(SPACE ABOVE RESERVED FOR REGISTRY OF DEEDS)

RELEASE OF COVENANT

 WHEREAS the City of Newburyport Planning Board approved on January 17, 2018 and subsequently endorsed on February 21, 2018 a definitive subdivision plan entitled “Plan of Land in Newburyport, Massachusetts, Surveyed for Evergreen Commons LLC” prepared by Design Consultants, Inc., dated May 22, 2017, revised through January 9, 2018 and subsequently recorded with the Essex (South) District Registry of Deeds (“Registry”) at Plan Book 464, Plan 53 (the “Plan”); and

 WHEREAS the Board accepted surety in the form of a Covenant dated March 6, 2018, and securing performance of certain improvements to the property shown on the Plan, which Covenant was recorded with the aforesaid Registry at Book 36596, Page 108 (the “Covenant”); and

 WHEREAS the undersigned fee owner of those lots identified in the Covenant, Evergreen Commons, LLC, has carried out those improvements identified in paragraph number 3 of said Covenant with regard to the following enumerated lots**: 23,** **24, 26, 27, and 28** as shown on said Plan;

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

 Certify that the requirements for work on the ground called for by the Definitive Subdivision Plan Approval with thirteen (13) numbered conditions and twenty-five (25) numbered special conditions which is dated January 30, 2018 and recorded with said Registry in Book 36573, Page 115, as amended, have been completed to the satisfaction of the Planning Board as to the following enumerated lots: **23,** **24, 26, 27, and 28** all as shown on the Plan and said **23,** **24, 26, 27, and 28** are hereby released form the restrictions in said Covenant as to sale and building specified thereon.

Executed as a sealed instrument this \_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_, 2021.

## IN WITNESS WHEREOF, this instrument has been executed in the name and on behalf of the City of Newburyport by its Planning Board as of this \_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_, 2021.

NEWBURYPORT PLANNING BOARD

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Bonnie Sontag

COMMONWEALTH OF MASSACHUSETTS

Essex, ss. \_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_, 2021

Before me, the undersigned notary public, personally appeared Bonnie Sontag being the Members of the Newburyport Planning Board, and proved to me through satisfactory evidence of identification, which were \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, to be the persons whose names are signed on the preceding document, and acknowledged to me that they signed it voluntarily for its stated purpose, not individually but in their capacities as Members as aforesaid.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Notary Public

 My Commission Expires: