

INDENTURE

WHEREAS the inhabitants of the Town of Andover have an easement for a trunk sewer line across property on North Main Street owned by Merrimack Mutual Fire Insurance Company, Cambridge Mutual Fire Insurance Company and Bay State Insurance Company (hereinafter called the Andover Companies) and

WHEREAS, the Andover Companies desire to use a portion of its land for parking for its visitors and employees' automobiles,

NOW, THEREFORE, in consideration of One Dollar and other valuable considerations, the receipt of which is hereby acknowledged by both parties hereto, and in consideration of their mutual covenants each with the other, both parties agree as follows:

The inhabitants of the Town of Andover hereby agree that the Andover Companies may hottop the area through which its sewer easement passes and do all other things deemed necessary by the Andover Companies to adapt the premises to the aforesaid parking for its visitors and employees' automobiles.

The Andover Companies covenant and agree for itself, its successors and assigns, which said covenant shall run with the land, as follows:

The land owned by it on the Easterly side of North Main Street in said Andover and being Lots 95, 96, and 97 on the Zoning Assessors' Map #36 and being bounded and described as follows:

- WESTERLY - 184 feet, more or less, by the centerline of North Main Street;
- NORTHERLY - 165 feet, more or less, by the present business zone;
- EASTERLY - 191 feet, more or less, by the centerline of the Shawsheen River; and
- SOUTHERLY - 175 feet, more or less, by Lot 98 as shown on said Assessors' maps;

a) shall not be used for any purpose not allowed in a Single Residence District except for visitor and employee automobile parking related to insurance business conducted by the owners on land adjacent to the subject land and northerly thereof.

b) the parking area will be constructed and landscaped as shown on "Proposed Site Development Plan for Merrimack Mutual Fire Insurance Co." dated September 22, 1973, and signed by Edward C. Nichols, President, which plan is filed with this indenture.

See Pl.
#7405

BALTON, BALTON,
ARCIAN & INGARRY
12 EDGE STREET
FOUR OFFICE SUITE 1010
ANDOVER, MASSACHUSETTS
01810
ANDOVER (617) 479-0300
DORSET (617) 544-0000

c) all outside lighting will be shielded so as not to be directed toward Main Street or toward the property of neighboring residences.

d) the southernmost curb cut shown on the site plan shall be used for entrance only and the northernmost curb cut shall be used for exit only.

e) plantings shown on the site plan shall be of mature stock.

f) traffic control on North Main Street will be provided at closing time on all business days.

IN WITNESS WHEREOF the inhabitants of the Town of Andover have caused these presents to be signed in its name and behalf by Board of Selectmen hereunto duly authorized this 10th day of May, 1976

Edward L. Nichols
Robert J. Sullivan
Robert J. Sullivan
Selectmen

IN WITNESS WHEREOF the Andover Companies have caused these presents to be signed, sealed and acknowledged by its proper officers hereunto duly authorized this 2nd day of October, 1975.

MERRIMACK MUTUAL FIRE INSURANCE COMPANY

By: Edward L. Nichols, Pres.

By: Robert J. Sullivan, Vice Pres.

CAMBRIDGE MUTUAL FIRE INSURANCE COMPANY

By: Edward L. Nichols, Pres.

By: Robert J. Sullivan, Vice Pres.

BAY STATE INSURANCE COMPANY

By: Edward L. Nichols, Pres.

By: Robert J. Sullivan, Vice Pres.

BALTON, BALTON,
ASOLAN & MCGARRY
12 BRIDGE STREET
POST OFFICE BOX 1918
ANDOVER, MASSACHUSETTS
01818
ANDOVER 661-0700
DARTON 661-0400

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

Date: October 8, 1975

Then personally appeared the above-named, Edward G. Hubbs and acknowledged the foregoing instrument to be the free act and deed of Merrimack Mutual Fire Insurance Company, Cambridge Mutual Fire Insurance Company and Bay State Insurance Company,

before me,

[Signature]
Richard G. Asolan, Notary Public
My Commission Expires: March 10, 1978.

The above additional restrictions are approved by the Andover Planning Board.

TOWN OF ANDOVER PLANNING BOARD

By: Margaret R. Koch
CHAIRMAN

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

Date: October 6, 1975

Then personally appeared Margaret R. Koch and acknowledged the foregoing instrument to be the free act and deed of the Andover Planning Board,

before me,

[Signature]
Notary Public
My Commission Expires: April 2, 1976

Recorded May 17, 1976 at 11:56AM #3631