Nantucket County - 20/20 Perfect Vision i2 Document Detail Report

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Doc#	Document Type	Town	Book/Page	File Date	Consideration
59353	AMENDMENT			01/15/1993	0.00

Property-Street Address and/or Description

Noted on Cert 13401

Grantors

SIMMONS HARDWICK, BURNS MICHAEL R

Grantees

References-Book/Pg Description Recorded Year

Registered Land Certificate(s)-Cert# Book/Pg

DOCUMENT NO. 059353

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Amended Declaration of Restrictions

Nantucket Registry District
JAN 15 1993

RECEIVED FOR REGISTRATION
8 O'CLOCK 33 m P M

NOTED ON CERTIFICATE NO. 13401

IN REGISTRATION BOOK _____ PAGE _____

ATTEST Sandra M Chadwick
ASST. RECORDER

RESTATED AND AMENDED
DECLARATION OF RESTRICTIONS

We, HARDWICK SIMMONS of New York, New York, and MICHAEL R. BURNS of Los Angeles, California, having imposed certain restrictions upon the land situated in the Town and County of Nantucket, Massachusetts, being shown on a plan entitled "Subdivision Plan of Land in Nantucket", dated March 17, 1988, drawn by Nantucket Surveyors, Inc., Surveyors, on file in the Land Registration Office in Boston as Plan No. 9070-D, a copy of which is filed with the Nantucket Registry District with Certificate of Title No. 13,401, by a Declaration of Restrictions dated January 13, 1989, registered as Document No. 46503, noted on said Certificate, FOR VALID CONSIDERATION PAID, the receipt whereof is hereby acknowledged do hereby revoke, terminate and amend said Restrictions and hereby impose the following Amended Restrictions in place thereof:

1. So much of the land which lies within those portions of Lots 7 through 18, inclusive, 33 and 34 which is designated "50' Wide Greenbelt Strip" as shown on said Plan shall not be used as a location for structures, septic tanks or other sewer disposal facilities, including leaching fields in connection therewith, nor for the grazing of any animals; provided that the construction of tennis courts may be permitted within said 50' Wide Greenbelt Strip on Lot 9 only.

2. Each of Lots 7 through 18, inclusive, and Lots 29 through 34, inclusive, shall be connected with the water distribution system of the Town of Nantucket provided that said water distribution system is reasonably available to said Lot.

3. The use of each lot shall be restricted to one single family residential dwelling with accessory buildings and structures as permitted by the Nantucket Zoning By-law, one of which accessory buildings or structures may include a studio with sanitation facilities; provided however, no tennis court(s) shall be constructed or permitted upon any lot within the subdivision except upon Lot 9.

4. No lot shall be further subdivided; provided however, lot line adjustments may be made to correct set-back violations.

5. No temporary structure shall be built upon the lot other than those necessary and used in the course of construction of permanent buildings, and all such temporary structures shall be removed immediately upon completion of any building operation.

6. No unregistered motor vehicles and no boats shall be stored or kept on the lots unless stored within a building; no trade, service, business or occupation of any kind shall be conducted upon any lot; and no commercial vehicles shall be stored or kept on the lots.

7. All permanent service facilities for structures shall be laid underground and the ground surface shall be generally returned to the original condition after installation is completed. All authorized above ground fuel storage containers shall be enclosed or screened by lattice, trellis or natural vegetation (i.e., hedges).

8. All houses and outbuildings shall have red cedar roofs.

9. All foundations shall be screened by natural vegetation or landscaping.

10. All driveways shall be covered with at least two (2) inches of clamshell, gravel or natural stone.

11. No exterior construction or renovation shall be performed on any structure between the 4th of July and Labor Day.

12. No nuisances shall be permitted on any lot.

13. No animals shall be allowed on any lot except for recognized domestic pets and no stable or other buildings shall be permitted for the purpose of housing or raising farm animals.

14. No dish antennas shall be permitted on any lot.

15. Not more than two (2) tennis courts shall be permitted on Lot 9, Plan No. 9070-D, Sheet 5, which tennis courts the grantors herein agree to construct on said Lot 9 on or before November 1, 1995 for the benefit of Lots 7 through 18, inclusive, and Lots 29 through 34, inclusive.

16. Lot numbers 20 through 28, inclusive, shown on Plan No. 9070-D, are part of the forty (40) foot roadway easement of Washing Pond Road and no buildings shall be permitted to be constructed thereon although driveways, fences and utilities may be constructed, installed and maintained thereon.

Said Lots 20 through 28 shall be conveyed together with its abutting lot as follows:

Lot 9 and Lot 20
Lot 10 and Lot 21
Lot 11 and Lot 22
Lot 12 and Lot 23
Lot 13 and Lot 24
Lot 14 and Lot 25
Lot 15 and Lot 26
Lot 17 and Lot 27
Lot 18 and Lot 28

17. The aforementioned deed restrictions are declared to be a common scheme affecting Lots 7 through 18, inclusive, and Lot 20 through 34, inclusive, shown on Land Court Plan No. 9070-D filed with Certificate of Title 13,401 at the Nantucket Registry District. These restrictions may be enforced by the owner of any of the lots and may be amended and/or waived with the written consent of the owners of all of said lots. Restrictions numbered

1 through 3 may be enforced by the Town of Nantucket acting by and through its Water Commissioners as the owner of Lot 19 as shown on the aforesaid plan.

WITNESS our hands and seals this 13th day of January, 1993.

Hardwick Simmons

Michael R. Burns

STATE OF NEW YORK

New York, ss January 13th, 1993

Then personally appeared the above named Hardwick Simmons and acknowledged the foregoing instrument to be his free act and deed, before me,

Notary Public

My Commission Expires:

LEE-ANN ETTER
Notary Public, State of New York
No. 31-4842709
Qualified in New York County
Certificate Filed in New York County
Commission Expires 2/28/94