

CONSERVATION RESTRICTION

Barque Hill Association, Inc., a non-profit corporation organized under Chapter 180 of the General Laws of the Commonwealth of Massachusetts, having an address at 111 Brigantine Circle, Norwell, Plymouth County, Massachusetts, grants without covenants to the Town of Norwell (the "Town"), a municipal corporation of the Commonwealth of Massachusetts, a conservation restriction on six parcels of land (the "Premises") located in said Town, which land is more fully described on Exhibit A hereto which is incorporated herein and made a part hereof.

The terms of the conservation restriction are as follows: that neither the Barque Hill Association, Inc. nor its successors or assigns will perform the following acts nor permit others to perform them, hereby granting to the Town the right to enforce these restrictions against all persons:

1. No building, sign, outdoor advertising display, fence, mobile home, utility pole or other temporary or permanent structure will be constructed, placed or permitted to remain on the Premises except as provided in paragraph five.

2. No soil, loam, peat, gravel, sand, rock, or other mineral substance, refuse, trash, vehicle bodies or parts, rubbish, debris, junk, waste or unsightly or offensive material will be placed, stored or dumped on the Premises.

3. No soil, loam, peat, gravel, sand, rock, or other mineral resource or natural deposit shall be excavated or removed

from the Premises in such a manner as to affect the surface thereof.

4. No trees, grasses, or other vegetation now or hereafter on the Premises shall be cut or otherwise destroyed except as provided in paragraph five.

5. Notwithstanding anything contained in paragraphs one through four, Barque Hill Association, Inc. reserves to itself, its successors and assigns the right to conduct or permit the following activities on the Premises:

a. The cultivation and harvesting of crops, flowers, hay, and shellfish; the planting of trees and shrubs and the mowing of grass; and the construction and maintenance of fences necessary in connection therewith; and

b. the installation and continued maintenance of underground utilities and the continued maintenance of utility poles now located on the Premises.

The foregoing restriction is authorized by M.G.L. Chapter 184, Sections 31-33, and is intended to retain the Premises predominantly in its natural, scenic and open condition in order to protect the natural and watershed resources of the Town. The restriction shall be administered by the conservation commission of the Town, established under M.G.L. Chapter 40, Section 8C.

The conservation restriction hereby conveyed does not grant either the Town or the public any right to enter the Premises except as follows:

1. Barque Hill Association, Inc. grants to the Town a permanent easement to enter the Premises by its conservation commission, for the purpose of inspecting the premises and enforcing the foregoing restrictions and remedying any violation thereof. The right hereby granted shall be in addition to any other remedies available to the Town for the enforcement of the foregoing restrictions.

No documentary stamps are needed for this instrument, as it is a gift.

The Barque Hill Association, Inc. has caused its corporate seal to be hereto affixed and these presents to be signed, acknowledged and delivered in its name and behalf by Frank Hogan, its President hereto duly authorized this 11 day of July, 1983.

Frank L. Hogan

Frank Hogan, President



COMMONWEALTH OF MASSACHUSETTS

Plymouth, ss.

July 11, 1983

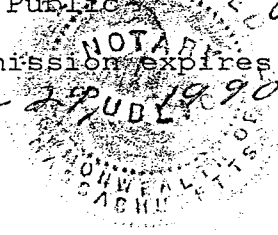
Then personally appeared the above-named FRANK L. HOGAN and acknowledged the foregoing to be the free act and deed of Barque Hill Association, Inc., before me,

Leo A. Reed Jr.

Notary Public

My commission expires:

June 29, 1990



APPROVAL BY SELECTMEN

We, the undersigned Board of Selectmen of the Town of Norwell, hereby certify that we approve the receipt of the foregoing conservation restriction under M.G.L. Chapter 40, Section 8C as it has been and may be amended as requested by vote of the conservation commission of the Town of Norwell for the protection of the natural and watershed resources of the Town.

Michael Santigan
Anthony F. Becono
Constance L. Hegler

APPROVAL BY THE SECRETARY

The Secretary of the Executive Office of Environmental Affairs, Commonwealth of Massachusetts, hereby certifies approval of the within conservation restriction under M.G.L. Chapter 184, Section 32.

DATE: 11/4/83

James S. Hoyte
James S. Hoyte, Secretary

EXHIBIT AParcel 1:

A certain parcel of land situate in the Town of Norwell shown as Shipyard Park on sheets numbered 15 & 16 of plan entitled, "Barque Hill on the North River, Norwell," dated October 19 1962, by Lewis W. Perkins & Sons, Civil and Consulting Engineers, duly recorded with Plymouth Deeds, Plan Book 12, Pages 884-900, bounded and described as follows:

NORTHEASTERLY by the southwesterly end of Fox Hill Lane and by land now or formerly of Joan F. White, 50.05 feet;

SOUTHEASTERLY by Lot 38 shown on said plan, 400 feet;

NORTHERLY by the same 312.13 feet;

NORTHEASTERLY by the southwesterly sideline of Brigantine Way West, 100 feet; now called Brigantine Circle;

SOUTHEASTERLY by Lot 37 shown on said plan, 309.08 feet;

NORTHEASTERLY by Lots 37, 36 and 35 shown on said plan, 567.35 feet;

NORTHERLY by Lot 34 shown on said plan, 151 feet;

NORTHEASTERLY more easterly by land of owners unknown, 428 feet;

SOUTHEASTERLY more southerly by the same, 207 feet;

SOUTHWESTERLY more westerly by the same 123 feet;

SOUTHEASTERLY more southerly by the same 267 feet more or less and;

SOUTHWESTERLY by the North River.

Containing, according to said plan approximately 10.2 acres and being the same premises conveyed to the Grantor by Norwell Associates, Inc. by deed dated May 4, 1971, recorded with said Deeds, Book 3676, Page 97.

Parcel 1 is conveyed subject to an easement granted to Brockton Edison Company dated April 26, 1963, recorded with said Deeds, Book 3014, Page 80, and to an easement granted to the New England Telephone and Telegraph Company dated April 26, 1963, recorded with said Deeds, Book 3015, Page 90, and to any and all other easements, restrictions, encumbrances and rights of way of record.

Parcel 2:

A certain parcel of land situate in said Norwell shown as Barque Hill Trail on sheets 8 and 11 of a plan entitled "Barque Hill on the North River, Norwell," dated October 19, 1962, by Lewis W. Perkins & Sons, Civil and Consulting Engineers, recorded with Plymouth Deeds, Plan Book 12, Pages 884-900, bounded and described as follows:

SOUTHEASTERLY by the northwesterly sideline of Till Rock Lane, 100.09 feet;

SOUTHWESTERLY by Lots 94 and 106 as shown on said plan, by five lines measuring respectively, 96.01 feet, 198.84 feet, 64.62 feet, 145.25 feet and 160.90 feet;

NORTHWESTERLY by the southwesterly sideline of Brigantine Way West, now called Brigantine Circle, 101.13 feet; and

NORTHEASTERLY by Lots 77 and 93 as shown on said plan by four lines measuring respectively, 175.98 feet, 179.89 feet, 198.84 feet and 122.19 feet.

Containing according to said plan, 1.54 acres.

Parcel 3:

A certain parcel of land situate in said Norwell shown as Barque Hill Common on sheet 4 of said plan, bounded and described as follows:

- SOUTHWESTERLY by the northeasterly sideline of Barque Hill Drive, by two lines measuring respectively, 120.01 feet and 131.87 feet;
- NORTHWESTERLY by Lot 74 as shown on said plan, 374.08 feet;
- NORTHEASTERLY by Lot 51 as shown on said plan, 60 feet;
- NORTHWESTERLY by the same, 300 feet;
- NORTHEASTERLY by the southwesterly sideline of Till Rock Lane, 50 feet;
- SOUTHEASTERLY by Lot 52 as shown on said plan 300 feet;
- NORTHEASTERLY by said Lot 52 and by Lots 53 and 54 as shown on said plan, 369.73 feet;
- EASTERLY by Lot 70 as shown on said plan, 124.59 feet; and
- SOUTHEASTERLY by Lots 71, 72 and 73 as shown on said plan, by two lines measuring respectively, 336.99 feet and 285.27 feet.

Containing according to said plan, 4.36 acres.

Parcel 4:

A certain parcel of land situate in said Norwell shown as Till Rock Park on Sheet 11 of said plan, bounded and described as follows:

- NORTHERLY by the southerly sideline of Till Rock Lane, by two lines measuring respectively, 437.91 feet and 50.52 feet;

EASTERLY by Lot 27 as shown on said plan, 428.39 feet;
 SOUTHEASTERLY by the Conservation Area as shown on said plan, 343.82 feet; and
 WESTERLY by Lot 28 as shown on said plan 499 feet.
 Containing according to said plan, 4.51 acres.

Parcel 5:

A certain parcel of land situate in said Norwell shown as Landing Green on sheet 3 of said plan, bounded and described as follows:

WESTERLY by the easterly sideline of Till Rock Lane, 58.8 feet;
 NORTHWESTERLY by Lot 15 as shown on said plan, 351.65 feet;
 NORTHEASTERLY by land now or formerly of Edward B. Haskins, 309.14 feet;
 EASTERLY by the same, 141.42 feet;
 NORTHEASTERLY by the same by five lines measuring respectively, 98.98 feet, 214.08 feet, 58.05 feet, 80.36 feet and 45 feet;
 SOUTHEASTERLY and EASTERLY by the North River; and
 SOUTHWESTERLY by the Conservation Area as shown on said plan, 690 feet, more or less.

Containing according to said plan, 10.1 acres, more or less.

Parcel 6:

A certain parcel of land situate in said Norwell, as shown as Conservation Area on Sheets 5, 6, 9, 11, 12, 13 and 14 of said plan, bounded and described as follows:

NORTHEASTERLY by Landing Green, 690 feet, more or less;

EASTERLY, by the North River;
 SOUTHEASTERLY,
 SOUTHERLY and
 SOUTHWESTERLY

WESTERLY by land now or formerly of Alton Barston;

SOUTHERLY in part by the same and in part by Owner Unknown;

WESTERLY by land of said Owner Unknown;

SOUTHERLY by the same;

EASTERLY by the same;

SOUTHERLY, by said North River;
 SOUTHEASTERLY
 and SOUTHERLY

SOUTHWESTERLY by land of Owner Unknown;

SOUTHEASTERLY by the same;

NORTHEASTERLY by the same;

NORTHWESTERLY by the same;

NORTHEASTERLY by the same;

EASTERLY, by said North River;
 SOUTHEASTERLY,
 SOUTHERLY and
 SOUTHWESTERLY

SOUTHWESTERLY by land of Owner Unknown;

NORTHWESTERLY by Lots 29 and 30 as shown on said plan by Till Rock Park and by Lot 27 as shown on said plan, by four lines respectively measuring, 148 feet, 146 feet, 343.82 feet and 165.24 feet;

NORTHERLY by Lots 26 and 25 as shown on said plan by two lines respectively measuring 151.42 feet; and 231.09 feet; and

NORTHWESTERLY by Lots 24, 23, 22, 21, 20 and 19 as shown on said plan, by six lines respectively measuring, 210 feet, 240.66 feet, 220 feet, 203.48 feet, 200 feet and 160.15 feet.

Containing according to said plan, 33.2 acres, more or less.

Parcels 2 through 6 are the same premises conveyed to the Grantor herein by deed of Norwell Associates, Inc. dated December 26, 1975, recorded with said Deeds, Book 3957, Page 223.

Parcels 2 through 6 are conveyed subject to an easement granted to Brockton Edison Company dated April 26, 1963, recorded with said Deeds, Book 3014, Page 80, and to an easement granted to the New England Telephone and Telegraph Company dated April 26 1963, recorded with said Deeds, Book 3015, Page 90, and to any and all other easements, restrictions, encumbrances and rights of way of record.

R034/D
6/30/83