

SEP 23 1965

103632

COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH CO. DEEDS

Book 3240 Page 281

WALLACE R. MARDEN, TRUSTEE

TO

HINGHAM WATER COMPANY

WATER EASEMENT AND
RIGHT - OF - WAY &
SUBORDINATION

PLYMOUTH REGISTRY DISTRICT

SEP 23 1965

RECEIVED FOR REGISTRATION

12 O'CLOCK 35 P.M.

NOTED ON CERTIFICATE NO. 33463 & 35491
IN REGISTRATION BOOK 167 PAGES 63
182 - 191

LAW OFFICES

KLEIN AND KLEIN

FIFTY-THREE STATE STREET
BOSTON, MASSACHUSETTS 02109
227-1245

(B2)

WATER EASEMENT
AND RIGHT-OF-WAY

I, WALLACE R. MARDEN, TRUSTEE OF UNITED REALTY TRUST, under a declaration of trust dated June 30, 1955, and recorded with Plymouth Registry of Deeds in Book 2826, Page 279, as amended or changed of record, of Hingham, Plymouth County, Commonwealth of Massachusetts, by the power conferred by said declaration and every other power, me hereto enabling for consideration paid grant to the HINGHAM WATER COMPANY, a corporation duly organized under Massachusetts law and having an usual place of business in the Town of Hingham, Plymouth County, Commonwealth of Massachusetts; an easement, forty (40') feet wide and a free, uninterrupted and unobstructed right of way in, under, across and over and all within the side lines of all roads, streets, ways and/or avenues (however same may be designated) which now exist or may hereafter be developed and which have been or may hereafter be approved by the Planning Board of the Town of Hingham, as now laid or later extended within the perimeter of the real property owned by said WALLACE R. MARDEN, TRUSTEE OF UNITED REALTY TRUST, his successors and assigns, within the areas described within Land Court Certificate of Title #33463, Land Court Registration Proceeding #28722, Land Court Confirmation Proceeding #33497 and the 13.2 acres acquired from Malcolm B. Burrell and Ruth H. Burrell, by deed dated September 25, 1964, recorded with said Plymouth Deeds in Book 3149, Page 303 for the purpose of locating, re-locating, laying, constructing, reconstructing, extending, repairing, replacing, operating, inspecting, relaying and adding to, from time to time, underground pipe or pipes, with necessary fittings, appurtenances, attached facilities and other usual fixtures for the transmission and/or distribution of water under, upon, along, across and over said roads, streets, ways and/or avenues, together with the perpetual right and easement to the continued use and enjoyment of said right-of-way, for all of its purposes in its established location, and the right to pass over the grantor's premises for any and all of the said purposes.

Subject further to the condition that upon any opening being made in connection with any of the purposes of this easement and right of way, said opening shall be backfilled and resurfaced to nearly as possible the same condition as when said opening was originally made, and the grantee by accepting this instrument covenants and agrees for itself and its successors and assigns that same will be done and that it will restore said premises to as good condition as they were in immediately prior to said work.

WITNESS my hand and seal, this 14 day of June, 1965.

Wallace R. Marden
Trustee as aforesaid

COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, SS.

June 14, 1965

When personally appeared the above-named Wallace R. Marden, Trustee, and acknowledged the foregoing instrument to be his free act and deed, before me

Claudia P. Young
Notary Public

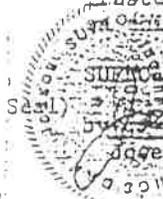
SUBORDINATION TO WATER
EASEMENT AND RIGHT-OF-WAY

In consideration of one (\$1.00) dollar paid to each and other valuable consideration paid to

- A. Suffolk Franklin Savings Bank, a corporation duly organized under Massachusetts law and having an usual place of business in Boston, Suffolk County, the holder of three prior mortgages over portions of the above-described premises recorded with Plymouth Registry of Deeds in Book 3004, Page 368 and also duly noted on Certificate of Title #33463; (Lot #1, Industrial Park Road) recorded with said Deeds in Book 3156, Page 266; and (Lots #5 and #7, Industrial Park Road) recorded with said Deeds in Book 3211, Page 455;
- B. Marjorie L. Marden, of Hingham, Plymouth County, the holder of a prior mortgage over a portion of the above-described premises, by mortgage dated March 20, 1964 and duly recorded with said Deeds in Book 3113, Page 148 and also duly noted on said Certificate of Title #33463;
- C. Jay L. Marden, Trustee of Cooperative Realty Trust, under a declaration of trust dated May 2, 1964, and duly recorded with said Deeds in Book 3110, Page 312, as amended or changed of record of Boston, Suffolk County, the grantee of and present owner of Lot #1, as shown on plan duly recorded with said Deeds as Plan #843 of 1964 and Lots #5 and #7, as shown on plan duly filed with the Land Court as Plan #28722A2; and
- D. Reed Rolled Thread Die Co., ~~INC.~~, a corporation duly organized under Massachusetts law and having an usual place of business in Holden, Worcester County, the grantee of and present owner of Lots #4 (see Land Court Registration Proceeding #28722), #60 (see Land Court Certificate of Title #33463 and Land Court plan #24463C) and #8 (see Land Court Registration Proceeding #33719) Industrial Park Road, by deed dated January 15, 1965 and duly recorded with said Deeds and duly noted on said Certificate of Title #33463;

We the said Suffolk Franklin Savings Bank, Marjorie L. Marden, Reed Rolled Thread Die Co., ~~INC.~~, and Jay L. Marden, Trustee of Cooperative Realty Trust, hereby assent and agree to the foregoing water easement and right-of-way and covenant that our respective prior interests shall at all times be subject and subordinate to the terms and conditions of the said water easement and right-of-way to the Hingham Water Company.

IN WITNESS WHEREOF, the Suffolk Franklin Savings Bank has caused these presents to be executed in its name and on its behalf by Joseph Bacheiler, its President, Reed Rolled Thread Die Co., ~~INC.~~ has cause there presents to be executed in its name and on its behalf by Stanley Holland, its President, and Marjorie L. Marden, in her own right, and Jay L. Marden, Trustee of Cooperative Realty Trust, have executed these presents, all day of June, 1965.


 SUFFOLK FRANKLIN SAVINGS BANK
 Seal) by Joseph Bacheiler, Jr.
 Joseph Bacheiler, Jr., President

COOPERATIVE REALTY TRUST
 Seal) by Jay L. Marden
 Jay L. Marden, Trustee

REED ROLLED THREAD DIE CO., ~~INC.~~
 Seal) by Stanley L. Holland
 Stanley Holland, President

Marjorie L. Marden
 Marjorie L. Marden

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REC-3240 NOT 283

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

June 14, 1965

H. Jr.

Then personally appeared the above-named Joseph Bacheller, President, and acknowledged the foregoing instrument to be the free act and deed of the Suffolk Franklin Savings Bank, before me

Charlotte M. Souther
Charlotte M. Souther - Notary Public

My commission expires:



COMMONWEALTH OF MASSACHUSETTS

June 14, 1965

Then personally appeared the above-named Stanley Holland, President, and acknowledged the foregoing instrument to be the free act and deed of the Reed Rolled Thread Die Co., before me

Donald M. Jackson
Donald M. Jackson - Notary Public

My commission expires:

DONALD M. JACKSON
NOTARY PUBLIC
COMM. EXP. OCTOBER 20, 1967

COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, SS.

June 14, 1965

Then personally appeared the above-named Marjorie L. Marden and Jay L. Marden, Trustee, and acknowledged the foregoing instrument to be their free act and deed, before me

Glacys L. Young
Glacys L. Young - Notary Public

My commission expires: Oct. 10, 1970

REC'D SEP 23 1965 AT 12-35 PM AND RECORDED

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