COVENANT

SUBDIVISION NAME ____________________________

FORM H

PLAN# ____________________________

FILING DATE ____________________________

Whereas the undersigned has submitted an application dated __________200________ to the Kingston Planning Board for approval of a Definitive Plan of a subdivision entitled __________ and dated __________, 200________, and has requested the Board to approve such plan without requiring a performance bond; and, in consideration of the Planning Board approving said plan without requiring a performance bond, and in consideration of one (1) dollar in hand paid, receipt hereby acknowledged, the undersigned covenants and agrees with the Town of Kingston as follows:

1. The undersigned will not sell any lot in the subdivision or erect or place any permanent building on any such lot until the construction of ways and municipal services necessary to serve adequately such lot has been completed in the manner specified in the aforesaid application, and in accordance with the covenants, conditions, agreements, terms and provisions thereof.

2. This agreement shall be binding upon the executors, administrators, devisees, heirs, successors and assigns of the undersigned.

3. It is the intention of the undersigned and it is hereby understood and agreed that this contract shall constitute a covenant running with the land included in the aforesaid subdivision and shall operate as restrictions upon said land.

4. It is understood and agreed that lots within the subdivision shall, respectively, be released from the foregoing conditions upon the recording of a certificate of performance executed by a majority of said Planning Board and enumerating the specific lots to be so released.

5. The undersigned represents and covenants that undersigned is the owner (s) in fee simple of all land included in the aforesaid subdivision and that there are no mortgages of record or otherwise on any of said land, except such as are described below and subordinated to this contract, and the present holders of said mortgages have assented to this contract prior to its execution by the undersigned.

In witness whereof, the undersigned applicant agrees to the above, this __________ Day of __________, 200________.

Owner (s) ____________________________

Applicant (if not owner) ____________________________

PLANNING BOARD

TOWN OF KINGSTON, MASSACHUSETTS