

COVENANT

For the Definitive Subdivision Plan Entitled

(type name of subdivision above)

KNOW ALL MEN BY THESE PRESENTS, that the undersigned _____, of _____, having submitted an application dated _____ to the Attleboro Planning Board for approval of the abovementioned definitive subdivision plan, and having requested said Planning Board to approve such plan without requiring a Performance Bond, does hereby covenant and agree with the City of Attleboro, pursuant to the provisions of Massachusetts General Laws, Ch. 41, §81U, as amended, as follows:

1. The undersigned is the owner in fee simple of all the land included in the aforesaid subdivision.
2. This covenant shall run with said land and be binding upon the heirs, executors, administrators, successors and assigns of the undersigned.
3. The undersigned shall not convey, other than by mortgage deed, any lot in said subdivision and shall not build on any such lot until the ways and municipal services to serve any such lot shall have been constructed and installed: (1) in the manner specified in the aforesaid application for approval of a Definitive Plan, (2) in accordance with the Rules and Regulations Governing the Subdivision of Land as adopted by the Planning Board, and (3) in accordance with the conditions, terms and provisions contained in the definitive plan as defined by the said rules and regulations and as qualified by the Certificate of Approval issued by the Planning Board, dated _____; provided, however, that a mortgagee who acquires title to the mortgaged premises by foreclosure or otherwise and any succeeding owner of the mortgaged premises or parts thereof may sell any such lot, subject only to that portion of this Covenant which provides that no lot so sold shall be built upon until such ways and services have been provided to serve such lot.
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 the said subdivision plan or of all lots not previously released by the Planning Board without first providing such ways and services.
5. This Covenant shall take effect upon the recordation of the _____ lot definitive subdivision plan entitled _____.
6. Reference to this Covenant shall be entered upon said definitive plan.

EXECUTED AS A SEALED INSTRUMENT THIS _____ DAY OF _____, 20__

COMMONWEALTH OF MASSACHUSETTS

BRISTOL, SS _____, 20__

Then personally appeared _____ and acknowledged the foregoing instrument to be a fee act.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____, 20__