conditions, for engineering which might be required to discover such factors, or the cost of discovery or correction.
6. While the Appraiser(s) ☒ have ☐ have not inspected the subject property and ☒ have ☐ have not considered the information developed in the course of such inspection, together with the information provided by the ownership and client, the Appraiser(s) are not qualified to verify or detect the presence of hazardous substances by visual inspection or otherwise, nor qualified to determine the effect, if any, of known or unknown substances present. Unless otherwise stated, the final value conclusion is based on the subject property being free of hazardous waste contaminations, and it is specifically assumed that present and subsequent ownerships will exercise due diligence to ensure that the property does not become otherwise contaminated.
7. Information, estimates, and opinions furnished to the Appraiser(s), and contained in the report, were obtained from sources considered reliable and believed to be true and correct. However, no responsibility for accuracy of such items furnished the Appraiser(s) can be assumed by the Appraiser(s).
8. Unless specifically cited, no value has been allocated to mineral rights or deposits.
9. Water requirements and information provided has been relied on and, unless otherwise stated, it is assumed that:
 - a. All water rights to the property have been secured or perfected, that there are no adverse easements or encumbrances, and the property complies with Bureau of Reclamation or other state and federal agencies;
 - b. Irrigation and domestic water and drainage system components, including distribution equipment and piping, are real estate fixtures;
 - c. Any mobile surface piping or equipment essential for water distribution, recovery, or drainage is secured with the title to real estate; and
 - d. Title to all such property conveys with the land.
10. Disclosure of the contents of this report is governed by applicable law and/or by the Bylaws and Regulations of the professional appraisal organization(s) with which the Appraiser(s) are affiliated.
11. Neither all nor any part of the report, or copy thereof, shall be used for any purposes by anyone but the client specified in the report without the written consent of the Appraiser.
12. Where the appraisal conclusions are subject to satisfactory completion, repairs, or alterations, the appraisal report and value conclusion are contingent upon completion of the improvements in a workmanlike manner consistent with the plans, specifications and/or scope of work relied upon in the appraisal.
13. Acreage of land types and measurements of improvements are based on physical inspection of the subject property unless otherwise noted in this appraisal report.
14. EXCLUSIONS. The Appraiser(s) considered and used the three independent approaches to value (cost, income, and sales comparison) where applicable in valuing the resources of the subject property for determining a final value conclusion. Explanation for the exclusion of any of the three independent approaches to value in determining a final value conclusion has been disclosed in this report.
15. SCOPE OF WORK RULE. The scope of work was developed based on information from the client. This appraisal and report was prepared for the client, at their sole discretion, within the framework of the intended use. The use of the appraisal and report for any other purpose, or use by any party not identified as an intended user, is beyond the scope of work contemplated in the appraisal, and does not create an obligation for the Appraiser.
16. Acceptance of the report by the client constitutes acceptance of all assumptions and limiting conditions contained in the report.
17. Other Contingent and Limiting Conditions:

See Extent of Data Collection



Board of Water/Wastewater Commissioners

196 Chatham Road, Harwich, MA 02645 USA | www.harwichwater.com
P. 508-432-0304 | F. 888-774-3557 | commissioners@harwichwater.com

Date: October 15, 2020
From: Town of Harwich Board of Water/Wastewater Commissioners
To: Town of Harwich Community Preservation Committee
Subject: REOS Committee Application to Community Preservation Fund for Open Space Acquisition

The Town of Harwich Board of Water/Wastewater Commissioners would like to express its endorsement for the \$360,000 Community Preservation Fund application by the Town Real Estate & Open Space (REOS) Committee in support of a priority watershed partnership acquisition of approx. 31 acres on Headwaters Drive and Pleasant Lake Avenue for conservation, passive recreation, and water quality protection purposes.

The approx. 31-acre property is located almost entirely within the watershed of Hinckleys Pond, which is an approx. 171-acre kettle pond located entirely within the Zone 2 Wellhead Protection Area of public water supply wells in both Harwich and Brewster. The attached map shows the approx. 31-acre subject property directly adjacent to and bordering more than 200 feet of Hinckley's Pond and therefore also borders the Zone 2 Wellhead Protection Area. Subdivision and development of the property's upland has the potential to negatively impact the water quality of Hinckley's Pond as well as the groundwater quality within the Zone 2 of the public water supply.


Preservation of the approx. 31-acre property offers great benefit from a public water supply perspective, but also in support of the Town's wastewater initiative as the subject property directly abuts Hinckleys pond which is classified as impaired in the Town's Comprehensive Wastewater Management Plan (CWMP). Furthermore, future preservation of this parcel would reinforce the town's recent (2019) investment of approx. \$400,000 to reduce excessive phosphorus feeding algae blooms and fish kills. Preserving the subject property helps to limit future development in the watershed to Hinckleys Pond which will aid in protecting and subsequently reducing the need and frequency of future treatment.

As described in the REOS Committee's Community Preservation Act funding application, if the property is developed, at least six septic systems could send nutrients into the Hinckleys Pond/Herring River Watershed and Wellhead Protection Area. Protecting our natural resources now will help to ensure future generations will have access to clean drinking water and healthy natural resources. As such, the Water/Wastewater Commission would like to thank the Community Preservation Committee for your careful consideration and recommend your approval of this watershed land acquisition proposal.

Sincerely,



Gary Carreiro, Chairman



Judith Underwood, Vice-Chairman



Allin Thompson, Clerk

Natural Resources
Town of Harwich
715 Main Street · P.O. Box 207
Harwich Port, MA 02646
(508) 430-7532 · Fax (508) 430-7535



Date: October 21, 2020
From: Heinz Proft, Harwich Natural Resources Director
To: Town of Harwich Community Preservation Committee
Subject: REOS Committee Application to Community Preservation Fund for Open Space Acquisition

Dear Members of the Harwich Community Preservation Committee,

Thank you for considering this letter in support of the Town Real Estate & Open Space Committee's open space funding application for \$360,000 toward the preservation of approx. 31 acres located almost entirely within the Hinckleys Pond Watershed. I recommend your approval of their application, which in turn will allow Town Meeting voters the chance to preserve the land to benefit water quality, wildlife habitat, scenic views from both the Cape Cod Rail Trail and bordering roadways as well as create a new walking trail.

Town funding partnership with Harwich Conservation Trust and hopefully also the State to preserve this land aligns with goals in the Town of Harwich 2017 Open Space & Recreation Plan including the following:

- Page 64, Goal VI: Preserve and Enhance the Following Natural Resources: Groundwater and Surface Water; Coastal Water and Adjacent Shoreline Areas; Inland and Coastal Wetlands; and Wildlife and Plant Habitats.
- Page 64, Objective 1. Maintain the overall quality and quantity of Harwich's ground water to ensure a sustainable supply of high quality, minimally treated drinking water.
- Page 65, Objective 2. Preserve and improve the ecological integrity of marine and fresh surface waters.
- Page 66, Objective 8. Preserve, protect and enhance the quality and quantity of inland and coastal wetlands in Harwich.
- Page 67, Objective 9. Continue to prevent the loss or degradation of critical wildlife and plant habitats, minimize the impact of new development on wildlife and plant habitats, and maintain existing populations and species diversity.

Furthermore, a study commissioned by the Town in 2012 titled "Evaluation of Hinckley's Pond" completed by CDM Smith, Inc., which is also the Town's CWMP consultant, documented cyanobacteria blooms in adjacent Hinckleys Pond. These possible toxic algae blooms spanned over a decade, including three successive years leading into 2012. In 2018, Town Meeting voters approved up to \$500,000 in Community Preservation Act funds to remediate this water quality issue by applying alum to the pond.

The 2012 Town study indicates that cranberry bog operations on the pond contribute up to 7% of the phosphorous load to the water body. It's my understanding that as of the 2020 harvest season, cranberry farming has been concluded at the approx. 18-acre bog by the owner of the 31-acre property proposed for acquisition. By preserving the 31-acre property for conservation and passive recreation

purposes, the Town can proactively help to protect the water quality of Hinckleys Pond which is also the primary surface source water for the Herring River. Hinckleys Pond is an alewife spawning pond and the Herring River is the migratory route for herring swimming into Hinckleys Pond. Therefore, protecting pond water quality will help protect this sensitive fishery that has suffered a precipitous decline over the decades and only recently shown signs of possible recovery. The retired bog can be allowed to naturalize into more diverse habitats that will benefit wildlife foraging, nesting and sheltering opportunities as well as create a more varied plant community to enhance the visitor experience on a new walking trail.

I fully endorse the Real Estate & Open Space Committee's application and recommend your favorable review decision.

Sincerely,

Heinz Proft

Heinz Proft
Natural Resources Director



TOWN OF

HARWICH

732 Main Street
Harwich, MA 02645

CONSERVATION COMMISSION

(508)-430-7538 FAX (508)430-7531

Date: October 7, 2020
From: Town of Harwich Conservation Commission
To: Town of Harwich Community Preservation Committee
Subject: REOS Committee Application to Community Preservation Fund for Open Space Acquisition

The Town Conservation Commission voted unanimously on August 19, 2020 in favor of a \$360,000 Community Preservation Fund application by the Town Real Estate & Open Space (REOS) Committee in support of an important partnership acquisition of approx. 31 acres on Headwaters Drive for conservation and passive recreation purposes. As has proven successful in the past, the acquisition partnership is comprised of the Town and the nonprofit Harwich Conservation Trust.

Echoing the many positive benefits of this watershed land acquisition proposal, we recommend your approval of the Town Real Estate and Open Space (REOS) Committee's application for these reasons:

1. The property is adjacent to a Zone 2 of contribution to the Town's public water supply.
2. The property contains substantial acreage that can provide a new walking trail destination with scenic views for residents and visitors.
3. The property borders both sides of the Cape Cod Rail Trail with each side buffering more than 1,000 feet of the scenic regional bike path that spans from Yarmouth to Wellfleet.
4. The property is almost entirely within the watershed to Hinckleys Pond, the primary surface water source for the Herring River and its namesake river herring which spawn in Hinckleys Pond and also transit Hinckleys Pond through herring runs to additional spawning ponds of Long Pond and Seymours Pond. If the land is developed, then at least six houses would occupy the site, which would negatively impact the scenic views as well as add septic systems to the Hinckleys Pond/Herring River watershed. The Herring River watershed is already considered a nitrogen impaired system according to the Town Comprehensive Wastewater Management Plan, so preserving the land from becoming another subdivision makes sense from a water quality perspective.
5. The property includes approx. 233 feet of pond shore that connects to another approx. 600 feet of Town-owned pond shore habitat within state-designated BioMap 2 Core Habitat defined as "*critical for the long-term persistence of rare species and other Species of Conservation Concern, as well as a wide diversity of natural communities and intact ecosystems across the Commonwealth,*" and also within state-designated Priority Habitats of Rare Species defined as "*the geographical extent of habitat for all state-listed rare species, both plants and animals, and is codified under the Massachusetts Endangered Species Act (MESA).*"

6. The property includes extensive public road frontage: approx. 1,200 feet on Pleasant Lake Ave. and approx. 1,500 feet of frontage on Headwaters Drive with both roadways offering motorists and travelers scenic views of the subject property.
7. The property is adjacent to approx. 6.5 acres of Town-owned land under jurisdiction of the Selectmen and shares a common border of approx. 844 feet.
8. The property is directly opposite the new state-of-the-art \$120 million Cape Cod Regional Technical High School and the subject property could offer “outdoor classroom” education opportunities for students.
9. This acquisition aligns with Town of Harwich Open Space and Recreation planning goals, including protecting Landscape Character, Water Resources, Wetlands, Fisheries and Wildlife, and Scenic Resources.
10. This acquisition would be responsive to the results of the 2015 Community Survey, which was part of the Town Open Space & Recreation Plan drafting process. A vast majority of survey respondents replied that it is “very important” for the Town to continue to acquire and preserve open space and natural areas.

Thank you for your time and consideration of the REOS Committee’s application. Given the Community Preservation Committee’s recent past endorsement of Community Preservation Funds and subsequent Town Meeting voter approval for restoring the health of Hinckleys Pond, we hope that you will approve this watershed land acquisition proposal as another positive step toward protecting the Town’s natural resources.

Sincerely,

A handwritten signature in dark ink, appearing to read "Brad Chase". The signature is fluid and cursive, with the first name "Brad" and last name "Chase" clearly distinguishable.

Brad Chase
Chairman



TOWN OF HARWICH MASSACHUSETTS

Bikeways Committee

Date: October 26, 2020
From: Town of Harwich Bikeways Committee
To: Town of Harwich Community Preservation Committee
Subject: REOS Committee Application to Community Preservation Fund for Open Space Acquisition

The Harwich Bikeways Committee supports the preservation of the approximately 31-acre Jenkins property bordering both sides of the Cape Cod Rail Trail and recommends favorable consideration of the Town Real Estate & Open Space (REOS) Committee's \$360,000 funding application to the Community Preservation Committee. This highly visible project represents a significant opportunity to protect scenic views from major public roads and the very popular regional bike path as well as protect Hinckleys Pond water quality, Herring River health, wildlife habitat, and a walking trail on the property itself.

As you know, the 26-mile Cape Cod Rail Trail is frequented by bicyclists, joggers, walkers, and a range of other residents and visitors of all ages. It is immensely popular with vacationers who then support local restaurants, lodging, and many other small businesses. The nearby parking lot on the other side of Headwaters Drive is one of seven free parking areas along the bike trail's six-town route that provides easy access to the regional resource of the Cape Cod Rail Trail.

If the buildable upland on the 31-acre property was developed, then water quality could suffer and also the natural scenic view enjoyed by people on the bike path would be forever lost. Preserving this land results in multiple benefits for the community. We hope that the Community Preservation Committee will approve the REOS Committee's application and give Town Meeting voters the opportunity to help preserve this land in perpetuity. We thank you for your time and consideration.

Sincerely,

Francis Salewski

Chair Harwich Bikeways Committee

October 23, 2020

Deborah Selkow, president
Hinckleys Pond Association
27 Catharine Rose Road
Harwich, MA 02645

Community Preservation Committee
Town of Harwich
732 Main Street
Harwich, MA 02645

Dear Members of the Community Preservation Committee,

The Leadership Council of the Hinckleys Pond Association (HPA) enthusiastically supports the Town Real Estate & Open Space (REOS) Committee's application for \$360,000 in Community Preservation Act (CPA) open space funds toward a land-saving partnership with the goal of preserving an approximately 31-acre property in the Hinckleys Pond watershed. This funding partnership includes the Town, nonprofit Harwich Conservation Trust, and potentially the State since the property borders both sides of the state-owned Cape Cod Rail Trail. The Town and Harwich Conservation Trust (HCT) have collaborated on several important land preservation projects in watersheds to protect coastal and freshwater resources. Partnering to preserve this 31-acre property will help protect the water quality of both Hinckleys Pond and the Herring River.

The Town's 2012 Evaluation of Hinckleys Pond report indicates that the adjacent cranberry bogs contribute to the pond's phosphorus load and therefore can negatively impact water quality. On page 82, the report's author CDM Smith states *"...if the [bog] owners ever consider ceasing operation, the town should consider what it can do to alter use of these parcels to protect Hinckleys Pond."* Aquatic biologist Ken Wagner, who has regularly monitored pond water quality for the past year, notes in his summary report, that with the post alum treatment "reduction in internal recycling of phosphorus" a significant threat that remains is "ongoing inputs from cranberry farming during the harvest period." Our association believes that it is in the best interest of our pond, of the Herring River, and thus of our pond residents for cranberry farming to end and the land to be preserved.

The Town's 2016 Comprehensive Wastewater Management Plan also authored by CDM Smith identifies coastal watersheds as well as freshwater ponds that are impaired due to nutrient loading from septic systems and other sources of nitrogen that degrade saltwater ecosystems as well as sources of phosphorous that degrade freshwater ecosystems. In Table 8-1 on page 8-4 of the Plan, Hinckleys Pond is described as "eutrophic" in terms of water quality deterioration.

Given the town studies of Hinckleys Pond health revealing the contributing factors to impaired water quality as well as Town Meeting voters' investment of up to \$500,000 in alum treatment in 2019 to alleviate cyanobacteria blooms, the acquisition of the 31-acre property presents an opportunity to continue supporting pond health. The Town partnership with HCT to purchase the 31-acre property for conservation purposes and thereby extinguish subdivision potential will help protect the health of Hinckleys Pond and the Herring River since the river flows from Hinckleys Pond. We thank you for taking the time to consider our letter of support and we hope you will approve the REOS Committee's CPA funding application.

Sincerely,

Deborah Selkow

06-24-1997 @ 01:53

BARNSTABLE COUNTY
REGISTRY OF DEEDS
COUNTY EXCISE TAX
#111111
TAX 1710.00
INITIAL 1710.00
CHECK 1710.00
CANCELLED

0009
#01 #1111 12:51
COUNTY EXCISE TAX

QUITCLAIM DEED

DEEDS REC 01
BARNSTABLE
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2565.00
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9846A000 12:52
EXCISE TAX
CANCELLED

MELLO-WILSON CRANBERRY CORP., a corporation duly organized under the Laws of the Commonwealth of Massachusetts with its usual place of business at P. O. Box 183, Rochester, MA 02770, for consideration paid, and in consideration of **Seven Hundred Fifty Thousand and No/100 (\$750,000.00) Dollars**, grant to **JAMES A. JENKINS, as Trustee of JENKINS NOMINEE TRUST** under Declaration of Trust dated December 29, 1995, and recorded in the Barnstable County Registry of Deeds at Book 9994, Page 92, of 227 Pine Street, West Barnstable, MA 02668, with **QUITCLAIM COVENANTS**,

PARCEL ONE:

Three (3) parcels of land located in Harwich, Barnstable County, Massachusetts, bounded and described as follows:

Parcel D

Beginning at the northeast corner of the parcel herein described on the westerly side of Pleasant Lake Avenue;

thence 29.62 feet by a curve bowing inward, having a radius of 1073.74 feet by the westerly side line of Pleasant Lake Avenue to a point;

thence S. 46° 59' 02" E., 215.13 feet by the westerly side line of Pleasant Lake Avenue to a point;

thence S. 33° 38' 23" W., 246.66 feet by the land now or formerly of Pleasant Lake Cranberries, Inc. to a point;

thence S. 10° 01' 38" E., 41.74 feet by the land of said Pleasant Lake Cranberries, Inc. to a point;

thence S. 83° 12' 05" E., 169.34 feet by the land of said Pleasant Lake Cranberries, Inc. to a point;

thence N. 38° 00' 43" E., 161.00 feet by the land of said Pleasant Lake Cranberries, Inc. to a point on the westerly side line of Pleasant Lake Avenue;

OFF PLEASANT LAKE AVE, HARWICH

thence 557.93 feet by a curve bowing outward having a radius of 1200.00 feet by the westerly side line of Pleasant Lake Avenue to a point;

thence 44.93 feet by a curve bowing outward having a radius of 29.58 feet to a point in the northerly sideline of Headwaters Drive;

thence 81.23 feet by a curve bowing inward having a radius of 425.00 feet by the northerly side line of Headwaters Drive to a point;

thence 167.18 feet by a curve bowing outward having a radius of 453.60 feet by the northerly side line of Headwaters Drive to a point;

thence N. 5° 49' 01" W., 57.86 feet by the land of said Pleasant Lake Cranberries, Inc. to a point;

thence N. 63° 38' 14" W. 76.29 feet by the land of said Pleasant Lake Cranberries, Inc. to a point;

thence N. 86° 41' 50" W., 269.85 feet by the land of said Pleasant Lake Cranberries, Inc. to a point;

thence N. 54° 49' 34" W., 91.44 feet by the land of said Pleasant Lake Cranberries, Inc. to a point;

thence N. 81° 48' 57" W., 107.74 feet by the land of said Pleasant Lake Cranberries, Inc. to a point;

thence S. 70° 51' 06" W., 163.88 feet by the land of said Pleasant Lake Cranberries, Inc. to a point;

thence S. 62° 12' 38" W., 152.81 feet by the land of said Pleasant Lake Cranberries, Inc. to a point;

thence S. 76° 29' 58" W., 201.43 feet by the land of said Pleasant Lake Cranberries, Inc. to a point;

thence N. 68° 39' 19" W., 190.01 feet by the land of said Pleasant Lake Cranberries, Inc. to a point;

thence N. 38° 35' 11" W., 169.39 feet by the land of said Pleasant Lake Cranberries, Inc. to a point on the easterly side line of a right of way now or formerly of the New York, New Haven and Hartford Railroad Co.;

thence 120.90 feet by a curve bowing outward having a radius of 1868.83 feet by said Railroad Right of Way to a point;

thence N. 22° 02' 49" W., 29.73 feet by said Railroad Right of Way to a point;

thence 380.00 feet by a curve bowing outward having a radius of 1885.08 feet by said Railroad Right of Way to a point;

thence N. 43° 46' 14" E., 47.34 feet by said Railroad Right of Way to a point;

thence 36.24 feet by a curve bowing outward having a radius of 1868.83 feet to a point;

thence N. 25° 29' 04" E., 47.49 feet by said Railroad Right of Way to a point;

thence N. 87° 01' 04" E., 384.55 feet by the land now or formerly of Eliza E. Cahoon to a point;

thence N. 2° 59' 34" E., 53.57 feet by the land now or formerly of said Eliza E. Cahoon to a point;

thence N. 86° 29' 54" E., 159.07 feet by the land now or formerly of said Eliza E. Cahoon to a point;

thence S. 84° 24' 06" E. 103.41 feet by the land now or formerly of said Eliza E. Cahoon to a point;

thence N. 83° 05' 54" E., 143.91 feet by the land now or formerly of said Eliza E. Cahoon to the point of beginning.

The above described parcel of land contains 22.42 acres.

Parcel D-1

Beginning at the southeast corner of the parcel herein described at a concrete bound on the northerly side line of Headwaters Drive;

thence S. 83° 28' 15" W., 545.22 feet by the northerly side line of Headwaters Drive;

thence S. 83° 28' 15" W., 468.92 feet by the northerly side line of Headwaters Drive;

thence S. 79° 15' 10" W., 299.24 feet by the northerly side line of Headwaters Drive to a point in the easterly side line of a right of way now or formerly of the New York, New Haven and Hartford Railroad Company;

thence 376.40 feet by a curve bowing outward having a radius of 1868.83 feet to a point;

thence S. 38° 35' 11" E., 169.39 feet by land now or formerly of Pleasant Lake Cranberries, Inc. to a point;

thence S. 68° 39' 19" E., 190.01 feet by land of said Pleasant Lake Cranberries, Inc. to a point;

thence N. 76° 29' 58" E., 201.43 feet by land of said Pleasant Lake Cranberries, Inc. to a point;

thence N. 62° 12' 38' E., 152.81 feet by land of said Pleasant Lake Cranberries, Inc. to a point;

thence N. 70° 51' 06" E., 163.88 feet by land of said Pleasant Lake Cranberries, Inc. to a point;

thence S. 81° 48' 57" E., 107.74 feet by land of said Pleasant Lake Cranberries, Inc. to a point;

thence S. 54° 49' 34" E., 91.44 feet by land of said Pleasant Lake Cranberries, Inc. to a point;

thence S. 86° 41' 50' E., 269.85 feet by land of said Pleasant Lake Cranberries, Inc. to a point;

thence S. 63° 38' 14" E., 76.29 feet by land of said Pleasant Lake Cranberries, Inc. to a point;

thence S. 5° 49' 01" E., 57.86 feet by land of said Pleasant Lake Cranberries, Inc. to the point of beginning.

The above parcel of land contains 5.13 acres.

INCLUDING in Parcel D-1, that certain parcel or tract of land on the northerly side of Headwater Drive, shown and delineated as Lot D-1-1 on a plan of land entitled, "Plan of Land for Edgewood Trust in Harwich, Mass., Scale 1" = 50', Nov. 17, 1988, G.A.F. Engineering, Inc." recorded with Barnstable County Registry of Deeds at Plan Book 455, Page 43. Containing, according to said plan, 60,246 square feet of land. This parcel was conveyed to Mello-Wilson Cranberry Corp. by deed of Edgewood Trust dated January 6, 1993, and recorded in the Barnstable County Registry of Deeds at Book 8460, Page 234.

Parcel D-2

Beginning at the northeast corner of the parcel herein described on the westerly side line of Pleasant Lake Avenue;

thence S. 46° 59' 02" E., 57.60 feet by the westerly side line of Pleasant Lake Avenue to a point;

thence 138.82 feet by a curve bowing outward having a radius of 1200.00 feet by the westerly side line of Pleasant Lake Avenue to a point;

thence S. 38° 00' 43" W., 161.00 feet by the land now or formerly of Pleasant Lake Cranberries, Inc. to a point;

thence N. 83° 12' 05" W., 169.34 feet by the land of said Pleasant Lake Cranberries, Inc. to a point;

thence N. 10° 01' 38" W., 41.74 feet by the land of said Pleasant Lake Cranberries, Inc. to a point;

thence N. 33° 38' 23" E., 246.66 feet by the land of said Pleasant Lake Cranberries, Inc. to the point of beginning.

The above described parcel of land contains 41,657.2 square feet.

Being shown and designated on a plan of land entitled: "Plan of Land for Ravenbrook Farms, Inc. in Harwich, MA., Scale: 1" = 50', March 2, 1984, Gilmore Associates, P. O. Box 617, South Carver, MA 02366" which plan is duly recorded in the Barnstable County Registry of Deeds.

PARCEL TWO:

A parcel of unregistered land situated on Route 124 in Harwich (Pleasant Lake), Barnstable County, Massachusetts, consisting of cranberry bog and upland and bounded and described as follows:

Beginning at the northeast corner of the premises at a point in the westerly sideline of Pleasant Lake Avenue and at Parcel 3 hereinafter described;

thence in a general southwesterly direction by parcel 3 hereinafter described by a curved line having a radius of 40.00 feet, a distance of sixty-two and 83/100 (62.83) feet to a point;

thence South 78° 21' 13" West, Ninety-seven and 53/100 (97.53) feet to a point;

thence continuing in a general southwesterly direction by a curved line having a radius of 300.00 feet, a distance of Sixty-six and 51/100 (66.51) feet to a point;

thence North 88° 56' 39" West by the third parcel herein described, three hundred forty-five and 38/100 (345.38) feet to a right of way as shown on said plan;

thence South 83° 28' 15" West by said right of way, two hundred (200) feet, more or less, to land now or formerly of James G. Marcelline, later of Dimensions Unlimited, Inc.;

thence southeasterly by "Old Road" as shown on said plan, one hundred seventy (170) feet, more or less, to a concrete bound;]

thence continuing south 86° 59' 30" East, five hundred ninety-one and 90/100 (591.90) feet to Pleasant Lake Avenue aforesaid;

thence northerly by Pleasant Lake Avenue by a curved line having a radius of 3160.00 feet, a distance of sixteen and 56/100 (16.56) feet to a Massachusetts Highway bound as shown on said plan;

thence North $11^{\circ} 38' 47''$ West by the line of Pleasant Lake Avenue as shown on said plan, one hundred thirteen and 23/100 (113.23) feet to the point of beginning.

Containing an area of 28,780 square feet, more or less, according to said plan being shown as "Dimensions Unlimited Inc., P. O. Box 151, West Barnstable, Mass." on a plan entitled "Relocation of a Portion of Headwater Drive, Harwich, Mass. Prepared for A. D. Makepeace Company Scale: As Noted December 11, 1972 Walter E. Rowley & Associates, Inc. Civil Engineers & Surveyors West Wareham, Mass." and said plan is recorded in the Barnstable County Registry of Deeds in Plan Book 267, Page 89.

PARCEL THREE:

Situated in Harwich on Route 124 (Pleasant Lake) bounded and described as follows:

Beginning at the northeast corner on the premises at a concrete bound in the westerly sideline of Pleasant Lake Avenue, a town way (Route 124);

thence South $11^{\circ} 38' 47''$ East, thirty-four and 43/100 (34.43) feet to a point;

thence in a general southwesterly direction by a curved line having a radius of 40.00 feet, a distance of sixty-two and 83/100 (62.83) feet to a point;

thence South $78^{\circ} 21' 13''$ West, ninety-seven and 53/100 (97.53) feet to a point;

thence continuing in a general westerly direction by a curved line having a radius of 300.00 feet, a distance of sixty-six and 51/100 (66.51) feet to a point;

thence North $88^{\circ} 56' 39''$ West, three hundred forty-five and 38/100 (345.38) feet to a right of way as shown on said plan;

thence North $83^{\circ} 28' 15''$ East, two hundred sixty-three and 69/100 (263.69) feet by said right of way to a concrete bound;

thence continuing in a general northeasterly direction by a curved line having a radius of 503.60 feet, a distance of one hundred eighty-five and 61/100 (185.61) feet to a concrete bound;

thence continuing in a general northeasterly direction by a curved line having a radius of 375.00 feet, a distance of 71.99 feet to a point;

thence North $73^{\circ} 21' 13''$ East, five and 49/100 (5.49) feet to a concrete bound;

thence continuing in a general southeasterly direction by a curved line having a radius of 16.48 feet, a distance of twenty-seven and 32/100 (27.32) feet to a concrete bound being a Massachusetts Highway Bound at the point of beginning.

Said premises are shown as "A. D. Makepeace Co., Main Street Wareham, Mass." on the plan by Walter E. Rowley dated December 11, 1972, and recorded in said Registry in Plan Book 267, Page 89.

PARCEL FOUR:

Situated in Harwich off Route 124 (Pleasant Lake) aforesaid and bounded and described as follows:

Beginning at the northeast corner of the premises at a point in the southeasterly shore of Hinckleys Pond (a great pond) at land now or formerly of New York, New Haven and Hartford Railroad Company;

thence in a general southerly direction by a curved line having a radius of 1951.33 feet, a distance of one hundred thirty-six (136) feet, more or less, to a corner;

thence North $44^{\circ} 39' 05''$ East, thirty-eight and 62/100 (38.62) feet to a corner;

thence in a general southerly direction by a curved line having a radius of 1935.08 feet, a distance of 167.00 feet to a corner;

thence North 07° 13' 10" West, forty-one and 38/100 (41.38) feet to a corner;

thence in a general southerly direction by a curved line having a radius of 1951.33 feet, a distance of six hundred ninety-seven and 96/100 (697.96) feet to a concrete bound all by land of New York, New Haven and Hartford Railroad as shown on the plan hereinafter referred to;

thence North 45° 45' 20" West, ninety-nine and 91/100 (99.91) feet to a concrete bound at land of Wallace Bassett et al as shown on said plan;

thence North 04° 35' 10" East by land of Wallace Bassett et al as shown on said plan, six hundred eighty-four (684) feet, more or less, to the waters of Hinckleys Pond (a great pond) as shown on said plan;

thence northeasterly by the waters of Hinckleys Pond, two hundred thirty-three (233) feet, more or less, to the point of beginning.


Said premises are shown as Parcels A and B on a plan entitled: "Plan of Land in Pleasant Lake, Harwich, Massachusetts, for A. D. Makepeace Co. Scale 1" = 40' June 11, 1955, Kelly & Sweetser Engineers, Dennisport, Mass." and said plan is duly recorded in the Barnstable County Registry of Deeds in Plan Book 122, Page 1.

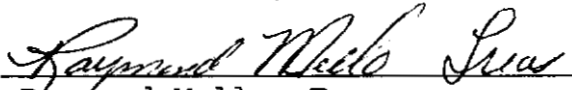
Said premises are conveyed subject to any rights or easements that lawfully exist in the "vehicular tracks" over Parcel A and Parcel B on said plan.

Property: Pleasant Lake Avenue and Headwaters Drive
Harwich, Massachusetts 02645

IN WITNESS WHEREOF, the said **MELLO-WILSON CRANBERRY CORP.**, has caused its corporate name and these presents to be signed, acknowledged, and delivered in its name and behalf by **Steven Wilson and Raymond Mello**, its **President and Treasurer**, respectively, hereto duly authorized, this 20th day of June, 1997.

MELLO-WILSON CRANBERRY CORP.,

By: 
Steven Wilson, President

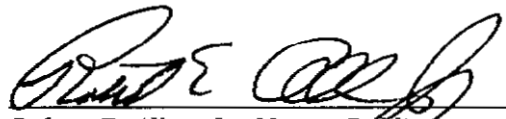
By: 
Raymond Mello, Treasurer

COMMONWEALTH OF MASSACHUSETTS

Plymouth, SS:

June 20, 1997

Then personally appeared the above-named **Steven Wilson and Raymond Mello, President and Treasurer**, as aforesaid, and acknowledged the foregoing instrument to be the free act and deed of the said **MELLO-WILSON CRANBERRY CORP.**, and also their free act and deed, before me,


Robert E. Allen, Jr., Notary Public
My Commission Expires: August 11, 2000