

AMENDMENT TO STORMWATER DRAINAGE EASEMENT

Reference is hereby made to a certain Stormwater Drainage Easement dated September 9, 2020, and recorded with the Middlesex South Registry of Deeds (the “Registry”) in Book 75586, Page 71 (the “Easement”), which Easement was entered into by and between The Residences at Innerbelt, LLP, a Massachusetts limited liability partnership having an address c/o Criterion Development Partners, 70 Wells Avenue, Suite 201, Newton, MA 02459 (“Grantor”) and the City of Somerville, a body corporate and politic and a political subdivision of the Commonwealth of Massachusetts with a usual address of 93 Highland Avenue, Somerville, MA 02143 (“Grantee”). The Grantor and Grantee may be hereinafter collectively referred to as the “Parties.”

WHEREAS, pursuant to the Easement, the Grantor granted to Grantee an easement to install and use certain Stormwater Drainage Improvements in the Drainage Improvements Easement Area as described in the Easement;

WHEREAS, it was the Parties intent in executing the Easement that it would supersede and supplant the easement as contained in the document recorded with the Registry in Book 9640, Page 294, and shown on Plan 433 of 1971;

WHEREAS, pursuant to paragraph 7 of the Easement, the Grantor reserves the right to relocate the location of the Easement; and

WHEREAS, as part of the development of the Grantor’s Property as described in the Easement, the Grantor has relocated the Stormwater Drainage Improvements

NOW, THEREFORE, in consideration of the mutual covenants, agreements and conditions set forth herein, and other good and valuable consideration, the receipt and sufficiency of which hereby are acknowledged, the Parties hereto hereby agree to amend the Easement as follows:

1. The location and description of the Drainage Improvements Easement Area as described in the Easement Plan are hereby deleted and replaced with the description contained in **Exhibit A** attached hereto along with the location as shown on the easement plan recorded herewith dated April 26, 2024, a reduced copy of which is attached as **Exhibit B**. The Grantee agrees and acknowledges that there are structural walls related to the building(s) located on Grantor’s land which walls are located within the Drainage Improvements Easement Area.

2. This Amendment may be executed in any number of counterparts, which together shall constitute one instrument.

3. Except as expressly modified and amended above, all other terms and conditions of the Easement shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned have executed this Agreement under seal as of the day first above written.

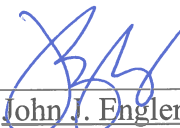
GRANTOR:

The Residences at Innerbelt, LLP,
a Massachusetts limited liability Partnership

By: Criterion Inner Belt, LLC, Administrative Partner

By: Criterion Property Company, L.P., its member

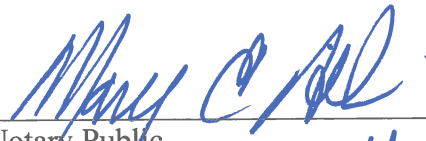
By: Criterion Partners, LLC, its general partner

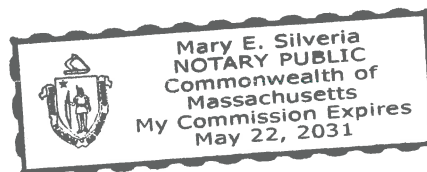
By: 
Name: John J. Englert
Title: Manager

COMMONWEALTH/STATE OF MASSACHUSETTS

Middlesex, ss.

On this 12TH day of August, 2024, before me, the undersigned notary public, personally appeared **John J. Englert**, proved to me through satisfactory evidence of identification, being (check whichever applies): driver's license or other state or federal governmental document bearing a photographic image, oath or affirmation of a credible witness known to me who knows the above signatory, or my own personal knowledge of the identity of the signatories, to be the person whose name is signed above, and acknowledged to me that he signed it voluntary for its stated purpose as the authorized signatory for The Residences at Innerbelt, LLP.


Notary Public
My Commission Expires: May 22, 2031



GRANTEE:

City of Somerville

By: _____

Name: _____

Title: _____

STATE/COMMONWEALTH OF _____

_____ County, ss.

On this ___ day of _____, 2024, before me, the undersigned notary public, personally appeared _____ proved to me through satisfactory evidence of identification, being (check whichever applies): driver's license or other state or federal governmental document bearing a photographic image, oath or affirmation of a credible witness known to me who knows the above signatory, or my own personal knowledge of the identity of the signatories, to be the person whose name is signed above, and acknowledged to me that he signed it voluntary for its stated purpose as _____ of the City of Somerville.

Notary Public
My Commission Expires: _____

Exhibit A

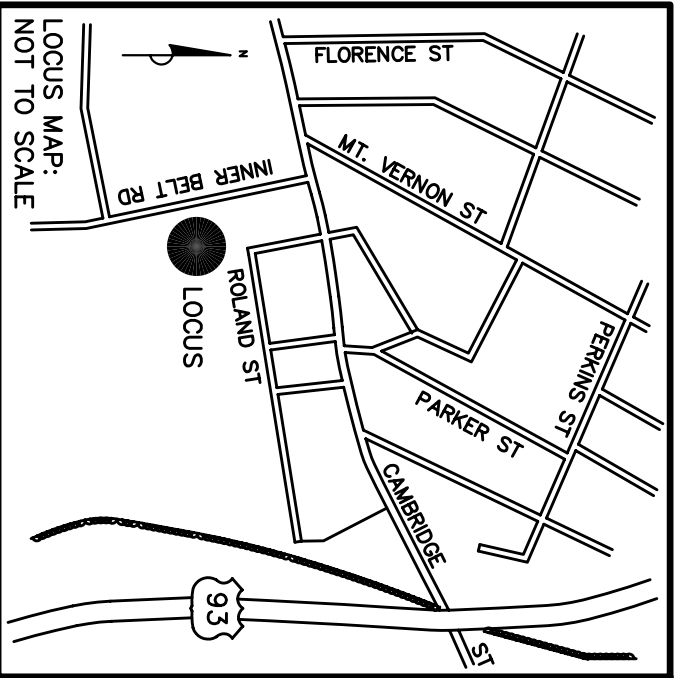
A certain easement located in the Commonwealth of Massachusetts, County of Middlesex, City of Somerville, situated on the easterly sideline of Innerbelt Road, and is shown as *Drainage Easement* on "Easement Plan in Somerville/Boston, MA", dated April 26, 2024, by Precision Land Surveying, Inc., more particularly bounded and described as follows:

Beginning at a point on the easterly sideline of Innerbelt Road, said point being N11°55'33"W 23.37' from the most southwesterly corner of the Lot 3 as shown on Plan No. 626 of 2020 filed with the Middlesex County Registry of Deeds; thence running

N 11°55'33" W	20.00'	by the easterly sideline of Innerbelt Road to a point; thence turning and running
N 78°04'27" E	152.76'	to a point; thence turning and running
N 11°55'19" W	71.15'	to a point; thence turning and running
S 78°04'41" W	11.85'	to a point; thence turning and running
N 11°55'19" W	10.00'	to a point; thence turning and running
N 78°04'41" E	31.85'	to a point; thence turning and running
S 11°55'19" E	93.35'	to a point; thence turning and running
S 08°56'38" E	27.89'	to a point; thence turning and running
S 78°58'08" E	35.82'	to a point; thence turning and running
S 79°10'30" W	53.69'	to a point; thence turning and running
N 08°56'38" W	33.05'	to a point; thence turning and running
S 78°04'27" W	152.32'	to the POINT OF BEGINNING.

Containing 6,084 square feet, more or less.

**Exhibit B
(Easement Plan)**



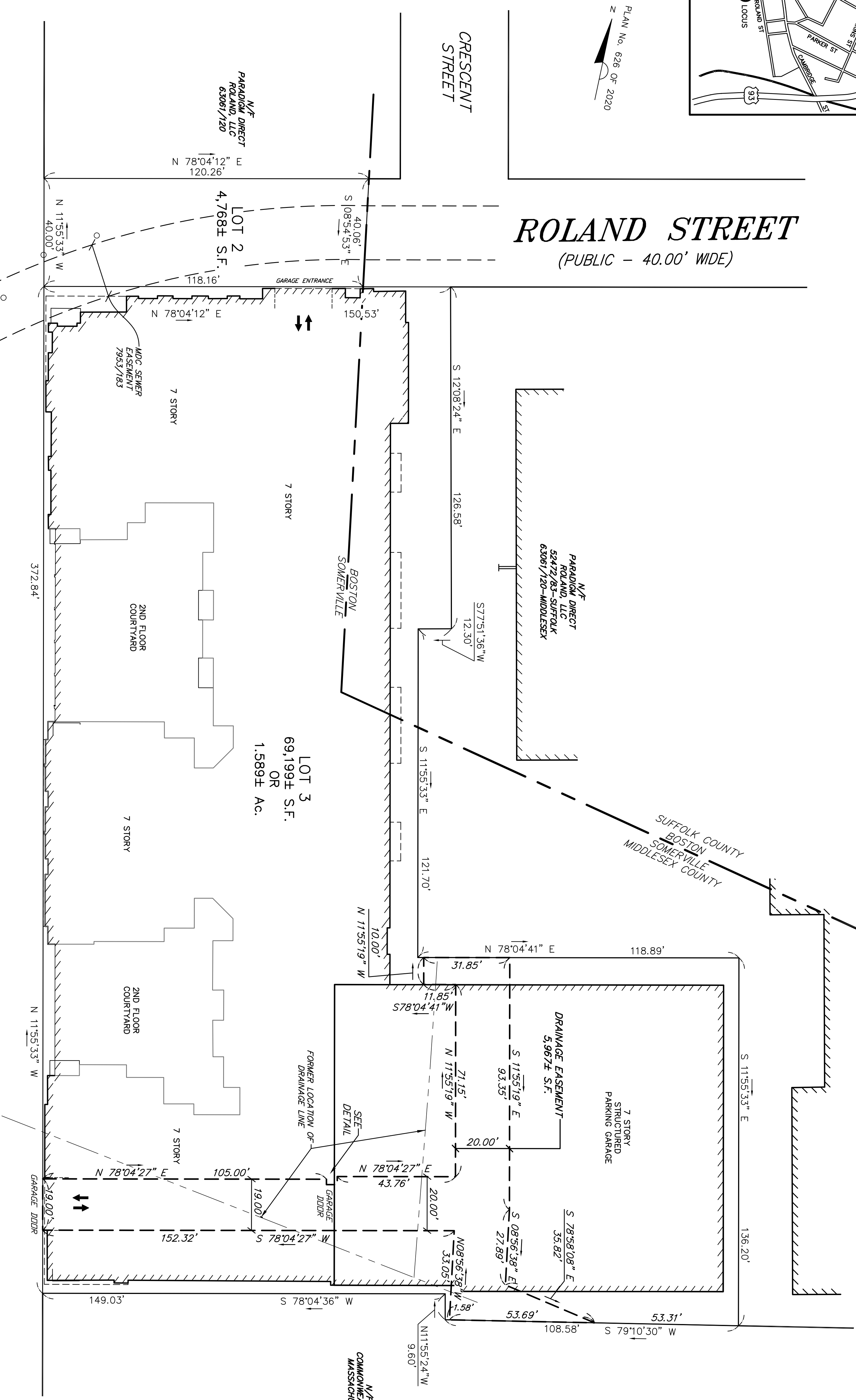
PLAN No. 626 OF 2020

ROLAND STREET

(PUBLIC - 40.00' WIDE)

INNERBELT ROAD

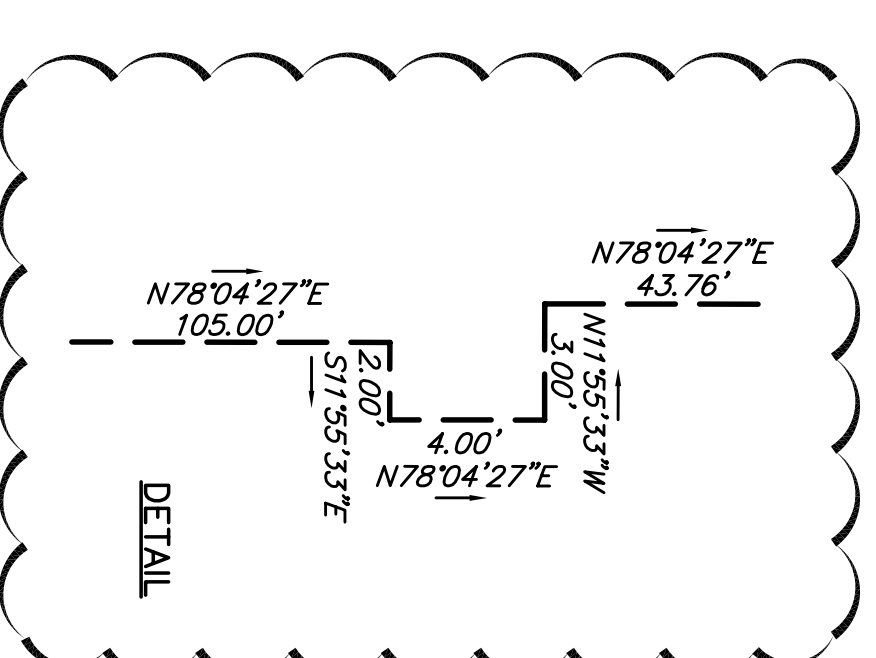
(PUBLIC - 80.00' WIDE) (S.H.L.O. 6111)



NOTES
 1) BOUNDARY LINES SHOWN HEREON WERE OBTAINED FROM PARADIGM DIRECT RECORDS AND HAVE BEEN RECORDED WITH THE SUFFOLK COUNTY REGISTRY OF DEEDS THE SAME PLAN BEING RECORDED WITH THE SUFFOLK COUNTY REGISTRY OF DEEDS AS PLAN No. 335 OF 2020.

I HEREBY CERTIFY THAT:
 1) THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTERED PROFESSION OF THE COMMONWEALTH OF MASSACHUSETTS.
 2) THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES OF EXISTING OWNERSHIPS, AND THE LINES OF 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 FOR NEW WAYS ARE SHOWN.

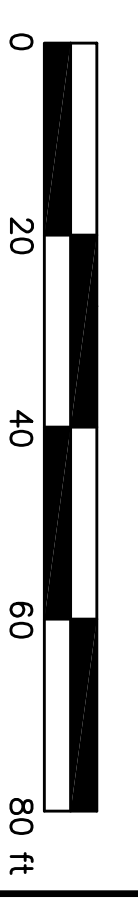
MICHAEL PUSTITZLI, PLS No. 46505 DATE



OWNER:
 RESIDENCES AT INNERBELT, LLP
 DEED BOOK 75286 PAGE 59 - MIDDLESEX
 DEED BOOK 63736 PAGE 184 - SUFFOLK

ARRIS
SOMERVILLE
#10-20 INNERBELT ROAD, SOMERVILLE, MA
EASEMENT PLAN
IN
SOMERVILLE/BOSTON, MA
(MIDDLESEX/SUFFOLK COUNTY)

SCALE: 1" = 20' DATE: FEBRUARY 15, 2024



PLS
 Precision Land Surveying, Inc.
 32 Turnpike Road
 Southborough, Massachusetts 01772
 TELE NO.: (508) 460-1789 FAX NO.: (508) 970-0096
 473211EP1.DWG