

DEED RESTRICTION

It is the responsibility of the applicant to record the required deed restriction per 310 CMP 15.000, Title V. The following is a suggested format, but the final document should be approved by your Attorney prior to recording. It is not the responsibility of the Board of Health to provide a legal document for a chain of title issue.

NOTICE OF VARIANCE/DEED RESTRICTION/RESTRICTIVE COVENANT

Pursuant to 310 CMR 15.00, Title V and as a condition of the Hamilton Board of Health, notice is hereby given that real estate located at _____ Hamilton, Massachusetts, (a.k.a. Assessor’s Map# _____ Parcel# _____) as described in a deed for _____ going to _____, dated _____ and received in the South Essex County Registry of Deeds in Book _____ Page _____ and Document # _____ is the subject of a restrictive covenant required by the Hamilton Board Of Health and the State Environmental Code 310 CMR 15.000. The restrictive covenant is as Follows: No additional flow of added bedrooms shall be introduced into the sanitary system of the existing five bedroom residence. Any increase in flow, pursuant to 310 CMR 15.352, to the septic system requires a septic system expansion/upgrade.

The restrictive covenant set forth herein shall remain in effect for the maximum period permitted under Massachusetts law, unless sooner amended or terminated by consent of the Hamilton Board of Health or Massachusetts Department of Environmental Protection.

The provisions contained herein shall run with and bind the owners of the land and their heirs, devisees, legal representatives, successors, and assigns.

Signed and sealed this _____ day of _____, 20__

Signature of the owner(s) _____

Commonwealth of Massachusetts

Essex ss Date _____, 20__

The personally appeared the above-named _____

And acknowledged the foregoing instrument to be his/her/their free act and deed before me.

Name Notary Public