

THE MARTHA'S VINEYARD COMMISSION

BOX 1447 • OAK BLUFFS
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 (508) 693-3453
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DATE: September 7, 1995
 TO: Planning Board, Town of Edgartown
 FROM: Martha's Vineyard Commission
 SUBJECT: Development of Regional Impact
 RE: Subdivision of land
 APPLICANT: Paul and Caroline Daniele
 81 Herring Creek Road
 Edgartown, MA 02539

 DECISION OF THE MARTHA'S VINEYARD COMMISSION

SUMMARY

The Martha's Vineyard Commission (the Commission) hereby approves, with certain conditions, the granting of permits for the development contained in the Application of Paul and Caroline Daniele, 81 Herring Creek Road, Edgartown, MA 02539 as shown on the plan entitled: "Plan of Land in Edgartown, MA prepared for Paul and Caroline Daniele, Schofield, Barbini and Hoehn, Inc. Civil Engineers and Land Surveyors, State Road, P.O. Box 339, Vineyard Haven, MA, scale 1"-40', dated August 9, 1994", consisting of one (1) sheet, (The Plan).

This Decision is rendered pursuant to the vote of the Commission on: September 7, 1995.

The Planning Board of the Town of Edgartown may now grant the request for approval of the Applicant in accordance with the conditions contained herein or may grant the request for approval in accordance with the conditions contained herein and may place further conditions thereon in accordance with all applicable laws or may deny the request for approval.

FACTS

The proposed development is a Development of Regional Impact as defined by the Commission's Standards and Criteria, Developments of Regional Impact Section 3.102. The Application was referred to the Commission by the Planning Board of the Town

of Edgartown for action pursuant to Chapter 831 Acts of 1977 as Amended (the Act). The Application and Notice of Public Hearing relative thereto are incorporated into the record herein. Martha's Vineyard Commission staff document exhibits are also incorporated into the record by reference.

A duly noticed public hearing on the application was conducted by the Commission pursuant to the Act and M.G.L. Chapter 30A, Section 2 on Thursday, May 18, 1995 at 8:00 pm in the Commission Offices, Olde Stone Building, New York Avenue, Oak Bluffs, MA. The hearing was closed the same night.

A summary of the testimony provided at the hearing is provided as Exhibit A attached hereto. The hearing summary is for the convenience of the reader and was not relied upon by the Commission in reaching its decision on this matter.

The proposal is for the subdivision of land off Herring Creek Road in Edgartown.

FINDINGS AND CONDITIONS

The Commission has considered the Application and the information presented at the public hearing and based upon such considerations, makes the following findings pursuant to Section 14 of the Act.

- A. THE COMMISSION FINDS THAT THE PROBABLE BENEFITS OF THE PROPOSED DEVELOPMENT, AS CONDITIONED, WILL EXCEED THE PROBABLE DETRIMENTS AS EVALUATED IN LIGHT OF THE CONSIDERATIONS SET FORTH IN SECTION 15 OF THE ACT (SECTION 14A OF THE ACT).**

The purpose of the Commission, as set forth in Section 1 of the Act, is to "protect the health, safety and general welfare of island residents and visitors by preserving and conserving for the enjoyment of present and future generations the unique natural, historical, ecological, scientific and cultural values of Martha's Vineyard which contribute to public enjoyment, inspiration and scientific study".

1. **Based upon the record and the testimony presented therein, and in addressing the impact on other persons and property, the Commission sets the following condition (Section 15(c) of the Act):**
 - a. **That the Declaration of Protective Covenants and Agreement submitted by the Applicant as part of his testimony and application package**

shall be made a part of this Decision and shall be filed as Attachment 1 of this Decision and that no modification to the wording contained therein shall be permitted without the approval of the Commission and that a fully executed and signed copy of same shall be submitted to the Commission along with proof that the Applicant has recorded same with the Registry of Deeds for the County of Dukes County.

- B. THE COMMISSION FINDS THAT THE PROPOSED DEVELOPMENT WILL NOT SUBSTANTIALLY OR UNREASONABLY INTERFERE WITH THE ACHIEVEMENT OF THE OBJECTIVES OF THE GENERAL PLAN OF ANY MUNICIPALITY OR THE GENERAL PLAN OF THE COUNTY OF DUKES COUNTY.
- C. THE COMMISSION FINDS THAT THE PROPOSAL IS GENERALLY CONSISTENT WITH DEVELOPMENT ORDINANCES AND BY-LAWS OF THE TOWN OF EDGARTOWN.
- D. THE COMMISSION FINDS THAT A PORTION OF THE PROPOSED DEVELOPMENT, SPECIFICALLY LOT 2 OF THE PLAN, DOES LIE WITHIN THE ISLAND ROAD DISTRICT OF CRITICAL PLANNING CONCERN AND THAT ANY DEVELOPMENT ON SAID LOT WILL HAVE TO CONFORM TO ALL OF THE REQUIREMENTS OF THAT DISTRICT OF CRITICAL PLANNING CONCERN.

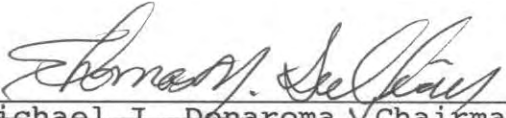
The Applicant must, consistent with this Decision, apply to appropriate Town of Edgartown Officers and Boards for any other development permits which may be required by law.

This Decision is written consistent with the vote of the Commission: September 7, 1995.

Any Applicant aggrieved by a Decision of the Staff or Committee hereunder, may appeal to the full Martha's Vineyard Commission which shall decide such Appeal, after notice and hearing, within 21 days of the close of the public hearing.

The Executive Director may issue Certificates of Compliance which shall be conclusive evidence of the satisfaction of the conditions recited herein.

Any party aggrieved by a determination of the Commission may appeal to Superior Court within twenty (20) days after the Commission has sent the development Applicant written notice, by certified mail, of its Decision and has filed a copy of its Decision with the Town Clerk in the Town in which the proposed development is located.


Michael J. Donaroma, Chairman
Thomas Sullivan

9-7-95
Date


Notary

9-7-95
Date

Thomas R.G. Simmons
Notary Public
My Commission Expires August 11, 2000



DECLARATION OF PROTECTIVE COVENANTS AND AGREEMENT

KNOW ALL MEN BY THESE PRESENTS, the undersigned PAUL E. DANIELE and CAROLYN C. DANIELE ("the Declarant"), in consideration of the premises, and the covenants hereinafter set forth, declare as follows:

I. STATEMENT OF PURPOSES

A. The Declarant is the owner of a parcel of land, shown on a plan hereinafter referred to, which said plan is to be recorded herewith in the Dukess County Registry of Deeds.

B. It is the intent of the Declarant that the structures and activities of man mildly enhance the dominant natural, scenic, farmland and meadowland, and special features, of said land, to allow for the creation, preservation and maintenance of open spaces, to preserve and enhance certain views and the rural quality of said land.

II. CERTAIN DEFINITIONS

The following words when used in this Declaration (unless the context shall prohibit) shall have the following meanings:

A. "Architectural Review Committee" (ARC) shall mean the Declarant for so long as the Declarant is the owner of any Lot on the Plan. In the event that the Declarant is no longer the owner of any Lot on the Plan, then the ARC shall consist of the owners of the Lots shown on the Plan and the owner of Lot 1A and 1B shall be deemed to have two (2) votes and Lots 2 and 3 shall be deemed each to have one (1) vote on any matter pertaining to the ARC.

B. "Declaration" shall mean this Declaration of Protective Covenants.

C. "Owner" shall mean the record owner, whether one or more persons or entities, of the fee simple title to any lot situated on the property, but shall not refer to mortgagee having a mortgage secured by any lot unless such mortgagee has acquired title pursuant to foreclosure or a proceeding in lieu of foreclosure.

D. "Plan" shall mean the plan entitled: "Plan of Land in Edgartown, Mass. Prepared for Paul E. & Carolyn C. Daniele Scale: 1"=40' August 9, 1994 Schofield Barbini & Hoehn Civil Engineers &

Land Surveyors State Road, P. O. Box 339, Vineyard Haven, MA 02568"; said plan to be duly recorded in the Dukes County Registry of Deeds.

E. "Lot" of "Parcel" shall mean and refer to any numbered lot of land shown on said Plan.

F. "Appurtenant Outbuildings" shall mean any building used incidentally by the residents as an accessory for a single-family dwelling constructed on a lot, including structures such as a workshop, studio, barn, stable, sauna, and the like, but specifically excluding any structure to be occupied as a guest house, or bunkhouse, whether including cooking facilities or not.

III. PROTECTIVE COVENANTS

A. Applicability. This Declaration and these covenants shall be binding on the Declarant, their executors, administrators, heirs, successors, and assigns, including all Owners. The covenants imposed herein shall run with the land shown on said Plan and shall operate as restrictions upon said land and shall be for the mutual benefit of the Owners of the Lots shown on said Plan and the Town of Edgartown.

B. Review by Architectural Review Committee. No building, fence, wall or other structure or improvement of any kind or nature shall be commenced, erected or maintained upon any Lot, nor shall any exterior addition to or change or alteration therein be made until the plans and specifications showing the nature, kind, shape, height, materials, and location of the same, as well as plans for landscaping, the planting of trees that will grow larger than four (4) feet in height, the location of driveways, the height and location of antennae for radio or television, and the location of water and sewerage facilities shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures, vegetation, views and topography, by the Architectural Review Committee (ARC).

C. Review Guidelines. In making its determinations, the ARC shall consider these covenants and their purposes of the preservation of land in its natural environment to the maximum extent possible, and to the extent land is developed, that such

ARC shall have the right to correct conditions of neglect or disrepair on a Lot or structure thereon, and to take any reasonable action which it deems necessary in order to preserve the neat and slightly appearance of a Lot or any structure thereon, if the Owner of such Lot has failed to correct the same within ninety (90) days after delivery to him of written notice by the ARC of the existence of such condition. If at any time the ARC exercises such right, neither the ARC nor any duly authorized agent thereof shall be liable for trespass or otherwise to the Owner of such Lot as a result of any entry upon such Lot.

F. Assessment of Cost. The cost of any action taken pursuant to Section K. hereof shall be assessed against the Lot in question and shall be added to and become part of the annual maintenance assessment or charge to which such Lot is subject under Section C. hereof and, as part of such annual assessment or charge, the amount of such cost shall be a lien and obligation of the Owner and shall become due and payable in all respects as provided in Section G. hereof.

G. Access at Reasonable Hours. For the purpose solely of performing any action authorized by this Declaration, the ARC, through its duly authorized agents or employees, shall have the right, after reasonable notice to the Owner, to enter upon any Lot at all reasonable times on any day except Sunday.

H. Use of Residential Lots; Resubdivision; Prohibited Uses.

1. Access to all of the Lots to and from Herring Creek Road shall be via the "Driveway & Corral Easement" as shown on the Plan. No other driveways or access directly upon Herring Creek Road shall be permitted or maintained.

2. No Lot shown on said Plan shall be subdivided so as to create two or more building sites, but nothing herein shall prohibit an Owner from conveying a portion of his Lot to the Owner of an adjacent Lot for conservation, or open space purposes.

3. Guest houses are prohibited on Lots 2 and 3, but one (1) guest house is expressly allowed on Lot 1A.

4. Lot 1B (the "Corral Lot") shall be combined with Lot 1A and held in common ownership. Lot 1B is not a buildable lot by

development be done unobtrusively, and in a manner which accents the desired rural environment.

In addition the foregoing, all buildings or structures to be constructed on any Lot shown on said Plan shall be in conformance with the following provisions as well as the requirements of law:

1. The exterior design of all structures shall be harmonious and compatible with traditional Martha's Vineyard/Cape Cod architectural styles, or such other styles as the ARC may deem acceptable in its sole but reasonable judgment.

2. No structure shall be of "A" frame design.

3. Materials used for siding shall be of solid wood (no plywood shall be used) and shall include only the following:

(a) white or red cedar shingles with not more than 6" exposure to weather;

(b) horizontal clapboards with not more than 5" exposure to weather;

(c) vertical siding not wider than 12" and free of knots over 3/4" diameter.

Materials used for siding may also include brick or stone, so long as they conform to the architectural styles set forth herein.

4. All trim shall be solid wood except that such wood may have bonded vinyl covering.

5. Shutters shall be wood or vinyl.

6. Shingles shall not be painted any color other than white and shall not be stained any color other than natural grey, unless otherwise approved by the ARC.

D. Automatic Approvals and Certificates of Approval. In the event the ARC shall fail to approve or disapprove such design and location within sixty (60) days after said plans and specifications have been submitted to it, such plans and specifications shall be deemed to have been approved. The ARC, on request, shall furnish a Certificate of Approval, recordable in form, to any Owner whose plans have been approved and who has built in conformity with such plans.

E. Owner's Duty to Maintain. Every Lot and any structure thereon shall be maintained in a neat and sightly condition. The

the ARC. In considering such design, the committee shall give preference to fences designed to complement the contours of the land.

11. Any exterior lighting installed on any Lot shall be installed and operated in such manner as to prevent offensive glare or illumination beyond the boundary lines of the Lot.

12. All garbage, trash and rubbish placed outdoors shall be kept in covered containers protected from animals and screened from view outside the boundaries of the Lot.

13. No tank for the storage of fuel shall be maintained upon any Lot under ground, but shall only be maintained within the structures erected upon any Lot or above ground and fenced.

14. No building materials of any kind shall be placed upon any Lot except in connection with construction approved as above. As soon as site preparation and foundation excavation are complete on any Lot, such building construction shall promptly commence. The exterior of any structure and relating grading and landscaping shall be completed within twelve (12) months after site preparation and foundation excavation have begun.

IV. EASEMENTS, LICENSES AND RIGHTS

A. Access and Utility Easements. Lots 1A through 3 and Lot 1B (the "Corral Lot"), as shown on the Plan, shall have an appurtenant right of way easement to use the "Driveway & Corral Easement" shown on said Plan. Said appurtenant right of way easements shall service the Lots and shall be for passage by vehicle and otherwise from the Lots to Herring Creek Road and for the installation and maintenance of utilities and for the right to use such ways and easements for all purposes for which ways and easements are now or hereafter used in the Town of Edgartown. The owner of Lot 1A may use the "Driveway & Corral Easement" as shown on the Plan to travel by foot or vehicle to and from Lot 1A and Lot 1B (the "Corral Lot").

B. Additional Easements, Licenses, and Reserved Rights. The Declarant reserves the right to install and maintain all public utilities in, over, under, along and upon the Driveway and Corral Easement, as shown on said Plan; reserving also to the Declarant

itself.

5. If the Declarant should impose building envelopes upon any Lot, or otherwise designate areas within any Lot for the construction of residential buildings, then, unless allowed by the ARC, no residential building shall be constructed upon any Lot except within such building envelopes or area(s) designated on a plan. Agricultural and other accessory buildings may be physically separate from the residential building on a Lot but shall be constructed or maintained only within the area approved by the ARC and shall not contain any dwelling facilities.

6. No trees or other natural live vegetation exceeding four (4) inches in diameter shall be removed, cut or trimmed in any area on a Lot, whether for the purpose of excavation, driveway and building construction, landscaping, selective trimming for views, or otherwise, without the prior written approval of the ARC, which approval shall not be unreasonably withheld.

7. No structure on a Lot, except chimneys servicing living units, shall exceed thirty (30) feet in height measured from the mean of the contiguous (adjacent) natural ground level.

8. No unregistered vehicles, boats, equipment or material shall be placed or stored on any Lot except:

(a) Equipment or material for use in connection with the construction or maintenance of a living unit or amenities appurtenant thereto and permitted hereunder upon a Lot, and

(b) Unregistered vehicles, equipment and materials not visible from any point outside the boundaries of the Lot.

9. No mobile home, either with or without wheels, shall be permitted upon any Lot except for the temporary installation by the owner of a Lot or his contractors, of trailers for use as field offices or tool sheds. No commercial vehicle larger than 3/4 ton shall be placed or stored on any Lot for a period of more than 96 consecutive hours, unless it is stored in a garage.

10. No fence shall be constructed along the property lines of a Lot unless it shall have been determined by the ARC that such a fence is necessary to conduct grazing or agricultural activities on such Lot and the design of such fence shall have been approved by

EXHIBIT A
SUMMARY OF THE HEARING TESTIMONY (5-18-95)

The Martha's Vineyard Commission held a public hearing on Thursday, May 18, 1995 at 8:00 p.m. in the Commission Offices, Olde Stone Building, New York Avenue, Oak Bluffs, MA on the following Development of Regional Impact (DRI):

Applicant: Paul & Caroline Daniele
 81 Herring Creek Road
 Edgartown, MA

Location: Herring Creek Road - Waller Farm
 Edgartown, MA

Proposal: Subdivision of land on property
 that was in part or in whole the
 subject of a previous DRI
 application

Linda Sibley, Chairman of the Land Use Planning Committee, (LUPC), read the hearing notice and opened the hearing for testimony at 8:12 pm. Mr. Donaroma left the room and abstained.

Brian Hurley, Attorney for Applicant, explained the proposal and the history of the area and proposal. He discussed the modest proposal being presented by the new plan, the access to the lots, the reason for the no-build corral lot and other matters as related to the proposal.

David Wessling, MVC staff, explained the staff review. He discussed the correspondence that had been received and the conditions that had been worked out between the applicant and the Planning Board.

Mr. Briggs raised a question as to why the abutters were opposed to the proposal. A discussion of this matter followed.

Mr. Colaneri raised a question regarding the past history of the proposals at the farm. Mr. Clifford explained the history and the proposals that had been previously submitted for the area known as the "Waller Farm". A discussion of this matter followed.

Mr. Best questioned the transferring of previous testimony from past DRI submittals to this new file. A discussion of this matter followed.

Attorney Hurley further discussed the past actions of the Town with respect to the taking.

A discussion of the pending litigation involving the Commission and the Applicant followed.

Ms. Sibley questioned the number of structures permitted in the new proposal. Mr. Daniele noted that there would only be two new structures, no guest houses; there are three existing structures on site, a house, a barn and a guest house.

Ms. Sibley then called for testimony from town boards - there was none.

Ms. Sibley then called for testimony from those in favor of the proposal.

Paul Lewis, abutter, spoke in favor of the proposal. Roy Meekins, resident of Edgartown spoke in favor of the proposal.

Ms. Sibley then called for those opposed - there were none. She then called for general testimony - there was none.

Ms. Sibley then called for an applicant summary. Attorney Hurley reiterated previous comments.

There being no further testimony, the hearing was closed at 8:36 pm. with the written record open for one week.

20210331

BK660PG906

THE COMMONWEALTH OF MASSACHUSETTS

Dukes County, ss.

, 1995

Then personally appeared the above named PAUL E. DANIELE and CAROLYN C. DANIELE and acknowledged the foregoing instrument to be their free act and deed, before me,

Notary Public

My Commission Expires:

THE COMMONWEALTH OF MASSACHUSETTS

Dukes, ss.

, 1994

Then personally appeared the above named and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of the Edgartown Planning Board, before me,

Notary Public

My Commission Expires:

EDGARTOWN PLANNING BOARD

Carolyn C. Daniele

Paul E. Daniele

the right to grant easements to public service corporations for the installation and maintenance of such public utilities in, under and upon said private way, and anchors and guys to support the lines in said private way and on land adjacent thereto; reserving also to the Declarant the right to grant easements to necessary equipment in, under and upon strips of land ten feet in width abutting said private way on said Plan; reserving also to the Declarant the title to all public utilities within said private way.

V. GENERAL

A. Enforcement. The provisions hereof may be enforced by the Declarant, by the ARC, and by their respective successors in interest and assigns, and by the Owners from time to time of any Lot shown on said Plan, through civil action in any court of competent jurisdiction, or by administrative proceeding before any appropriate authority.

B. Severability. Invalidation of any one or more provisions hereof by judgment or court order shall not affect the remaining provisions which shall remain in full force and effect.

C. Amendment. This Declaration may be amended or supplemented from time to time by written instrument executed and acknowledged by the Declarant, or his successors in interest and assigns, such amendment to become effective prospectively upon recording of same in the Dukes County Registry of Deeds.

EXECUTED AS A SEALED INSTRUMENT, this _____ day of _____, 1995.

Paul E. Daniele

Carolyn C. Daniele

EDGARTOWN PLANNING BOARD

EXHIBIT A
SUMMARY OF THE HEARING TESTIMONY (5-18-95)

The Martha's Vineyard Commission held a public hearing on Thursday, May 18, 1995 at 8:00 p.m. in the Commission Offices, Olde Stone Building, New York Avenue, Oak Bluffs, MA on the following Development of Regional Impact (DRI):

Applicant: Paul & Caroline Daniele
 81 Herring Creek Road
 Edgartown, MA

Location: Herring Creek Road - Waller Farm
 Edgartown, MA

Proposal: Subdivision of land on property that was in part or in whole the subject of a previous DRI application

Linda Sibley, Chairman of the Land Use Planning Committee, (LUPC), read the hearing notice and opened the hearing for testimony at 8:12 pm. Mr. Donaroma left the room and abstained.

Brian Hurley, Attorney for Applicant, explained the proposal and the history of the area and proposal. He discussed the modest proposal being presented by the new plan, the access to the lots, the reason for the no-build corral lot and other matters as related to the proposal.

David Wessling, MVC staff, explained the staff review. He discussed the correspondence that had been received and the conditions that had been worked out between the applicant and the Planning Board.

Mr. Briggs raised a question as to why the abutters were opposed to the proposal. A discussion of this matter followed.

Mr. Colaneri raised a question regarding the past history of the proposals at the farm. Mr. Clifford explained the history and the proposals that had been previously submitted for the area known as the "Waller Farm". A discussion of this matter followed.

Mr. Best questioned the transferring of previous testimony from past DRI submittals to this new file. A discussion of this matter followed.

Attorney Hurley further discussed the past actions of the Town with respect to the taking.

A discussion of the pending litigation involving the Commission and the Applicant followed.

Ms. Sibley questioned the number of structures permitted in the new proposal. Mr. Daniele noted that there would only be two new structures, no guest houses; there are three existing structures on site, a house, a barn and a guest house.

Ms. Sibley then called for testimony from town boards - there was none.

Ms. Sibley then called for testimony from those in favor of the proposal.

Paul Lewis, abutter, spoke in favor of the proposal. Roy Meekins, resident of Edgartown spoke in favor of the proposal.

Ms. Sibley then called for those opposed - there were none. She then called for general testimony - there was none.

Ms. Sibley then called for an applicant summary. Attorney Hurley reiterated previous comments.

There being no further testimony, the hearing was closed at 8:36 pm. with the written record open for one week.

Edgartown, Mass. Sept 8 1995
 at 10 o'clock and 45 minutes A M
 received and entered with Dukes County Deeds
 book 660 page 894

Attest

Diane E. Powers

Register

SUMMARY OF THE HEARING TESTIMONY (2-18-82)

The Hearing Commission held a public hearing on Thursday, May 13, 1982 at 8:00 p.m. in the Commission Office, One Stone Building, New York Avenue, Oak Bluffs, MA on the following development of Regional Road (DRI):

Applicant: Paul & Catherine Daniels
81 Herling Creek Road
Edgartown, MA

Property: Herling Creek Road - Miller Farm
Edgartown, MA

Subject: Subdivision of land on property
DRI was in part of in whole the
subject of a previous DRI
application

Mr. Stanley, Chairman of the Land Use Planning Commission, had the hearing called and opened the hearing at 8:00 p.m. Mr. Douglas said the room was available. Mr. Stanley, Attorney for Applicant, explained the general nature and purpose of the new plan. He discussed the various proposals being presented by the new plan, the reasons for the new plan, the reasons for the no-build areas, and other matters related to the proposal.

Mr. Stanley, Attorney for Applicant, explained the staff review, the various proposals that had been received and the various proposals that had been worked out between the applicant and the Commission.

Mr. Stanley raised a question as to why the applicant was not presenting a question regarding the past history of the property. Mr. Stanley explained the past history of the property and the various proposals that had been previously submitted to the Commission. A discussion of this matter followed.

Mr. Stanley mentioned the transferring of previous land use applications to this new file. A discussion followed.

Mr. Stanley further discussed the past history of the property and the various proposals.

Mr. Stanley mentioned the need for a structure permit. Mr. Stanley mentioned that there would only be one structure on the property; there are three existing structures on the property, a barn and a guest house. Mr. Stanley mentioned that the hearing was held on the property.

Mr. Stanley then called for testimony from those in favor of the proposal. Mr. Stanley, Attorney for Applicant, spoke in favor of the proposal. Mr. Stanley, Chairman of the Commission, spoke in favor of the proposal.

Mr. Stanley then called for those opposed - there were none. Mr. Stanley then called for an applicant summary. Mr. Stanley mentioned previous testimony. Mr. Stanley mentioned that the hearing was held on the property. Mr. Stanley mentioned that the hearing record open for one year.

Edgartown, Mass. _____
at _____ o'clock and _____
received and entered with the County Clerk _____
notary _____

Witness: _____
Dianne E. Powers

RECEIVED-ENTERED
10:45 M
COUNTY OF DUKE'S COUNTY
REGISTRY OF DEEDS
DIANNE E. POWERS

20
M/V Comm.

844