

**COVENANT**  
**Town of Dennis Board of Appeals**  
**Dennis, Massachusetts**

The undersigned Habitat for Humanity of Cape Cod, Inc. ("Habitat"), a Massachusetts non-profit corporation with its offices at 411 Main Street, Suite 6, Yarmouth Port, Barnstable County, Massachusetts, hereinafter called the "Covenantor", having submitted to the Board of Appeals of the Town of Dennis ("Board"), a plan entitled, "Definitive Subdivision Plan of Land of 401 Setucket Road, Dennis, MA for Habitat for Humanity of Cape Cod, Inc.", dated May 12, 2022 and revised November 17, 2022 and April 19, 2023, by J.M. O'Reilly & Associates, Inc., which said plan is recorded with the Barnstable Registry of Deeds in Plan Book 699 Page 89 ("Subdivision Plan"), does hereby covenant and agree with said Board and the successors in office of said Board pursuant to M.G.L. Chapter 40B, Sections 20-23 as amended, that:

- (1) The Covenantor is the owner of record of the premises.
- (2) This Covenant shall run with the land and be binding upon the Covenantor and the executor, administrators, heirs and assigns of the Covenantor and its successors in title to the premises shown on said Plan.
- (3) The construction of ways and the installation of municipal services shall be provided to serve any lot in accordance with the rules and regulations of said Board as modified and amended by the Agreement made by the Covenantor dated April 24, 2023 before such lot may be built upon or conveyed, other than by mortgage deed provided that a mortgagee who acquires title to the mortgaged premises by foreclosure or otherwise and succeeding owner of the mortgaged premises or part thereof may see any such lot, subject to that portion of this Covenant which provides that no lot 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 by a single deed subject to this covenant, of either the entire parcel of land shown on said subdivision plan or of all lots not previously released by the Planning Board.
- (5) This Covenant shall take effect upon the approval of said Plan by the Board.
- (6) Reference to this Covenant shall be entered upon said Plan and this Covenant shall be recorded when said Plan is recorded.

Property Address: 401 Setucket Road, Dennis

Witness our hands and seals this 24 day of April 2023.

Habitat for Humanity of Cape Cod, Inc.

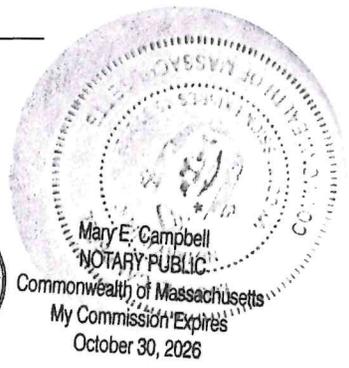
Wendy J. Cullinan  
Wendy J. Cullinan  
It's President

COMMONWEALTH OF MASSACHUSETTS

Barnstable County

On this 24 day of April 2023, before me, the undersigned notary public, personally appeared Wendy J. Cullinan, President of Habitat for Humanity of Cape Cod, Inc., proved to me through satisfactory evidence of identification, which was personally known to me, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that it is the free act and deed of said corporation, for its stated purpose.

Mary E. Campbell  
Notary Public  
My commission expires: 10-30-26



## COVENANT AGREEMENT

Board of Appeals  
Dennis, Massachusetts

Date: April 24, 2023

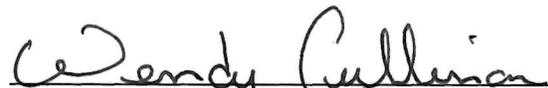
Gentlemen:

The undersigned applicant hereby Covenants and agrees with the Town of Dennis:

- (A) That said applicant will not apply for a building permit for any lot or lots shown on applicant's plan bearing Dennis Planning Board No. \_\_\_\_ as finally approved by the Board to the Dennis Building Inspector until a road is built according to the provisions of the Rules & Regulations in effect as of October 13, 1981, so as to provide access to the same from any town way, other public way, or ways previously approved by the Planning Board.
- (B) That said applicant will complete the said ways so as to comply with the provisions of the Rules & Regulations within 24 months of the final approval of said plan by the Board.
- (C) That said applicant agrees to install underground utilities.
- (D) That said applicant agrees to file this document in the Barnstable Registry and a certified copy of such filing shall be returned to the Dennis Planning Board. No activity shall take place relative to this subdivision until such certification has been filed with the Board.
- (E) That said applicant further agrees: that the Way as shown on the Subdivision Plan entitled, "Definitive Subdivision Plan of Land of 401 Setucket Road, Dennis, MA for Habitat for Humanity of Cape Cod, Inc.", dated May 12, 2022 and revised November 17, 2022 and April 19, 2023, by J.M. O'Reilly & Associates, Inc. ("Plan") and shown as Jack Delaney Lane, which said Plan is recorded with the Barnstable Registry of Deeds in Plan Book 699 Page 89 shall remain private due to the waivers granted by the Board from said Rules and Regulations.

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

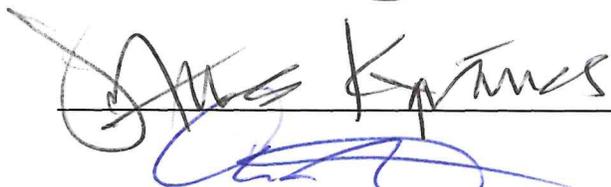
Habitat for Humanity of Cape Cod, Inc.

  
\_\_\_\_\_  
Wendy Cullinan, its President

  
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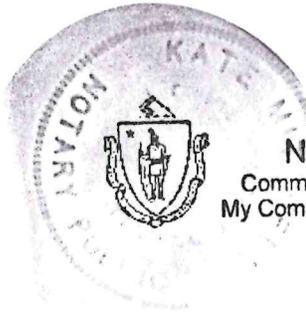
  
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Acceptance by a Majority of the  
Town of Dennis Board of Appeals

COMMONWEALTH OF MASSACHUSETTS

Barnstable County

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Kate Mitchell  
NOTARY PUBLIC  
Commonwealth of Massachusetts  
My Commission Expires Jan 19, 2029

Kate Mitchell  
Notary Public Kate Mitchell  
My commission expires: Jan 19, 2029

BARNSTABLE REGISTRY OF DEEDS  
John F. Meade, Register