

GORMAN HOMES LLC

January 13, 2021

VIA EMAIL

Bonnie Sontag, Chair
Planning Board
City of Newburyport
Newburyport City Hall
60 Pleasant Street
Newburyport, MA 01950

RE: 32 Union Street & 7R Beacon Avenue Release of Covenant

Dear Chair and Members of the Board,

Please accept this letter as a request by Gorman Homes LLC for release of Covenant approved on April 18, 2018 for the above referenced lots.

In support of this request Gorman Homes LLC states that the public improvement work required by the Covenant for the City of Newburyport (installation of granite curbing and brick sidewalks) has been approved by the Department of Public Services ("DPS) and that sign off by DPS has been attached hereto.

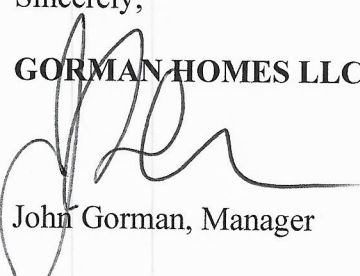
The remaining work (all weather dependent) is to take place on;

- 1) the private property of 32 Union Street (chip seal topping) which has been secured by an escrow agreement between Gorman Homes LLC and the buyer of 32 Union Street; and
- 2) the private property of 7R Beacon (second coat of asphalt paving, chip seal topping and assorted incomplete landscaping) and that work will be secured by an escrow agreement between Gorman Homes LLC and the buyer of 7R Beacon Avenue to be executed on the day of closing.

Thank you for your cooperation in this matter.

Sincerely,

GORMAN HOMES LLC



John Gorman, Manager

Attachment

FORM K: SUBDIVISION COMPLETION CERTIFICATE

Date: 1/11/2021
Subdivision name: 7R Beacon Avenue
Applicant: Gorman Homes LLC
Type of surety: performance bond cash deposit covenant

The subdivision ways have been completed to the satisfaction of:

DPS Highway Division By: Ronald Keefe
Date: 1-11-21

DPS Sewer Division By: _____
Date: _____

DPS Water Division By: _____
Date: _____

Fire Department By: _____
Date: _____

Release of Bond or Security Approved by the Newburyport Planning Board

By: _____ Date: _____
Chair

RELEASE OF COVENANT

WHEREAS Gorman Homes LLC was the applicant regarding Lot 1 and Lot 2 and the court noted on the Definitive Subdivision Plan set titled, Definitive Subdivision Newburyport, MA Assessors Map 31 Lot 29-A, prepared by Millennium Engineering, Inc. 62 Elm Street, Salisbury, MA 01952, dated June 14, 2017 and revised to March 21, 2018; and

WHEREAS the City of Newburyport Planning Board (“Board”) approved on April 18, 2018 and subsequently endorsed on September 5, 2018 the Definitive Subdivision Plan and accompanying Special Permit petition allowing a two lot subdivision and a court to service one home in the two-lot subdivision. Said Definitive Subdivision Plan recorded at the Essex South District Registry of Deeds in Plan Book 468, Plan 87 and said Special Permit recorded at Essex South District Registry of Deeds in Book 37188, Page 54; and

WHEREAS the Board accepted surety in the form of a Covenant dated September 5, 2018, securing performance of certain improvements to the property shown on the Plan, which Covenant was recorded at the Essex South District Registry of Deeds at Book 37188, Page 61, (“Covenant”); and

WHEREAS Gorman Homes LLC has carried out those public improvements identified in the Covenant;

NOW, THEREFORE, the undersigned, being a majority of the Planning Board of the City of Newburyport, Massachusetts, hereby:

Certify that the requirements for the work on the ground called for by the Definitive Subdivision Plan Approval which is dated April 18, 2018 and recorded at the Essex South District Registry of Deeds in Book 37188, Page 45, have been completed to the satisfaction of the Planning Board as to Lot 1 and Lot 2 and court and they are hereby released from the restrictions in said Covenant.

Executed as a sealed instrument this ____ day of January, 2021

IN WITNESS WHEREOF, the undersigned, applicant aforesaid, does hereunto set his hand and seal this ____ day of January, 2021.

City of Newburyport Planning Board

Bonnie Sontag, Chair

COMMONWEALTH OF MASSACHUSETTS

County of Essex

On this ____ day of January, 2021, before me, the undersigned notary public, personally appeared, Bonnie Sontag, on behalf of the NEWBURYPORT PLANNING BOARD and proved to me through satisfactory evidence of identification, which was a Massachusetts Driver's License, to be the person whose name is signed on the preceding document, and acknowledged to me that she signed it voluntarily for its stated purpose and with the authority to sign as on behalf of the NEWBURYPORT PLANNING BOARD.

Notary Public Seal:
My Commission Expires: