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## ROADWAY MAINTENANCE COVENANT

KNOW ALL MEN by these presents that the undersigned is the owner of record of an approved subdivision on a plan entitled "definitive subdivision plan of Silver Ledge" prepared by Environmental Design Consulting, dated June 1, 2000 which shows two lots on land located on Silver Ledge Drive.

IN CONSIDERATION of the Planning Board of the Town of Sutton in the County of Worcester endorsing said plan, the undersigned hereby covenants and agrees with the inhabitants of the Town of Sutton as follows:

1. That the owners of lots shown on the above referenced subdivision plan, hereinafter referred to as "Owners" are subject to and bound by the following covenants as to the responsibilities for the private street shown on the above referenced plan.
2. The Owners shall collectively be responsible for reasonable maintenance which shall include, at a minimum: repairs to the surface of the road; plowing and sanding of the surface as required during winter; cleaning of drainage structures and piping to assure proper operation; and care and grooming of the landscaped areas within the right-of-way.
3. The Owners shall reach mutual agreements between them as to when, and how such maintenance shall occur, however, if one Owner shall refuse to agree on minimum maintenance, then the other may perform said maintenance and offer this agreement as evidence in court of the Owners responsibility for the costs of reasonable maintenance.
4. The Town of Sutton shall be held harmless from any damages resulting from failure of the Owners to maintain the street including damages resulting from the inability of emergency vehicles to access the buildings with access from the street.
5. Said road shall remain private in perpetuity, and the Town of Sutton shall have no obligations to maintain, snow plow, or provide any services for the road.
6. This declaration of roadway maintenance covenant shall specifically run with the land and shall be referred to in every deed affecting lots 1 and 2.

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Return: THOMAS J. WICKSTROM, ESQ  
60 CLEVELAND ST.  
WHITINSVILLE, MA 01588

IN WITNESS WHEREOF, the said Dana Gravison, Inc. has caused its corporate seal to be hereto affixed and these presents to be signed, acknowledged, and delivered in its name and behalf by Dana J. Gravison, its President and Treasurer, this 26 day of March, 2001.

Dana Gravison, Inc.

Dana J. Gravison  
By: Dana J. Gravison, President and  
Treasurer

Accepted by the Town of Sutton Planning Board

David Suhl  
Mayor K. Oliver  
[Signature]  
[Signature]  
[Signature]

Being a majority

COMMONWEALTH OF MASSACHUSETTS

Worcester, SS:

March 26, 2001

Then personally appeared the above named Dana J. Gravison, and acknowledge the foregoing instrument to be the free act and deed of the corporation, before me.

[Signature]  
Thomas J. Wickstrom, Notary Public  
My commission expires: 11/24/2006

COMMONWEALTH OF MASSACHUSETTS

Worcester, SS:

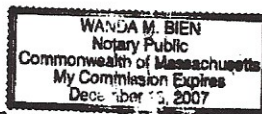
3/26, 2001

Then personally appeared the above named, David Suhl et al and acknowledge the foregoing instrument to be the free act and deed of the Sutton Planning Board.

[Signature]

Wanda M. Bien  
Notary Public

My commission expires: December 13, 2007



ATTEST: WORC. Anthony J. Vigliotti, Register