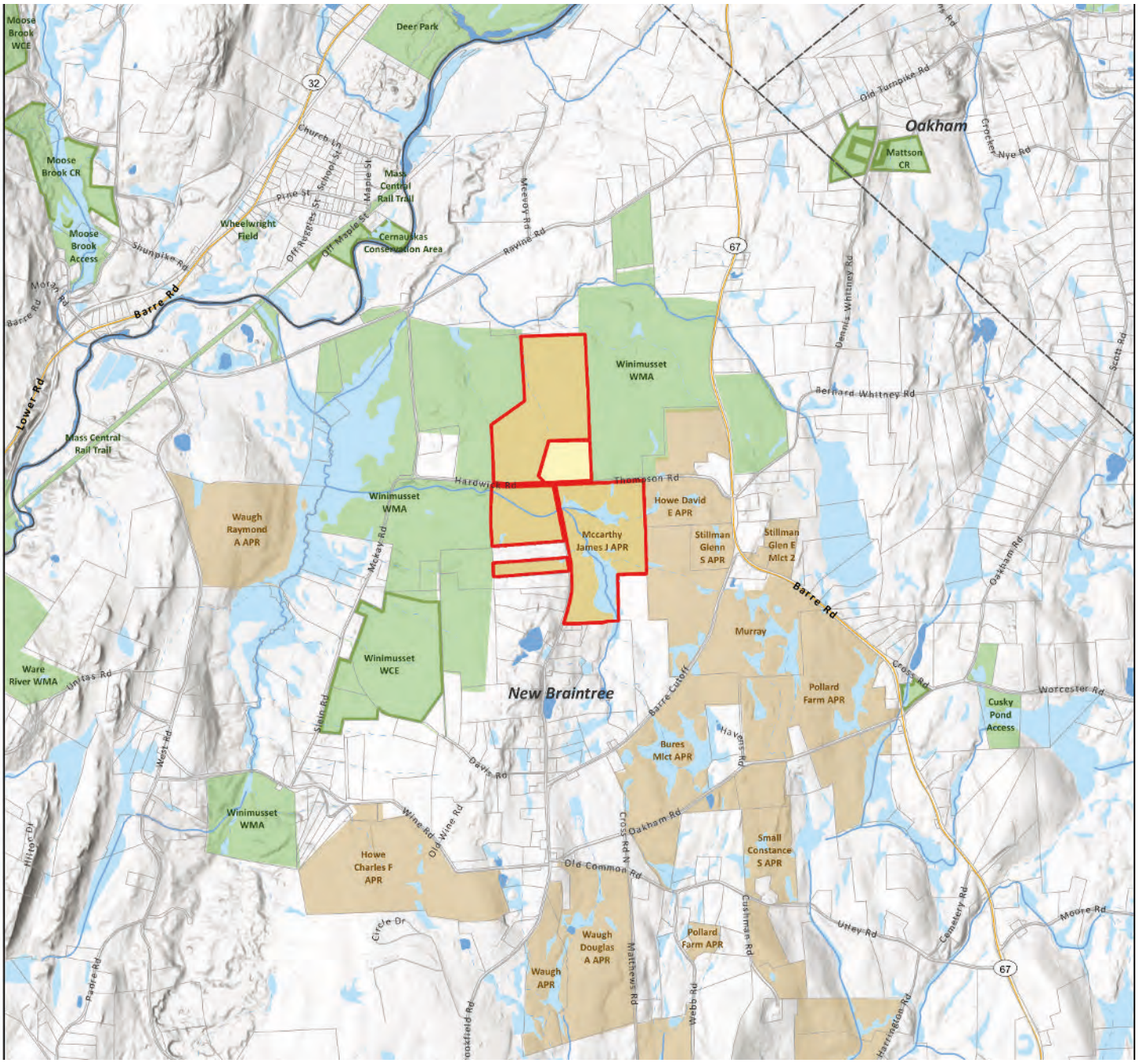
Andrews APR Farm and Forest

716 Hardwick Road | New Braintree, MA | 200± Acres



For more information, please contact:

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kross@landvest.com
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B. Maps and Plans

C. Forest Management Plan, Timber Appraisal

D. Deeds and Tax Assessment Documents

E. Agricultural Preservation Restriction

F. Septic Field Lease Agreement

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A. STATEMENT OF LIMITATIONS

This Property Profile is a compilation of public record information and additional information from the Seller regarding approximately 200 +/-acres of land subject to a permanent Agricultural Preservation Restriction (APR). The property is located along Hardwick and Thompson Roads in New Braintree, Massachusetts and is currently offered for sale by LandVest, Inc. (hereinafter, the Offered Property).

Neither the Seller nor Seller's representatives make any express or implied representation or warranty as to the accuracy or completeness of any information in this information package or any of the exhibits attached hereto, and none of such persons shall have any liability relating to or arising from use of any information or any errors there in or omissions there from. Prospective buyers are not entitled to rely on the accuracy or completeness of this information and shall be entitled to rely solely on such representations and warranties as may be in a Purchase and Sale Agreement relating to the proposed acquisition, subject to the terms and conditions of such agreement.

Any alternative use of the Offered Property implied in this information package does not constitute a warranty or guarantee of approval. It is the sole responsibility of the Buyer to determine the viability of any contemplated use of the Offered Property under pertinent federal, state, and local regulations. The Seller makes no representation as to the likelihood of approval of any proposed use.

Neither Seller nor any of its representatives are under any legal obligation and shall have no liability of any nature whatsoever with respect to the proposed acquisition by virtue of this information package or otherwise.

No legal liability is created by this information package, and this document is to be used in whole and not in part.Any sketches produced by LandVest in this information package show approximate dimensions and are included only to assist the reader in visualizing the Offered Property.

The Offered Property is sold in its as is condition and no warranties, guarantees, or representations are given as to the condition of site improvements or their compliance with federal, state, or local building, zoning, and/or other regulations.

The Seller reserves the right to reject all offers, to enter into an agreement with someone other than the highest offeror, and to negotiate further with one or more offerors. If an offer sets forth a price and conditions that are acceptable to the Seller, the Seller will prepare a proposed Purchase and Sale Agreement which will require a deposit of a portion of the purchase price, to be forfeited upon non-performance. No party, Seller or Buyer, will be bound until a Purchase and Sale Agreement is signed by both parties and the deposit paid.

Access to the Offered Property is not allowed unless accompanied by an authorized employee of LandVest, Inc. LandVest, Inc. by reason of this property profile, may not be required to give testimony in court with reference to the Offered Property described herein.

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B. SUMMARY OF IMPORTANT FACTS

Offered Property:	200 acres of farmland and forest on Hardwick and Thompson Road in New Braintree MA. 60 acres in fields and the balance in forest and wetlands. The property abuts hundreds of acres of conserved land held by the Mass Division of Fish and Wildlife and private lands with Agricultural Preservation Restrictions (APR). Portions of the property have been farmed organically for many years. The property is currently leased to a local farmer through the end of 2025.
Property Location:	Hardwick and Thompson Roads New Braintree, MA
Assessor Map & Lots:	Map 404 Lots 35, 36, 37, 16
Record Owners:	Carol Andrews
Recorded Deeds:	Book 46148 Page 132 Worcester County Registry of Deeds Agricultural Preservation Restriction Book 13165 Page 95
2025 Assessment:	Assessed: $182,278 Ch 61A: $56,946
2025 Property Taxes:	$568.32 2025 tax rate $9.98/thou)
Zoning:	The property is located in the RuralResidential Agriculture Zoning District.
Wetlands:	See attached maps
Flood Zones:	See attached maps
Utilities:	Electric is along Hardwick and Thompson Roads. Water and Sewer are private

C. PROPERTY IDENTIFICATION

TOWN OF NEW BRAINTREE DESCRIPTION

According to theUnited States Census Bureau, the town has a total area of 20.9 square miles (54 km2), of which 20.7 square miles (54 km2) is land and 0.2 square miles (0.52 km2), or 0.72%, is water.

New Braintree is bordered by Barre to the north, Oakham to the east, Spencer to the southeast, West Brookfield and North Brookfield to the south, Ware to the southwest, and Hardwick to the west.

As of the census of 2000, there were 927 people, 318 households, and 267 families residing in the town. The population density was 44.8 inhabitants per square mile (17.3/km2). There were 328 housing units at an average density of 15.8 per square mile (6.1/km2). The racial makeup of the town was 99.14%White, 0.22% African American, 0.11% Native American, 0.11% Asian, and 0.43% from two or more races. Hispanic or Latino of any race were 0.32% of the population.

There were 318 households, out of which 41.8% had children under the age of 18 living with them, 70.4% were married couples living together, 8.2% had a female householder with no husband present, and 16.0% were non-families. 13.2% of all households were made up of individuals, and 5.0% had someone living alone who was 65 years of age or older. The average household size was 2.92 and the average family size was 3.14.

In the town, the population was spread out, with 29.3% under the age of 18, 5.8% from 18 to 24, 29.7% from 25 to 44, 26.6% from 45 to 64, and 8.5% who were 65 years of age or older. The median age was 38 years. For every 100 females, there were 102.8 males. For every 100 females age 18 and over, there were 102.8 males.

The median income for a household in the town was $54,844, and the median income for a family was $60,417. Males had a median income of $41,477 versus $26,136 for females. The per capita income for the town was $21,072. About 4.0% of families and 4.6% of the population were below the poverty line, including 3.5% of those under age 18 and 2.6% of those age 65 or over. The town's only restaurant, Reed's Country Store, has been owned and operated by Edward and Susan Reed since 1977. Breakfast and lunch is served here and it has been a central town gathering point for years. Every September for the past 38 years the town has had a Country Fair in the Town Center.

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TOWN OF NEW BRAINTREE HISTORY

Before being settled by re-located residents of Braintree, Massachusetts, New Braintree was occupied by various Native American groups for at least 9,000 years. The last group to occupy these lands were the Nipmuck Indians. In 1669, the town of Braintree voted that each household would be granted an equal interest in the 6000 acres purchased to the west and shall be known as "Braintree Farms". In ensuing years additional tracts of land which were formerly part of Brookfield and Hardwick were acquired and in 1751 the town was incorporated as New Braintree.

The town became known for its dairy farms and bountiful harvest. By the late 18th century, New Braintree was shipping its annual production of cheese, other dairy products and beef to Boston and had attained a high degree of prosperity. Over 1,000 milking cows resided in New Braintree by the 19th century and the town produced over 200,000 pounds of cheese annually. Other thriving industries in the town included a broom making factory, a blacksmith shop, saw and grist mills, and a shoe and boot factory.
Today, this idyllic community is home to just over 1,000 people and the town has maintained its rural, farming character, with two working dairy farms, a commercial orchard and several prosperous produce farms.

SITE DESCRIPTION

This property has been farmed since the 1780's when the first settlements were established in New Braintree. Many of the 60 acres of open fields have prime agricultural soils and are now certified organic. The current owners have leased the property for more than twenty years to farmers in the region. There is good access to the fields as they border town roads.The Agricultural Preservation Restriction (APR) covers all of the property offered for sale. The APR document is incorporated into this Profile. There are requirements for the land to be in farm and or forest use.

There are limited provisions to seek approval of the Massachusetts Division of Agriculture for buildings associated with farm use in locations that do not adversely impact the best farm soils.There is a lease for a septic field on a small portion of the property that was installed under a previous land owner.That document is also included in this Profile.A recent Timber appraisal showed a net present value of over $135,000 and the accompany stewardship plan describes how this resource can be improved over the next ten years to provide periodic income into the future.

There is - or was - a long east- west cart path or trail that runs above the brook where native brook trout were once caught by the Gleasons. The current owner used to keep the path open by cut it back regularly. The brook runs downhill beneath the shade of Hemlocks and over small waterfalls. This woodland path (once also an equestrian bridle trail) meets an old stone wall that was the original boundary between New Braintree and Hardwick. This path ends on the 18th century, now abandoned,Road from NewBraintree to the Hardwick Meeting House.There is a vernal pool hidden in the woods near the path - where bog iron was once dug in the 18th century and taken to Old Furnace in Hardwick. It teems with life in the Spring, and there is a large colony or family of American Beech Trees that is a peaceful spot, like a home.

There is a former Gleason Ice Pond below the Beaver Pond.Numerous arrowheads have been found on the property attesting to the Nipmucks who once lived in three separate villages on the nearby Ware River. There is a small wet area of trees in the center of the south field where many arrowheads have been found.

The attached Forest Stewardship Plan contains additional in-depth information about the forest on the property.

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D. REGULATORY FACTORS

.The following section of this Property Profile discusses some of the regulatory factors that have an impact on proposed uses of the Offered Property.

ZONING

The property is classified as a Rural Residential and Agricultural District.

WETLANDS

See Site Analysis map below.

FLOOD ZONES

See Site Analysis map below.

RARE SPECIES: PRIORITY & ESTIMATED HABITAT

ENVIRONMENTAL CONDITIONS

There are no known adverse environmental conditions on the site based on information provided by the client and a review of local records.

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APPENDICES

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B. Maps and Plans

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D. Deeds and Tax Assessment Documents

E. Agricultural Preservation Restriction

F. Septic Field Lease Agreement

Andrews APR Farm and Forrest

Property Photographs





292 Newbury St, Boston, MA 02115

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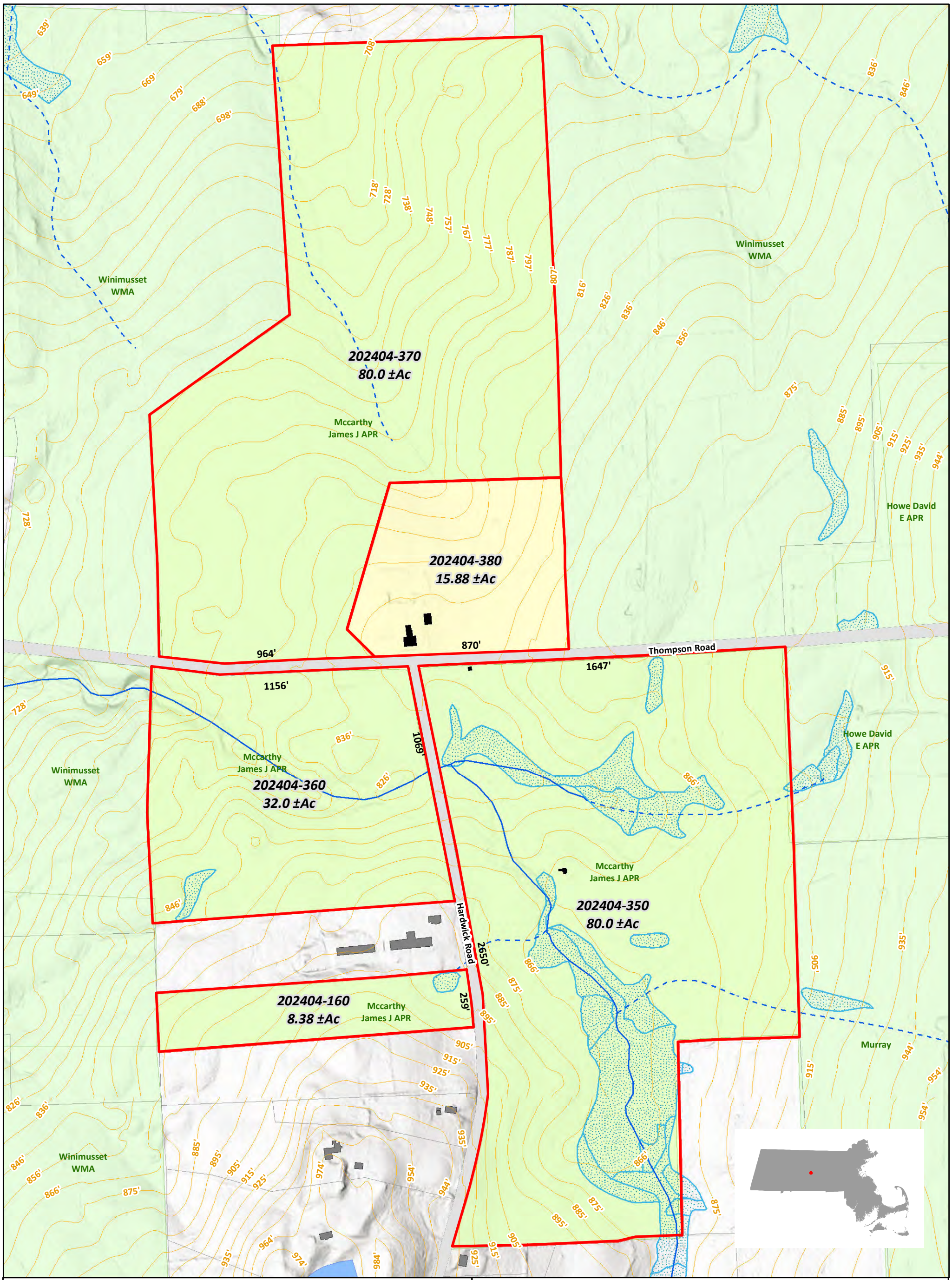


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Document Name: MA4553-CG base



Legend

- Subject Property - 216.26 ±Ac
- Adjacent Properties
- Protected Land
- Building Footprints
- Open Water
- Wetlands
- Perennial Streams
- Intermittent Streams
- Contours (ft)

Credits: Background from ESRI 'Terrain Base' map service

Base Plan

Project Number: MA4553-CG

Date: 12/14/23

Andrews Farm

New Braintree, MA

Scale: 1 " = 400 '

0 200 400 800 Feet

This plan is conceptual only and is not represented as an engineered plan.

LandVest

Document Name: MA4553-CG ortho



Legend

- Subject Property - 216.26 ±Ac
- Adjacent Properties
- Protected Land
- Open Water
- Wetlands
- Perennial Streams
- Intermittent Streams
- Contours (ft)

Credits: 2023 Imagery from Nearmap Imagery map service.

Base Plan Orthophotograph

Project Number: MA4553-CG

Date: 12/14/23

Andrews Farm

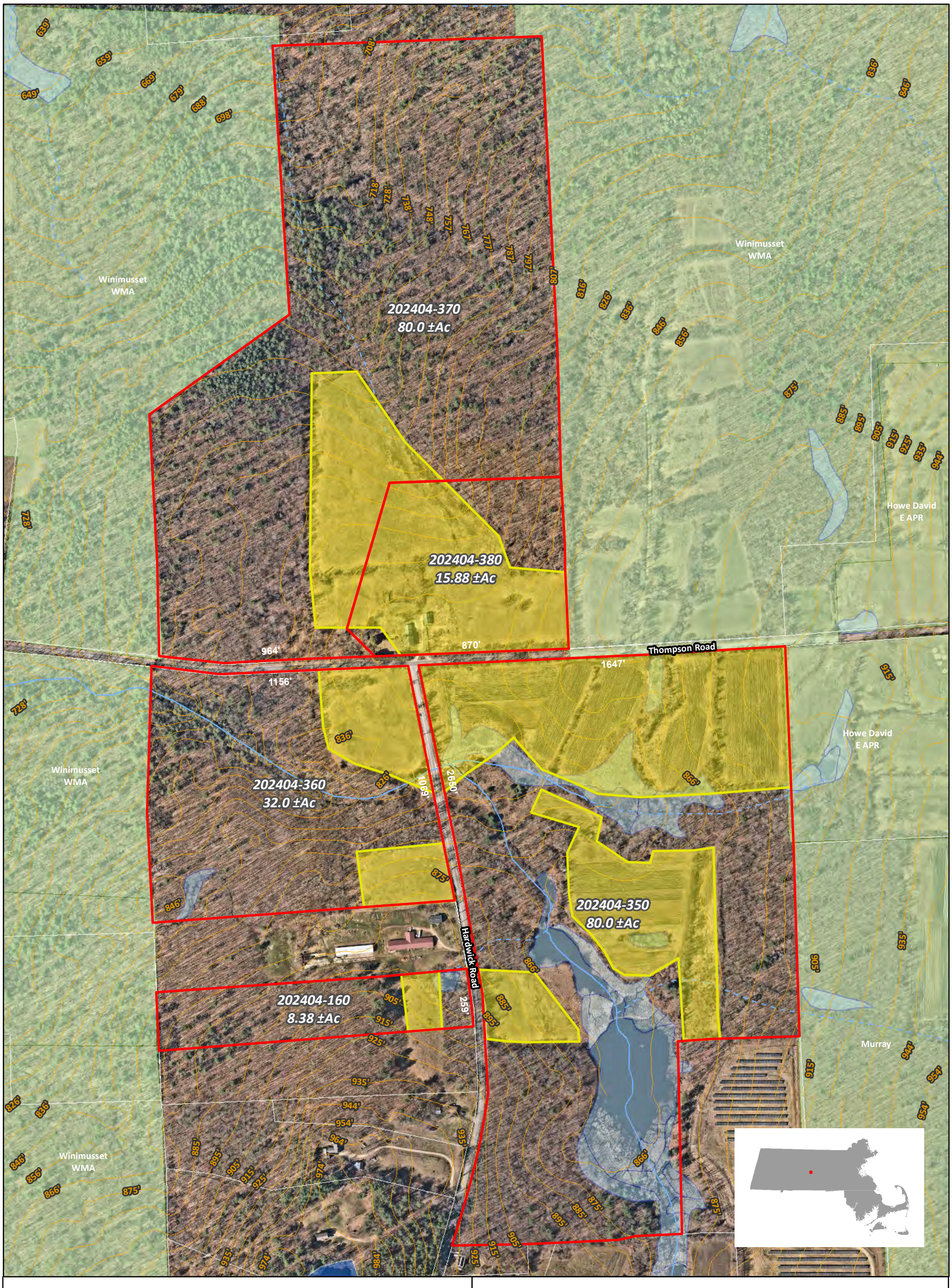
New Braintree, MA

Scale: 1 " = 400 '

0 200 400 800 Feet

This plan is conceptual only and is not represented as an engineered plan.

LandVest



Legend

- Subject Property - 216.26 ±Ac
- Open Fields - 60.73 ±Ac
- Adjacent Properties
- Protected Land
- Open Water
- Wetlands
- Perennial Streams
- Intermittent Streams
- Contours (ft)

Credits: 2023 Imagery from Nearmap Imagery map service.

Base Plan Orthophotograph - Fields

Project Number: MA4553-CG

Date: 12/15/23

Scale: 1 '' = 400 '

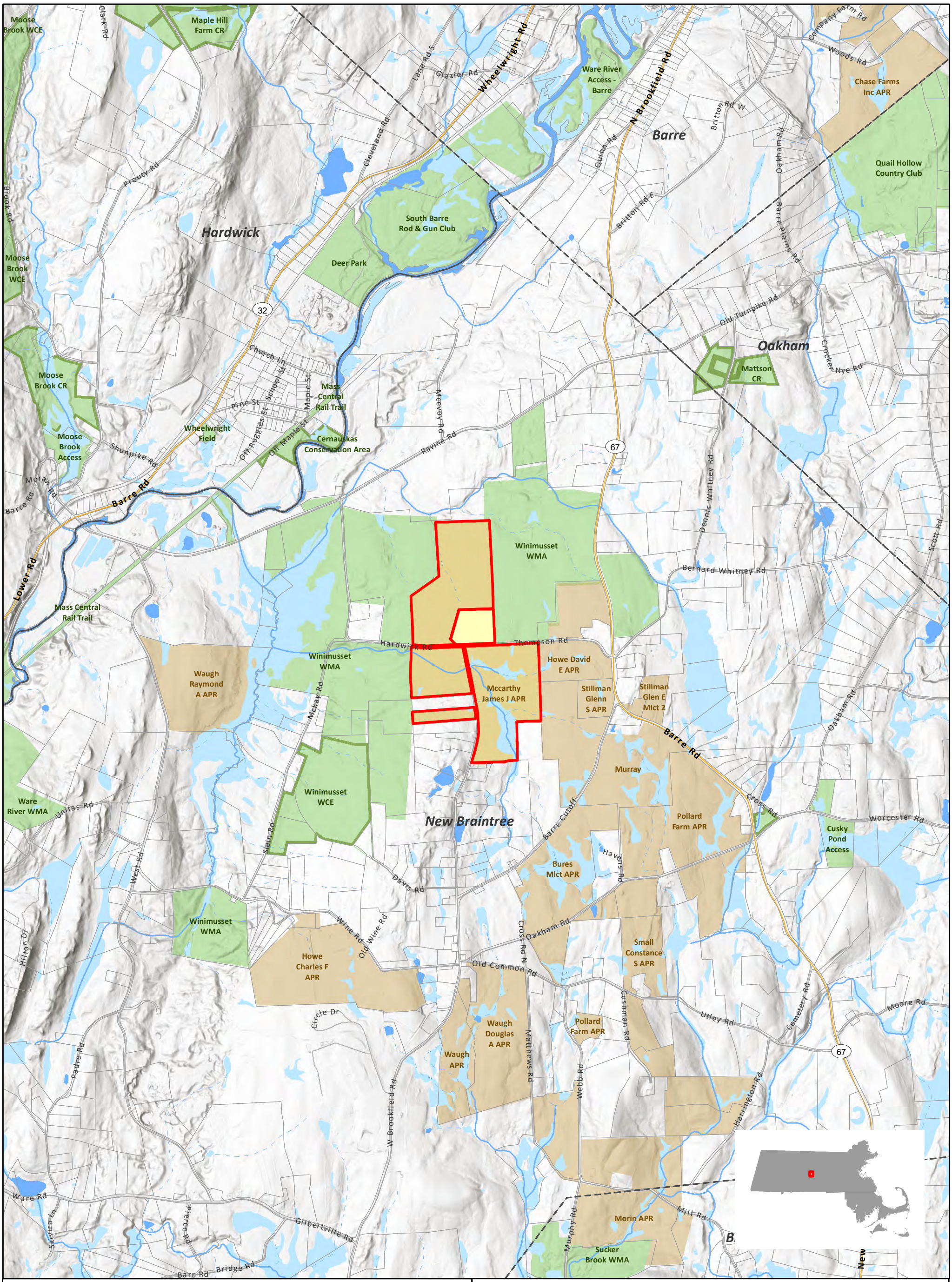
0 200 400 800 Feet

This plan is conceptual only and is not represented as an engineered plan.

Andrews Farm

New Braintree, MA

LandVest



Legend

- Subject Property - 216.26 ±Ac
- Adjacent Properties
- Protected Land
- Conservation Restrictions (CRs)
- Agricutural Preservation Restrictions (APRs)
- Open Water
- Wetlands
- Perennial Streams
- Intermittent Streams

Credits: Background from ESRI 'Terrain Base' map service

Conservation Context

Project Number: MA4553-CG

Date: 12/14/23

Scale: 1 " = 2,000 '

0 1,000 2,000 4,000 Feet

This plan is conceptual only and is not represented as an engineered plan.

Andrews Farm

New Braintree, MA

LandVest

Carol D. Andrews & ISU Realty Trust

Andrews Farm

Timber Appraisal



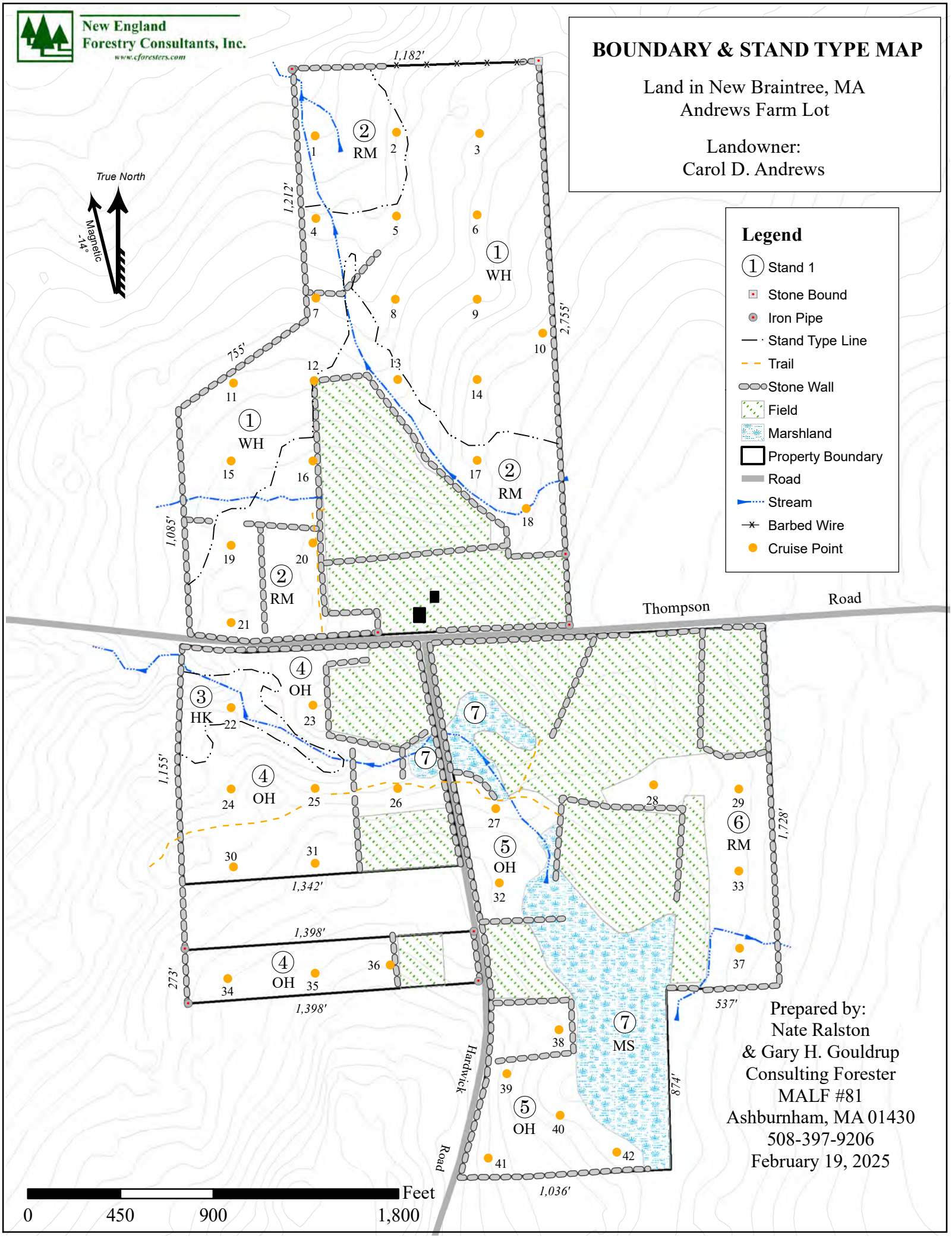
Carol D. Andrews & ISU Realty Trust Lots

Property located in New Braintree, MA
New Braintree Assessors Map 404, Lots 16, 35, 36, 37 & 38 (216.26 Acres)

Forest Acres Used for the Timber Appraisal: (134.42 acres)

PREPARED BY: New England Forestry Consultants, Inc.
Gary H. Gouldrup (MALF #81)
Consulting Forester
Submitted February 20, 2025

New England
Forestry Consultants, Inc.
www.cforesters.com


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www.cforesters.com
BOUNDARY & STAND TYPE MAP
Land in New Braintree, MA
Andrews Farm Lot
Landowner:
Carol D. Andrews
True North
Magnetic
-14°
Legend
Stand 1
Stone Bound
Iron Pipe
Stand Type Line
Trail
Stone Wall
Field
Marshland
Property Boundary
Road
Stream
Barbed Wire
Cruise Point
1,182'
1,212'
2,755'
755'
1,085'
1,155'
1,342'
1,398'
1,398'
273'
1,728'
537'
874'
1,036'
Thompson
Road
Hardwick
Road
1 WH
2 RM
3 HK
4 OH
5 OH
6 RM
7 MS
Feet
0
450
900
1,800
Prepared by:
Nate Ralston
& Gary H. Gouldrup
Consulting Forester
MALF #81
Ashburnham, MA 01430
508-397-9206
February 19, 2025

TOTAL VOLUME SHORT FORM REPORT - BY COMPARTMENT

g_FOREST NAME Andrews **g_FOREST CODE** 2/18/2025

g_CRUISE NOTES 15 BAF **g_CRUISE DATE** 2/7/2025

COMPARTMENT NAME	COMP ID	COMP ACREAGE	# OF STATIONS
Andrews	1	134.42	42

HARDWOOD

	VENEER	SAWLOGS	TIE LOGS	TOTAL MBF	PULP(CDS)
ASPEN	0	40,209	0	40,209	129
BLACK CHERRY	0	23,627	3,214	26,841	112
BLACK OAK	0	38,354	4,463	42,817	29
DEAD ASH	0	0	0	0	5
HICKORY	0	11,438	0	11,438	20
RED MAPLE	0	181,282	15,593	196,875	757
RED OAK	0	113,414	6,424	119,839	98
SUGAR MAPLE	0	18,016	0	18,016	31
SWEET BIRCH (BLACK)	0	14,763	3,212	17,975	140
WHITE ASH	0	48,664	1,849	50,514	103
WHITE BIRCH	0	6,326	0	6,326	18
YELLOW BIRCH	0	0	0	0	39
TOTALS FOR: HARDWOOD	0	496,093	34,755	530,849	1,480

SOFTWOOD

	VENEER	SAWLOGS	TIE LOGS	TOTAL MBF	PULP(CDS)
HEMLOCK	0	69,460	0	69,460	30
WHITE PINE	0	280,975	1,295	282,270	301
TOTALS FOR: SOFTWOOD	0	350,435	1,295	351,730	331

GRAND TOTALS FOR: Andrews	0	846,528	36,050	882,579	1,811

SORT BY: Compartment ID, Tree Family, Species, DBH

New England Forestry Consultants, Inc.
www.cforesters.com

Mailing Address:
30 Jewell Hill Road
Ashburnham, MA 01430

Telephone: (978) 883-4158
Email: gouldrupnefco@gmail.com
Cell Phone: (508) 397-9206

Carol D. Andrews & ISU Realty Trust
Timber Appraisal

Prepared For: Carol D. Andrews

Ashby Assessors Map 404 Lots 16, 35, 36, 37 & 38

Assessed Acreage: 216.26

Productive Woodland Forest Acres used for this Report: 134.42

Sawtimber volume and value by species and diameter class

Species	10-13" MBF	14-17" MBF	18-21" MBF	22"+ MBF	Total MBF	$ per Unit	Total $
White Pine	0.000	99.847	91.449	90.974	282.270	$125	$35,284
Hemlock	3.474	20.347	38.787	6.851	69.459	$45	$3,126
Red Oak	6.424	57.707	48.893	6.814	119.838	$330	$39,547
Black Oak	3.317	17.747	6.624	15.128	42.816	$275	$11,774
Red Maple	0.000	133.778	52.943	10.154	196.875	$75	$14,766
Sugar Maple	0.000	11.453	6.563	0.000	18.016	$150	$2,702
White Ash	1.849	33.009	15.656	0.000	50.514	$150	$7,577
Black/Yellow Birch	3.212	14.763	0.000	0.000	17.975	$150	$2,696
White Birch	0.000	6.326	0.000	0.000	6.326	$35	$221
Hickory	4.875	0.000	6.563	0.000	11.438	$50	$572
Aspen	0.000	0.000	18.438	21.771	40.209	$0	$0
Black Cherry	5.3	21.5	0.0	0.0	26.8	$100	$2,684
Total	***28.475***	***416.494***	***285.916***	***151.692***	***882.577***	**-**	**$120,949**

Cordwood volume and value by product

Product	Cords/Tons	$ per Unit	Total $
Firewood (Cords)	1,480	$10.00	$14,800
Pine Pulp (Cords)	301	$0.00	$0
Hemlock Pulp (Tons)	30	$0.00	$0
Total			**$14,800**

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New England
Forestry Consultants, Inc.
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Ashburnham, MA 01430

Telephone: (978) 883-4158
Email: gouldrupnefco@gmail.com
Cell Phone: (508) 397-9206

Volume and Value Summary

Product	Volume	Total $
Sawtimber (MBF)	882.577	$120,949
Hardwood Pulp (Cds)	1,480	$14,800
Pine Pulp (Cords)	301	$0
Hemlock Pulp (Tons)	30	$0
Total	-	$135,749

Volume estimated from computations based on International 1/4" Rule, Log Scale. Individual tree volumes are based on local tables that take into account: diameter, merchantable length, and average taper. **WHITE PINE & HEMLOCK sawtimber** is figured to a merchantable top diameter of 8 inches, **HARDWOOD sawtimber** is figured to a merchantable top diameter of 10 inches. **HARDWOOD, HEMLOCK & PINE pulp** is figured to a 4" top. (15 BAF Wedge Prism, 42 Point Samples on 134.42 acres of forest land.)

BY: New England Forestry Consultants, Inc.
Gary H. Gouldrup
Consulting Forester
Submitted February 20, 2025

New England
Forestry Consultants, Inc.
www.cforesters.com

Compartment Statistical Summary

Report Date 2/20/2025

g_FOREST NAME Andrews

COMPARTMENT Andrews **ID** 1

ACREAGE 134.42

g_BA FACTOR 15

g_FIXED PLOT SIZE

Number of Sample Stations 42

	Mean	Standard Error	Per Cent
Trees per Acre	185	23	12.5 %
Basal Area	105	5	5.0 %
M Board Feet	6,566	864	13.2 %
Cubic Feet	1,145	61	5.3 %

	Total Volumes	Approximate 95% Confidence Interval		
M Board Feet	882,579	650,307	—	1,114,851
Cubic Feet	153,968	137,572	—	170,363

Report Summary

The New England Forestry Consultants, Inc. has conducted a timber cruise and prepared a *Timber Appraisal Report* for 134.42-acres of productive forest land owned by *Carol D. Andrews & the ISU Realty Trust* in New Braintree, Massachusetts, identified at the New Braintree Assessors Office as Map 404, Lots 16, 35, 36, 37 & 38. Assessed acreage is 216.26 acres.

A 15-BAF wedge prism was used to sample trees and *42 point samples* were established on the landowner's property (1 sample point per 3.20 acres). Volumes were estimated from computations based on International 1/4" Rule, Log Scale. Individual tree volumes are based on local tables that take into account: diameter, merchantable length, and average taper. **WHITE PINE and HEMLOCK sawtimber** is figured to a merchantable top diameter of 8 inches, **HARDWOOD sawtimber** is figured to a merchantable top diameter of 10 inches. **HARDWOOD & SOFTWOOD pulp** is figured to a 4" top. *Forest Pro Cruiser* was used to generate timber volumes for this report. Product prices listed in this report are based on comparative sales, interviews with local log buyers, and product specifications at local mills at this current time. Estimated timber value also takes into account timber harvesting systems which include conventional, cut-to-length, and whole-tree chipping.

The woodlands are well-stocked with timber resources. A high percentage of the timber resources on the property are very poor in quality and consist of low-value forest products. There are forest areas that were once open fields that are in a developmental stage of growth. The recommendation for long-term sustained yield forest management is to focus on harvesting the poor-quality and low-value forest products initially.

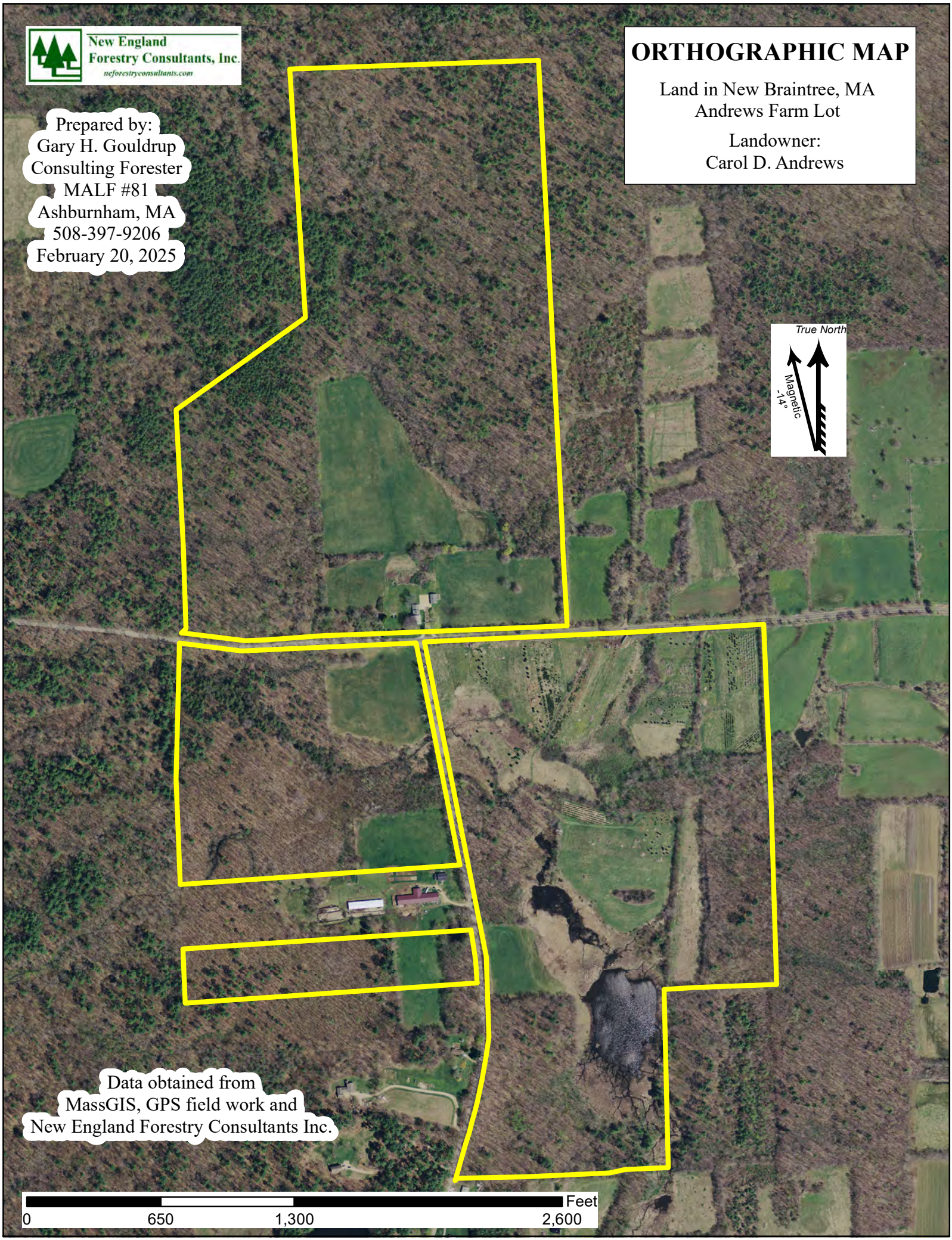
The forest is ready for harvesting. State of Massachusetts law prohibits cutting more than 50% of the basal area in wooded wetlands, filter strips along streams, vernal pools, and ponds. A review of the State's online database (Oliver/MassMapper) indicates that there are currently NO *Natural Heritage Endangered Species Program (NHESP)* concerns on the property and there are no harvest timing restrictions.

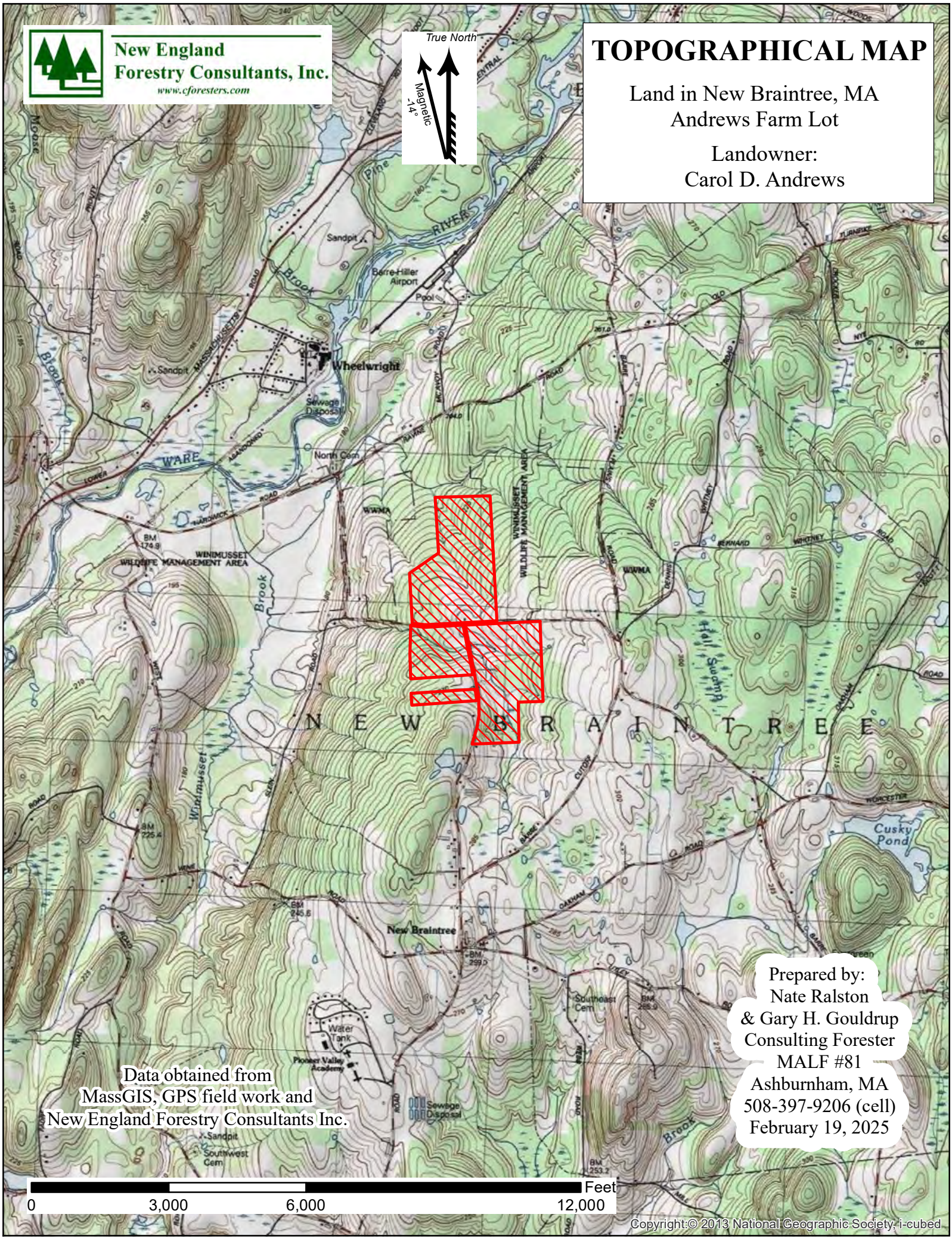
Property lines have been partially identified on the ground with flagging, paint and property signs. Access to the property for timber management can be attained off of Thompson Road and Hardwick Road.

Respectfully submitted,

Gary H. Gouldrup
New England Forestry Consultants, Inc.

New England
Forestry Consultants, Inc.
www.cforesters.com


New England
Forestry Consultants, Inc.
neforestryconsultants.com
ORTHOGRAPHIC MAP
Land in New Braintree, MA
Andrews Farm Lot
Landowner:
Carol D. Andrews
Prepared by:
Gary H. Gouldrup
Consulting Forester
MALF #81
Ashburnham, MA
508-397-9206
February 20, 2025
True North
Magnetic
-14°
Data obtained from
MassGIS, GPS field work and
New England Forestry Consultants Inc.
0
650
1,300
2,600
Feet


New England
Forestry Consultants, Inc.
www.cforesters.com
True North
Magnetic
-14°
TOPOGRAPHICAL MAP
Land in New Braintree, MA
Andrews Farm Lot
Landowner:
Carol D. Andrews
N E W B R A I N T R E E
Wheelwright
New Braintree
Barre-Hiller Airport
WINDMUSSET WILDLIFE MANAGEMENT AREA
Cusky Pond
Hall Swamp
Pine Brook
Windmusset Brook
Moose Brook
WARE RIVER
Sandpit
Sewage Disposal
North Cem
Southeast Cem
Southwest Cem
Water Tank
Pioneer Valley Academy
Prepared by:
Nate Ralston
& Gary H. Gouldrup
Consulting Forester
MALF #81
Ashburnham, MA
508-397-9206 (cell)
February 19, 2025
Data obtained from
MassGIS, GPS field work and
New England Forestry Consultants Inc.
Feet
0
3,000
6,000
12,000
Copyright:© 2013 National Geographic Society, i-cubed

MASSACHUSETTS EXCISE TAX
Worcester District ROD #20 001
Date: 08/11/2010 12:26 PM
Ctrl# 096539 16945 Doc# 00085350
Fee: $980.40 Cons: $215,000.00

Bk: 46148 Pg: 132
Page: 1 of 7 08/11/2010 12:26 PM WD

Three M Nursery, Inc., a Massachusetts Corporation having a principal place of business at 10 Stewart Street, County of Middlesex, Hopkinton, Massachusetts,

for consideration paid, and in full consideration of

TWO HUNDRED FIFTEEN THOUSAND AND NO/100 ($215,000.00) DOLLARS

grant to **Harry J. Andrews and Carol D. Andrews, husband and wife, to hold as tenants by the entirety**

of 716 Hardwick Road, New Braintree, MA 01531

WITH QUITCLAIM COVENANTS

The premises described as "First Parcel" and "Second Parcel" in a Mortgage from James J. McCarthy, et al to Dukes County Savings Bank recorded with the Worcester District Registry of Deeds in Book 12162, Page 260, excepting therefrom those portions of such premises shown as Lot 2 Revised, Lot 4 and Lot 5 on a "Plan of Land in New Braintree, MA surveyed for James J. McCarthy and Jaci McCarthy" by Donald A. Para, R.L.S., dated June 13, 1990, revised September 4, 1990 and recorded with the Worcester District Registry of Deeds in Plan Book 644, Plan 57 (the "Para Plan"). Being the same premises described in an Agricultural Preservation Restriction granted by James J. McCarthy and Jaci McCarthy to the Commonwealth of Massachusetts by instrument dated May 23, 1990 and recorded at same Registry of Deeds in Book 13165, Page 95.

For further description of First Parcel and Second Parcel see Exhibit "A" attached hereto.

MAIL TO: **Vincent McCaughey, Esquire**
P.O. Box 601
Warren, MA 01083

#11,838D

NELSON & O'CONNELL
TITLE COMPANY, INC.

Property Location: Hardwick Road, New Braintree, MA 01531

7

7

Being the same premises conveyed to grantor by deed of Quabbin Regional Nurseries, Inc. dated September 25, 1998 and recorded with the Worcester District Registry of Deeds in Book 20464, Page 389.

WITNESS my hand and seal this 11th day of August, 2010

Three M Nursery, Inc.

By: Thomas J. Melina – President and Treasurer

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss. August 11, 2010

On this 11th day of August, 2010, before me, the undersigned notary public, personally appeared Thomas J. Melina, proved to me through satisfactory evidence of identification, which was _____ photographic identification with signature issued by a federal or state governmental agency, ____ oath or affirmation of a credible witness, ✓ personal knowledge of the undersigned, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.

Vincent A. Vilkas, Notary Public
My Commission Expires: 1/28/16

VINCENT A. VILKAS
NOTARY PUBLIC
COMMONWEALTH OF MASSACHUSETTS
My Comm. Expires Jan. 28, 2016

Exhibit "A"

The land in New Braintree, Worcester County, Massachusetts, being two certain parcels of land with the buildings thereon, containing about 235.72 acres, situated in the northerly part of said New Braintree, being the same premises conveyed to James J. McCarthy and Jaci McCarthy by Isabelle T. Farrington on June 11, 1984 and recorded in the Worcester County Registry of Deeds in Book 8228, Page 55, and bounded and described as follows:

FIRST PARCEL

The land situated on the northerly side of the road leading from the Barre-North Brookfield Road near Fort Hill School House to New Braintree Center, now known as Thompson Road and Hardwick Road;

Beginning at the southeasterly corner of the northerly side of Thompson Road, at land of now or formerly Charles A. Gleason;

Thence W. 7 ½° E. along said Gleason land, about 2,760 feet;

Thence N. 82 ½° W. along land of now or formerly of said Gleason and land now or formerly of E.W. Barnes, about 1,218 feet;

Thence S. 7 ½° W. along land formerly of Luther Crawford about 1,219 feet;

Thence S. 66 ½° W. along said Crawford land, about 780 feet;

Thence S. 6 ½° W. along said Crawford land about 1,089 feet to a point in the northerly side of Hardwick Road;

Thence Easterly along the northerly side of Hardwick Road about 176 feet;

Thence S. 75° E. along the northerly side of Hardwick Road about 137 feet;

Thence S. 82 ½° E. along the northerly side of Hardwick Road about 842 feet to a point near the northerly side of Thompson Road with it's intersection with Hardwick Road;

Thence S. 82 ½° E. along the northerly side of Hardwick Road and then the northerly side of Thompson Road about 703 feet to the point of beginning.

SECOND PARCEL

The land situated on the southerly side of Thompson Road and the Southerly, Easterly and Westerly sides of Hardwick Road and being described as follows:

Beginning at a point at the northeasterly corner of parcel to be described, on the southerly side of Thompson Road, and at a corner of land formerly of Owen McCarthy;

Thence S. 7 ½° W. along land of said McCarthy about 1,747 feet;

Thence N. 82° W. along land now or formerly of J. Bush about 531 feet;

Thence S. 9° W. along land now or formerly of said J. Bush about 866 feet;

Thence N. 83° W. along land formerly of William A. Felton about 1,053 feet to a point on the easterly side of Hardwick Road;

Thence N. 24 ½° E. along the easterly side of Hardwick Road about 618 feet;

Thence N. 12° E. along the easterly side of Hardwick Road to a point;

Thence N. 82 ½° W. crossing Hardwick Road to a point on the westerly side of said Road;

Thence N. 82 ½° W. along land formerly of said Felton and now or formerly of Lorraine G. Moulton, about 1,416 feet;

Thence Northerly by land formerly of Dennis Haley and W. A. Child to a point;

Thence N. 93 ½° E. along land now or formerly of said Child about 757 feet to a point on the southerly side of Hardwick Road;

Thence Easterly along the southerly side of Hardwick Road, about 250 feet;

Thence Easterly along the southerly side of Hardwick Road about 870 feet to a point near the westerly side of said road at its' intersection where Road leads southerly to New Braintree Center;

Thence Easterly crossing said Road and on the southerly side of Thompson Road about 660 feet;

Thence S. 82 ½° E. along the southerly side of Thompson Road, about 949 feet to the point of beginning.

The both parcels are to contain about 235.72 acres without roads;

The courses in this description were taken from an unrecorded survey, of the J.P. Gleason Farm, dated May 11, 1885 by F.J. Browning, ~~(a copy of which is attached hereto as Exhibit "C")~~

Excepting any parcels which were conveyed out of said premises.

Also Excepting three parcels, described as follows:

A certain parcel of land situated on the northerly side of Thompson Road and the northerly side of Hardwick Road in New Braintree, MA and being shown as Lot 2 revised on a plan of land surveyed for James J. and Jaci McCarthy dated June 13, 1990 and revised on September 4, 1990 by Donald A. Para, R.L.S. and being recorded in the Worcester Registry of Deeds in Plan Book ~~604~~ 644, Plan 57.

Beginning at an iron pipe in a corner of stone walls at the southeasterly corner of parcel to be described on the northerly side of Thompson Road, and at a corner of land of the Commonwealth of Massachusetts;

Thence N. 83° 44' 00" W. along a stone wall on the northerly side of Thompson Road, 616.06 feet to an iron pipe in a corner of stone walls;

Thence N. 82° 35' 50" W. along the northerly side of Thompson Road and the northerly side of Hardwick Road, 263.04 feet to an iron pipe in a corner of stone wall;

Thence N. 36° 54' 51" W. along remaining land of said McCarthy, 169.37 feet to an iron pipe;

Thence N. 25° 34' 16" E. along said McCarthy land, 690.51 feet to an iron pipe;

Thence S. 83° 05' 52" E. along said McCarthy land, 731.08 feet to a point in a stone wall at said Commonwealth of Massachusetts land;

Thence S. 6° 23' 26" W. along a stone wall and said Commonwealth land 298.51 feet to an iron pipe in a corner of stone walls;

Thence S. 8° 40' 00" W. along a stone wall and said Commonwealth land 104.85 feet to an iron pipe in a corner of stone walls;

Thence S. 6° 09' 47" W. along a stone wall and said Commonwealth land, 368.59 feet to the point of beginning.

Containing an area of 15.877 acres.

A certain parcel of land situated on the westerly side of Hardwick Road, in New Braintree, MA and being shown as parcel 4 on a plan of land surveyed for James J. and Jaci McCarthy dated June 13, 1990 by Donald A. Para, R.L. S. and being recorded in the Worcester Registry of Deeds in plan book 644, plan 57.

Beginning at an iron pipe in a stone wall at the northerly corner of lot to be described on the westerly side of Hardwick Road, and at a corner of other land of James J. and Jaci McCarthy;

Thence S. 0° 51' 08" E. partly along a stone wall on the westerly side of Hardwick Road, 314.98 feet to an iron pipe in a stone wall;

Thence N. 86° 29' 47" W. along parcel A 384.34 feet to an iron pipe;

Thence N. 85° 05' 25" W. along parcel A, 1005.27 feet to a drill hole in a stone wall;

Thence N. 4° 08' 45" E. along a stone wall and land now or formerly of one Carroll, 896.97 feet to a drill hole;

Thence N. 5° 57' 55" E. along a stone wall and land of said Carroll and land now or formerly of Kathryn E. Slein, 224.44 feet to an iron pipe;

Thence S. 85° 11' 53" E. along other land of said McCarthy 860.78 feet to an iron pipe in the end of a stone wall;

Thence S. 86° 00' 00" E. along said McCarthy land 494.21 feet to the point of beginning.

Containing an area of 9.923 acres.

A certain parcel of land situated on the westerly side of Hardwick Road, in New Braintree, MA and being shown as parcel 5 on a plan of land surveyed for James J. and Jaci McCarthy dated June 13, 1990 by Donald A. Para, R.L.S. and being recorded in the Worcester Registry of Deeds in plan book 644, plan 57.

Beginning at an iron pipe in a corner of walls at the southeasterly corner of parcel to be described, on the westerly side of Hardwick Road and at the northeasterly corner of land now or formerly of Lorraine G. Moulton;

Thence N. 84° 04' 00" W. along a stone wall and said Moulton land, 330 feet to a point;

Thence N. 83° 10' 58" W. along a stone wall and said Moulton land, 160.94 feet to an iron pipe;

Thence N. 83° 27' 30" W. along a stone wall and said Moulton land, 189.07 feet to a point in the end of a wall;

Thence N. 84° 09' 24" W. partly along a fence and said Moulton land, 730.68 feet to an iron pipe set replacing a stake found;

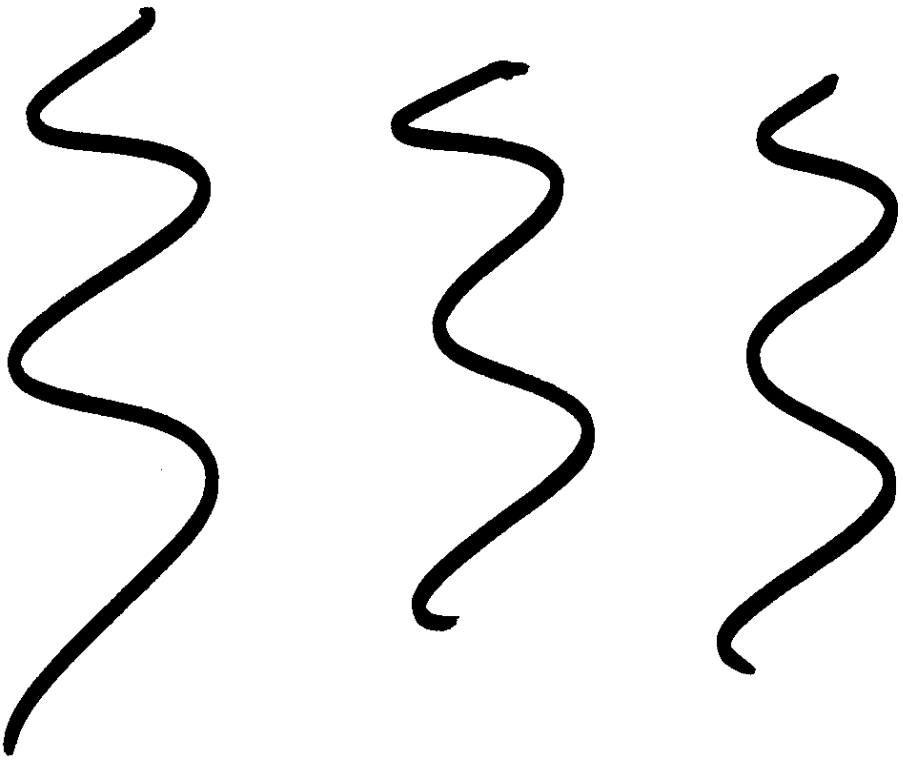
Thence N. 6° 39' 28" E. along a stone wall and land now or formerly of one Carroll, 217.14 feet to an iron pipe;

Thence S. 85° 18' 00" E. along parcel A, 1412.70 feet to an iron pipe in a stone wall on the westerly side of Hardwick Road;

Thence S. 5° 51' 32" W. along a stone wall on the westerly side of Hardwick Road, 205.34 feet to a drill hole;

Thence S. 11° 52' 05" W. along a stone wall on the westerly side of Hardwick Road 45.78 feet to the point of beginning.

Containing an area of 7.561 acres.



PARID: 2024040000000360 MUNICIPALITY: NEW BRAINTREE LUC: 713
ANDREWS, HARRY J 0 HARDWICK ROAD PARCEL YEAR: 2025

Property Information

Property Location:	0 HARDWICK ROAD
Class:	C-COMMERCIAL
Use Code (LUC):	713-FIELD CROPS - HAY, WHEAT, ETC.
District:	MA202 - NEW BRAINTREE
Deeded Acres:	32.0000
Square Feet:	1,393,920

Owner

Owner	Co-Owner	City	Address	State	Zip Code	Deed Book/Page
ANDREWS, HARRY J	ANDREWS, CARROL D	NEW BRAINTREE	716 HARDWICK ROAD	MA	01531	46148/132

PARID: 2024040000000370 MUNICIPALITY: NEW BRAINTREE LUC: 713
ANDREWS, HARRY J 0 HARDWICK ROAD PARCEL YEAR: 2025

Property Information

Property Location:	0 HARDWICK ROAD
Class:	C-COMMERCIAL
Use Code (LUC):	713-FIELD CROPS - HAY, WHEAT, ETC.
District:	MA202 - NEW BRAINTREE
Deeded Acres:	80.0000
Square Feet:	3,484,800

Owner

Owner	Co-Owner	City	Address	State	Zip Code	Deed Book/Page
ANDREWS, HARRY J	ANDREWS, CARROL D	NEW BRAINTREE	716 HARDWICK ROAD	MA	01531	46148/132

PARID: 2024040000000350 MUNICIPALITY: NEW BRAINTREE LUC: 713
ANDREWS, HARRY J 0 HARDWICK ROAD PARCEL YEAR: 2025

Property Information

Property Location:	0 HARDWICK ROAD
Class:	C-COMMERCIAL
Use Code (LUC):	713-FIELD CROPS - HAY, WHEAT, ETC.
District:	MA202 - NEW BRAINTREE
Deeded Acres:	80.0000
Square Feet:	3,484,800

Owner

Owner	Co-Owner	City	Address	State	Zip Code	Deed Book/Page
ANDREWS, HARRY J	ANDREWS, CARROL D	NEW BRAINTREE	716 HARDWICK ROAD	MA	01531	46148/132

PARID: 2024040000000160 MUNICIPALITY: NEW BRAINTREE LUC: 716
ANDREWS, HARRY J 0 HARDWICK ROAD PARCEL YEAR: 2025

Property Information

Property Location:	0 HARDWICK ROAD
Class:	C-COMMERCIAL
Use Code (LUC):	716-NECESSARY RELATED LAND - FARM ROADS/POND
District:	MA202 - NEW BRAINTREE
Deeded Acres:	8.3800
Square Feet:	365,033

Owner

Owner	Co-Owner	City	Address	State	Zip Code	Deed Book/Page
ANDREWS, HARRY J	ANDREWS, CARROL D	NEW BRAINTREE	716 HARDWICK ROAD	MA	01531	46148/132

2010 00085349
Bk: 46148 Pg: 123
Page: 1 of 9 08/11/2010 12:26 PM WD

TERMINATION AND RELEASE OF EASEMENT

(1) (a) Know all persons by these presents that we, Donald R. Humphrey and Christine A. Humphrey , husband and wife as tenants by the entirety, of 665 Hardwick Road, New Braintree, Worcester County, Massachusetts (hereafter referred to as "The Humphreys" or "Lot 4 Owner"), owner of a parcel of land, known as Lot 4 shown on a plan of land in New Braintree, MA, dated June 13, 1990, revised September 4, 1990, recorded at Worcester County Registry of Deeds (the Registry") in Book of Plans 644, Page 57 (the "Dominant Estate"), also hold a claimed septic easement for the benefit of Lot 4, created and described in deed of Dukes County Savings Bank (the "Bank") to The Humphreys, dated May 11, 1993 and recorded at the Registry in Book 15320, Page 252 (hereafter referred to as the "Dominant Estate Easement"). The 1993 deed provided that Lot 4 was conveyed together with an easement for use, maintenance and repair of that part of a septic system to service Lot 4 then located within the APR Land.

Hardwick Road, New Braintree

(b) We, Donald R. Humphrey and Christine A. Humphrey, for the sum of $10.00 and other consideration paid and received do hereby as current Dominant Estate Owner and holder of the Dominant Estate Easement, terminate and extinguish our entire interest in, and also release and forever quitclaim to the two parties named immediately below, all our right, title and interest in and under said Dominant Estate Easement; subject to the provisions of sections 2 through 6 set forth hereafter:

The Two Parties:

Three M Nursery, Inc, a Massachusetts corporation with a place of business at 10 Wescott Drive, Hopkinton, MA 01748, its successors in title, assignees, and transferees (collectively "Three M"). Three M Nursery, Inc. is current owner of a tract(s) of land restricted by the Agricultural Preservation Restriction identified below and comprised of approximately two hundred acres, more or less, at or near Hardwick Road, New Braintree, Massachusetts (the "APR Land"). Three M acquired the APR Land by deed of Quabbin Regional Nurseries, Inc., dated September 25, 1998, recorded at the Registry in Book 20464, Page 389, and currently is under agreement to convey the APR Land to

McCarthy Agricultural Preservation Restriction; recorded 12/21/1990; Book 13165, Page 95
Hardwick Road, New Braintree, Worcester County, MA
Release of Easement in deed recorded B 15320 P 252 re land at 665 Hardwick Rd., New Braintree, MA,

Harry J. Andrews and Carol D. Andrews, husband and wife, (collectively "Andrews") , who join in this agreement, also of New Braintree, residing at 716 Hardwick Road therein;

and:

The Commonwealth of Massachusetts, acting through the Department of Agricultural Resources (the "Department" or "DAR"). The Department holds an Agricultural Preservation Restriction in perpetuity (the "APR") on the APR land, recorded December 21, 1990, in Book 13165, Page 95 at the Registry. A claim has been made that the APR land (referred to herein also as the "Servient Estate") is subject to the Dominant Estate Easement, notwithstanding that said easement is junior and subject to the APR, having been recorded in 1993 three years subsequent to the APR, and the Commonwealth as holder of the APR did not assent to or approve it.

(c) The Humphreys as owner of Lot 4, do hereby release in perpetuity, except as provided in the provisions in Sections 2 through 6 below, the claimed Dominant Estate Easement as if said Easement never existed or was claimed to exist.

(2) Three M, Andrews, and the Commonwealth of Massachusetts , acting through the Department of Agricultural Resources agree for themselves, their heirs , successors, assignees and transferees that use of the septic system or any of its component parts (the "System") located on the APR land may continue, but solely by The Humphreys as Lot 4 Owner under a temporary limited license herein granted by Three M , Andrews , their heirs, successors, transferees and assigns as Owner, and proposed new owner, respectively, of the APR Land (the "Temporary License"). Use of the Temporary License by the Humphreys shall terminate automatically upon the first to occur of four events as follows (a "License Termination Event"):

(a) Death of the survivor of Donald R. Humphrey and Christine A. Humphrey.

(b) Conveyance, transfer or sale of the Dominant Estate by the Humphreys, or change, modification or amendment of record or other title to Lot 4, from ownership and record title as it stands as of the present date, namely: Donald R. Humphrey and Christine A. Humphrey.

(c) The subsurface sewage disposal system (referred to above as "septic system") located on the APR Land fails as defined in 310 CMR 15.002 and 15.303(1)(a). Normal pumping of the contents of the septic tank, as necessary to keep the system operating in good working order, shall not be considered repair or replacement.

McCarthy Agricultural Preservation Restriction; recorded 12/21/1990; Book 13165, Page 95
Hardwick Road, New Braintree, Worcester County, MA
Release of Easement in deed recorded B 15320 P 252 re land at 665 Hardwick Rd., New Braintree, MA,

(d) Violation or non compliance by Lot 4 Owner with any provision(s) of this Release of Easement.

(3)(a) The Humphreys shall provide the Department and the then current owner of the APR Land with a minimum of ten (10) days advance written notice of License Termination Event (b) As to License Termination Events (a) and (c) , notice shall be provided within ten (10) days after occurrence of the septic failure or the death, as the case may be. Notice of any scheduled system repairs shall be provided ten (10) days in advance of same. Failure to provide a LTE Notice pursuant to this section, shall be a violation of this Release.

(b) Upon occurrence of a License Termination Event and provision to The Humphreys of written notification from the Department or the Owner of the APR Land of such event, or written notification that the Department or the Owner of the APR Land did not receive a LTE Notice, the Humphreys shall at such time terminate use of the System and any parts thereof located on or under the APR land.

(c) Nothing in this Release shall prevent The Humphreys from voluntarily ending use of the System prior to occurrence of a License Termination Event. In addition, The Humphreys shall not be required, either before or after a License Termination Event, to remove or dismantle components or parts of the System located on or under the APR Land, as long as they are in compliance with the provisions of this Release of Easement, 310 CMR 15.00 and/or any local regulations governing the septic system.

(4) Three M and the Andrews as APR Owner, or imminent APR owner as the case may be, have the right, authority and standing to enforce this Release of Easement as to Lot 4 and its owner(s) or otherwise, and to assign to the Department the enforcement rights regarding the System's operation or termination of use by Lot 4 Owner or otherwise. The parties intend and agree that the provisions hereof regarding discontinuance and termination of use or operation of the System may be enforced by such appropriate injunctive relief as necessary. In consideration of the Department joining in this agreement and consenting to the license Three M and Andrews hereby assign to the Department the right, power, and authority necessary and appropriate to administer and enforce this Release, including without limitation discontinuance of use of the Septic System in accordance with the provisions of this Release. Prior to occurrence of a License Termination Event, the Department, the parties to this Agreement, as and with the successor Owners of the APR land will forbear from enforcing provisions of this Release of Easement that terminate Lot 4 Owner's use of the System, if and as long as Lot 4 Owner is in compliance with all provisions of this Release.

McCarthy Agricultural Preservation Restriction; recorded 12/21/1990; Book 13165, Page 95
Hardwick Road, New Braintree, Worcester County, MA
Release of Easement in deed recorded B 15320 P 252 re land at 665 Hardwick Rd., New Braintree, MA,

(5) This Release of Easement document shall be recorded at the Worcester County Registry of Deeds immediately prior to the Deed transferring title to the APR Land to the proposed Buyer, Harry J. Andrews and Carol D. Andrews, and the other documents necessary to accomplish said transfer and conveyance, such that the deed to Andrews, or any successor owner shall take title subject to the provisions of this agreement.

(6) Proper and legal notice by and among all parties under this Release of Easement shall consist of a legible writing or other notification by certified mail, USPS, return receipt requested, all fees prepaid; or service of a legible notice or other communication by a Massachusetts licensed Constable or Deputy Sheriff, to the parties addressed as follows:

Donald R. Humphrey and Christine A. Humphrey: 665 Hardwick Road, New Braintree, MA 01531

Three M Nursery, Inc. c/o Mr. Thomas Melina, President, 10 Wescott Drive, Hopkinton, MA 01748

Department of Agricultural Resources of Commonwealth of MA, Attn: Ronald Hall, APR Program Manager; 251 Causeway Street, Suite 500; Boston, MA 02114-2151

Harry J. Andrews and Carol D Andrews, 716 Hardwick Road, New Braintree, MA 01531

McCarthy Agricultural Preservation Restriction; recorded 12/21/1990; Book 13165, Page 95
Hardwick Road, New Braintree, Worcester County, MA
Release of Easement in deed recorded B 15320 P 252 re land at 665 Hardwick Rd., New Braintree, MA,

Executed as a sealed instrument, this 3rd day of August, 2010.

By:

Donald R. Humphrey

Christine A. Humphrey

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss. , 2010

On this 3rd day of August, 2010, before me, the undersigned notary public, personally appeared the above-named, Donald R Humphrey, who provided to me satisfactory evidence of identification, namely personally known, as the person whose name is signed on the preceding or attached document of release, and acknowledged to me that he/she signed it voluntarily as his/her free act and deed and for its stated purpose(s).

DARLENE A. LEARY
Notary Public
Commonwealth of Massachusetts
My Commission Expires
May 5, 2011

Notary Public, Darlene A. Leary

My Commission Expires: May 5, 2011

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss. , 2010

On this 3rd day of August, 2010, before me, the undersigned notary public, personally appeared the above-named, Christine A. Humphrey, who provided to me satisfactory evidence of identification, namely personally known, as the person whose name is signed on the preceding or attached document of release, and acknowledged to me that he/she signed it voluntarily as his/her free act and deed and for its stated purpose(s).

DARLENE A. LEARY
Notary Public
Commonwealth of Massachusetts
My Commission Expires
May 5, 2011

Notary Public, Darlene A. Leary

My Commission Expires: May 5, 2011

McCarthy Agricultural Preservation Restriction; recorded 12/21/1990; Book 13165, Page 95
Hardwick Road, New Braintree, Worcester County, MA
Release of Easement in deed recorded B 15320 P 252 re land at 665 Hardwick Rd., New Braintree, MA,

Executed as a sealed instrument, this 11th day of August, 2010.

Three M Nursery, Inc.

By: Thomas Melina; a/k/a/ Tom Jon Melina

President and Treasurer

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss. , 2010

On this 11th day of August, 2010, before me, the undersigned notary public, personally appeared Thomas Melina, duly authorized President and Treasurer of Three M Nursery, Inc., who provided to me satisfactory evidence of identification, namely personal Known to me, as the person whose name is signed on the preceding or attached document of release, and acknowledged to me that he signed it voluntarily as the free act and deed of the corporation and for its stated purpose(s).

Notary Public, _____

My Commission Expires:

VINCENT A. VILKAS
NOTARY PUBLIC
COMMONWEALTH OF MASSACHUSETTS
My Comm. Expires Jan. 28, 2016

McCarthy Agricultural Preservation Restriction; recorded 12/21/1990; Book 13165, Page 95
Hardwick Road, New Braintree, Worcester County, MA
Release of Easement in deed recorded B 15320 P 252 re land at 665 Hardwick Rd., New Braintree, MA,

Executed as a sealed instrument, this 10th day of August, 2010.

Commonwealth of Massachusetts

Acting through the Department of Agricultural Resources

By: _____
Scott J. Soares

Title: Commissioner of the Department of Agricultural Resources

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss. August 10, 2010

On this 10th day of August, 2010, before me, the undersigned notary public, personally appeared Scott J. Soares, who provided to me satisfactory evidence of identification, namely personal knowledge, as the person whose name is signed on the preceding or attached document of release, and acknowledged to me that he signed it voluntarily as his free act and deed for its stated purpose(s).

_____
Notary Public, Carol Ann Szock
My Commission Expires: 1.21.2011

McCarthy Agricultural Preservation Restriction; recorded 12/21/1990; Book 13165, Page 95
Hardwick Road, New Braintree, Worcester County, MA
Release of Easement in deed recorded B 15320 P 252 re land at 665 Hardwick Rd., New Braintree, MA,

Executed as a sealed instrument, this 11th day of August, 2010.

By:

Harry J Andrews

Harry J. Andrews

Carol D Andrews

Carol D. Andrews

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss. Aug 11, 2010

On this 11th day of August, 2010, before me, the undersigned notary public, personally appeared the above-named, Harry J Andrews, who provided to me satisfactory evidence of identification, namely personal knowledge, as the person whose name is signed on the preceding or attached document of release, and acknowledged to me that he/she signed it voluntarily as his/her free act and deed and for its stated purpose(s).

VINCENT J. McCAUGHEY
NOTARY PUBLIC
Commonwealth of Massachusetts
My Commission Expires
May 26, 2017

Vincent J McCaughey

Notary Public, VINCENT J. McCAUGHEY

My Commission Expires: 5/26/2017

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss. Aug 11, 2010

On this 11th day of August, 2010, before me, the undersigned notary public, personally appeared the above-named, Carol D Andrews, who provided to me satisfactory evidence of identification, namely personal knowledge, as the person whose name is signed on the preceding or attached document of release, and acknowledged to me that he/she signed it voluntarily as his/her free act and deed and for its stated purpose(s).

VINCENT J. McCAUGHEY
NOTARY PUBLIC
Commonwealth of Massachusetts
My Commission Expires
May 26, 2017

Vincent J McCaughey

Notary Public, VINCENT J. McCAUGHEY

My Commission Expires: 5/26/2017

McCarthy Agricultural Preservation Restriction; recorded 12/21/1990; Book 13165, Page 95
Hardwick Road, New Braintree, Worcester County, MA
Release of Easement in deed recorded B 15320 P 252 re land at 665 Hardwick Rd., New Braintree, MA,

Assent of Mortgagee

North Brookfield Savings Bank, 35 Summer Street, North Brookfield, MA 01535, holder of two mortgages (described below) from Donald R. Humphrey and Christine A. Humphrey, as borrower, covering property at 665 Hardwick Road, New Braintree, MA, being Lot 4 on a plan dated June 13, 1990, revised Sept. 4, 1990, recorded in Book 644, Page 57, at Worcester District Registry of Deeds, joins in, agrees and assents to the within instrument of release with borrower and all provisions herein, and terminates and releases to Three M Nursery, Inc. and the Commonwealth of Massachusetts, all rights it may have in the claimed septic easement benefitting Lot 4 and described above as the Dominant Estate Easement. Executed as a sealed instrument on the date set forth below.

1. Mortgage dated March 26, 1996, recorded Book 17770, Page 384, Worcester District Registry of Deeds

2. Mortgage dated July 11, 2003, recorded Book 30771, Page 191, Worcester District Registry of Deeds

Executed as a sealed instrument, this 6th day of August, 2010.

North Brookfield Savings Bank

By: Donna L. Boulanger

Title: President & CEO

Donna L. Boulanger

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss. August 6, 2010

On this 6th day of August, 2010, before me, the undersigned notary public, personally appeared the above-named, Donna L. Boulanger, who provided to me satisfactory evidence of identification, namely my personal knowledge as the person whose name is signed on the preceding or attached document of release, and acknowledged to me that he/she signed it voluntarily as his/her free act and deed and the free act and deed of the North Brookfield Savings Bank, for its stated purpose(s).

Notary Public, Padgett D. Berthiaume

My Commission Expires: 7-29-16

PADGETT D. BERTHIAUME
NOTARY PUBLIC
MY COMMISSION EXPIRES
JULY 29, 2016

ATTEST: WORC. Anthony J. Vigliotti, Register

LandVest

CHRISTIE'S
INTERNATIONAL REAL ESTATE