

TR 5623/240  
Plan # 620/88  
Proposed 224 Church St  
Harwich MA

Bk 22374 Pg 331 #57082  
10-01-2007 @ 11:02a

TOWN OF HARWICH



PLANNING BOARD

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FORM 4

NOT AN AGREEMENT AND COVENANT OFFICIAL COPY  
NOT AN AGREEMENT AND COVENANT OFFICIAL COPY

Date July 26, 2007

KNOW ALL PEOPLE by these presents that the undersigned has submitted an application dated April 24, 2007, to the Harwich Planning Board for approval of a definitive plan of a subdivision of land entitled: Definitive Subdivision Plan of Land in East Harwich, MA, by Terry A. Warner, P.L.S., dated March 8, 2007 revised May 30, 2007 and owned by Charles P.H. and Joan C. Bascom, address: 2 Elmwood Avenue, land located at 224 Church Street, and showing 4 proposed lots. The undersigned has requested the Planning Board to approve such plan without requiring a performance bond.

IN CONSIDERATION of said Planning Board of Harwich in the county of Barnstable, Massachusetts, approving said plan without requiring a performance bond, the undersigned hereby covenants and agrees with the inhabitants of Harwich as follows:

1. The undersigned is the owner of record of the premises.
2. This covenant shall run with the land and be binding upon the undersigned and the executor, administrators, heirs and assigns of the undersigned and their successors in title to the premises shown on said plan.
3. The construction of ways and the installation of municipal services shall be provided to serve any lot in accordance with the rules and regulations of said Board as modified and amended by the plans and profiles submitted by the undersigned and approved by the said Board on the 10<sup>th</sup> day of July, 2007, and by the agreement made by the covenantor dated July 26, 2007 before such lot may be built upon or conveyed, other than by mortgage deed provided that a mortgagee who acquires title to the mortgaged premises by foreclosure or otherwise and any succeeding owner of the mortgage premises or part thereof may sell any such lot, subject to that portion of this covenant which provided that no lot shall be built upon until such ways and services have been provided to serve such lot.
4. Nothing herein shall be deemed to prohibit a conveyance by a single deed subject to this covenant, or either the entire parcel or land shown on said subdivision plan or of all lots not previously released by the Planning Board.
5. This covenant shall take effect upon approval of said plan by the Planning Board.

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6. Reference to this covenant shall be entered upon said plan and this covenant shall be recorded at the Registry of Deeds or the Land Court when said plan is recorded. A copy of the recorded covenant shall be returned to the Planning Board.

The following are further agreements and/or conditions of approval:

- The road name will be Dorset Drive. NOT
- An 8" water main is to be installed along with 5 fire hydrants; placement at the direction of the Water Department. OFFICIAL

Witness our hands and seals this 14<sup>th</sup> day of August, 2007

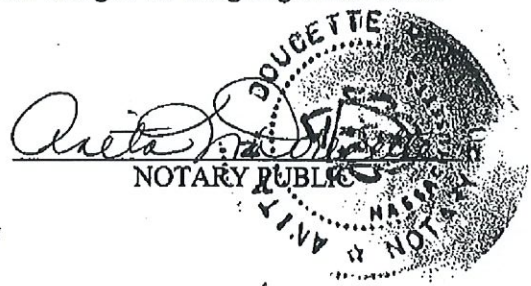
*John C. Bascom*  
Signature of Owner  
John C. Bascom

COMMONWEALTH OF MASSACHUSETTS

BARNSTABLE, SS

Date August 15, 2007

Then personally appeared the above named Charles P.H. Bascom and Joan C. Bascom and acknowledged the foregoing instrument to be his free act and deed, before me,



My Commissioner expires January 14, 2011

Planning Board Signatures:

Date: 8/14/07

*Lawrence E. Beely*  
*Bruce W. Nightingale*  
*[Signature]*  
*[Signature]*

*John C. Folles*  
*[Signature]*  
*[Signature]*

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