

COZY HEARTH COMMUNITY CORPORATION DECLARATION OF PROTECTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS that Cozy Hearth Community Corporation of Edgartown, Massachusetts 02539 (hereinafter "Grantor"), owner of certain parcels of land situated in the Town of Edgartown, County of Dukes County, Commonwealth of Massachusetts, shown as Lot Nos.1-11 on a plan entitled "A Plan of Land in Edgartown, Mass., prepared for Cozy Hearth Community Corp Scale 1" = 100' Date: 28 July ,200 Schofield Barbini and Hoehn Engineers Surveyors Planners Vineyard Haven, Mass. 02568 Being on file with The Dukes County Registry of Deeds as Case File # (the "Plan"), hereby imposes the following restrictions on said premises for the benefit of the Grantor herein.

1. PURPOSE

It is the intent of the Grantor to ensure that structures or improvements placed upon the above-described land (hereinafter the "Property") incorporate certain architectural features typically associated with traditional Vineyard residences.

2. IMPROVEMENTS

The Property is to be used as single family residential sites or for conservation purposes. No commercial activity shall be permitted other than a home business as may be permitted by the Town of Edgartown Zoning Bylaw.

3. WATER AND SEWERAGE FACILITIES

No water or sewerage facilities other than those depicted on The Plan ,shall be installed upon the Property until a plan showing the location of water and sewerage facilities shall have been delivered, in hand or by certified mail to, and approved in writing by, Grantor.

In the event that Grantor shall fail to approve or disapprove the plan within fifteen business days of Grantor's receipt of said plans and specifications, it shall be deemed to have been approved. Grantor, on request, shall furnish a certificate of approval in recordable form to any lot owner whose plan has been approved and who has installed such facilities in the locations approved by the Grantor.

All waste water and sewerage facilities shall be approved by the Edgartown Board of Health and shall be consistent with all respects with the Martha's Vineyard Commission and Edgartown Zoning Board of Appeals.

4. HOUSE STYLES

Houses on the property should be of traditional vernacular architectural style. Typical styles of houses would include but not be limited to Cape Cod, Salt Box, Colonial, and Shingle Style. These houses would generally be between 1,200 and 2,500 square feet and have no more than 3 bedrooms.

5. EXTERIOR SIDING AND TRIM

Natural wood materials shall be used for siding and trim. Sidewalls shall be white cedar

shingles or clapboards which may be painted or stained natural silver-gray. Trim shall be natural or white.

6. ROOFS

Roofs shall be in the gable, shed or gambrel style, with a minimum pitch of 6 inches per foot. The roof shingles shall be dark asphalt or wood.

7. EXTERIOR LIGHTING

Exterior lighting shall be kept to a minimum, particularly any lights on the sides or rear of structures. Wattage per fixture is to be 60 watts or less. All spotlights and any lights placed more than 10 feet above average natural grade shall be shielded on their tops and sides, and angled straight towards the ground

8. LANDSCAPING

All disturbed ground shall be planted, (seeded with lawn grass, field grass or wildflowers), as promptly as practicable to prevent erosion. Shrubbery, flower and vegetable gardens, and other plantings are expressly permitted, and use of native vegetation is encouraged.

9. BUILDING ENVELOPE / CONSERVATION RESTRICTION

No construction shall be permitted other than within the building envelopes depicted on the Plan. The boundaries of the area subject to the Natural Heritage Endangered Species Program Conservation and Management permit shall be strictly observed.

10. DURATION AND ENFORCEMENT

The restrictions set forth in this Declaration shall continue and remain in full force and effect until thirty (30) years from this date, and may thereafter be extended for further periods of twenty (20) years each in the manner provided in M.G.L. c. 184 s 27, as it may be amended from time to time. The owners of Lot(s) and their successors and assigns shall have the right to enforce the provisions of these Covenants.

WITNESS my hand and seal this 13th day of October, 2005.

COZY HEARTH COMMUNITY CORPORATION

William Bennett, President

COMMONWEALTH OF MASSACHUSETTS

Then personally appeared the above-named William Bennett, President as aforesaid, and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of Cozy Hearth Community Corporation, before me

Notary Public,
My commission expires: