

BK6336 PG793

PRESERVATION RESTRICTIONS

The parties to this Agreement are the COMMONWEALTH OF MASSACHUSETTS, by and through the MASSACHUSETTS HISTORICAL COMMISSION which has an office at 294 Washington Street, Boston, Massachusetts, 02108, hereinafter referred to as the Commission, and SEAPORT STUDIO, INC., hereinafter referred to as the Transferee.

For good and valuable consideration, the Commission imposes and the Transferee accepts the following preservation restrictions which shall be recorded with a certain deed dated August 19, 1971, from Aubrey M. Hutton and Lucille Hutton, Grantor, to the Transferee, recorded with the Essex South District Registry of Deeds at Book 5803, Page 391.

These preservation restrictions are set forth so as to ensure the preservation of the architectural and historical integrity of The Seaport Studio Building, so called, located at 27 State Street, Newburyport, Massachusetts, 01950, which premises have been listed on the National Register of Historic Places under the provisions of the National Historic Preservation Act of 1966 (80 Stat. 915). Architectural and historical integrity shall be defined as those significant characteristics which originally qualified the building for entry in the National Register of Historic Places.

PRESERVATION RESTRICTIONS

1. The Transferee agrees to assume the total cost of continued

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~~XXXXXX~~  
53 STATE STREET  
NEWBURYPORT, MASS.  
01950  
617-482-4416  
482-9181

maintenance, repair, and administration of the premises so as to preserve the architectural and historical integrity of the features, materials, appearance, workmanship, and environment for a period of twenty (20) years from the date of execution of this instrument in a manner satisfactory to the Commission. Nothing herein shall prohibit the Transferee from seeking financial assistance from any sources available to him.

2. The Transferee agrees that the grounds around said building be maintained in a landscaped environment consistent with the historical character of the building. Nothing herein shall prohibit the parking on part of the premises of registered operating motor vehicles in use by the owner or occupants or visitors to the premises.

3. The Transferee agrees that the Commission may inspect the premises from time to time during the length of the restrictions to ensure that the Transferee is in compliance with reasonable standards of maintenance and administration.

The burden of these preservation restrictions, enumerated in paragraphs 1 through 3 inclusive, shall run with the land and be binding upon all future owners of an interest therein. The right of enforcement of these restrictions shall be as provided in General Laws, Chapter 184, Section 32, as enacted by ACTS 1969, Chapter 666, Section 5, as it may be amended from time to time.

It is further agreed that the Commission in no way assumes any

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obligation for maintaining, repairing, or administering said property.

IN WITNESS WHEREOF, the Transferee has hereunto set his hand  
and seal this 30<sup>th</sup> day of March, 1977.

SEAPORT STUDIO, INC.

By: Robert M. Hutton  
Robert M. Hutton, President & Treasurer

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

April  
~~March~~ 6, 1977

Then personally appeared the above-named Robert M. Hutton, and  
acknowledged the foregoing instrument to be the free act and deed of Seaport  
Studio, Inc., before me,

William O'Elaherty, Jr.  
Notary Public

My commission expires: August 1, 1980

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~~XXXXXXXX~~  
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462-3161

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APPROVAL BY MASSACHUSETTS HISTORICAL COMMISSION

The undersigned Executive Director and Secretary of the Massachusetts Historical Commission hereby certifies that the foregoing preservation restrictions have been approved pursuant to Massachusetts General Laws, Chapter 184, Section 32.

Elizabeth Reed Amador

Executive Director and Secretary  
Massachusetts Historical Commission

COMMONWEALTH OF MASSACHUSETTS

Suffolk, SS.

March 30 1977

Then personally appeared the above-named Ely. R. Amador  
Executive Director and Secretary, and acknowledged the foregoing approval to  
be the free act and deed of the Massachusetts Historical Commission, before  
me

Peterson L. Wesolowski  
Notary Public

My commission expires: 12/9/83

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& KAY  
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ESSEX SS. RECORDED April 7, 1977 40 M. PAST 8 A.M. INST. # 33