



**JONATHAN F. MITCHELL**  
**MAYOR**

*City of New Bedford*

**PLANNING BOARD**

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CITY CLERKS OFFICE  
NEW BEDFORD, MA

2018 NOV 19 P 12:48

CITY CLERK

**PARTIAL RELEASE OF COVENANT**  
**PLANNING BOARD – CITY OF NEW BEDFORD, MA**  
**November 14, 2018**

The undersigned, being a majority of the Planning Board of the City of New Bedford, Massachusetts, hereby certify that the following lots are released from the restrictions as to sale specified in a Covenant dated July 11, 2018 and recorded in Bristol County (S.D.) Registry of Deeds, Book 12533, Page 242.

The lots hereby released are shown as Lots 1, 2, 3, 4, 9, 10, 11, 15, 16, 17, 18, 19, 21, 22, and 23 on a Plan recorded August 13, 2018 in Plan Book 178, Page 35 entitled, "Farland Estates I Definitive Subdivision Plan Assessors Map 130D – Lots 388-406 & 412-419 New Bedford, Massachusetts" prepared for MIH1, LLC, dated December 15, 2017, as revised through June 25, 2018, by Farland Corp., 401 County Street, New Bedford, MA 02740.

The name of the owner as shown on said plan is MIH1, LLC and recorded by Quitclaim Deed in Bristol County (S.D.) Registry of Deeds in Book 12304, Page 200 on December 14, 2017.

Nothing herein contained shall in any manner affect the application of the provisions of the aforementioned Covenant to all the other lots in said subdivision and shown on said subdivision plan and said provisions are hereby expressly reserved and maintained in full force and effect as to Lots 5, 6, 7, 8, 12, 13, 14, 20, 24, 25, 26, and 27.

Particular lots within the subdivision may be released from the foregoing conditions upon the recording of a Partial Release of Covenant by the developer executed by a majority of the Planning Board and enumerating the specific lots to be released. No previously released Lot(s) shall be taken back under substitution. Unless an alternate form of surety has been authorized by the Planning Board, partial releases may only be requested for lots where the required improvements have been completed for that section of roadway beginning at any intersection with a City road and abutting lots up through the last lot to be released. Lots may only be released if they abut the completed portion of the road. No partial release from the covenants will be approved if the total length of roadway, including a temporary turnaround, abutting said

designated lots, exceeds the City's maximum allowable length for dead-end streets, unless the Planning Board has already approved within the boundaries of the development, a dead-end street exceeding said limits."

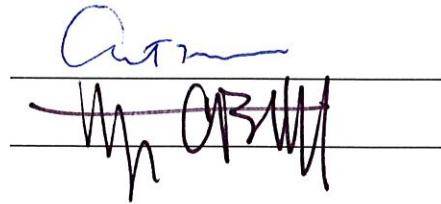
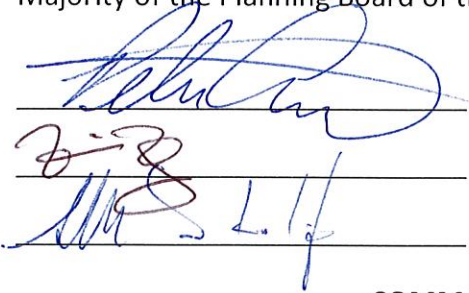
The owner shall further be responsible for appearing before the Planning Board to provide a status of the project update twice annually through February 14, 2020 by which time all obligations shall be satisfied for this subdivision.

The project shall be undertaken according to the plan submitted with the application with adherence to all notes on the plans as reviewed by the Planning Board on this date; any modification from the approved plans for consideration shall be presented to the City Planner for determination as to whether the modified plan must return before the Planning Board for further review.

The owner shall record this partial release of covenant with the Bristol County (S.D.) Registry of Deeds and shall provide a copy of the recorded document to the Planning Board.

**A Building and Occupancy Permit are still required for each lot herein released.**

Majority of the Planning Board of the City of New Bedford, Massachusetts

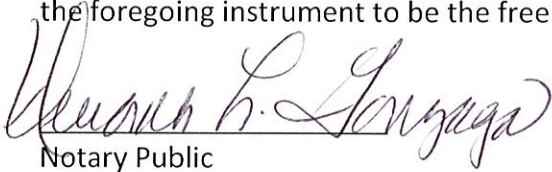


COMMONWEALTH OF MASSACHUSETTS

Bristol County, ss.

11-19 2018

Then personally appeared KATHRYN C.D. DUFF, one of the above-named members of the Planning Board of the City of New Bedford, Massachusetts, and acknowledged the foregoing instrument to be the free act and deed of said Planning Board, before me,

  
Notary Public

6-18-21  
My Commission expires

