

RESTRICTIVE COVENANT

WHEREAS, JJAD, Inc. hereinafter referred to as "Developer" is the owner of certain lots of land in Middleborough, Plymouth County, Massachusetts shown on a subdivision plan, entitled "Definitive Subdivision Plans for Tanglewood, Middleborough, MA", dated December 31, 1998, and revised through June 26, 1999, prepared by Earth Tech for Bay Colony Investment and Development, Inc. hereinafter referred to as "Tanglewood", which plan is recorded at Plymouth County Registry of Deeds herewith, and

WHEREAS, Developer desires to develop the land shown on the plan as a residential subdivision and impose a restriction on the lots shown on said plan in connection with such development, so as to comply with certain requirements of the Town of Middleborough Planning Board.

Now THEREFORE, Developer hereby imposes the restriction hereinafter enumerated upon the building lots for the benefit of the building lots and the owners of the same at this time and hereafter. All of said restrictions and covenants shall run with and bind the building lots, the present owners and all persons claiming under them.

The restriction is as follows:

As a condition for the approval of "Tanglewood" by the Town of Middleborough under the Subdivision Control Law, the Developer is required to have driveway street lights and attached street numbers acceptable to the Middleborough Planning Board installed on a lot and in working order prior to the occupancy of any house erected on that lot in the Subdivision. The driveway street lights must be located one foot outside of the Town right of way and must be wired to the power source of the individual homes without on and off switches. They must also be photosensitive so that they turn on at dusk and off at dawn. The driveway street lights and attached street numbers only need to be installed on each such lot at the time of construction of a house thereon. This condition shall be a restriction imposed upon the building lots for the benefit of the building lots and owners of the same at this time and hereafter. This restriction may be enforced by said owners and also by the Town of Middleborough. The Town of Middleborough is specifically authorized to withhold the issuance of any occupancy permit until this condition has been satisfied as to that particular lot. The issuance of an occupancy permit by the Town of Middleborough shall be conclusive proof of compliance with this restriction for all third parties relying thereon.

IN WITNESS WHEREOF, the said JJAD, Inc. has caused its corporate seal to be hereto affixed and these presents to be signed, acknowledged and delivered in its name by Jay Howland its President and Treasurer hereto duly authorized, this 31st day of August in the year one thousand nine hundred and ninety nine.

JJAD, Inc.

by

Jay Howland, President  
Jay Howland, President & Treasurer

Received & Recorded  
PLYMOUTH COUNTY  
REGISTRY OF DEEDS  
10 SEP 1999 11:12AM  
RICHARD C. SEIBERT  
REGISTER  
Bk 17853 Pg 12

## THE COMMONWEALTH OF MASSACHUSETTS

NORFOLK  
Plymouth, ss

August 31, 1999

Then personally appeared the above-named Jay Howland and acknowledged the foregoing instrument to be the free act and deed of JJAD, Inc. before me

Mary C. Adams  
MARY C. ADAMS, Notary Public

My Commission Expires: OCTOBER 11, 2002