

NOTICE OF RESTRICTIONS

This NOTICE OF RESTRICTIONS is dated as of this 6th day of March, 2017.

WHEREAS, a "Notice of Restrictions" dated December 12, 2016 was recorded on December 15, 2016 in the Middlesex County South District Registry of Deeds (the "Middlesex South Registry") in Book 68595, Page 151 and in the Middlesex County North District Registry of Deeds in Book 30752, Page 131 (the "2016 Notice of Restrictions"). Capitalized terms used herein and not otherwise defined shall have the meanings set forth in the 2016 Notice of Restrictions; and

WHEREAS, the 2016 Notices of Restrictions were executed and recorded in order to extend the effectiveness of restrictions (the "Nature Preserve Restrictions") specifying that certain land conveyed to the President and Fellows of Harvard College ("Harvard") be maintained as a nature preserve for purposes of field studies and research by the Museum of Comparative Zoology of Harvard University, which restrictions were imposed in deeds referred to in the 2016 Notice of Restrictions as the the Gordon Hutchins Carlisle Deed (conveying the Gordon Hutchins Carlisle Property as referenced therein), the NCM Carlisle Deed, also conveying the Gordon Hutchins Carlisle Property, the NCM Concord Deeds conveying the NCM Concord Property, and the Gordon Hutchins Concord Deed conveying the Gordon Hutchins Concord Property. The Nature Preserve Restrictions were imposed by Gordon Hutchins and Nature Conservancy of Massachusetts, Inc. for the benefit of the then remaining land of Gordon Hutchins in Concord and Carlisle, Massachusetts. The parties executing the 2016 Notice of Restrictions were owners of properties that were described in the original deeds referenced immediately above as land benefitted by the Nature Preserve Restrictions and, therefore, parties entitled to the benefit of the Nature Preserve Restrictions. The President and Fellows of Harvard College remain the owners of record of the parcels subject to the Nature Preserve Restrictions as of the date hereof; and

WHEREAS, the Town of Concord acting by and through its Natural Resources Commission acquired from Alice Clark and other parties, land that had been owned by Gordon Hutchins when he imposed the Nature Preserve Restrictions for the benefit of his remaining land in Concord and Carlisle, Massachusetts; specifically, a 92.10 acre parcel of land acquired by the Town of Concord acting by and through its Natural Resources Commission described in a deed

dated May 25, 1971, recorded in the Middlesex South Registry in Book 12004, Page 11 (hereinafter, the "Alice Clark Parcel"): and

WHEREAS, it is the understanding and belief of the undersigned Natural Resources Commission that the conveyances of the Gordon Hutchins Carlisle Property, the NCM Concord Property, and the Gordon Hutchins Concord Property to President and Fellows of Harvard College pursuant to the NCM Carlisle Deed, the NCM Concord Deeds, and the Gordon Hutchins Concord Deed, respectively, were intended to and did create public charitable trusts in perpetuity for the benefit of the general public under the trusteeship of Harvard University; that such public charitable trusts were created to preserve use of such property as a nature preserve; and that the Nature Preserve Restrictions are for that reason not limited in duration or effect by the provisions of M.G.L. c. 184, as currently in effect; and

WHEREAS, notwithstanding such understanding and belief, the undersigned wish to preserve any and all rights relating to the Nature Preserve Restrictions that may exist under M.G.L. c. 184, as currently in effect, and for that reason have executed this further Notice of Restrictions;

NOW, THEREFORE, the undersigned hereby state as follows:

1. The Town of Concord, acting by and through its Natural Resources Commission, as the owner of the Alice Clark Parcel, is currently entitled to the benefit of the Nature Preserve Restrictions.
2. To the extent that §27 of Chapter 184 of the General Laws of Massachusetts limits the term of any of the Nature Preserve Restrictions, including, without limitation, the Hutchins Concord Property Nature Preserve Restriction, the terms thereof are hereby extended to March 8, 2037.

Notwithstanding the foregoing, nothing contained herein shall be deemed or construed to constitute an acknowledgment by any of the undersigned (i) that the conveyances of the properties described in the 2016 Notice of Restrictions to the President and Fellows of Harvard College, granted any ownership interest in such property to President and Fellows of Harvard College other than that of trustee of a public charitable trust in perpetuity for the benefit of the general public, which public charitable trusts were each created to preserve use of such property as a nature preserve; or (ii) that the Nature Preserve Restrictions are in any way limited in duration and/or effect by the provisions of M.G.L. c. 184, as currently in effect.

Executed as an instrument under seal as of the date set forth above.

THE TOWN OF CONCORD
ACTING BY ITS
NATURAL RESOURCES COMMISSION

By: *Lynn G. Huggins*
Lynn G. Huggins, Chair

By: *Jeffrey W. Adams*
Jeffrey W. Adams

By: *Gregory E. Higgins*
Gregory E. Higgins

By: *Charles D. Poutasse*
Charles D. Poutasse

By: *Judith R. Zaunbrecher*
Judith R. Zaunbrecher

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss

On this 6th day of March, 2017, before me, the undersigned notary public, personally appeared Lynn G. Huggins, proved to me through satisfactory evidence of identification, which was PERSONALLY KNOWN, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose, as Chair of the Town of Concord Natural Resources Commission.

Karen Bockoven
Notary Public
My Commission Expires: July 13, 2023

