

TOWN OF HARWICH PLANNING DEPARTMENT

PLANNING BOARD

FORM B-2



AGREEMENT AND COVENANT

Date: *May 18, 2021*

KNOW ALL PEOPLE by these present that the undersigned has submitted an application dated October 29, 2019, to the Harwich Planning Board for approval of a definitive plan of a subdivision of land entitled "Definitive Subdivision Plan", dated October 28, 2019 and revised December 6, 2019, prepared by Clark Engineering, LLC. and Outermost Land Survey, Inc., showing ten (10) buildable lots and two (2) non-buildable parcels for land located at 0 Route 137, Assessor's Map(s) and Parcel(s) 96 / F1, and owned by Route 137 Development LLC, P.O. Box 785, Chatham, MA 02633. The undersigned has requested that the Planning Board 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 to the following:

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 17th day of December 2019, and by the agreement made by the covenantor(s) dated *18th* day of *MAY*, 2021 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 endorsement of said plan by the Planning Board.
- 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:

- 1. Board of Health conditions shall be met.
- 2. The road name for Road 1 shall be Strawberry Hill Lane and the name for Road 2 shall be Lucy's Lane and shall be so noted on the plan prior to endorsement.
- 3. A minimum of two (2) 6' x 6' leaching catch basins with 4' of stone in each be installed to control runoff from each dwelling. This shall also be noted on the Definitive Plan prior to endorsement.
- 4. All drainage and storm water requirements, local, state and federal, shall be met and approved by the Harwich Town Engineer prior to the commencement of construction operations.
- 5. A standard Planning Board Covenant Agreement shall be executed.

Witness our hands and seals this 18th day of May

Signature of Owner(s)

Signature of Owner(s)

COMMONWEALTH OF MASSACHUSETTS

County of **Barnstable** On this 18th of May, 2021

Day Month Year

Before me, the undersigned Notary public, personally appeared Christopher Wise

Name of Document Signer

Proved to me through satisfactory evidence of identification, which was/were

MA Drivers License

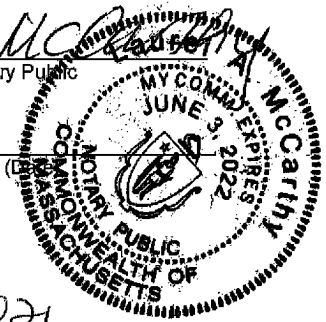
Description of Evidence of Identification

To be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

Laurel A. McCarthy
Signature of Notary Public

Laurel A. McCarthy
Printed Name of Notary Public

My Commission Expires (Date)



Planning Board Signatures:

Joseph J. Philbrook
[Signature]
[Signature]

Date: May 18, 2021
Cory S. Chadrant