



Town of Fairhaven Planning Board

Town Hall 40 Center Street Fairhaven, MA 02719 508-979-4082

FORM D Covenant

The undersigned _____ of _____ County, Massachusetts, hereinafter called the "Covenanter" submitted to the Fairhaven Planning Board a Definitive Plan of a Subdivision, entitled _____ Dated _____ made by _____ does hereby covenant and agree with said Planning Board and the successors in office of said Board, Pursuant to Massachusetts General Laws (Ter. Ed.) Chapter 41, Section 81U, as amended that:

1. The covenanter is the owner of record of the premises shown on said plan;
2. This covenant shall run with the land and be binding upon the executors, heirs, administrators, assigns of the covenanter, and their successors in title to the premises shown on said plan;
3. The construction of ways and the installation of municipal services shall be provided to serve any lot in accordance with the applicable Rules and Regulations of said Board before such lot may be built upon or conveyed, other than by mortgaged premises by foreclosure or otherwise and any succeeding owner of the mortgaged premises or part thereof may sell any such lot, subject only to that portion of the Covenant which provides that no lot so sold shall be built upon until such ways and services have been provided to serve such lot;
4. Nothing herein shall be deemed to prohibit a conveyance subject to this covenant by a single deed of the entire parcel of land shown on the subdivision plan or of all lots not previously released by the Planning Board without first providing such ways and services;
5. This covenant shall take effect upon the approval of said plan;
6. The construction of all ways and the installation of all municipal services shall be completed in accordance with the applicable Rules and Regulations of the Town of Fairhaven governing the Subdivision of Land before _____ unless an extension of time is granted by the Fairhaven Planning Board. Failure to so complete shall automatically rescind approval of the plan.
7. Reference to this covenant shall be entered upon said plan and this covenant shall be recorded.

The undersigned _____ wife, husband of the covenanter hereby agree that such interest as I, we may have in said premises shall be subject to the provisions of this covenant and insofar as is necessary release all rights of tenancy by the courtesy, dower, homestead and other interest therein.

Executed as a sealed instrument this _____ day of _____ 20 _____

_____	_____
_____	_____
_____	_____
_____	_____

Commonwealth of Massachusetts

Bristol, SS.

Date: _____, 20 _____

Then personally appeared _____, and acknowledged the foregoing instrument to be a free act and deed, before me.

Notary Public

My commission expires: _____, 20 _____