

TOWN OF NORWELL PLANNING BOARD

RELEASE OF SUBDIVISION COVENANT

The undersigned, being a majority of the members of the Norwell Planning Board, have reviewed the status of the construction of the ways and installation of municipal services required for and under the definitive subdivision plan that is entitled

\_\_\_\_\_, as prepared by \_\_\_\_\_, dated \_\_\_\_\_, as revised through \_\_\_\_\_ (the "Plan"), and as the Plan was further modified by the Planning Board by its Certificate of Vote, with conditions, that was filed with the Town Clerk on \_\_\_\_\_ and recorded at the Plymouth Registry of Deeds at Book \_\_\_\_\_, Page \_\_\_\_\_, and as required under the Form C Application executed by the Applicant, the Planning Board's applicable Subdivision Rules and Regulations and the Grading Plan, dated \_\_\_\_\_, the Conservation and Construction Plan, dated \_\_\_\_\_, the Sight Distance Plan, dated \_\_\_\_\_, and the additional documents listed below:

- A.
- B.
- C.
- D.
- E.

The required improvements for the construction of the ways and installation of municipal services set forth in the above plans and documents shall be collectively referred to herein as the "Improvements."

The parcels shown on the Plan as (insert all applicable lot and parcel numbers: \_\_\_\_\_) are subject to a Covenant, accepted by the Planning Board under G.L. c.41, §81U, ¶7(3), that provides that no lot or parcel that is subject to the Covenant shall be built upon or individually conveyed until the Improvements have been provided.

The Planning Board, after obtaining technical review from its consulting engineer regarding the status of the completion of the Improvements as to the lots and parcels enumerated above, has determined the following: (choose one)

1. All Improvements have been fully and satisfactorily completed in accordance with all of the necessary requirements, warranting release of all of the lots from the Subdivision Covenant; **or**
2. The Improvements have been fully and satisfactorily completed in accordance with all of the necessary requirements to serve the following enumerated lots, which may now, therefore, be released from the Subdivision Covenant:  
\_\_\_\_\_  
\_\_\_\_\_; **or**  
\_\_\_\_\_
3. Sufficient alternate surety has been provided to the Planning Board, under G.L.c.41, §81U, ¶7, in the form of (insert form of the surety) and in the amount of \$(insert amount of the surety) to ensure completion of the Improvements for the following enumerated lots, which may, therefore, be released from the Subdivision Covenant:  
\_\_\_\_\_  
\_\_\_\_\_.

As a result, the Planning Board, pursuant to majority vote, hereby releases the following enumerated parcels from the restriction of the Subdivision Covenant that prohibits conveyance or building upon the lots or parcels until the Improvements are completed, which Covenant was made by the parties on \_\_\_\_\_ and recorded in Plymouth County Registry of Deeds at Book \_\_\_\_\_, Page \_\_\_\_\_:

Released Lots:

\_\_\_\_\_.

This release expressly excludes the release or removal or elimination of any easement, restriction or condition recorded with or set forth in said Covenant or any other easement, restriction or condition recorded against the subject land, other than the release of the specific restriction, imposed under G.L. c.41, §81U, ¶7(4), that prohibited construction or conveyance until the Improvements were satisfactorily completed or alternate surety provided.

WITNESS OUR HANDS AND SEALS this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
pursuant to an affirmative majority vote taken as set forth above on said date.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NORWELL PLANNING BOARD

COMMONWEALTH OF MASSACHUSETTS

Plymouth, SS

\_\_\_\_\_, 20\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned notary public,  
personally appeared the above-named \_\_\_\_\_ Norwell Planning  
Board Member(s) who are personally known to me/who identified  
him/herself/themselves to me to my satisfaction, and signed this document voluntarily  
as his/her/their free act and deed and for the stated purpose.

\_\_\_\_\_  
Notary Public (Print Name: \_\_\_\_\_ )  
My commission expires: \_\_\_\_\_