

COPY

15021PG140

22833
Received & Recorded
PLYMOUTH COUNTY
REGISTRY OF DEEDS
11 MAR 1997 01:04PM
JOHN D. RIORDAN
REGISTER
Bk 15021 Pg 140

PROTECTIVE COVENANTS AND RESTRICTIONS

WHEREAS, PIERRE M. COLL, as Trustee of OLD SANDWICH TRUST under a Declaration of Trust dated January 4, 1994, and recorded with the Plymouth County Registry of Deeds in Book 12656, Page 81 (the "Declarant"), of 34 Main Street Extension, Plymouth, Plymouth County, Massachusetts, is the owner of a certain subdivision of land in Plymouth, Plymouth County, Massachusetts, known as "Clark Estates", as shown on a plan entitled "Definitive Subdivision Plan of Land in Plymouth, Massachusetts 'Clark Estates' Prepared for Old Sandwich Trust 34 Main Street Ext., Plymouth, Massachusetts 02360", dated March 28, 1996, prepared by Consulting Engineers and Scientists, Inc., and recorded with the Plymouth County Registry of Deeds Plan No. 440 of 1996 Plan Book 39, Page 78 (the "Plan"). For Declarant's title, see deed recorded with the Plymouth County Registry of Deeds in Book 14470, Page 57; and

WHEREAS, Declarant wishes to impose protective covenants and restrictions on the residential dwelling lots shown as Lots 15-98 through 15-180 on the Plan (the "Lots") in order to create an attractive residential community;

NOW, THEREFORE, Declarant does hereby impose the following protective covenants and restrictions for the benefit of said Lots, and does hereby make all of said Lots subject to these protective covenants and restrictions:

1. **TEMPORARY STRUCTURES**

No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other outbuilding shall be used on any Lot at any time as a residence, either temporarily or permanently.

2. **SIZE OF DWELLING**

No dwelling shall be erected, altered or permitted on any Lot unless said dwelling shall have a minimum living area of One Thousand Eight Hundred (1,800) square feet. For the purposes of these covenants, "living area" is defined as being living area of the primary structure, and shall not include a basement, porch, patio, breezeway and/or garage. In addition, each dwelling shall have an attached garage for at least two (2) vehicles, or, with the approval of the Declarant (which approval will not be unreasonably withheld), a so-called "garage under"; PROVIDED, HOWEVER, that with respect to any Lot having frontage on the roadway of 120 feet or less, (a) at present, no garage shall be required, or if a garage is provided, the minimum living area may be reduced to One Thousand Seven Hundred (1,700) square feet; and (b) in the event that the side setback requirements of the Town of Plymouth applicable to this subdivision are subsequently reduced to fifteen (15) feet, and construction on such lots thereafter shall conform to the living area requirement of One Thousand Eight Hundred (1,800) square feet, and the requirement that a garage for at least two (2) vehicles be provided.

Mail to:
Withington & Betters
15 Caswell Lane. Plymouth. MA 02360