

(4)



2012 00799863
 Cert#: C886 Bk: OC886 Pg:
 Doc: EASE 02/07/2012 10:50 AM SF

EASEMENT FOR SHARED DRIVEWAY AND FOR INGRESS AND EGRESS

Franz Eberth, in his capacity as sole Trustee of 39 Chappie Street Condominium Trust u/d/t dated January 3, 2012 and filed with the Land Registration Office at Suffolk County Registry of Deeds herewith, having a mailing address of 115 Newbury Street, Boston, MA 02116, (the "Grantor"), is the owner of the common areas and facilities of the 39 Chappie Street Condominium established by Master Deed for 39 Chappie Street Condominium dated January 3, 2012 and filed with the Land Registration Office at Suffolk County Registry of Deeds herewith and shown on plan entitled "Site Plan for 39 Chappie Street Condominium at 39 Chappie Street in Boston, Mass." prepared by Neponset Valley Survey Assoc., Inc., 95 White Street, Quincy, MA 02269, Tel. 617-472-4867, Scale: 1"=10', Date: December 27, 2011, which is filed with the Land Registration Office at Suffolk County Registry of Deeds herewith (hereinafter called the "Condominium") which common areas and facilities are located at 39 Chappie Street, Charlestown, Suffolk County, Massachusetts, shown as Lot 1 on a plan drawn by L.G. Brackett & Co., Civil Engineers, dated March 10, 1956, as modified and approved by the Court, filed in the Land Registration Office, a copy of which is filed with the original Certificate of Title No. 63320 as Plan No. 27256A. 39 Chappie St Development LLC, a Massachusetts limited liability company with an address of 115 Newbury Street, Boston, Massachusetts 02116, (the "Grantee") is the owner of 41-43 Chappie Street (f/k/a 39 Chappie Street), Charlestown, Suffolk County, Massachusetts, shown as Lot 2 on a plan drawn by L.G. Brackett & Co., Civil Engineers, dated March 10, 1956, as modified and approved by the Court, filed in the Land Registration Office, a copy of which is filed with the original Certificate of Title No. 63320 as Plan No. 27256A by virtue of a fiduciary deed filed as Document No. 788454 as noted on Certificate of Title No. 128098 in Book 636, Page 96.

The Grantor, for good and valuable consideration of one (\$1.00) dollar, the receipt of which is acknowledged, grants to the Grantee, and its successors and assigns, the perpetual, non-exclusive right and easement, in common with Grantor and its successors and assigns, to pass and re-pass by vehicular and pedestrian traffic within and on a specific portion of the common areas and facilities located at 39 Chappie Street, Charlestown, MA in order to access 41-43 Chappie Street, Charlestown, MA, as shown on the attached plan (hereinafter referred to as the "Access Easement"). The specific dimensions and exact location of the Access Easement is shown on plan entitled "Site Plan for 39 Chappie Street Condominium at 39 Chappie Street in Boston, Mass." prepared by Neponset Valley Survey Assoc., Inc., 95 White Street, Quincy, MA 02269, Tel. 617-472-4867, Scale: 1"=10', Date: December 27, 2011, which is filed with the Land Registration Office at Suffolk County Registry of Deeds herewith and a copy of which is attached hereto as Exhibit A.

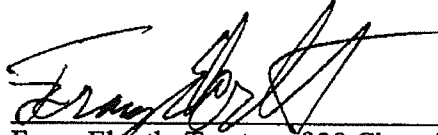
Neither the Grantor nor the Grantee shall be entitled to park any vehicles on the Access Easement. All maintenance and repairs to the Access Easement, including but not limited to

cleaning, snow and ice removal, re-striping, re-paving, and repairs, shall be performed by, and the expense shared equally between Grantor and Grantee. All risk of loss in connection with use, maintenance and repair of the Access Easement area shall be borne equally between Grantor and Grantee. The Grantor shall not be allowed to erect any structures on the Access Easement.

The Grantor has obtained the consent of Georgetown Savings Bank, the holder of a Mortgage and Security Agreement encumbering the property known and numbered as 39 Chappie Street, Charlestown, Massachusetts which Mortgage and Security Agreement is filed with the Land Registration Office of the Suffolk County Registry of Deeds as Document No. 788456 as noted on Certificate of Title No. 128096 in Book 636, Page 96. The Consent of Georgetown Savings Bank is attached hereto as Exhibit B and incorporated herein by reference. Grantee has complied with the requirements of Massachusetts General Laws Chapter 183A §5(b)(2)(i). The grant of this easement is not inconsistent with the peaceful and lawful use and enjoyment of the common condominium property by the owners thereof.

The land area on which the aforesaid rights and easement are granted is expressly further subject to all of the restrictions, limitations and easements of record and plan conditions, if any, in the Grantor's chain of title.

EXECUTED as an instrument under seal at Wayland, Middlesex County, Massachusetts, this 3rd day of January, 2012.


 Franz Eberth, Trustee of 39 Chappie
 Street Condominium Trust


COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this 3rd day of January 2012, before me, the undersigned notary public, personally appeared Franz Eberth, in his capacity as Trustee of 39 Chappie Street Condominium Trust proved to me through satisfactory evidence of identification, which was MA Drivers License, to be the person whose name is signed on the preceding document, and acknowledged to me that he signed it voluntarily for its stated purpose.



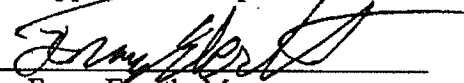
SUSAN M. COLLINS
 Notary Public
 Commonwealth of Massachusetts
 My Commission Expires
 June 22, 2012


 Susan M. Collins, Notary Public

My Commission Expires: 6/22/2012

Accepted By:

39 Chappie St Development LLC


By: Franz Eberth, Manager


COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this 3rd day of January 2012, before me, the undersigned notary public, personally appeared Franz Eberth, in his capacity as Manager of 39 Chappie St Development LLC, proved to me through satisfactory evidence of identification, which was MA Drivers License, to be the person whose name is signed on the preceding document, and acknowledged to me that he signed it voluntarily for its stated purpose.

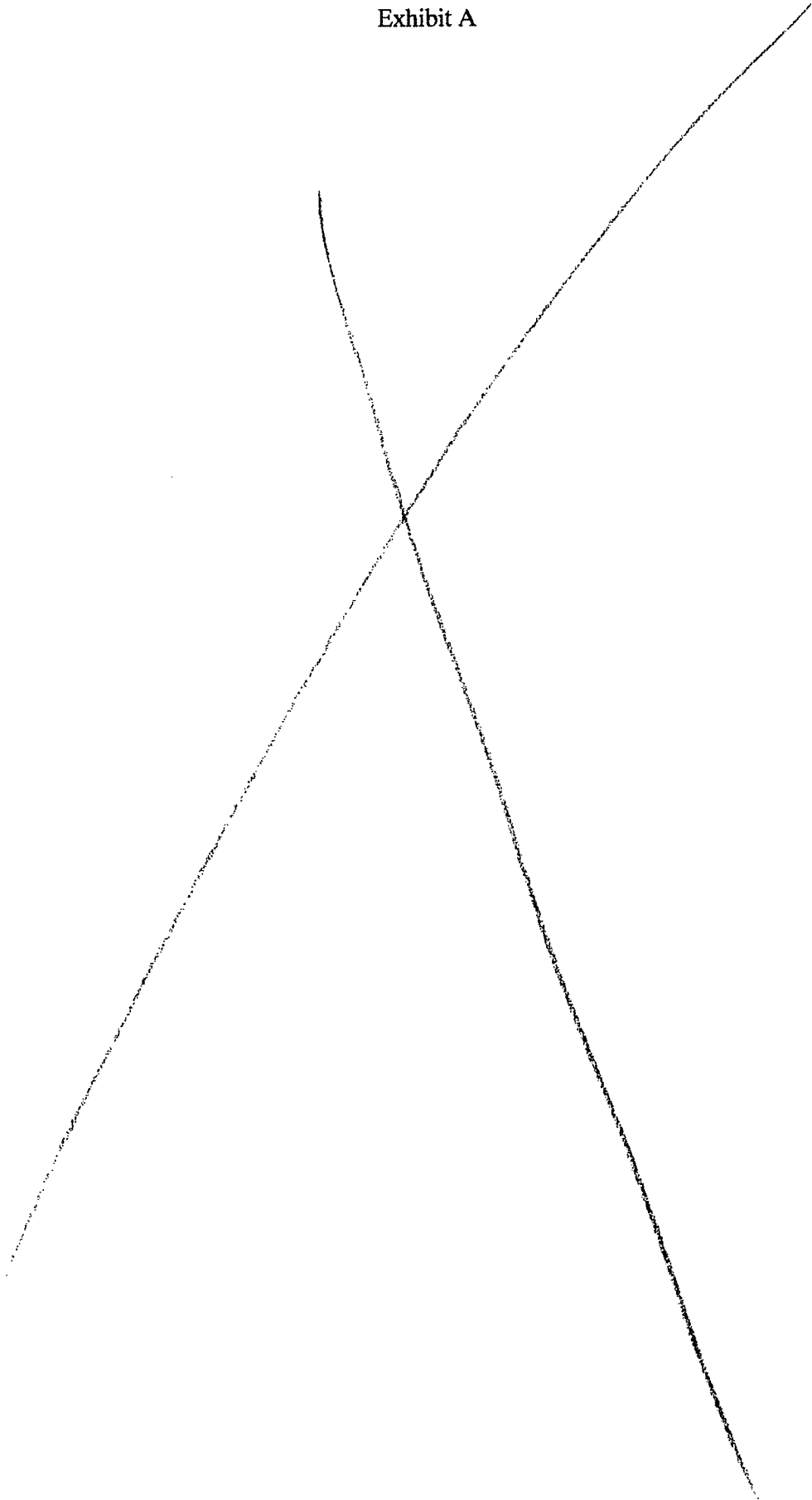


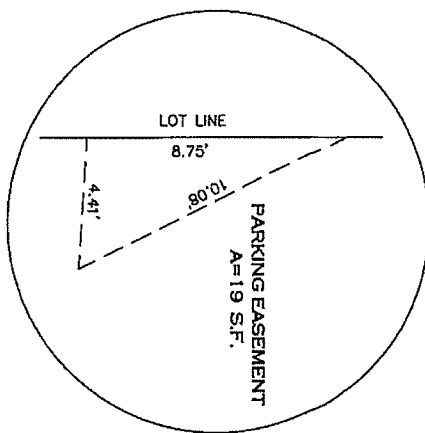
SUSAN M. COLLINS
Notary Public
Commonwealth of Massachusetts
My Commission Expires
June 22, 2012


Susan M. Collins, Notary Public

My Commission Expires: 6/22/2012

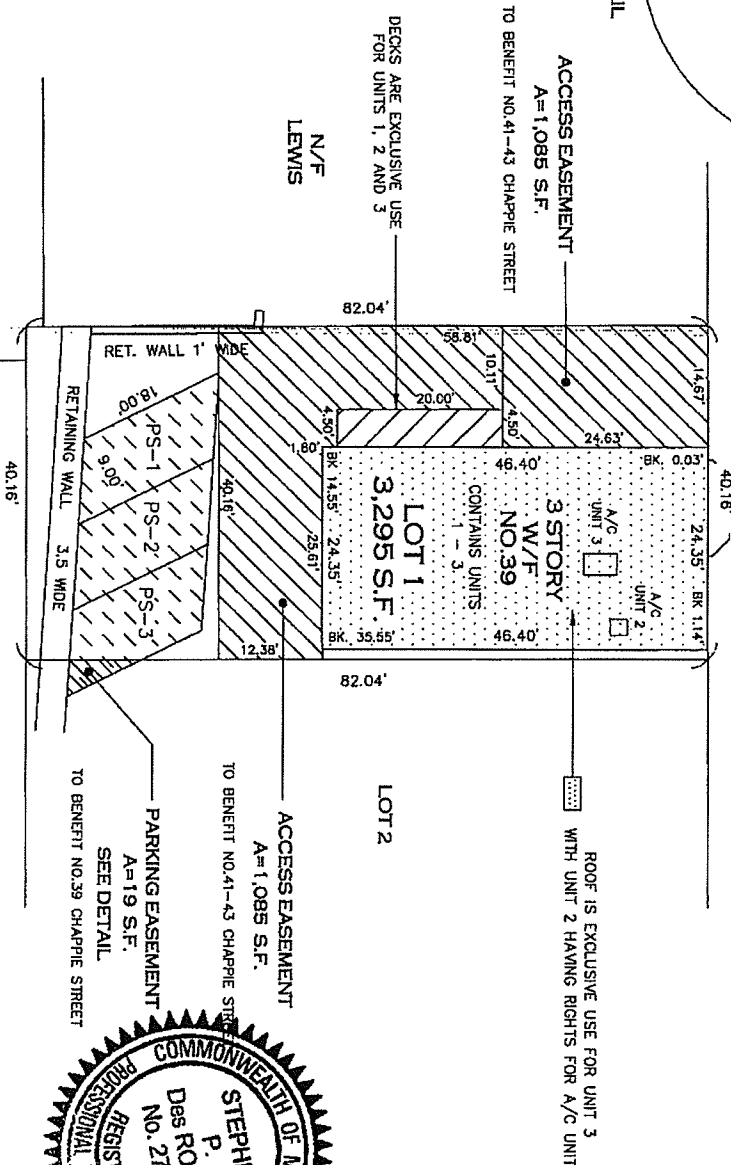
Exhibit A





EASEMENT DETAIL
NOT TO SCALE

CHAPPIE STREET



I HEREBY CERTIFY:
● THAT THIS PLAN WAS PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTRY OF DEEDS
● THAT THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING EXISTING OWNERSHIP AND THE LINES OF THE STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP OR NEW WAYS ARE SHOWN
● THAT THE STRUCTURE IS LOCATED ON THE GROUND AS SHOWN AND CONFORMED TO THE SETBACK REQUIREMENTS OF THE ZONING ORDINANCE OF THE CITY OF BOSTON WHEN CONSTRUCTED. THE STRUCTURE IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE FLOOD PLAIN MAPS FOR BOSTON (COMMUNITY NO. 250286) DATED: JULY 2, 1992
● I CERTIFY THAT THIS PLAN FULLY & ACCURATELY DEPICTS THE LOCATION AND DIMENSIONS OF THE BUILDING AS-BUILT, AND FURTHER FULLY AND ACCURATELY DEPICTS THE LOTS AND PROVIDES THE LOCATION OF ALL AREAS AND EXCLUSIVE AREAS OF SPACES AND FACILITIES OF THE CONDOMINIUM OUTSIDE OF ANY BUILDING.

STEPHEN P. DES ROCHE
No. 27699
REGISTERED PROFESSIONAL LAND SURVEYOR

P. DES ROCHE
P.L.S. NO. 27699

0 5 10 20 30

EXCLUSIVE USE AREA FOR UNITS 1,2 AND 3
EXCLUSIVE USE FOR UNIT 3

LEGEND

N/F
JOYCE

N/F
EVERS

SITE PLAN
FOR
39 CHAPPIE STREET CONDOMINIUM
AT
39 CHAPPIE STREET
IN
BOSTON, MASS.

NEPONSET VALLEY SURVEY ASSOC., INC.

95 WHITE STREET
QUINCY, MA 02269
TEL. 617-472-4867

SCALE: DATE: 1"=10' DECEMBER 27, 2011

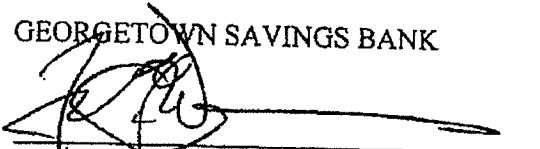
NOTE:
PROPERTY SHOWN AS LOT 1 ON LAND COURT PLAN
NO. 27256A.

CONSENT TO EASEMENT FOR SHARED DRIVEWAY AND FOR INGRESS AND
EGRESS

Georgetown Savings Bank (the "Bank"), the holder of a Mortgage and Security Agreement from 39 Chappie St Development LLC, dated February 28, 2011 and filed with the Land Registration Office for the Suffolk County Registry of Deeds as Document No. 788456 and Noted on Certificate of Title No. 128096 in Book 636, Page 96, hereby consents to the Easement for Shared Driveway and for Ingress and Egress from 39 Chappie Street Condominium Trust to 39 Chappie St Development LLC dated January 3, 2012 and filed herewith.

IN WITNESS WHEREOF, the said Georgetown Savings Bank has caused its corporate seal to be hereto affixed, and in these presents to be signed in its name and behalf by Frederick H. Weismann, its Vice President/Senior Commercial Loan Officer this 3rd day of January, 2012.


GEORGETOWN SAVINGS BANK


By: Frederick H. Weismann, Vice President/
Senior Commercial Loan Officer

COMMONWEALTH OF MASSACHUSETTS

Essex, ss

On this 3rd day of January, 2012, before me, the undersigned notary public, personally appeared, Frederick H. Weismann, Vice President/Senior Commercial Loan Officer for Georgetown Savings Bank, proved to me through satisfactory evidence of identification, which was a Massachusetts driver's license to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.


Notary Public Joan A. Healey
My Commission Expires



JOAN A. HEALEY
NOTARY PUBLIC
COMMONWEALTH OF MASSACHUSETTS
MY COMMISSION EXPIRES
NOVEMBER 10, 2017

799863

DOC No: 00799863

SUFFOLK LAND COURT
REGISTRY DISTRICT

** RECEIVED FOR REGISTRATION **

On: Feb 07, 2012 at 10:50A

Document Fee: 125.00 Rec Total: \$1,450.00

CERTIFICATE No: C 666 BK 06666 PG 0

ALSO NOTED ON:

DOC No: 00799863

SUFFOLK LAND COURT
REGISTRY DISTRICT

** RECEIVED FOR REGISTRATION **

On: Feb 07, 2012 at 10:50A

Document Fee: 125.00 Rec Total: \$1,450.00

CERTIFICATE No: 128096 BK 00636 PG 96

ALSO NOTED ON:

D15
2/7/12

Attested hereto
Francis M. Roache
Francis M. Roache
Asst. Recorder of Land Court

799863