

REFERENCE: PLAN BOOK 157  
PAGE 97

BK 7967 PG 116  
01/20/06 12:44 DOC. 1730  
Bristol Co. S.D.

COVENANT

The undersigned, DPM Development Corp., hereinafter called the "Covenantor" having submitted to the City of New Bedford Planning Board a definitive plan for a subdivision of land, said plan being entitled "Overall Definitive Subdivision Plan of THE SETTLEMENT in New Bedford, MA, prepared for DPM Development by SITEC, Inc." hereby covenant and agree with the City of New Bedford Planning Board, having an address at 133 William Street, New Bedford, Massachusetts 02740, and the successors in office of said Board, pursuant to M.G.L. Chapter 41, Section 8ID, as amended, that:

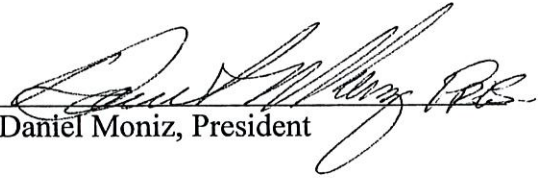
- (1) The covenantor is owner of record of the premises shown on said plan.
- (2) This covenant shall run with the land and be binding upon the executors, administrator, heirs and assigns of the covenantor and its successors in title to the premises shown on said plan.
- (3) The construction of ways and installation of municipal services shall be provided to serve any lot in accordance with the applicable rules and regulations of said Board before a certificate of occupancy is issued on such lot. Any succeeding owner of the premises shall be subject to the portion of this covenant that no certificate of occupancy shall be issued until such ways and services have been provided to serve such lots.
- (4) Nothing herein shall be deemed to prohibit a conveyance subject to this covenant by a single deed of the entire parcel of land shown on subdivision plan or of all the lots not previously released by the Board of Survey without first providing such ways and services.
- (5) This covenant shall take effect upon approval of the plan.
- (6) Reference to this covenant shall be entered upon said plan and this covenant shall be recorded when said plan is recorded.

 COPY

IN WITNESS WHEREOF, the said DPM Development Corp., by Daniel Moniz, Treasurer, has this day affixed its signed to these presents.

Date: January 20 , 2006

DPM Development Corp.

By:   
Daniel Moniz, President

COMMONWEALTH OF MASSACHUSETTS

Bristol ss.

January 26 , 2006

Then personally appeared the above-named Daniel Moniz, President, proved to me through satisfactory evidence of identification, which was a Massachusetts Drivers License, to be the person whose name is signed on the within document, and acknowledged the foregoing Instrument to be his free act and deed as President of DPM DEVELOPMENT CORP., a Massachusetts Corporation, before me

  
Notary Public

My commission expires: 9/17/10



*City of New Bedford*  
MASSACHUSETTS

OFFICE OF THE CITY CLERK  
133 WILLIAM STREET 02740-6182  
TEL 508-979-1450 / FAX 508-991-6225

RITA D. ARRUDA  
CITY CLERK  
RITA O. SYLVIA  
ASSISTANT COUNCIL CLERK

COPY



January 17, 2006

BK 7967 PG 115  
01/20/06 12:43 DOC. 1729  
Bristol Co. S.D.

REF: 157/97

TO WHOM IT MAY CONCERN

I hereby certify that the Form C Definitive Plan for The Settlement, which was submitted on August 22, 2005 has been approved due to the failure of the Planning Board to act and the approval resulting from such failure has become final.

Attest:

*Rita D. Arruda*  
Rita D. Arruda  
City Clerk