



www.thetrustees.org

Conservation Restriction Program
Doyle Community Park and Center
464 Abbott Avenue
Leominster, MA 01453

tel 978.840.4446
fax 978.537.5835

RECEIVED
TOWN CLERK
BELMONT, MA

2015 JAN 16 AM 11:43

January 6, 2015

Town of Belmont-McLean Land Management Committee
Ellen O'Brien Cushman
455 Concord Avenue
Belmont, MA 02478

Re: Conservation Restriction Baseline Documentation Report Update

Dear McLean Land Management Committee:

As you may recall, Pete Westover, a contractor with The Trustees of Reservations (TTOR), visited the Town of Belmont's McLean Cemetery and Open Space conservation restrictions on June 6, 2014 and June 9, 2014 to update the Baseline Documentation Reports (BDR). The BDR is a collection of maps, photographs, and other documents that describe the existing condition of the property and document the 'conservation values' protected by the conservation restriction (CR). TTOR keeps updated BDRs for the CRs it holds, in order to monitor and enforce the terms of the restriction. I have enclosed copies of the updated BDRs for the Town's McLean properties with this letter.

Please take a moment to review the enclosed materials in the updated BDRs. If you find the documents are accurate, for each of the BDRs please have an authorized representative for the Town of Belmont sign and return one of the two acknowledgement forms for our files in the pre-addressed envelope, and retain the other forms and materials for your own records. Receiving the signed form is important to us as it confirms your agreement that our information is accurate. **Keep in mind that if we have not heard from you by Feb 28, 2015 we will assume you have reviewed and are in agreement with the enclosed documents.**

Some owners have asked us why TTOR needs to complete such a thorough and time-intensive property conditions update, especially since we already monitor every CR property each year. One reason is that many of our CRs are quite old in terms of the history of CRs, some dating back to the early 1970s, at a time when best practices for CR stewardship were not established like they are today. Many of our older CRs have outdated or incomplete information, making it difficult for TTOR and the landowner to know exactly how conditions on the property may have changed over time. In addition, in 2010 TTOR received a national accreditation award from the Land Trust Accreditation Commission, which places us among ten land trusts in Massachusetts and 280 nationwide to receive this distinction as of 2014. Accreditation standards are quite rigorous, and include the reasonable requirement that we constantly review

RECEIVED
TOWN CLERK
BELMONT, MA

2015 JAN 16 AM 11:43

McLEAN TOWN OF BELMONT-OPEN SPACE
CONSERVATION RESTRICTION #237.02
BELMONT, MASSACHUSETTS
BASELINE DOCUMENTATION REPORT UPDATE
JULY 9, 2014



Submitted by
Pete Westover, Conservation Works, LLC
to The Trustees of Reservations

CONTENTS

1. Letter of Submittal
2. Property Conditions Update Form
3. Map of Inspection Route
4. Map of Photo Points
5. Map of Field Invasive Plants
6. Photographs with Captions
7. Chart of Photographs
8. Chart of GPS Waypoints with Coordinates
9. Preparer Affidavit
10. Photographer Affidavit
11. Contractor Qualifications

McLean Town of Belmont-Open Space CR #237.02

Pete Westover
Conservation Works, LLC
PO Box 705, North Hatfield, MA 01066
pete@conservationworksllc.com

July 9, 2014

Sally Naser, Conservation Restriction Program Manager
The Trustees of Reservations

Subject: BDR Update, McLean Town of Belmont-Open Space CR #237.02, Belmont

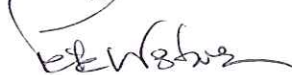
Dear Sally:

I am pleased to submit this Baseline Documentation Report Update for the McLean Town of Belmont-Open Space Conservation Restriction #237.02 property off Concord Avenue in Belmont, Massachusetts.

Per my inspections of June 6 and July 9, 2014, the property appears to meet the conditions listed in the Conservation Restriction deed.

Please let me know if you would like additional information from my property inspection.

Sincerely,

A handwritten signature in black ink, appearing to read "Pete Westover", written over the word "Sincerely,".

Pete Westover
Conservation Works, LLC



Conservation Restriction (CR) - Baseline Documentation Report Update Property Conditions Field Report

☒ Visit conducted to take supplemental BDR photos & create full BDR update.

☐ Visit to confirm earlier BDR Photos as accurate, and add conditions report.

Name of CR Property: McLean-Open Space (CR B-1)

CR Number: 237.02 Inspection Date: June 6, 2014 Arrival Time: 9:00:00 AM Departure Time: 2:00:00 PM

Weather Conditions low 70's, sunny, good conditions

CR Address/Location: Mill Street & Pleasant Street, Belmont, MA

Current Landowner's Address (if different from CR address): Town of Belmont, c/o Board of Selectmen, 455 Concord Avenue, Belmont, MA

CR Grantor(s) Name(s): McLean Hospital Corporation Current CR Landowner(s): ☐ Grantor ☒ Other

IF OTHER List current landowner(s) & fill out ownership table on final page. Inhabitants of Town of Belmont

Staff Present: none Other Present: Pete Westover, Conservation Works, TTOR Contractor

Legal Information:

Name of Registry: Middlesex South *CR Book #: 45375 *CR Page #: 258 *If Land Court, Doc #:

Date of CR Execution*: 5/19/05 Date of CR Recording*: 6/13/05 Restriction Type: ☒ CR ☐ HPR ☐ APR

Is there a co-holder of the CR? ☐ Yes ☒ No

Registry reference for current landowner's title to the property:

Book #: 45478 Page #: 283 *If Land Court, Doc #:

Plans or Surveys: Are there plans or surveys on record with the Registry of Deeds? ☒ Yes ☐ No

If yes, List Book & Page below:

Plan BK #: Plan #: 126 Plan Year, if applicable: 2005 Other Plan Ref type: + -

Other legal documents affecting CR: Have any amendments, restatements, easements, or other legal documents ☐ Yes ☒ No substantially affecting the CR gone on record?

Have the CR premises been subdivided since the CR grant? ☐ Yes ☒ No

Property Description:

Property Size (acres): 78.47

Brief Property Description: Please write a 1-2 paragraph narrative generally describing the CR Property's use(s) and natural features:

The property consists of a large open field with a spreading bitternut hickory tree and several smaller hickories at the summit along with a commemorative granite bench; wooded upland habitat, vernal pools, wooded swamp, stone walls, and an extensive trail system. Some of the footpaths are marked as self-guiding trails, and all trails clearly receive intense foot traffic and occasional mountain bike use. Picknickers frequent the hilltop, runners and dog-walkers use the property, and the variety of native plants is quite high, especially in the main open field. A additional western parcel sits on the west side of Mill Street and includes a small open field, an old brick barn, and young woods

with a dense understory. Invasive plant species, especially black swallowwort, Asiatic bittersweet, and glossy buckthorn, are abundant in both fields, and buckthorn and bittersweet are common in the woods. The property can be reached from the cemetery, from trailheads on Concord Avenue, or from additional trailheads in the north part of the hospital complex to the south of the property.

CR Conservation Values - see purposes paragraph of CR document and check all that apply:

- | | | | |
|--|--|--|--|
| <input checked="" type="checkbox"/> Historic Features | <input checked="" type="checkbox"/> Scenic Value | <input type="checkbox"/> Agricultural | <input type="checkbox"/> Forestry |
| <input checked="" type="checkbox"/> Public Access & Rec. | <input type="checkbox"/> Gov't Policy | <input type="checkbox"/> General Habitat | <input type="checkbox"/> Rare Species Habitat |
| <input checked="" type="checkbox"/> Open Space network | <input type="checkbox"/> Public Water Supply | <input type="checkbox"/> Water Quality | <input checked="" type="checkbox"/> Ecological Value |
| <input checked="" type="checkbox"/> Wetland Protection | <input type="checkbox"/> Old CR - no list of conservation values: e.g. "natural scenic & open condition;" "for conservation purposes;" "protection of natural systems", etc. | | |
| <input type="checkbox"/> Other Conservation Value | | | |

CR Reserved Rights and Prohibited Uses - Please see final page of this form - fill out table describing uses of property relative to the reserved rights, prohibited uses, or other terms of the CR document.

Building Envelopes & Special Use Areas: Does the CR property contain building envelopes or special use areas? ☐ Yes ☒ No

*If yes, list how many below

Does CR Reserve right for landowner to designate "floating"

building envelopes / use areas in future? (Location yet to-be-determined)

☐ Yes ☒ No

Building and Manmade Structures:

Are there buildings or substantial manmade structures on the CR Property?

*If Yes, photograph all four sides of these buildings, and fill out table on the final page of this form.

☒ Yes ☐ No

Property Boundary Description

NORTH: Is Boundary identifiable in the field without a GPS?

☐ All ☐ Most ☒ Some ☐ None

Northern Boundary defining features - check all that apply:

- | | | | |
|--|---|---|---|
| <input type="checkbox"/> Survey Monuments | <input checked="" type="checkbox"/> Stone Wall(s) | <input checked="" type="checkbox"/> Road(s) | <input type="checkbox"/> Blazes |
| <input type="checkbox"/> Modern fenceline | <input type="checkbox"/> Old fenceline | <input type="checkbox"/> Stream/River Channel | <input type="checkbox"/> All inaccessible |
| <input type="checkbox"/> Some inaccessible | Relevant BDR Photos: (west parcel 2), 15,16,17,19,20,48,49,50 | | |
| <input type="checkbox"/> Other - Define | | | |

EAST: Is Boundary identifiable in the field without a GPS?

☐ All ☒ Most ☐ Some ☐ None

Eastern Boundary defining features - check all that apply:

- | | | | |
|--|---|---|---|
| <input type="checkbox"/> Survey Monuments | <input checked="" type="checkbox"/> Stone Wall(s) | <input type="checkbox"/> Road(s) | <input type="checkbox"/> Blazes |
| <input type="checkbox"/> Modern fenceline | <input type="checkbox"/> Old fenceline | <input type="checkbox"/> Stream/River Channel | <input type="checkbox"/> All inaccessible |
| <input type="checkbox"/> Some inaccessible | Relevant BDR Photos: (west parcel 1,14), 46 | | |
| <input type="checkbox"/> Other - Define | | | |

SOUTH: Is Boundary identifiable in the field without a GPS?

☐ All ☐ Most ☒ Some ☐ None

Southern Boundary defining features - check all that apply:

- | | | | |
|---|---|---|---|
| <input type="checkbox"/> Survey Monuments | <input checked="" type="checkbox"/> Stone Wall(s) | <input checked="" type="checkbox"/> Road(s) | <input type="checkbox"/> Blazes |
| <input type="checkbox"/> Modern fenceline | <input type="checkbox"/> Old fenceline | <input type="checkbox"/> Stream/River Channel | <input type="checkbox"/> All inaccessible |

☐ Some inaccessible

Relevant BDR Photos: (west parcel 9,11,13), 25,26,27,29,30,31,32,33,34,37,43

☐ Other - Define

WEST: Is Boundary identifiable in the field without a GPS?

☐ All ☐ Most ☒ Some ☐ None

Western Boundary defining features - check all that apply:

☐ Survey Monuments

☒ Stone Wall(s)

☒ Road(s)

☐ Blazes

☐ Modern fenceline

☐ Old fenceline

☐ Stream/River Channel

☐ All inaccessible

☐ Some inaccessible

Relevant BDR Photos: (west parcel 5,6,7,8), 18,21,22,23,24

☐ Other - Define

BUILDING ENVELOPES: Are envelope Boundaries Identifiable in the field without a GPS? ☐ All ☐ Most ☐ Some ☐ None

Building Envelope defining features - check all that apply:

☒ N/A

☐ Survey Monuments

☐ Stone Wall(s)

☐ Road(s)

☐ Blazes

☐ Modern fenceline

☐ Old fenceline

☐ Stream/River Channel

☐ All inaccessible

☐ Some inaccessible

Relevant BDR Photos:

☐ Other - Define

Describe boundaries further if needed. Describe boundary ambiguities, conditions, issues, encroachments (if any), & further details regarding characteristics checked off above.

(1) West Parcel. The north boundary of the west parcel (west side of Mill Street) runs along a gravel road that leads west to the Belmont Victory Gardens, located on Town of Belmont Conservation Land. GPS is needed to located the west and south boundaries, which abut private residential properties. The east boundary follows the west side of Mill Street back to the northeast corner at the corner of the field on the property. (2) Main parcel. Starting at the northwest corner of the adjacent McLean Cemetery CR property, the north boundary of the main parcel runs along a new stone wall on the south side of Concord Avenue west to the northeast corner of the adjacent McLean Cosman CR parcel, so is easily located. GPS is needed to locate the east and south sides of the McLean Cosman parcel, which are shared with the large subject parcel. From an iron pin at the southwest corner of the McLean Cosman property, a stone wall leads diagonally along the west boundary southwesterly to a corner on the east side of Mill Street. The west boundary then follows Mill Street south to a corner, turning east through dense undergrowth from a corner point located by GPS. The line crosses a paved road, turns north (where GPS is needed to locate the line) and then west to re-cross the paved road. At a large silver maple in the densely overgrown woods, the line turns north, running parallel to and adjacent to a high wall below a paved residential road. At the north end of the wall, the line turns east along the edge of residential lawns just south of the main field on the property, with trails leading north into the field from the boundary line. At a corner in the woods off the southeast corner of the field (a corner located by GPS), the line turns southward, zig-zagging through the woods along an unmarked route located by GPS all the way to a corner just above Pleasant Street shared with the adjacent McLean Hospital CR's northeast corner. From that corner a stone wall leads northeasterly to another corner in the woods, then turns northwest to meet the south boundary of the Belmont Day School property. On the west side of school land the unmarked line (then shared with the adjacent McLean Cemetery CR property) runs generally northwest, again zigzagging through dense woods, back to the point of beginning at Concord Avenue.

Protected Resource Descriptions

General forest character - check all that apply:

☒ Hardwood

☒ Evergreen

☐ Mixed Tree Types

☒ Mature Forest

- ☐ Early-Mid successional
 ☒ Mixed-age trees
 ☐ White Pine Successional
 ☐ Storm damage
- ☐ Active forestry / cutting
 ☐ Forested Wetlands
 ☐ Open understory
 ☒ Invasives in Understory
- ☒ Shrubby / dense understory
 ☐ N / A - no forest

Brief forest Character Description - list dominant tree species & describe age characteristics. Describe areas of forest on property, if they differ in type. Describe any active tree cutting or forestry management activities. Describe tree health / pest issues, if any identified.

The forest in the west parcel is fairly young with a dense understory, Tree species include red oak, black oak, white oak, bitternut hickory, white pine and, in the field, a large tuliptree and several Ailanthus trees (tree-of-heaven) at a large pile of rocks. The main parcel includes mature white pine stands, hardwood stands with black cherry, gray birch, medium-aged to mature red oak, black, oak, white oak, and bitternut hickory, black cherry, red maple, and an occasional eastern redcedar and apple that originated when the land was more open. Much of the land is dry, but a significant hardwood swamp that includes blackgum, silver maple, cottonwood, pin oak, and red maple sits south of the cemetery.

Relevant BDR Photos:

6,8,11,17,20,27,37,40,45

Native Plants: List representative native plant species observed on property - list dominant, characteristic, or notable native plant species observed during BDR Update visit:

Native plants in the woods observed on the monitoring visit include Canada mayflower, highbush blueberry, Virginia creeper, common buckthorn, grape, common elderberry, mulberry, false solomon's-seal, Canada yew, wild geranium, greenbrier, and staghorn sumac. The diverse collection of native plants in and next to the two fields includes pokeweed, deptford pink, daisy fleabane, silky dogwood, rough-fruited cinquefoil, bladder campion, wild madder (abundant in the main field), wild asparagus, common milkweed, timothy, barnyard grass, sensitive fern, common dewberry, salsify, queen-anne's lace, staghorn sumac, hop clover, redtop, common St. Johns-wort, birdsfoot trefoil (abundant in the main field), white sweet-clover, butter-and-eggs, and others.

Relevant BDR Photos:

1,2,14,22,35,37,38,39

Invasive Plants: Did you observe any invasive plants on the CR?

☒ Yes ☐ No

If YES, list invasive species, general location(s) and describe abundance of these plants

Glossy buckthorn - abundant in the woods and fields. Asiatic bittersweet - abundant in woods and fields. Black swallowwort - abundant around the edge of both fields. Japanese knotweed - concentrated at the southwest edge of the main field. Winged euonymus - occasional. Honeysuckle sp - common in the woods.

Relevant BDR Photos:

3,10,27,28,29,30,35, supplementary 2,3,4

Agriculture: Are agricultural uses permitted under the terms of the CR?

☐ Yes ☒ No

Wildlife Habitat: Is Wildlife habitat protected on the CR land?

☒ Yes ☐ No

If YES, indicate what habitat features are present on the property.

- ☐ Wetlands
 ☒ Woodlands
 ☐ Edge Habitat
 ☒ Habitat Variety
 ☐ Large Habitat Block
- ☐ NHESP Priority Habitat of Rare Species
 ☐ NHESP BioMap Core Habitat
 ☒ Vernal Pools
 ☐ Specific Species named in CR
 ☐ Coastal Shoreline
- ☐ Salt Marsh
 ☐ Pond / Lake
 ☐ Wildlife corridor
 ☐ Rare Ecosystem
 ☐ River / Stream
- ☐ Other - Explain:

Describe in further detail if needed. (e.g. - what type of habitat variety? Priority Habitat for what specific species, etc?)

Habitat is a mix of wet and dry hardwood forest, white pine stands, open field, edge, stream, vernal pool, and shrub patches.

Did you observe wildlife or signs of wildlife during this visit?

☒ Yes ☐ No

If YES, list species identified by observation or sign.

A white-tailed doe crossed one of the paths. Birds observed included typical woodland birds and birds of forested edges - scarlet tanager,

wood thrush, white-breasted nuthatch, song sparrow, downy woodpecker, with cavities excavated by pileated woodpeckers. Numerous cavity and den trees were observed.

Relevant BDR Photos:

17 (den tree) and many others that show cross-section of typical habitat types

Cultural & Historic Features:

Are any cultural / historic features protected by CR?

☒ Yes ☐ No

If YES, briefly explain what features are protected, including any changes to these compared to earlier BDR or monitoring photos.

stone walls, old and new

Relevant BDR Photos:

6,9,21,46,48

Are there Other Conservation Values protected by the CR, beyond the typical ones covered already in this section?

☐ Yes ☒ No

Relevant BDR Photos:

N/A

Property uses, dumping, and encroachments:

Manmade changes on property: Did you observe any major manmade changes in land use on the CR property, which appear to be carried out by the landowner?

☐ Yes ☒ No

Dumping & Materials Storage:

Did you observe any sites used for dumping or materials storage by landowner?

☐ Yes ☒ No

Were these located inside or outside of a building envelope or designated use area?

☐ Inside ☐ Outside ☒ N/A

Third Party Encroachments: Did you observe any third-party encroachments on the property during this visit?

☒ Yes ☐ No

If YES, please describe.

Dumping of grass clippings, leaves, and brush and stacking of firewood on the northeast boundary shared with the Belmont Day School and on the west and south boundaries of the west parcel (west of Mill Street) shared with several private residential owners.

Relevant BDR Photos:

5,6,7,8,10 (old barrel),12,48,49

Did you observe any changes in adjacent land which could threaten the CR property?

☐ Yes ☐ No

Stewardship Suggestions for the Future (if any):

Frequent mowing of fields to reduce the vigor of invasive black swallowwort, bittersweet, and buckthorn. Cutting and possible herbicide application to new stands of Japanese knotweed and black locust in the main Lone Tree field. Boundary marking of the west and south sides of the west parcel. Drainage improvements on the west end of the trail that runs through the white pine stand adjacent to Concord Avenue, are needed, as the trail shows signs of wear from unimpeded surface runoff. Regular trail maintenance to address minor mountain bike damage and other routine issues.

PLEASE INDICATE YOUR UNDERTANDING THAT THE FOLLOWING NECESSARY BDR UPDATE PIECES HAVE OR WILL BE PREPARED, original copies SIGNED and retained for filing with Sandy Lower, digital copies of originals placed in appropriate BDR file directory on the Common Drive, and physical copies prepared to send to Landowner.

☒ BDR Update Photosheets ☒ Photo Map(s)

☒ Photographer's Affidavit (notarized)

☒ Preparer's Affidavit (notarized) and qualifications included.

☐ Acknowledgment Form ☐ Cover letter to landowner prepared

Other BDR Update
☒ materials prepared (if applicable)
 List any other materials:

Chart of photo-waypoints. Chart of GPS coordinates.

Signature:

Pete Westover

Date of Completion: July 9, 2014

Pete Westover, Conservation Works & TTOR

McLean Town of Belmont-Open Space CR #233.02

Name: Contractor

Job Title: Baseline Update

Description Tables for Reserved Rights & Prohibited Uses, & CR Buildings.

CR Ownership Table - REFERENCED FROM PAGE ONE. If ownership of the CR property has changed since the original grantor, please fill out the table below describing changes in property ownership.












+/- Row(s)	Property Owner(s) Name(s)	Ownership dates	Recorded Date of Title Transfer to new owner	Title Transfer Book Number	Title Transfer Page Number	Other Notes
+ -	McLean Hospital Corporation	Date of CR grant & prior	6/28/05	45478	283	
+ -	Town of Belmont	6/28/05-present	N/A	N/A	N/A	

CR Reserved Right and Prohibited Uses - REFERENCED FROM PAGE TWO. Comment on property uses or activities since CR grant that pertain to Reserved Rights and Prohibited Uses, using the table below.

+/- Row(s)	CR Paragraph Number(s) & Topic(s)	Prior Notice and/or approval required?	Prior Notice Received?	Description of activity (briefly describe activity, its effects, dates carried out, etc.)	Relevant BDR Update Photos
+ -	IV.A3 Placing of junk prohibited	N/A	N/A	grass clippings piled on CR land adjacent to Belmont Day School and on the west parcel adjacent to private residences; brush and piled firewood put on property at the south and west boundaries of the west parcel	5,7,8,10 (barrel), 12 (firewood), 48,49
+ -	IV.B1 Hiking, walking	N/A	N/A	trails appear to be well used	1,15,16,34,35,36 40,suppl 1
+ -	IV.B2 Trail construction and maintenance	Notice & Approval	Yes	no new trails appear to have built	same as above
+ -	IV.B3 Biking	Notice & Approval	No	mountain bike use is evident on the main central trail	40
+ -	IV.B4 Signs	N/A	N/A	trail and entrance signs in place in several locations	15,16,34,36,39, 50
+ -	IV.B5 Field mowing	N/A	N/A	main field and west parcel field have been recently mowed	1,2,14,35,38,39
+ -	IV.B8 Invasive species management	Notice & Approval	Yes	efforts have reportedly been made to control black swallowwort	3,10,27,28,29,30 35,suppl 2-4

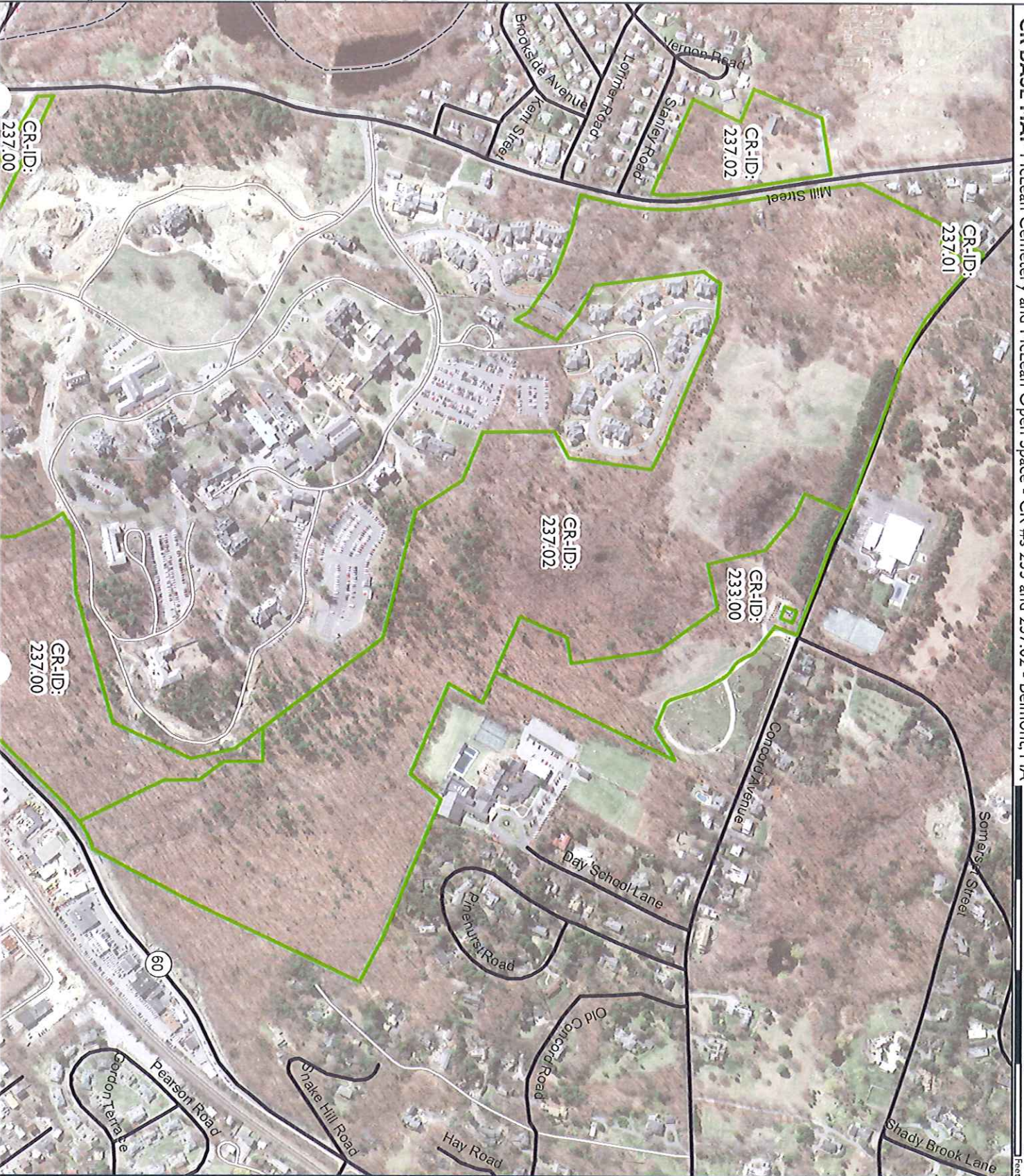
CR Building Table - REFERENCED FROM PAGE TWO. If there are buildings on the CR Premises, please describe each one below. List building footprint square footage, if the CR limits size of buildings.

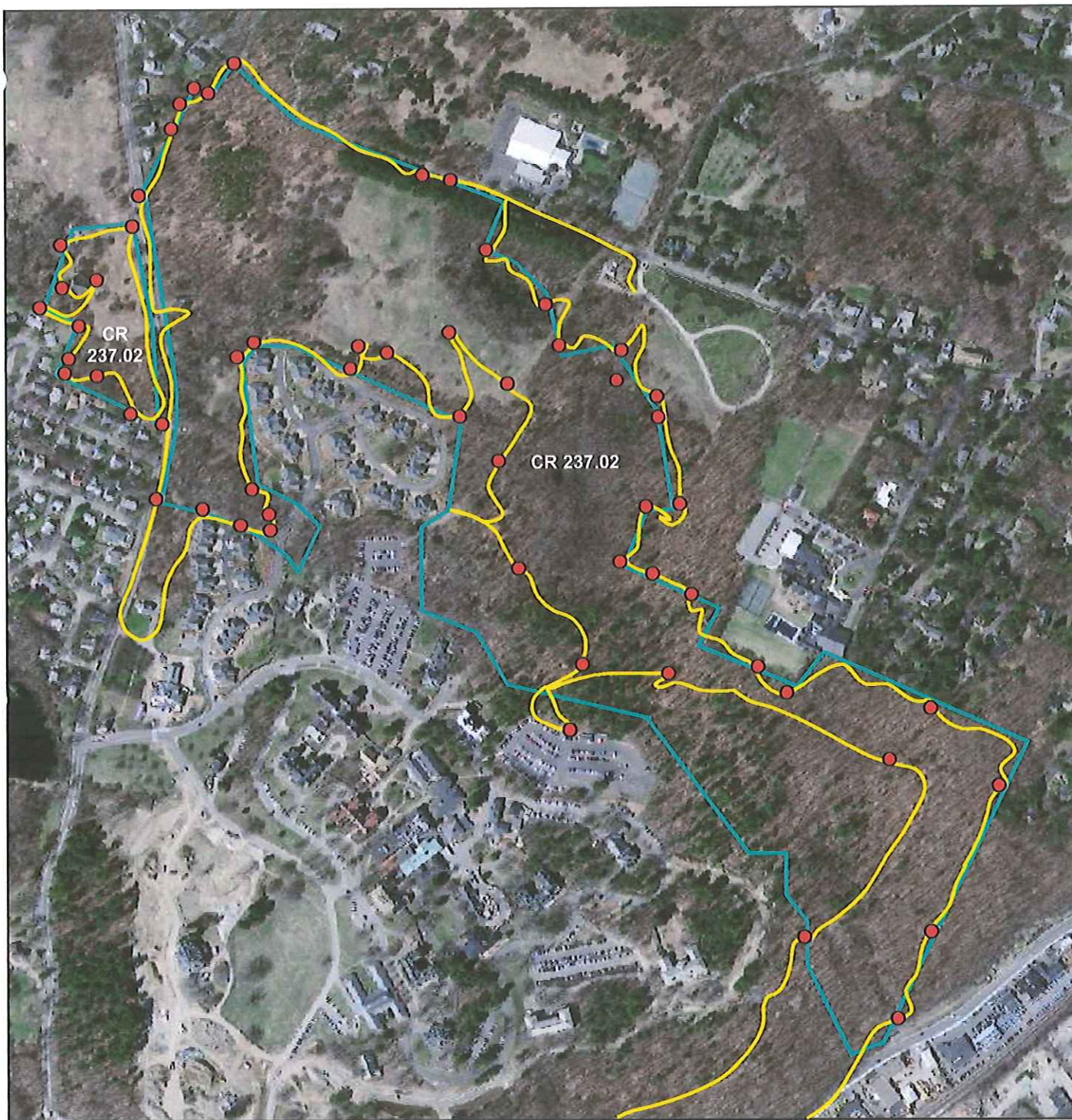
+/- Row(s)		Building Type / Description	Bld. footprint Sq footage (if CR limits building size)	Square Footage Info Source	Located in Building Envelope?	Relevant BDR Update Photos
+	-	Brick barn	N/A	N/A, CR doesn't limit size	N/A	3,4
+	-	Water tank (a structure rather than a building)	N/A	N/A, CR doesn't limit size	N/A	42

-  CR Boundary
-  Other Easement
-  Parcel Boundary
-  Building Footprint
-  Trail
-  Road
-  Driveway
-  Stone / Conc. Mon.
-  Drillhole
-  Iron Pipe
-  Other survey marker



2008 Aerial Photography
provided by MassGIS.
CR boundaries by The
Trust of Reservations.





Aerial Photos from
MassGIS 2009

McLeanTown of Belmont-Open Space, CR #237.02

Inspection Route June 6, 2014

 Inspection Route
June 6, 2014

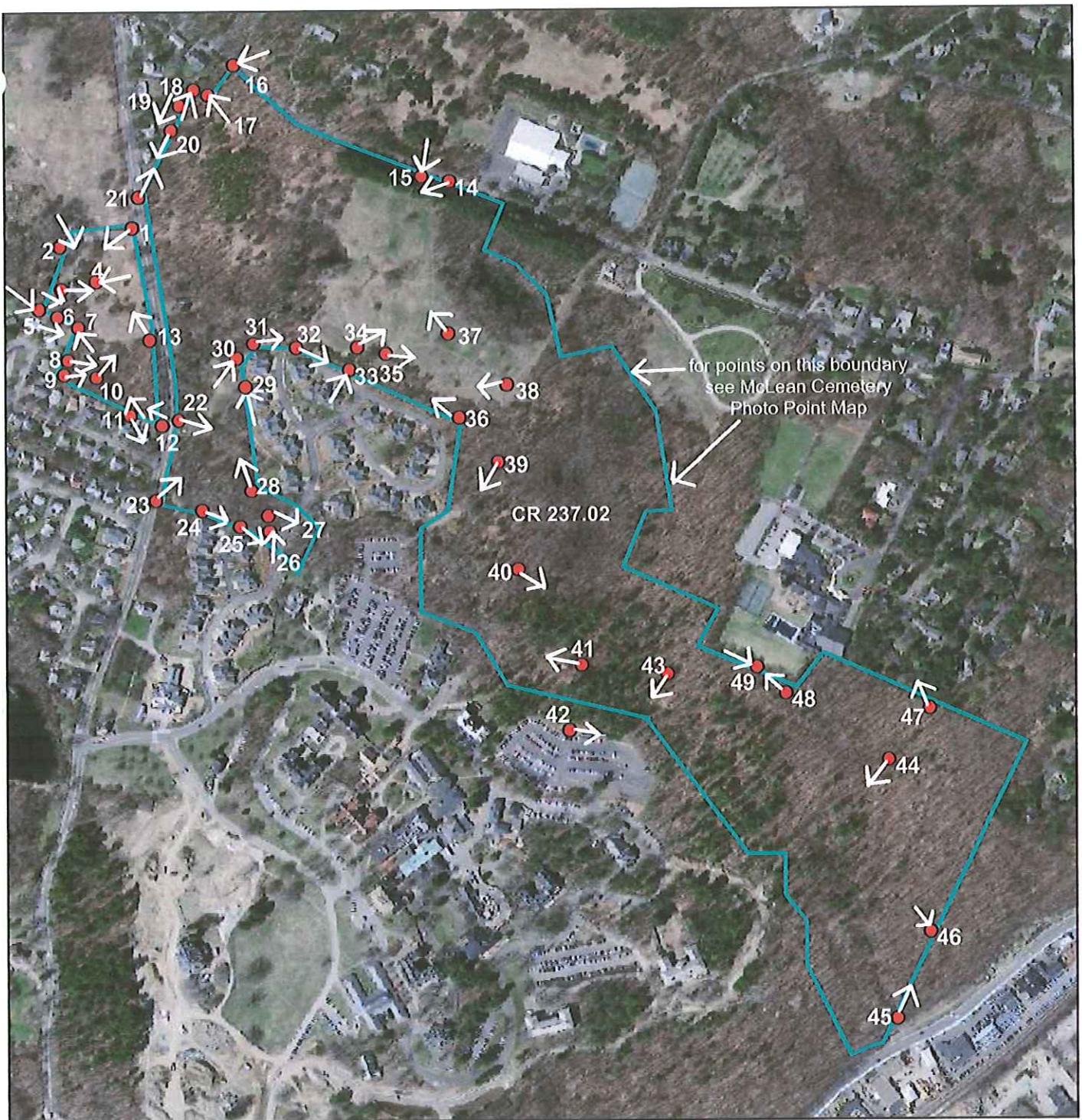
 Photo Points

0 250 500 1,000 1,500 2,000
Feet



This map is for planning purposes only, with specific points subject to verification on the ground. It is not to be used by itself for legal boundary definition.

Conservation Works, LLC - June 2014



Aerial Photos from
MassGIS 2009

McLean Town of Belmont-Open Space CR #237.02 Photo Points

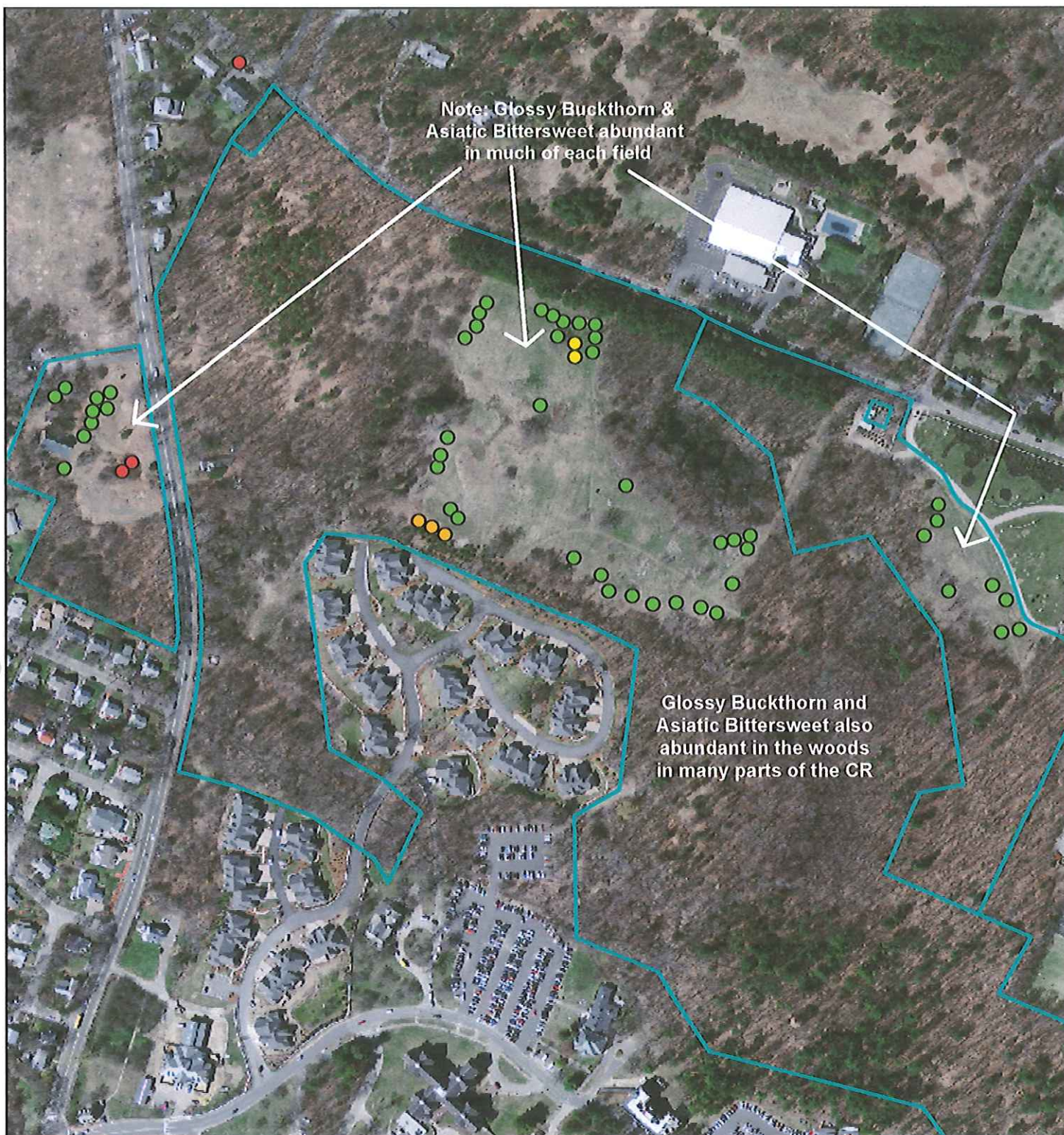
● Numbered
Photo Points

0 250 500 1,000 1,500 2,000 Feet



This map is for planning purposes only, with specific points subject to verification on the ground. It is not to be used by itself for legal boundary definition.

Conservation Works, LLC - June 2014



- Black Swallowwort
- Ailanthus (Tree-of-Heaven)
- Black Locust seedlings
- Japanese Knotweed

McLean Town & Cemetery CRs (#237.02 & 233.00)) Field Invasive Plant Locations

Aerial Photos from
MassGIS 2009

0 150 300 600 900 1,200 Feet



This map is for planning purposes only, with specific points subject to verification on the ground. It is not to be used by itself for legal boundary definition.

Conservation Works, LLC - July 2014

Property Name: McLean Town of Belmont-Open Space CR #237.02 Municipality: Belmont



Waypoint 1. Photo 1. GPS Pt 001. Azimuth 226 degrees. This view is from Mill Street at the northeast corner of the western CR parcel immediately south of the entrance drive to the Rock Meadow Conservation Area.



Waypoint 2. Photo 2. GPS Pt 002. Azimuth 152 degrees. From the northwest corner of the western CR parcel, this view is southeasterly across CR land.



Waypoint 3. Photo 3. GPS Pt 003. Azimuth 84 degrees. The south side of the barn on the CR property is to the right, the west side to the left (foreground).



Waypoint 4. Photo 4. GPS Pt 260. Azimuth 260 degrees. This perspective shows the north side of the barn (right) and the east side (left).

Photographer: P. Westover

Date Taken: June 6, 2014

Signature: _____

P. Westover

Property Name: McLean Town of Belmont-Open Space CR #237.02 Municipality: Belmont



Waypoint 5. Photo 5. GPS Pt 005. Azimuth 152 degrees. Grass clippings have been dumped by neighboring owners inside the west CR boundary at a corner.



Waypoint 6. Photo 6. GPS Pt 006. Azimuth 135 degrees. This wall is on the western boundary. Brush has been piled on the CR side of the line.



Waypoint 7. Photo 7. GPS Pt 007. Azimuth 300 degrees. More brush and trash appears within the west boundary at another corner.



Waypoint 8. Photo 8. GPS Pt 008. Azimuth 80 degrees. Grass clippings have been piled inside the west boundary of the CR next to residential properties.

Photographer: P. Westover

Date Taken: June 6, 2014

Signature: P. Westover

Property Name: McLean Town of Belmont-Open Space CR #237.02 Municipality: Belmont



Waypoint 9. Photo 9. GPS Pt 009. Azimuth 82 degrees. This view is easterly from the southwest corner of the west CR parcel.



Waypoint 10. Photo 10. GPS Pt 010. Azimuth 38 degrees. An old barrel lies in the overgrown woods in the south part of the west CR parcel.



Waypoint 11. Photo 11. GPS Pt 011. Azimuth 320 degrees. View from the south boundary toward the northwest. Private land is to the left.



Waypoint 11. Photo 12. GPS Pt 011. Azimuth 138 degrees. Firewood and brush have been dumped inside the south CR boundary approximately 100 feet west of Mill Street.

Photographer: P. Westover

Date Taken: June 6, 2014

Signature: _____

P. Westover

Property Name: McLean Town of Belmont-Open Space CR #237.02 Municipality: Belmont



Waypoint 12. Photo 13. GPS Pt 012. Azimuth 302 degrees. At the southeast corner of the west parcel is a wood fence that divides private land (west of the fence) from CR land. Mill Street is out of the photo to the right.



Waypoint 13. Photo 14. GPS Pt 013. Azimuth 344 degrees. The Mill Street right-of-way marks the east boundary of the west CR parcel just across the street from the Lone Tree Hill Conservation Area.



Waypoint 14. Photo 15. GPS Pt 037. Azimuth 250 degrees. This gate at Concord Avenue is at the north boundary of the main east CR parcel.



Waypoint 15. Photo 16. GPS Pt 038. Azimuth 200. A signpost and trailhead at Concord Avenue mark an entrance to the main field from the north.

Photographer: P. Westover

Date Taken: June 6, 2014

Signature: _____

P. Westover

Property Name: McLean Town of Belmont-Open Space CR #237.02 Municipality: Belmont



Waypoint 16. Photo 17. GPS Pt 039. Azimuth 248 degrees. The north property line turns south here at the northeast corner of the adjacent Cosman CR. The utility pole is #97.



Waypoint 17. Photo 18. GPS Pt 041. Azimuth 326. The rocks and trail here are at the southeast corner of the Cosman CR where the Town of Belmont CR line turns northwesterly.



Waypoint 18. Photo 19. GPS Pt 042. Azimuth 28 degrees. At this iron pin (hidden in the shrubbery at the end of the wood fence on the left) the town CR line turns southerly.



Waypoint 19. Photo 20. GPS Pt 047. Azimuth 236 degrees. A faint trail left of the center of the photo parallels the western CR boundary (marked by the fence posts at right).

Photographer: P. Westover

Date Taken: June 6, 2014

Signature: _____

P. Westover

Property Name: McLean Town of Belmont-Open Space CR #237.02 Municipality: Belmont



Waypoint 20. Photo 21. GPS Pt 048. Azimuth 226 degrees. This stone wall follows the west boundary of the main CR parcel toward a corner at Mill Street.



Waypoint 21. Photo 22. GPS Pt 049. Azimuth 32 degrees. At this point the west boundary wall meets Mill Street, seen at left. CR land is to the right.



Waypoint 22. Photo 23. GPS Pt 050. Azimuth 108 degrees. A gate on the east side of Mill Street leads to an electric installation seen within the stockade fence at rear.



Waypoint 23. Photo 24. GPS Pt 051. Azimuth 44 degrees. At this corner on Mill Street, the line turns east toward the north end of an adjacent condominium complex.

Photographer: P. Westover

Date Taken: June 6, 2014

Signature: _____

P. Westover

Property Name: McLean Town of Belmont-Open Space CR #237.02 Municipality: Belmont



Waypoint 24. Photo 25. GPS Pt 052. Azimuth 120 degrees. The CR line follows the hedgerow at left, just north of a condominium complex.



Waypoint 25. Photo 26. GPS Pt 053. Azimuth 120 degrees. The iron pin in the center foreground marks a point on the south boundary line where the line turns slightly.



Waypoint 26. Photo 27. GPS Pt 054. Azimuth 16 degrees. A large black oak sits among Japanese knotweed north of the boundary line, looking northerly.



Waypoint 27. Photo 28. GPS Pt 055. Azimuth 140 degrees. A small stream runs through the woods within the CR and west of another set of condominiums.

Photographer: P. Westover

Date Taken: June 6, 2014

Signature: _____

P. Westover

Property Name: McLean Town of Belmont-Open Space CR #237.02 Municipality: Belmont



Waypoint 28. Photo 29. GPS Pt 056. Azimuth 344. A large silver maple sits at a boundary corner.



Waypoint 29. Photo 30. GPS Pt 057. Azimuth 344 degrees. This north-south running section of boundary line runs along a wall, with residences to the right. To the left is a dense tangle of bittersweet, sumac, and other shrubs.



Waypoint 30. Photo 31. GPS Pt 058. Azimuth 40 degrees. The boundary changes its angle at this corner. CR land is to the left.



Waypoint 31. Photo 32. GPS Pt 059. Azimuth 80 degrees. An east-west section of boundary line follows the wall on the left, looking easterly.

Photographer: P. Westover

Date Taken: June 6, 2014

Signature: _____

P. Westover

Property Name: McLean Town of Belmont-Open Space CR #237.02 Municipality: Belmont



Waypoint 32. Photo 33. GPS Pt 060. Azimuth 127 degrees. The boundary line continues in a southeasterly direction along the wall to the left. CR land is left of the wall.



Waypoint 33. Photo 34. GPS Pt 061. Azimuth 30 degrees. A trail at this gate on the boundary line leads northeasterly to the main field.



Waypoint 34. Photo 35. GPS Pt 062. Azimuth 60 degrees. This standpipe is located on the south side of the main field, looking northeasterly. A trail can be seen to the left of the pipe.



Waypoint 35. Photo 36. GPS Pt 063. Azimuth 100 degrees. Two trails diverge here at the edge of a yellow wood. The left trail (at self-guiding pt #14) runs through the main field; the right trail parallels the CR boundary

Photographer: P. Westover

Date Taken: June 6, 2014

Signature: _____

P. Westover

Property Name: McLean Town of Belmont-Open Space CR #237.02 Municipality: Belmont



Waypoint 36. Photo 37. GPS Pt 064. Azimuth 332 degrees. The end of a stone wall marks a corner where the boundary line turns south. CR land is to the right.



Waypoint 37. Photo 38. GPS Pt 065. Azimuth 324. On a rise in the middle of the main field is a large bitternut hickory and a memorial bench, seen to the right of the tree.



Waypoint 38. Photo 39. GPS Pt 066. Azimuth 260 degrees. This directional sign is at the eastern end of the main field. This view is back across the field toward the west.



Waypoint 39. Photo 40. GPS Pt 067. Azimuth 200 degrees. From the east end of the field, the main trail leads southerly next to wooded swamp. Mountain bike use is evident here.

Photographer: P. Westover

Date Taken: June 6, 2014

Signature: Pete Westover

Property Name: McLean Town of Belmont-Open Space CR #237.02 Municipality: Belmont



Waypoint 40. Photo 41. GPS Pt 068. Azimuth 120 degrees. A boardwalk crosses a wet section of land on one of the main trails, looking southeasterly.



Waypoint 41. Photo 42. GPS Pt 069. Azimuth 290 degrees. One of the main trails passes just east of this water tank, looking westerly.



Waypoint 42. Photo 43. GPS Pt 070. Azimuth 116 degrees. A trailer sits just south of the south CR boundary line next to a parking lot.



Waypoint 43. Photo 44. GPS Pt 071. Azimuth 210 degrees. A large black oak occupies a central part of the CR south of the Belmont Day School and north of the hospital complex.

Photographer: P. Westover

Date Taken: June 6, 2014

Signature: _____

P. Westover

Property Name: McLean Town of Belmont-Open Space CR #237.02 Municipality: Belmont



Waypoint 44. Photo 45. GPs Pt 072. Azimuth 212 degrees. Side trail #8 diverges from the main trail at this point in the eastern portion of the CR.



Waypoint 45. Photo 46. GPS Pt 091. Azimuth 42 degrees. This wall runs northeast, following the east boundary of the main CR parcel just north of Pleasant Street.



Waypoint 46 Photo 47. GPS Pt 092. Azimuth 164 degrees. A large den tree is on the boundary line north of Pleasant Street.



Waypoint 47. Photo 48. GPS Pt 094. Azimuth 308 degrees. This heap of grass clippings and leaves lies just inside the north CR boundary line, which follows the wall at right.

Photographer: P. Westover

Date Taken: June 6, 2014

Signature: _____

P. Westover

Property Name: McLean Town of Belmont-Open Space CR #237.02 Municipality: Belmont



Waypoint 48. Photo 49. GPS Pt 095. Azimuth 307 degrees. This leaf pile is at the edge of the CR just south of the Belmont Day School playing field.



Waypoint 49. Photo 50. GPS Pt 096. Azimuth 106 degrees. This sign is just south of the school playing field, looking east.

Photographer: P. Westover

Date Taken: June 6, 2014

Signature: _____

P. Westover

Property Name: McLean Town of Belmont-Open Space CR #237.02 Municipality: Belmont



Black swallowwort has invaded the fringe of both fields on the McLean Town of Belmont Open Space CR.



Black swallowwort is shown here in flower in early July. This invasive species spreads vegetatively or by windblown seeds and will climb shrubs or run across fields.



This black swallowwort clump is at the northwest part of the main "Lone Tree" hill.



The trail that continues west from the white pine stand next to Concord Avenue runs straight down the fall line and shows signs of erosion from surface runoff.

Photographer: P. Westover

Date Taken: June 6, 2014

Signature: _____

P. Westover

LIST OF WAYPOINTS AND DOCUMENTARY PHOTOGRAPHS **McLean Town of Belmont-Open Space CR #237.00, Belmont**

The photographs listed below and incorporated herein were taken on June 6, 2014.
The photographs accompany this report.

Camera Make and Model: Nikon P510
GPS Make and Model: Garmin 60CSX
Photo Resolution (Pixels): 6 mp
GPS Operator and Photographer: Pete Westover

Waypt	Photo No.	GPS Pt No.	Azim uth	Location Description / Notes
				WEST PARCEL
1	1	001	226	Northeast corner at Mill Street looking across field
2	2	002	152	Northwest corner looking across CR
3	3	003	84	South and west sides of barn
4	4	004	260	North and east sides of barn
5	5	005	152	Grass clippings inside west boundary
6	6	006	135	Wall on west boundary with brush pile
7	7	007	300	Brush and trash inside west boundary
8	8	008	80	Pile of grass clippings at west boundary
9	9	009	82	Southwest corner of CR looking east
10	10	010	38	Old barrel in woods of south part of parcel
11	11	011	320	South boundary looking north into CR parcel
11	12	011	138	Firewood and brush inside south boundary
12	13	012	302	Southeast corner at Mill Street with wood fence
13	14	013	344	East boundary at Mill Street with field on left
				MAIN PARCEL
14	15	037	250	Gate into CR parcel from Concord Avenue
15	16	038	200	Signpost and trailhead at Concord Avenue
16	17	039	248	Northeast corner of adjacent Cosman CR property
17	18	041	326	Southeast corner of adjacent Cosman CR property
18	19	042	28	Iron pin at SW corner of adjacent Cosman CR property
19	20	047	236	Trail at west boundary
20	21	048	226	Stone wall at west boundary
21	22	049	32	West boundary wall where it meets Mill Street
22	23	050	108	Gate to electric installation
23	24	051	44	Corner on Mill Street
24	25	052	120	CR boundary line at hedgerow next to condo complex
25	26	053	120	Iron pin at corner point on south boundary line
26	27	054	16	Black oak and Japanese knotweed north of boundary line
27	28	055	140	Stream in woods west of building complex

28	29	056	344	Large silver maple at corner on boundary line
29	30	057	344	Boundary line at high wall
30	31	058	40	Point on boundary line next to buildings
31	32	059	80	Boundary line at stone wall
32	33	060	127	Stone wall and boundary at the edge of a lawn
33	34	061	30	Gate and trail to main field
34	35	062	60	Standpipe at the south side of the main field
35	36	063	100	Junction of two trails at the south edge of the main field
36	37	064	332	Stone wall at corner on south boundary line
37	38	065	324	Lone tree and bench at the high point of the main field
38	39	066	260	Trail sign at the east end of the field
39	40	067	200	Trail across wet section
40	41	068	120	Boardwalk on trail through swampy section of land
41	42	069	290	Water tank near south boundary of CR
42	43	070	116	Trailer and parking lot just south of south CR boundary
43	44	071	210	Large black oak in the middle of the east part of the CR
44	45	072	212	Side trail #8 in east part of the CR
45	46	091	42	Stone wall on east boundary of CR
46	47	092	164	Den tree near east boundary of CR
47	48	094	308	Pile of grass clippings inside north boundary of CR
48	49	095	307	Leaf pile inside north boundary near school playing field
49	50	096	106	No trespassing sign on trail at north boundary line

GPS Waypoints Attribute Table
McLean Town of Belmont-Open Space CR #237.00, Belmont

Camera Make and Model: Nikon P510 / GPS Make and Model: Garmin 60CSX
 Photo Resolution (Pixels): 6 mp / GPS Operator and Photographer: Pete Westover

Waypoint & GPS Point No.	Latitude	Longitude	Y proj	X proj	Comment Date
1 001	42.39977824	-71.19485280	905518.01291619	225122.067021691	June 6, 2014
2 002	42.39963130	-71.19586634	905501.39323714	225038.683314891	June 6, 2014
3 003	42.39920081	-71.19584212	905453.582789272	225040.847796314	June 6, 2014
4 004	42.39928345	-71.19537173	905462.900396147	225079.541255472	June 6, 2014
5 005	2.39904163	-71.19623071	905435.787539502	225008.918948001	June 6, 2014
6 006	42.39893451	-71.19595586	905423.96958933	225031.589254527	June 6, 2014
7 007	42.39882857	-71.19560282	905412.305753209	225060.696429854	June 6, 2014
8 008	42.39850762	-71.19573081	905376.617985293	225050.28638507	June 6, 2014
9 009	42.39835373	-71.19582687	905359.496135804	225042.4388329	June 6, 2014
10 010	42.39833504	-71.19538447	905357.550085483	225078.868618268	June 6, 2014
11 011	42.39796498	-71.19491718	905316.582424505	225117.487192476	June 6, 2014
12 012	42.39779784	-71.19444804	905298.155268981	225156.177784233	June 6, 2014
13 013	42.39872689	-71.19465893	905401.28919098	225138.445841771	June 6, 2014
14 037	42.40028978	-71.19054032	905576.112370642	225476.895209135	June 6, 2014
15 038	42.40032281	-71.19095656	905579.657004676	225442.614329228	June 6, 2014
16 039	42.40141329	-71.19347390	905700.036511458	225234.935315542	June 6, 2014
17 041	42.40112755	-71.19382652	905668.19308307	225206.019781957	June 6, 2014
18 042	42.40118732	-71.19407614	905674.758425549	225185.445896145	June 6, 2014
19 047	42.40101214	-71.19420757	905655.26114342	225174.695634559	June 6, 2014
20 048	42.40078147	-71.19435140	905629.596553473	225162.946559569	June 6, 2014
21 049	42.40012550	-71.19480033	905556.600989667	225126.248712601	June 6, 2014
22 050	42.39785191	-71.19446824	905304.155245027	225154.493209662	June 6, 2014
23 051	42.39711447	-71.19461778	905222.198539846	225142.474893607	June 6, 2014
24 052	42.39699435	-71.19397329	905209.046146246	225195.584050122	June 6, 2014
25 053	42.39685144	-71.19344833	905193.327335476	225238.8614841	June 6, 2014
26 054	42.39680719	-71.19302178	905188.538481061	225273.997460423	June 6, 2014
27 055	42.39693702	-71.19305011	905202.951209769	225271.613125472	June 6, 2014
28 056	42.39719938	-71.19326251	905232.030456875	225254.021246313	June 6, 2014
29 057	42.39827712	-71.19307609	905351.797782527	225268.938543998	June 6, 2014
30 058	42.39852774	-71.19344967	905379.525298147	225238.081975082	June 6, 2014
31 059	42.39863008	-71.19323962	905390.955091508	225255.334260085	June 6, 2014
32 060	42.39860494	-71.19264769	905388.338047311	225304.077137909	June 6, 2014
33 061	42.39837209	-71.19195032	905362.680882246	225361.584120071	June 6, 2014
34 062	42.39859127	-71.19182124	905387.065127618	225372.12318666	June 6, 2014
35 063	42.39853629	-71.19146601	905381.063840202	225401.390910279	June 6, 2014
36 064	42.39793380	-71.19049740	905314.429968171	225481.378237457	June 6, 2014
37 065	42.39870024	-71.19058524	905399.537581656	225473.83758243	June 6, 2014

38 066	42.39822314	-71.18983003	905346.768565719	225536.205657788	June 6, 2014
39 067	42.39747070	-71.18996196	905263.15031547	225525.647760995	June 6, 2014
40 068	42.39638918	-71.18970933	905143.094001062	225546.88384897	June 6, 2014
41 069	42.39543297	-71.18881666	905037.148880978	225620.766277047	June 6, 2014
42 070	42.39479427	-71.18899176	904966.151483233	225606.608477855	June 6, 2014
43 071	42.39533583	-71.18768494	905026.699424907	225713.983491975	June 6, 2014
44 072	42.39447006	-71.18470467	904931.435128848	225959.713379864	June 6, 2014
45 091	42.39190788	-71.18458690	904646.872142644	225970.462265758	June 6, 2014
46 092	42.39277549	-71.18415582	904743.374832442	226005.599420334	June 6, 2014
47 094	42.39499259	-71.18411743	904989.655015263	226007.848291462	June 6, 2014
48 095	42.39514388	-71.18609078	905005.860024099	225845.313852165	June 6, 2014
49 096	42.39536852	-71.18641634	905030.713742749	225818.4177221	June 6, 2014

**PREPARER'S AFFIDAVIT of
BASELINE DOCUMENTATION REPORT (BDR) UPDATE for
McLean Town of Belmont CR (#237.02), Belmont**

The undersigned hereby states that he prepared the accompanying Baseline Documentation Report Update – 'Property Conditions Field Report, Baseline Update,' document dated complete on June 6, 2014, describing the conservation restriction listed above and that (2) said Report describes and documents the natural and other resources of the Property sought to be protected under a Conservation Restriction recorded in the Middlesex South Registry, 6/13/05, B/P 45375/1258, and (3) that based on all the information cited in said Report, that said Report is an accurate representation of the Property and its conditions as of the date of its preparation.

The undersigned acknowledges (1) that the condition of the Property documented in said Baseline Documentation Report Update does not necessarily constitute the condition of the Property allowed or required by the Conservation Restriction and (2) that The Trustees of Reservations (The Trustees) does NOT in any manner waive any rights of The Trustees, either at law or in equity, to enforce the provisions of said Restriction.

Signed and sealed under the pains and penalties of perjury this 8th day of July, 2014.

By: Pete Westover
Pete Westover, Conservation Works
Contractor, TTOR

Hampden COUNTY, ss. COMMONWEALTH OF MASSACHUSETTS

On this 8th day of July, 2014, before me, the undersigned notary public, personally appeared Pete Westover, proved to me through satisfactory evidence of identification, which was personal knowledge, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Brenda Susan Doherty
(official signature and seal of notary)

Name: Brenda Susan Doherty

My commission expires: 4/21/2017



**PHOTOGRAPHER AFFIDAVIT of
SUPPLEMENTAL BASELINE DOCUMENTATION REPORT (BDR)
PHOTOGRAPHS for**

McLean Town of Belmont CR (#237.02), Belmont

I, Pete Westover, contractor for the Trustees of Reservations (TTOR), hereby state that:
(1) I took the photographs dated June 6, 2014, of the above named property, digitally archived as McLean 001-015, 038-041, 046-069, and 090-095; and (2) that said photographs fairly and accurately depict the Property as it appeared on the date that the photographs were taken.

Signed under the pains and penalties of perjury this 8th day of July, 2014.

By: Pete Westover
Pete Westover, Conservation Works
Contractor, TTOR

COMMONWEALTH OF MASSACHUSETTS

Hampden County, ss.

On this 8th day of July, 2014, before me, the undersigned notary public, personally appeared, Pete Westover, proved to me through satisfactory evidence of identification, which was personal knowledge, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Brenda Susan Doherty
(official signature and seal of notary)

Name: Brenda Susan Doherty
My commission expires: 4/21/2017



Contractor's Qualifications

Project: McLean Town of Belmont-Open Space CR #237.02, Baseline Update, The Trustees of Reservations

Contractor: Pete Westover, Conservation Works, LLC

Pete Westover is a partner in Conservation Works, LLC, a land protection and ecological land management firm in western Mass. CW has done extensive work with Amherst College, The Trustees of Reservations, the Mass Departments of Conservation & Recreation, MA Division of Fisheries & Wildlife, and a wide range of land trusts and municipalities. Pete is a frequent adjunct professor at Hampshire College, most recently teaching a course on the Pacific Northwest (spring 2013). Since 2005 he has been a contractor with the Mass Dept of Agricultural Resources, working with farmers and Agricultural Commissions around western Mass on local farm issues.

Pete is a member of the Building Committee of the Hitchcock Center for the Environment, a board member of Conservation Law Foundation, and a founding board member of Whately Land Preservation. Pete received his undergraduate degree from Oberlin College and his masters degree from the Yale School of Forestry and Environmental Studies. He is the author of *Managing Conservation Land: the Stewardship of Conservation Areas, Wildlife Sanctuaries, and Open Space in Massachusetts*, and co-editor of *Bird Finding Guide to Western Massachusetts*. Previously he was Conservation Director for the Town of Amherst for 30 years and taught forest management at Antioch New England graduate school.

Over the past several years he has completed Baseline Documentation Reports and related work for The Trustees of Reservations, the Mass Dept of Conservation and Recreation, Kestrel Land Trust, Sheffield Land Trust, MDAR, Minnechaug Land Trust, The Nature Conservancy, the Town of Amherst, New England Small Farm Institute, North County Land Trust, and others as follows:

Baseline Documentation Reports Completed

- Seven Gates Farm CR, Chilmark/West Tisbury (TTOR) – 1100 acres, 2008
- Williams Farm APR, Sunderland (TTOR) – 2007
- Wisseman Farm APR, Sunderland (TTOR) – 2007
- Wisseman Farm II APR, Sunderland (TTOR) – 2007
- Manheim Farm APR, Sunderland (TTOR) – 2007
- Bottass Farm CR, over the CT line from Sheffield (TTOR) – 2009
- Brown CR, Gill (DCR) – 2009
- Jenkins CR, Gill (DCR) – 2009
- Johnson CR, Amherst (Town of Amherst/Kestrel Trust) – 2009
- Watroba CR, Pittsfield (TTOR) – 2008
- Thompson CR, Williamsburg (TTOR) – 2008
- Sedgwick CR, Stockbridge (TTOR) - 2008
- Bullitt Estate, Conway (TTOR) – 2009
- Eagle Eye/ForestStar CR, Peru (TTOR) – 2009

- Tiah's Cove CR, Chilmark (TTOR) – 2008
- East Hollyholm CR, West Tisbury (TTOR) – 2008
- Blandford CR, Blandford (Valley Land Fund) – 2009
- Himmelstein CR, Hampden (Minnechaug Land Trust) – 2009
- Minnechaug Mountain CR, Hampden (Minnechaug Land Trust) – 2010
- Katch CR, Hadley (Kestrel Trust) – 2009
- Cournoyer CR, Amherst (Kestrel Trust) – 2009
- Kirkland CR, Windsor (Mass Dept of Fish and Game) – 2010
- BNRC/Rubin CR, Alford, MA (Mass Dept of Fish and Game) – 2010
- Kleinfeldt/Feeney CR, Orange, MA (DCR) – 2010
- TNC-Jug End Fen CR, Egremont, MA (DFG) – 2011
- BNRC-Mt Darby CR, Mt Washington, MA (DFG) – 2011
- McDonald CR, Wilbraham, MA (Minnechaug Land Trust) – 2011
- Rice Preserve CR, Wilbraham, MA (Minnechaug Land Trust) – 2011
- Goat Rock CR, Hampden, MA (Minnechaug Land Trust) – 2011
- Sheffield Land Group CR, Sheffield, MA (Sheffield Land Trust) – 2012
- Halper CR, Sheffield, MA (Sheffield Land Trust) – 2012
- Berkshire School, CR, Sheffield, MA (Sheffield Land Trust) - 2012
- Burdsall APR, Egremont, MA (Mass Dept of Agricultural Resources) - 2013
- Proctor APR, Egremont, MA (Mass Dept of Agricultural Resources) – 2013
- Bauer APR, Whately, MA (Mass Dept of Agricultural Resources) – 2013
- Belden APR, Hatfield, MA (Mass Dept of Agricultural Resources) – 2013
- Banfield APR, Shutesbury & Pelham, MA (Mass Dept of Agricultural Resources) – 2013
- Hamilton APR, New Salem, MA (Mass Dept of Agricultural Resources) – 2013
- Dwelly Farm APR, Templeton, MA (North County Land Trust) – 2013
- Tatkon Preserve CR, Sheffield, MA (The Nature Conservancy) – 2013
- Blueberry Hill Farm CR, Mt Washington, MA (The Nature Conservancy) – 2013
- North County Land Trust-Kirby CR, Ashburnham, MA (North County Land Trust) – 2014
- Lampson Brook Farm, Belchertown, MA (New England Small Farm Institute) - 2014
 - Baseline Updates:
- Stoney Cove CR, Gloucester, MA (The Trustees of Reservations) – 2014
- Thompson Street CR, Gloucester, MA (The Trustees of Reservations) – 2014
- Bartholomew's Cobble CRs, Salisbury, CT (The Trustees of Reservations) – 2014
- Appleknoll Farm-Iorio CR, Millis, MA (The Trustees of Reservations) – 2014

**CONSERVATION RESTRICTION ABSTRACT
MCLEAN HOSPITAL CR #1 (109.99 ACRES)
AKA "McLean Hospital CR B-1"**

Grantor: McLean Hospital Corporation

Town: Belmont

Acreage: 109.99 +/-

Property location: Bounded by Mill Street (west), Concord Avenue (north), Pleasant Street (southeast), and Trapelo Road (southwest)

Date executed: May 19, 2005

Date effective: June 13, 2005

SUMMARY OF RESTRICTION:

Purposes: Native plant and animal habitat (wooded upland, wetlands, springs, vernal pools, open meadows) (in particular, mature forest known as Eastern Woods, meadow known as Lone Tree Hill)
Scenic vistas and historic landscapes, landscape features, and archaeological sites (in particular, views to west from Lone Tree Hill, white pine Pine Allee along Concord Avenue (in CR #2), fields along Mill Street)
Scenic beauty and passive recreation
Part of a regional greenway

<u>Reserved Rights</u>	<u>As of Right</u>	<u>With Notice or Approval</u>
All Reserved Rights, and activities not otherwise Prohibited, must be in accordance with the May 2001 Ecological Management Plan prepared by the BSC Group, and vetted by the Land Management Committee.		
Passive recreation (hiking, cross-country skiing) on marked trails	X	
Trail & woods roads creation/maintenance/closure	X	
Non-motorized biking		X
Signs & Kiosks		X
Mowing & maintenance of existing fields (not during field bird Nesting season)	X	
Maintenance & emergency vehicles	X	
Monitoring & study, and management & maintenance, of plant & animal populations, historic, landscape, and archaeological features)		X
Educational programs, including tours & research	X	
Construction & maintenance of non-cemetery parking for Recreational, educational, & management use		X
Construction & maintenance of bike path along Pleasant Street		X
Vehicular & pedestrian access and utility infrastructure serving Unrestricted land of Grantor only within areas identified On CR plan	X	
Underground utilities but not storm sewers or drainage		

Serving unrestricted land of Grantor	X
Water line and telecommunications facilities (only 1 telecom tower) Within area shown on CR plan (in CR #2)	X
Use, maintenance & replacement of Claflin recreational field & Waterlines & fire lane, but only if not for further expansion Of school or increase in field size	X
Renovation & use of barn & house west of Mill Street, and of Pleasant Street Lodge	X
Screening of abutting Zone 1-A	X

Suggestions for Key Locations/Features to Inspect:

Potential "dumping" areas behind barn & at end of driveway (near community gardens)
on the parcel west of Mill Street
"Inner boundaries" near the new development parcels: Residential Zone 1A and Zone 1B (north and northwest) and Zone 2 (southwest) and Zone 6 (southwest); Senior Housing Zone 3 (south); Research & Development Zone 4 (southeast)
100-foot buffer area beyond CR boundary along northeast edge of Zone 5
Claflin field near Belmont Day School
Old access/fire carriage road off Pleasant Street, near stream (southeast)

Existing Structures (2005)

Pleasant Street Lodge (by driveway, south)
Telecommunications Tower (on CR #2, near Concord Street, north)
Water Tower (southwest of Claflin Field, inside top curve of backwards "C" of CR map)
Barn (west of Mill Street)
Derelict House & derelict utility structure (west of Mill Street)
White House (east of Mill Street)



Bk: 45376 Pg: 268 Doc: REST
Page: 1 of 17 08/13/2006 02:26 PM

CONSERVATION RESTRICTION B-1

McLean Hospital Property, Open Space Property

Belmont, Massachusetts

I. Grantor Clause:

The McLean Hospital Corporation, a Massachusetts corporation having a usual address of 115 Mill Street, Belmont, MA ("Grantor"), acting pursuant to Sections 31 et seq. of Chapter 184 of the General Laws, grants, with quitclaim covenants, to The Trustees of Reservations, a Massachusetts nonprofit corporation having an address at 572 Essex Street, Beverly, MA 01915, and its successors and assigns ("Grantee") in perpetuity and exclusively for conservation purposes, the following described Conservation Restriction on certain parcels of land located in the Town of Belmont, Massachusetts, constituting 109.99 +/- acres, said parcels being those identified as "Conservation Restriction Areas" on Exhibit A attached hereto, which Exhibit is based upon a plan titled "McLean Hospital Reuse Master Plan, Belmont, Massachusetts, Prepared By Design Consultants, Inc.," dated February 22, 1999, and recorded in the Middlesex County Registry of Deeds at Book 2005, Page 126 (the "Premises"). For Grantor's title, see deed from Massachusetts General Hospital to McLean Hospital, dated September 30, 1980 and recorded in the Middlesex County Registry of Deeds, Book 14084, Page 0272.

II. Purposes:

The Premises contain unusual, unique or outstanding qualities, the protection of which in their natural or open condition will be of benefit to the public. These qualities include: wooded upland habitat, wetlands, springs, vernal pools, open meadows, native grasses and wildflowers, and significant habitat for native plants and wildlife, scenic vistas and historic landscapes, landscape features and archeological sites; as well as significant scenic beauty and opportunities for passive recreation consistent with the protection of open space and habitat. The mature forest community known as the Eastern Woods and the meadow known as Lone Tree Hill are of high ecological value and provide critical habitat to wildlife. The views looking out west from Lone Tree Hill to the former site of the Metropolitan State Hospital (a significant portion of which has been dedicated as public open space), of the white pines (known as the Pine Allee) along Concord Avenue, and the fields along Mill Street are important for their scenic and historic values. The diversity of natural habitats on the Premises, and its location as part of a regional greenway, make this a parcel of significant ecological and conservation value. Baseline documentation of the conservation values of the Premises has been prepared by Grantee and approved by Grantor and is available for review in the offices of Grantee.

In addition, this Conservation Restriction is an integral part of the Memorandum of Agreement between McLean Hospital and the Town of Belmont, entered into on

RETURN TO

HEMENWAY & BARNES

60 State Street

Boston, MA 02109

Attn: SYB

Premises: "McLean District", Belmont, MA
a/k/a Mill Street, Belmont, MA

Conservation Restriction B-1

2

November 22, 1999, which required the rezoning of the McLean Hospital property and the establishment of Conservation Restriction B-1 and B-2. Said Memorandum including Conservation Restriction B-1 and B-2 was approved by the Belmont Town Meeting in May 1999 and by Town Referendum in July 1999 after a public process extending over more than three previous years. The adopted zoning provides for the development of a limited amount of land within and adjacent to the historic McLean Hospital campus in the context of conservation in perpetuity of at least 109.99 acres of McLean Hospital open space as provided in Said Restriction B-1 and B-2

III. Land Management Committee:

The Premises shall be under the management responsibility and oversight of the Town of Belmont Land Management Committee established pursuant to the Memorandum of Agreement referenced above and to the Land Use and Management Plan to be entered into between the Grantor and the Town of Belmont. It is the intent of the Land Management Committee to retain the services of a Management Agent pursuant to the Land Use and Management Plan to implement its policies and to perform the day-to-day management activities. Funding for the Management Agent is expected from a dedicated portion of the revenue stream from any and all contracts the Town of Belmont may enter into with private users collocating on the public telecommunications facility.

IV. Prohibited Acts and Uses, Exceptions Thereto, and Permitted Uses:

A. **Prohibited Acts and Uses.** Subject to the exceptions set forth in Paragraph B below, the Premises (including, without limitation, any body of water thereon) shall be continued in their present undeveloped and natural condition and shall not be used for residential, industrial, institutional, or commercial use. The following acts and uses are prohibited on the Premises:

1. Constructing or placing of any building, tennis court, landing strip, mobile home, swimming pool, fences, asphalt or concrete pavement, sign, billboard or other advertising display, antenna, utility pole, tower, conduit, line or other temporary or permanent structure or facility on, above or below the Premises;

2. Mining, excavating, dredging or removing from the Premises of soil, loam, peat, gravel, sand, rock or other mineral resource or natural deposit; unless such excavating, dredging or removing from the Premises of soil, loam, peat, gravel, sand, rock or other mineral resource or natural deposit is a temporary activity directly associated with any use or activity permitted herein;

3. Placing, filling, storing or dumping on the Premises of soil, refuse, trash, vehicle bodies or parts, rubbish, debris, junk, waste or other substance or material or the installation of underground storage tanks; unless such placing, filling, or storing of soil or other non-toxic, non-

Conservation Restriction B-1

3

hazardous substance or material is a temporary activity directly associated with any use or activity permitted herein;

4. Cutting, removing or otherwise destroying trees, grasses or other vegetation;

5. The subdivision of the Premises, except as necessary to convey a portion of the Premises to the Town of Belmont, to convey a buffer parcel of less than one-half acre to the owners of the abutting Cosman parcel (provided that in such event, the land so conveyed shall be subject to the further restriction that no portion thereof may be used in calculating lot area, frontage or other zoning dimensional requirements with respect to the abutting Cosman parcel) or to convey the existing recreational field on the Premises;

6. Activities detrimental to drainage, flood control, water conservation, erosion control or soil conservation;

7. The use of motorcycles, motorized trail bikes, snowmobiles and all other motor vehicles, except as required by the Americans with Disabilities Act (ADA), police, firemen or other governmental agents in carrying out their lawful duties and except for cars, trucks and farm vehicles reasonably necessary for purposes permitted by this Conservation Restriction;

8. Team sport activities, such as soccer, field hockey, baseball or softball (except on the existing "Clafin" recreational field on the Premises as shown on Exhibit A); horseback riding; bicycles; or walking of unleashed dogs;

9. Inclusion of the Premises or any portion thereof as part of the gross area of other property not subject to this Conservation Restriction for the purposes of determining density, lot coverage, or open space requirements under otherwise applicable laws, regulations, or ordinances controlling land use and building density; and

10. Any other use of the Premises or activity which would materially impair significant conservation interests unless necessary for the protection of the conservation values that are the subject of this Conservation Restriction.

B. Exceptions to Otherwise Prohibited Acts and Uses. The following acts and uses otherwise prohibited in paragraph A are permitted, but only if such acts or uses do not materially impair significant conservation interests as determined by the Grantee, and only in accordance with the Plan (as defined in Section C.13):

Conservation Restriction B-1

4

1. Hiking, cross-country skiing, bird watching, and other similar passive, outdoor recreational uses, provided that such uses are consistent with the conservation purposes of this Conservation Restriction. The members of the public are hereby granted access to the trails shown on a plan approved by the Land Management Committee at its meeting on March 20, 2002. Such plan may be revised pursuant to Section B.2 below, subject to rules and regulations that may be adopted and posted from time to time by Grantee and the Land Management Committee, including the establishment of appropriate buffer zones with adjacent residences as determined by the Land Management Committee;
2. The maintenance, construction, relocation and closure of trails (including maintaining the fire roads to Belmont Fire Department standards) as determined by the Land Management Committee and approved by Grantor and Grantee. Such trails shall be illustrated on a plan reviewed, approved and posted from time to time by the Land Management Committee;
3. Non-motorized biking, provided that such use is approved by the Land Management Committee, the Grantee and the Grantor and is conducted on trail(s) designated for such use and under such conditions as are set by the Land Management Committee and approved by the Grantee and Grantor;
4. The construction, erection and maintenance of signs setting forth restrictions on the use of the Premises or identifying trails, locations, natural features or similar items and, with the prior approval of Grantee, the construction, erection, maintenance and use of kiosks or other minor or temporary structures for educational and management purposes;
5. The mowing of existing fields and meadows, so long as the same is scheduled and conducted in a manner which avoids the nesting season of field birds located at the Premises;
6. The use of emergency response vehicles; and the use of mowers, tractors or other motorized vehicles utilized for upkeep, maintenance and management of the Premises;
7. The right, but not the obligation, to monitor and study, or to permit others to monitor and study, plant and animal populations, plant communities, natural habitats, historic landscapes, landscape features and archeological sites on the Premises, all with prior written approval from Grantee;
8. The right to conduct, or permit others to conduct, management of the Premises for the benefit primarily of native flora and fauna (including ecologically appropriate methods to promote native species and to manage invasive species by chemical or non-chemical means) and/or for the

Conservation Restriction B-1

5

purpose of identifying and restoring and protecting historic landscapes, landscape features and archeological sites within the Premises, with prior written approval from Grantee;

9. The use of the Premises for educational programs, subject to the approval of the Land Management Committee, designed to increase the public's knowledge, understanding and appreciation of the natural world or of historic and archeological aspects of the Premises, including without limitation the right to conduct tours, nature walks, and ecological, environmental, historic or archeological research;

10. The construction (with the prior approval of Grantee), maintenance and use of parking areas accessory to the recreational, educational and management uses permitted hereunder (but not municipal cemetery use). The construction, maintenance and use of a bike path along the Pleasant Street edge of the Premises;

11. Construction, maintenance and use of vehicular and pedestrian access ways, and infrastructure, (such as drainage, gas, water and sewer systems) serving the unrestricted adjacent land of Grantor (including Zone 6 and the structures at 248 Mill Street), but only within those areas identified as "Vehicular & Pedestrian Access Areas" on the plan attached hereto as Exhibit B, which Exhibit is based upon a plan titled "McLean Hospital Reuse Master Plan, Belmont, Massachusetts, Prepared by Design Consultants, Inc.," recorded in the Middlesex County Registry of Deeds at Book 2005, Page 126. Construction, maintenance and use or a widening or alteration of layout of Pleasant Street;

12. The installation, maintenance and use of new underground utilities including electric, telephone, water supply, sanitary sewer, natural gas, cable television, fiberoptic cable, and similar communication systems, but not storm sewers and drainage systems, to serve the unrestricted adjacent land of the Grantor (including Zone 6 and the structures at 248 Mill Street) is permitted with prior notice to the Grantee provided that such utilities are located and constructed in a manner which minimizes the impact on the conservation values of the Premises as determined by the Land Management Committee.

13. The replacement and maintenance of existing utility and communication facilities on the Premises are permitted with prior notice to the Land Management Committee and the Grantee. The existing utility facilities including the water line as detailed in the Design & Site Plan Approvals granted by the Belmont Planning Board, dated 12/03/01 are not illustrated on Exhibit C. The existing, relocated telecommunication facilities (both aboveground and buried) are shown on Exhibit C to this Conservation Restriction. With respect to the communications tower, replacement of such tower (with the result that no more than one tower shall be located on the

Conservation Restriction B-1

6

Premises protected by Conservation Restrictions B-1 and B-2) may include relocation, together with necessary appurtenant structures and landscaping, and possible expansion of users thereon including a private user(s) under contract with the Town of Belmont as follows:

- a. that written notice and plans including elevation drawings for such relocation and construction have been provided for review and comment by the Land Management Committee and the Grantee;
- b. that such relocation is within the area designated on Exhibit C attached hereto;
- c. that reasonable measures have been taken at ground level to reduce the visual impact of the tower and associated structures and facilities, including but not limited to the access drive, fencing, and exterior materials;
- d. that in the case of structures, facilities, and equipment to be used by private lessees, prior written approval of the Land Management Committee and the Grantee shall be required upon a finding that said structures and facilities, considered in the context of their location, size and materials and of mitigating measures and conditions, will not have an undue negative impact upon the conservation values of the premises.

14. Use, maintenance and replacement of the so-called "Claflin" recreational field (as identified on Exhibit A), and of the underground drainage, sprinkler and emergency fire lane support systems as approved by the Town of Belmont as part of the expansion of the Belmont Day School described in the Belmont Planning Board Design & Site Plan Approval in Case No. PB01-02, and the reasonable alteration or enlargement of such systems, subject to the prior written approval of the Land Management Committee and the Grantee, provided that such alteration or enlargement is not for the purpose of allowing further expansion of the Belmont Day School or the recreational field.

15. The historically and architecturally significant Barn located at 248 Mill Street may be renovated (including new infrastructure), used, and maintained for such uses as environmental education, the storage of materials and equipment associated with management of the Premises or management of the cemetery area, and office space for staff of the cemetery and/or the Premises. The existing house located to the west of Mill Street may be renovated, used, and maintained for activities or uses permitted by this Conservation Restriction. The historically significant Pleasant Street Lodge may be renovated, used and maintained for uses ancillary to the uses allowed on the adjacent land of Grantor.

16. The installation of the screening within the open space abutting Zone 1A (as illustrated on the "Concept Site Plan for Proposed Planting At Zone 1A", prepared in cooperation with the McLean Implementation Committee and the McLean Land Management Committee (dated June 18,

Conservation Restriction B-1

7

2000)) even though it is located on the open space land to be owned by the Town.

- C. Ecological Management Plan.** An Ecological Management Plan (the "Plan", dated May 2001 by the BSC Group) has been developed for the Premises that sets forth measures to preserve and protect its natural resources, including its meadows, forests and wetlands. The Plan allows for passive outdoor recreational uses of the Premises by the public while identifying and documenting areas of significant ecological value. The Plan provides methods for managing those areas to help protect and enhance native plants and wildlife. These methods include mowing, pruning of trees, removal of invasive species, planting of trees and shrubs, and other activities deemed appropriate by the Land Management Committee, the Grantor, and the Grantee. The Plan may be amended from time to time by the Land Management Committee, subject to approval by the Grantor and the Grantee.
- D. Permitted Acts and Uses.** All acts and uses not prohibited by paragraphs A and B are permissible if they are clearly consistent with the conservation purposes of this Conservation Restriction and with prior written approval of the Land Management Committee, Grantor, and the Grantee. Permitted acts and uses may be further regulated as recommended by the Plan or consistent with the Plan so as to protect native plants and wildlife and the scenic and historic quality of the landscape. Particular attention will be paid to the protection of bird habitat, which may require certain specific regulations (including regulation of otherwise permitted uses) during the nesting season. All uses must comply with local, state, and federal laws.
- E. Notice and Approval.** Whenever notice to or approval is required under the provisions of paragraphs A or B, such notice shall be provided in writing not less than sixty (60) days prior to the date the activity in question is to be undertaken. The notice shall describe the nature, scope, design, location, timetable and any other material aspect of the proposed activity in sufficient detail to permit an informed judgment as to its consistency with the purposes of this Conservation Restriction. Where approval is required, such approval shall be granted or withheld in writing within sixty (60) days of receipt of the written request therefor. Approval shall not be unreasonably withheld, but shall only be granted upon a showing that the proposed activity shall not materially impair the purposes of this Conservation Restriction. Failure to respond in writing within such 60 days shall be deemed to constitute approval of the request as submitted, so long as the request sets forth the provisions of this section relating to deemed approval after the passage of time.

Conservation Restriction B-1

8

V. Legal Remedies of the Grantee:

A. Legal and Injunctive Relief. The rights hereby granted shall include the right to enforce this Conservation Restriction by appropriate legal proceedings and to obtain injunctive and other equitable relief against any violations, including, without limitation, relief requiring restoration of the Premises to its condition prior to the time of the injury complained of (it being agreed that the Grantee may have no adequate remedy at law), and shall be in addition to, and not in limitation of, any other rights and remedies available to the Grantee.

B. Reimbursement of Costs of Enforcement. Grantor and thereafter the successors and assigns of the Grantor covenant and agree to reimburse Grantee all reasonable costs and expenses (including without limitation reasonable counsel fees) incurred in enforcing this Restriction or in taking reasonable measures to remedy or abate any violation thereof, provided that a violation of this Conservation Restriction is acknowledged by Grantor or its successors and assigns or is determined by a court of competent jurisdiction to have occurred and that such court determines that reimbursement shall occur and so orders (or Grantor, or its successors and assigns and Grantee agree to such reimbursement). The reimbursement obligation of any party hereunder shall be limited to violations caused or permitted by said party within a portion of the Premises then owned by such party.

C. Grantee's Disclaimer of Liability. By its acceptance of this Conservation Restriction, the Grantee does not undertake any liability or obligation relating to the condition of the Premises, including without limitation the condition of former disposal areas, both known and unknown.

D. Non-Waiver. Any election by the Grantee as to the manner and timing of its right to enforce this Conservation Restriction or otherwise exercise its rights hereunder shall not be deemed or construed to be a waiver of such rights.

VI. Access:

The members of the public are hereby granted access to the trails shown on a plan approved by the Land Management Committee at its meeting on March 20, 2002. Such plan may be revised pursuant to Section IVB.2, subject to rules and regulations that may be adopted and posted from time to time by Grantee and the Land Management Committee, including the establishment of appropriate buffer zones with adjacent residences as determined by the Land Management Committee. The Conservation Restriction hereby conveyed does not grant to the Grantee, or to the public generally, or to any other person any right to enter upon the Premises, except as provided herein and except that there is granted to the Grantee and its successors, assigns, agents and representatives the right to enter the Premises at reasonable times and in a reasonable manner for the purpose of inspecting the same to determine compliance herewith.

Conservation Restriction B-1

9

VII. Assignability:

A. **Running of the Burden.** The burdens of this Conservation Restriction shall run with the Premises in perpetuity, and shall be enforceable against the Grantor and the successors and assigns of the Grantor holding any interest in the Premises.

B. The Grantee is authorized to record or file any notices or instruments appropriate to assuring the perpetual enforceability of this Conservation Restriction; the Grantor on behalf of itself and its successors and assigns appoints the Grantee its attorney-in-fact to execute, acknowledge and deliver any such instruments on its behalf. Without limiting the foregoing, the Grantor and its successors and assigns agree themselves to execute any such instruments upon request.

C. **Running of the Benefit.** The benefits of this Conservation Restriction shall be in gross and shall not be assignable by the Grantee, except in the following instances and from time to time:

i. as a condition of any assignment, the Grantee requires that the purpose of this Conservation Restriction continue to be carried out, and

ii. the assignee, at the time of assignment, qualifies under Section 170(h) of the Internal Revenue Code of 1986, as amended, and applicable regulations thereunder, and under Section 32 of Chapter 184 of the General Laws as an eligible donee to receive these Conservation Restrictions directly.

iii. it is understood that Grantee may in its discretion assign an interest in this Conservation Restriction temporarily or in perpetuity to a qualified Grantee of such a restriction, including but not limited to a state conservation agency of the Commonwealth of Massachusetts, in order to obtain assistance in enforcing this Conservation Restriction.

VIII. Subsequent Transfers:

The Grantor agrees to incorporate by reference the terms of this Conservation in any deed or other legal instrument by which it divests itself of any interest in all or a portion of the Premises, including a leasehold interest.

IX. Estoppel Certificates:

Upon request by the Grantor, its successors and assigns, the Grantee shall within thirty (30) days execute and deliver to the Grantor any document, including an estoppel certificate, which certifies the Grantor's compliance with any obligation of the Grantor contained in this Conservation Restriction.

Conservation Restriction B-1

10

X. Effective Date:

This Conservation Restriction shall be effective when the Grantor and the Grantee have executed it, the administrative approvals required by Section 32 of Chapter 184 of the General Laws have been obtained, and it has been recorded, or if registered land, it has been registered.

XL Miscellaneous.

(a) Controlling Law. The interpretation and performance of this Conservation Restriction shall be governed by the laws of the Commonwealth of Massachusetts.

(b) Liberal Construction. Any general rule of construction to the contrary notwithstanding, this Conservation Restriction shall be liberally construed in favor of the grant to effect the purpose of this Conservation Restriction and the policy and purpose of Mass. Gen. Laws Chapter 184, Sections 31-33. If any provision in this instrument is found to be ambiguous, an interpretation consistent with the purpose of this Conservation Restriction that would render the provision valid shall be favored over any interpretation that would render it invalid.

(c) Severability. If any provision of this Conservation Restriction shall to any extent be held invalid, the remainder shall not be affected.

(d) Entire Agreement. This instrument sets forth the entire agreement of the parties with respect to the Conservation Restriction and supersedes all prior discussions, negotiations, understandings, or agreements relating to the Conservation Restriction, all of which are merged herein.

(e) Captions. The captions in this instrument have been inserted solely for convenience of reference and are not a part of this instrument and shall have no effect upon construction or interpretation.

(f) Pre-existing rights of the Public. Approval of this Conservation Restriction pursuant to M.G.L Chapter 184, Section 32 by any municipal officials and by the Secretary of Environmental Affairs is not to be construed as representing the existence or non-existence of any pre-existing rights of the public, if any, in and to the Premises, and any such pre-existing rights of the public, if any, are not affected by the granting of this Conservation Restriction.

(g) If circumstances arise under which an amendment to or modification of this Conservation Restriction would be appropriate, Grantor and Grantee may by mutual written agreement jointly amend this Conservation Restriction; provided that any such amendment must also be agreed to in writing by the Town of Belmont, ratified by a majority vote of Town Meeting, the Board of Selectmen, and the Secretary of the Executive Office for Environmental Affairs; provided further that any such amendment shall be consistent with the purpose of this Conservation Restriction, shall not affect its perpetual duration, and shall not permit any impairment of the significant conservation

Conservation Restriction B-1

11

values of the Premises. Any such amendment shall be recorded in the Middlesex County Registry of Deeds.

XII. Recordation:

The Grantor shall record this instrument in timely fashion in the Middlesex County Registry of Deeds.

Executed under seal this 19th day of May, 2005.

THE McLEAN HOSPITAL CORPORATION

By: ACohen

Its Duly Authorized President/Psychiatrist in Chief

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss.

Date: May 19, 2005

Then personally appeared the above-named Bruce M. Cohen, M.D., Ph.D. and proved to me through satisfactory evidence of identification, which was (personal knowledge of identity) (a current driver's license) (a current U.S. passport), to be the person whose name is signed on the document and acknowledged to me that they signed it voluntarily for its stated purpose.

Catherine F. Bowen
Notary Public

My Commission Expires

CATHERINE F. BOWEN

NOTARY PUBLIC

MY COMMISSION EXPIRES OCT. 10, 2008

Conservation Restriction B-1

12

ACCEPTANCE BY THE TRUSTEES OF RESERVATIONS

Executed under seal this 17th day of May, 2005.

THE TRUSTEES OF RESERVATIONS

By: [Signature]

Its Duly Authorized Executive Director

COMMONWEALTH OF MASSACHUSETTS

BERKSHIRE ss.

Date: MAY 17, 2005

Then personally appeared the above-named ANDREW W. KENDALL and proved to me through satisfactory evidence of identification, which was (personal knowledge of identity) ~~(a current driver's license)~~ ~~(a current U.S. passport)~~, to be the person whose name is signed on the document and acknowledged to me that they signed it voluntarily for its stated purpose.

[Signature]

Notary Public
My Commission Expires



F. SYDNEY SMITHERS
Notary Public
Commonwealth of Massachusetts
My Commission Expires
June 30, 2008

Conservation Restriction B-1

13

APPROVAL OF THE TOWN OF BELMONT

Executed under seal as of the date first above written.

Town of Belmont

By: Paul Solomon

Selectman

By: Angelo Fivene

Selectman

By: William N. Brownsberger

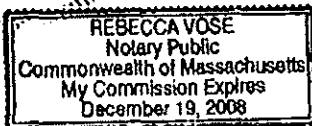
Selectman

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss

Date: May 13, 2005

Then personally appeared the above-named Paul Solomon,
Angelo Fivene, and William N. Brownsberger and proved to me
through satisfactory evidence of identification, which was (personal knowledge of
identity) (a current driver's license) (a current U.S. passport), to be the persons whose
names are signed on the document and acknowledged to me that they signed it
voluntarily for its stated purpose.

Rebecca Vose
Notary PublicMy Commission Expires December 19, 2008

Conservation Restriction B-1

14

APPROVAL BY SECRETARY OF ENVIRONMENTAL AFFAIRS

COMMONWEALTH OF MASSACHUSETTS

The undersigned, Secretary of the Executive Office of Environmental Affairs of the Commonwealth of Massachusetts, hereby certifies that the foregoing Conservation Restriction to The Trustees of Reservations has been approved in the public interest pursuant to M.G.L. Chapter 184, Section 32.

Date: June 1, 2005
Secretary of Environmental Affairs

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

Date June 1, 2005

Then personally appeared the above-named Alex Roy Kenfelden and proved to me through satisfactory evidence of identification, which was (personal knowledge of identity) (~~a current driver's license~~) (~~a current U.S. passport~~), to be the person whose name is signed on the document and acknowledged to me that they signed it voluntarily for its stated purpose.


Notary PublicMy commission expires: 12/15/2011

**CONSERVATION RESTRICTION B-1
EXHIBIT A**

Being the following "Conservation Restriction Areas" as shown on a plan entitled "McLean Hospital Reuse Master Plan, Belmont, Massachusetts, Prepared by Design Consultants, Inc.," dated February 22, 1999 and recorded in the Middlesex County South District Registry of Deeds as Plan No. 126 of 2005: the area shown as "Public Open Space" and located adjacent to and to the west of Mill Street, containing 4.58 acres; the area shown as "Soccer Field," containing 1.46 acres; the area shown as "100' Buffer", containing 2.83 acres; the area shown as "Public Open Space" and located adjacent to and to the north of Pleasant Street, containing 27.23 acres; and the area shown as "Public Open Space" and located adjacent to and to the south of Concord Avenue, which area contains 73.89 acres; the total of said Conservation Restriction Areas being 109.99 acres.

For title, see Deed recorded with said Deeds, Book 14084, Page 272.

CONSERVATION RESTRICTION B-1
EXHIBIT B

Being the following "Vehicular and Pedestrian Access Areas" as shown on a plan entitled "McLean Hospital Reuse Master Plan, Belmont, Massachusetts, Prepared by Design Consultants, Inc.," dated February 22, 1999 and recorded in the Middlesex County South District Registry of Deeds as Plan No. 126 of 2005; the area shown as "Public Open Space" and located adjacent to and to the west of Mill Street; the area shown as "Vehicular Access Easement" located south of Zone 1A and north of Zone 1B and linking said Zones; and the area shown as "Vehicular Access Area" located adjacent to and to the north of Trapelo Road and Pleasant Street.

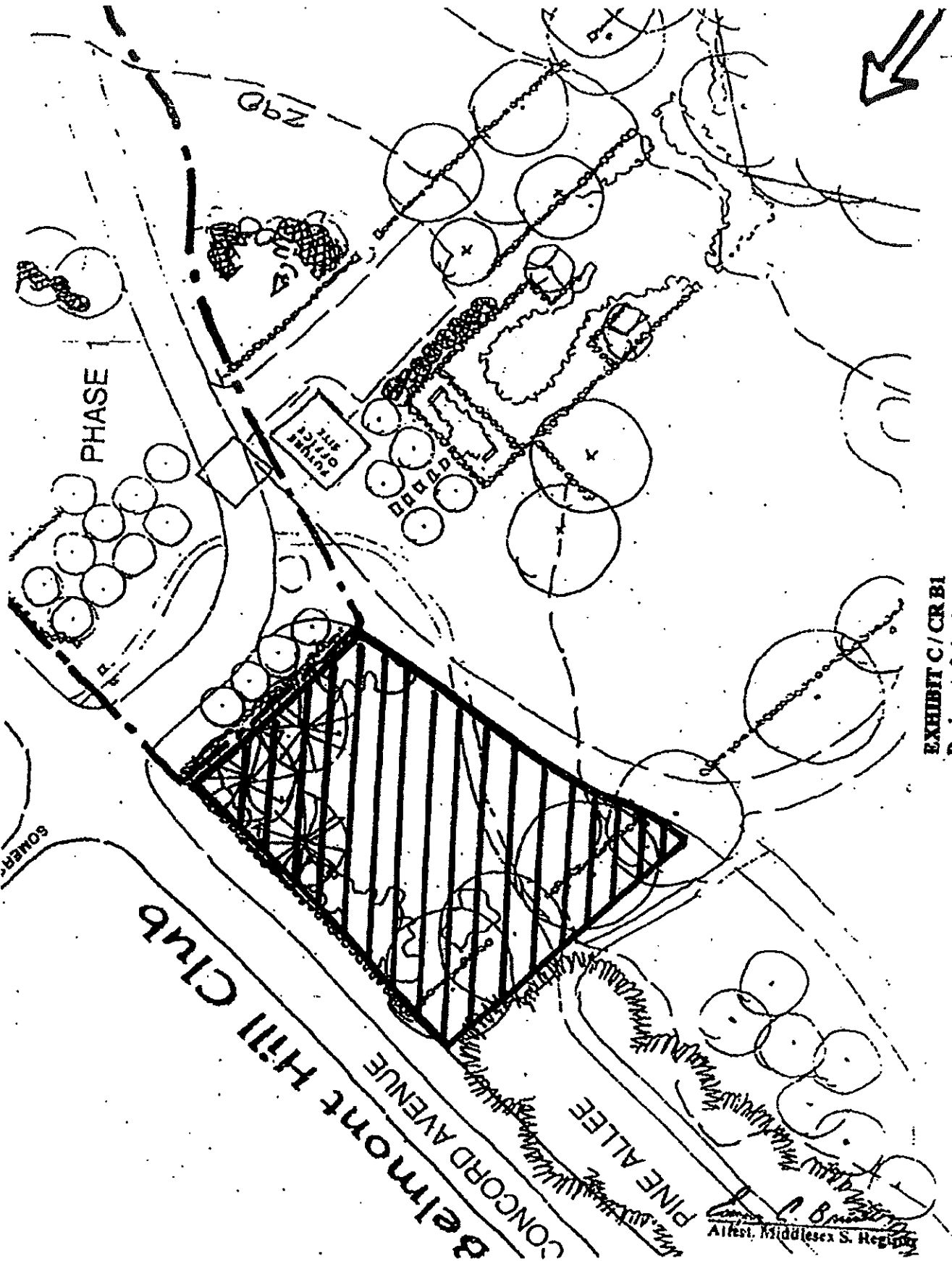


EXHIBIT C / CR B1
Designated site for relocated
Telecommunications Facility

RECEIVED
TOWN CLERK
BELMONT, MA

2015 JAN 16 AM 11:43

**McLEAN CEMETERY CR #233.00
BELMONT, MASSACHUSETTS
BASELINE DOCUMENTATION REPORT UPDATE
JULY 9, 2014**



**Submitted by
Pete Westover, Conservation Works, LLC
to The Trustees of Reservations**

CONTENTS

1. Letter of Submittal
2. Property Conditions Update Form
3. Map of Inspection Route
4. Map of Photo Points
5. Map of Field Invasive Plants
6. Photographs with Captions
7. Chart of Photographs
8. Chart of GPS Waypoints with Coordinates
9. Preparer Affidavit
10. Photographer Affidavit
11. Contractor Qualifications

McLean Cemetery CR #233.00, Belmont

Pete Westover
Conservation Works, LLC
PO Box 705, North Hatfield, MA 01066
pete@conservationworksllc.com

July 9, 2014

Sally Naser, Conservation Restriction Program Manager
The Trustees of Reservations

Subject: BDR Update, McLean Cemetery CR #233.00, Belmont

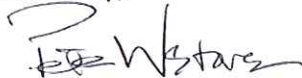
Dear Sally:

I am pleased to submit this Baseline Documentation Report Update for the McLean Cemetery Conservation Restriction #233.00 property off Concord Avenue in Belmont, Massachusetts.

Per my inspections of June 6 and July 9, 2014, the property appears to meet the conditions listed in the Conservation Restriction deed.

Please let me know if you would like additional information from my property inspection.

Sincerely,

A handwritten signature in black ink, appearing to read "Pete Westover".

Pete Westover
Conservation Works, LLC



Conservation Restriction (CR) - Baseline Documentation Report Update Property Conditions Field Report

☒ Visit conducted to take supplemental BDR photos & create full BDR update.

☐ Visit to confirm earlier BDR Photos as accurate, and add conditions report.

Name of CR Property:

CR Number: Inspection Date: Arrival Time: Departure Time:

Weather Conditions

CR Address/Location:

Current Landowner's Address (if different from CR address):

CR Grantor(s) Name(s): Current CR Landowner(s): ☐ Grantor ☒ Other

IF OTHER List **current** landowner(s) & fill out ownership table on final page.

Staff Present: Other Present:

Legal Information:

Name of Registry: *CR Book #: *CR Page #: *If Land Court, Doc #:

Date of CR Execution*: Date of CR Recording*: Restriction Type: ☒ CR ☐ HPR ☐ APR

Is there a co-holder of the CR? ☐ Yes ☒ No

Registry reference for current landowner's title to the property:

Book #: Page #: *If Land Court, Doc #:

Plans or Surveys: *Are there plans or surveys on record with the Registry of Deeds?*

☒ Yes ☐ No

If yes, List Book & Page below:

Plan BK #:	<input type="text"/>	Plan #:	<input type="text" value="724"/>	Plan Year, if applicable:	<input type="text" value="2005"/>	Other Plan Ref type:	<input type="text"/>	+	-
Plan BK #:	<input type="text"/>	Plan #:	<input type="text" value="1143"/>	Plan Year, if applicable:	<input type="text" value="2004"/>	Other Plan Ref type:	<input type="text"/>	+	-

Other legal documents affecting CR: Have any amendments, restatements, easements, or other legal documents **substantially** affecting the CR gone on record? ☐ Yes ☒ No

Have the CR premises been subdivided since the CR grant? ☐ Yes ☒ No

Property Description:

Property Size (acres):

Brief Property Description: Please write a 1-2 paragraph narrative generally describing the CR Property's use(s) and natural features:

The property includes an open field next to the cemetery entrance road, a significant area of hardwood forest, a strip of large white pines adjacent to Concord Avenue, patches of wooded red maple swamp, a reported vernal pool in the northwest part of the parcel (not

documented in this report), and a cell tower in a small excluded rectangle. An informal trail evidently created by usage crosses the north side of the open field, and official town trails take walkers south along a line parallel to the east CR boundary, with a few side trails leaving the property toward the adjacent Belmont Day School. Stone walls follow the east boundary and cross the interior of the property. Trails are used by walkers, runners, and dog-walkers.

CR Conservation Values - see purposes paragraph of CR document and check all that apply:

- | | | | |
|--|---|---|--|
| <input checked="" type="checkbox"/> Historic Features | <input checked="" type="checkbox"/> Scenic Value | <input type="checkbox"/> Agricultural | <input type="checkbox"/> Forestry |
| <input checked="" type="checkbox"/> Public Access & Rec. | <input type="checkbox"/> Gov't Policy | <input checked="" type="checkbox"/> General Habitat | <input type="checkbox"/> Rare Species Habitat |
| <input checked="" type="checkbox"/> Open Space network | <input type="checkbox"/> Public Water Supply | <input type="checkbox"/> Water Quality | <input checked="" type="checkbox"/> Ecological Value |
| <input type="checkbox"/> Wetland Protection | <input type="checkbox"/> Old CR - no list of conservation values: e.g. "natural scenic & open condition,"
"for conservation purposes;" "protection of natural systems", etc. | | |
| <input type="checkbox"/> Other Conservation Value | | | |

CR Reserved Rights and Prohibited Uses - Please see final page of this form - fill out table describing uses of property relative to the reserved rights, prohibited uses, or other terms of the CR document.

Building Envelopes & Special Use Areas: Does the CR property contain building envelopes or special use areas? ☒ Yes ☐ No

*If yes, list how many below

Number of Building Envelopes or
Special Use Areas in active use:

1

Number of designated Building
Envelopes or Use Areas not in active use:

0

Does CR Reserve right for landowner to designate "floating"
building envelopes / use areas in future? (Location yet to-be-determined)

☐ Yes ☒ No

Building and Manmade Structures:

Are there buildings or substantial manmade structures on the CR Property?

☐ Yes ☒ No

*If Yes, photograph all four sides of these buildings, and fill out table on the final page of this form.

Property Boundary Description

NORTH: Is Boundary identifiable in the field without a GPS?

☐ All ☒ Most ☐ Some ☐ None

Northern Boundary defining features - check all that apply:

- | | | | |
|--|--|---|---|
| <input type="checkbox"/> Survey Monuments | <input type="checkbox"/> Stone Wall(s) | <input checked="" type="checkbox"/> Road(s) | <input type="checkbox"/> Blazes |
| <input type="checkbox"/> Modern fenceline | <input type="checkbox"/> Old fenceline | <input type="checkbox"/> Stream/River Channel | <input type="checkbox"/> All inaccessible |
| <input type="checkbox"/> Some inaccessible | Relevant BDR Photos: 2,3,4 | | |
| <input type="checkbox"/> Other - Define | | | |

EAST: Is Boundary identifiable in the field without a GPS?

☐ All ☒ Most ☐ Some ☐ None

Eastern Boundary defining features - check all that apply:

- | | | | |
|--|---|---|---|
| <input type="checkbox"/> Survey Monuments | <input checked="" type="checkbox"/> Stone Wall(s) | <input type="checkbox"/> Road(s) | <input type="checkbox"/> Blazes |
| <input type="checkbox"/> Modern fenceline | <input type="checkbox"/> Old fenceline | <input type="checkbox"/> Stream/River Channel | <input type="checkbox"/> All inaccessible |
| <input type="checkbox"/> Some inaccessible | Relevant BDR Photos: 6,9 | | |
| <input type="checkbox"/> Other - Define | | | |

SOUTH: Is Boundary identifiable in the field without a GPS?

☐ All ☐ Most ☐ Some ☒ None

Southern Boundary defining features - check all that apply:

- ☐ Survey Monuments ☐ Stone Wall(s) ☐ Road(s) ☐ Blazes
☐ Modern fenceline ☐ Old fenceline ☐ Stream/River Channel ☐ All inaccessible
☐ Some inaccessible Relevant BDR Photos:
☐ Other - Define

WEST: Is Boundary identifiable in the field without a GPS? ☐ All ☒ Most ☐ Some ☐ None

Western Boundary defining features - check all that apply:

- ☒ Survey Monuments ☒ Stone Wall(s) ☐ Road(s) ☐ Blazes
☐ Modern fenceline ☐ Old fenceline ☐ Stream/River Channel ☐ All inaccessible
☐ Some inaccessible Relevant BDR Photos:
☐ Other - Define

BUILDING ENVELOPES: Are envelope Boundaries Identifiable in the field without a GPS? ☐ All ☐ Most ☐ Some ☐ None

Building Envelope defining features - check all that apply:

☒ N/A

- ☐ Survey Monuments ☐ Stone Wall(s) ☐ Road(s) ☐ Blazes
☐ Modern fenceline ☐ Old fenceline ☐ Stream/River Channel ☐ All inaccessible
☐ Some inaccessible Relevant BDR Photos:
☐ Other - Define

Describe boundaries further if needed. Describe boundary ambiguities, conditions, issues, encroachments (if any), & further details regarding characteristics checked off above.

The north boundary follows Concord Avenue and then, from its junction with the cemetery access drive, follows the south side of the interior cemetery road. The east boundary generally follows a stone wall. The unmarked south boundary runs through hardwood forest with a dense understory. The west boundary runs through the woods past 7 corner points that can be located by GPS and in one case by a stone corner pillar.

Protected Resource Descriptions

General forest character - check all that apply:

- ☐ Hardwood ☒ Evergreen ☒ Mixed Tree Types ☒ Mature Forest
☐ Early-Mid successional ☒ Mixed-age trees ☐ White Pine Successional ☐ Storm damage
☐ Active forestry / cutting ☐ Forested Wetlands ☒ Open understory ☒ Invasives in Understory
☒ Shrubby / dense understory ☐ N / A - no forest

Brief forest Character Description - list dominant tree species & describe age characteristics. Describe areas of forest on property, if they differ in type. Describe any active tree cutting or forestry management activities. Describe tree health / pest issues, if any identified.

Except for a tall stand of white pines next to Concord Avenue, the forest consists of young to mature hardwoods, including red oak (some of

them quite old), black cherry, red maple, young white pine, pin oak, blackgum (some quite large), quaking aspen, eastern redcedar, black oak, white ash, bitternut hickory, sugar maple, and a few Scotch pines. Toward the northwest part of the parcel the woods become quite wet. No signs of active tree cutting or forest management activities were noted. Surface rocks and boulders are scattered through the property.

Relevant BDR Photos:

7,8,10,11,12,13,14,21,22

Native Plants: List representative native plant species observed on property - list dominant, characteristic, or notable native plant species observed during BDR Update visit:

Native plants noted in the woods include, in addition to the tree species listed above, maple-leaved viburnum, enchanter's nightshade, highbush blueberry, Canada mayflower, spotted jewelweed, choke cherry, Lycopodium obscurum (clubmoss), cinnamon fern, hayscented fern, New York fern, sensitive fern, and several grass species. The field is quite diverse, including (in addition to invasive species noted below) highbush blackberry, wild madder, staghorn sumac, poison ivy, common milkweed, bitternut hickory seedlings, cow vetch, Virginia creeper, common St John's-wort, bladder campion, timothy, barnyard grass, butter-and-eggs, salsify, red oak seedlings, ox-eye daisy, birdsfoot trefoil, and red clover.

Relevant BDR Photos:

18

Invasive Plants: Did you observe any invasive plants on the CR?

☒ Yes ☐ No

If YES, list invasive species, general location(s) and describe abundance of these plants

Glossy buckthorn is common throughout the woods and abundant in the field. Multiflora rose can be found here and there, with a few in the field. Garlic mustard is present at woods edges in a few scattered locations. Black swallowwort has invaded several parts of the field. Japanese barberry is present in small quantity in the woods. Asiatic bittersweet is abundant in the field and in many parts of the woods.

Relevant BDR Photos:

24

Agriculture: Are agricultural uses permitted under the terms of the CR?

☐ Yes ☒ No

Wildlife Habitat: Is Wildlife habitat protected on the CR land?

☒ Yes ☐ No

If YES, indicate what habitat features are present on the property.

- | | | | | |
|---|--|--|---|--|
| <input checked="" type="checkbox"/> Wetlands | <input checked="" type="checkbox"/> Woodlands | <input checked="" type="checkbox"/> Edge Habitat | <input checked="" type="checkbox"/> Habitat Variety | <input type="checkbox"/> Large Habitat Block |
| <input type="checkbox"/> NHESP Priority Habitat of Rate Species | <input type="checkbox"/> NHESP BioMap Core Habitat | <input checked="" type="checkbox"/> Vernal Pools | <input type="checkbox"/> Specific Species named in CR | <input type="checkbox"/> Coastal Shoreline |
| <input type="checkbox"/> Salt Marsh | <input type="checkbox"/> Pond / Lake | <input type="checkbox"/> Wildlife corridor | <input type="checkbox"/> Rare Ecosystem | <input type="checkbox"/> River / Stream |
| <input type="checkbox"/> Other - Explain: | | | | |

Describe in further detail if needed. (e.g. - what type of habitat variety? Priority Habitat for what specific species, etc?)

Habitat includes open field, edge, dry oak-hickory woods, swamp hardwood forest, a vernal pool, and a belt of white pines near Concord Avenue.

Did you observe wildlife or signs of wildlife during this visit?

☐ Yes ☐ No

If YES, list species identified by observation or sign.

Birds noted include eastern phoebe, flicker, white-breasted nuthatch, catbird, song sparrow, and blue jay. Deer are undoubtedly present on the property.

Relevant BDR Photos:

none

Cultural & Historic Features:

☒ Yes ☐ No

Are any cultural / historic features protected by CR?

If YES, briefly explain what features are protected, including any changes to these compared to earlier BDR or monitoring photos.

Stone walls are present in several locations, including a new wall along Concord Avenue.

Relevant BDR Photos:

2,5,6,9,11,15,17,19,23

Are there Other Conservation Values protected by the CR, beyond the typical ones covered already in this section?

☐ Yes ☒ No

Relevant BDR Photos:

n/a

Property uses, dumping, and encroachments:

Manmade changes on property: Did you observe any major manmade changes in land use on the CR property, which appear to be carried out by the landowner?

☐ Yes ☒ No

Dumping & Materials Storage:

Did you observe any sites used for dumping or materials storage by landowner? ☐ Yes ☒ No

Were these located inside or outside of a building envelope or designated use area? ☐ Inside ☐ Outside ☒ N/A

Third Party Encroachments: Did you observe any third-party encroachments on the property during this visit?

☐ Yes ☒ No

Did you observe any changes in adjacent land which could threaten the CR property?

☐ Yes ☒ No

Stewardship Suggestions for the Future (if any):

Attention to control of the major invasive species overtaking the open field - black swallowwort, glossy buckthorn, and Asiatic bittersweet. This may require frequent mowing and possibly the selective use of herbicides. Boundary marking along the east boundary line would be helpful, as that side of the CR abuts the Belmont Day School. Other boundaries are less important to mark, as the south and east side abut Town land protected by another Conservation Restriction.

PLEASE INDICATE YOUR UNDERTANDING THAT THE FOLLOWING NECESSARY BDR UPDATE PIECES HAVE OR WILL BE PREPARED, original copies SIGNED and retained for filing with Sandy Lower, digital copies of originals placed in appropriate BDR file directory on the Common Drive, and physical copies prepared to send to Landowner.

☒ BDR Update Photosheets

☒ Photo Map(s)

☒

Photographer's Affidavit (notarized)

☒

Preparer's Affidavit (notarized) and qualifications included.

☐ Acknowledgment Form


☐ Cover letter to landowner prepared

Other BDR Update

☒ materials prepared (if applicable)

List any other materials:

Photo-waypoint Chart & GPS Coordinates Chart

Signature: 

Date of Completion: July 9, 2014

Pete Westover, Conservation Works & TTOR

Name: Contractor

Job Title: Baseline Update McLean Cemeter CR #233.00

Description Tables for Reserved Rights & Prohibited Uses, & CR Buildings.

CR Ownership Table - REFERENCED FROM PAGE ONE. If ownership of the CR property has changed since the original grantor, please fill out the table below describing changes in property ownership.

+/- Row(s)	Property Owner(s) Name(s)	Ownership dates	Recorded Date of Title Transfer to new owner	Title Transfer Book Number	Title Transfer Page Number	Other Notes
+ -	McLean Hospital Corporation	Date of CR Grant and prior	7/14/05	45611	80	
+ -	Town of Belmont	N/A	N/A	N/A		

CR Reserved Right and Prohibited Uses - REFERENCED FROM PAGE TWO. Comment on property uses or activities since CR grant that pertain to Reserved Rights and Prohibited Uses, using the table below.

+/- Row(s)	CR Paragraph Number(s) & Topic(s)	Prior Notice and/or approval required?	Prior Notice Received?	Description of activity (briefly describe activity, its effects, dates carried out, etc.)	Relevant BDR Update Photos
+ -	All prohibited uses	N/A	N/A	No prohibited activities noted on inspection visit.	N/A
+ -	IV.B1 Hiking and related uses	N/A	N/A	Hiking and walking evidently are common on the formal and informal trails.	8,20,suppl 4
+ -	IV.B4 Signs	Notice & Approval	Yes	An informational sign is located on a trail in the woods near the east boundary and a kiosk sits on a trail south of the cell tower exclusion.	7,20
+ -	IV.B5 Mowing except during nesting season	N/A	N/A	Field has been mowed this year; additional mowings recommended to control invasives.	3,4,16,24
+ -	IV.B8 Invasive species control	Notice & Approval	Yes	Efforts have reportedly been made to control Black swallowwort. Asiatic bittersweet and Glossy buckthorn are also abundant in the field.	8
+ -	IV.B10 Parking area construction	Notice & Approval	N/A	No parking specifically for open space use appears to have been constructed.	1
+ -	IV.B2 Trail construction	Notice & Approval	Yes	Trails have been constructed and appear on the map entitled "Lone Tree Hill Conservation Land"	8,20,suppl 4
+ -	IV.B12 Placement of no more than one cell tower with adequate screening.	Notice & Approval	Yes	One cell tower is in place on a small exclusion. Screening by spruces and other vegetation has been accomplished.	1,suppl 1,2,3

CR Building Table - REFERENCED FROM PAGE TWO. If there are buildings on the CR Premises, please describe each one below. List building footprint square footage, if the CR limits size of buildings.

+/- Row(s)	Building Type / Description	Bld. footprint Sq footage (if CR limits building size)	Square Footage Info Source	Located in Building Envelope?	Relevant BDR Update Photos
+ -					

CR BASE MAP McLean Cemetery and McLean Open Space - CR #s 233 and 237.02 - Belmont, MA

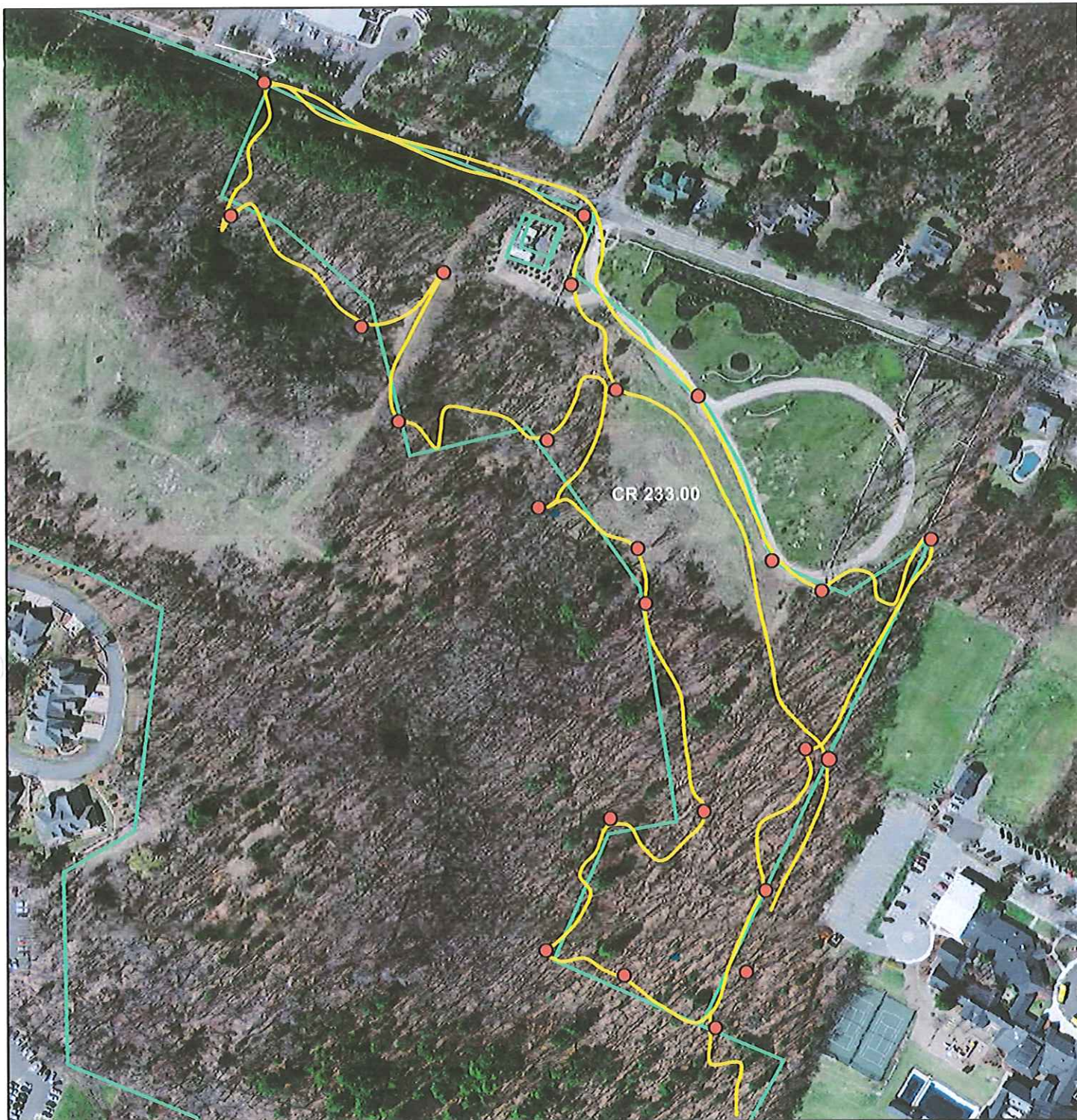
500 1,000 1,500 2,000 Feet



LEGEND

- CR Boundary
- Other Easement
- Parcel Boundary
- Building Footprint
- Trail
- Road
- Driveway
- Stone / Conc. Mon.
- Drillhole
- Iron Pipe
- Other survey marker





Aerial Photos from
MassGIS 2009

McLean Cemetery, CR 233.00 Inspection Route

 **Inspection
Route 6-6-14**

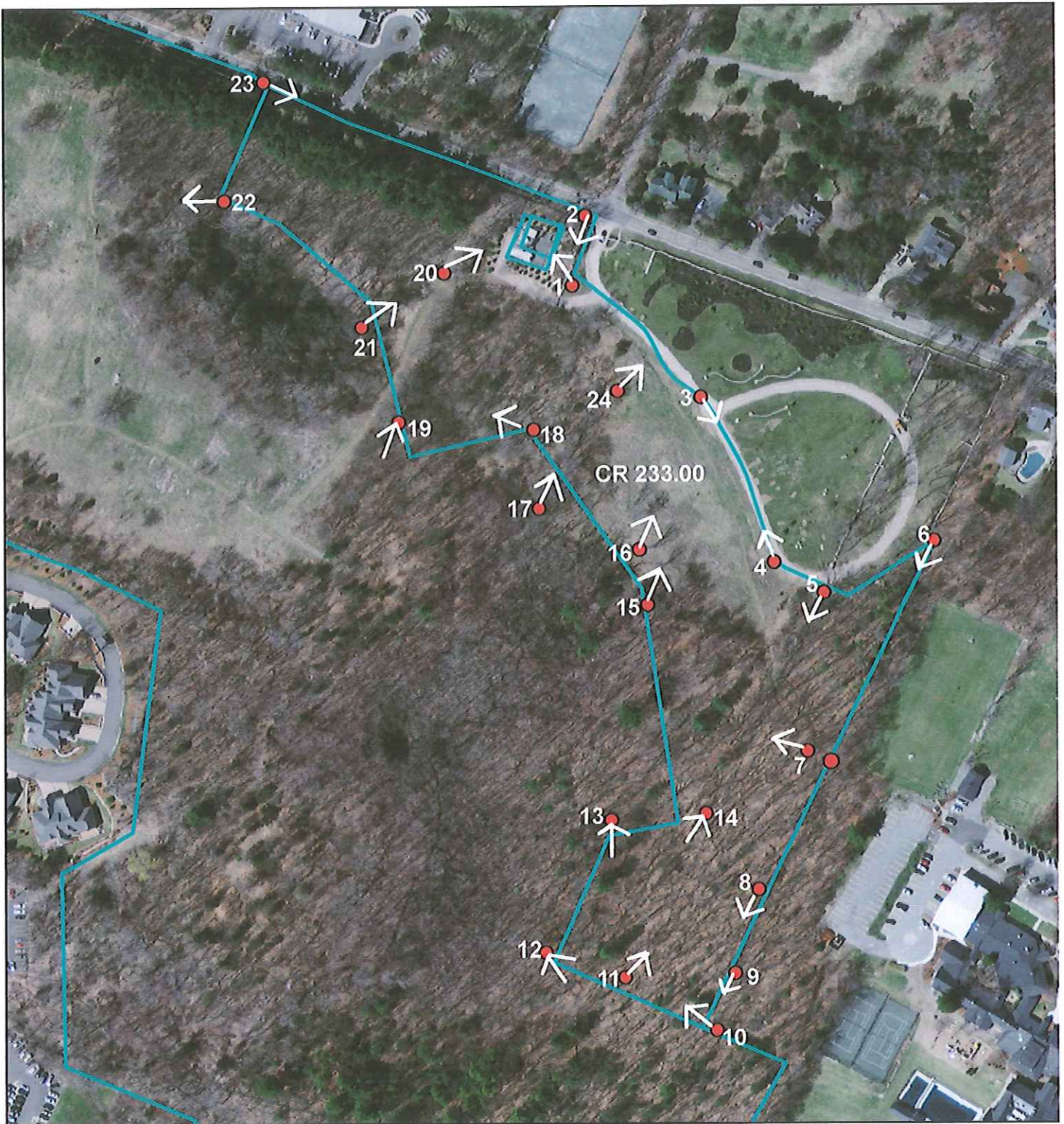
 **Photo Points**

0 100 200 400 600 800 Feet

This map is for planning purposes only, with specific points subject to verification on the ground. It is not to be used by itself for legal boundary definition.



Conservation Works, LLC - June 2014



Aerial Photos from
MassGIS 2009

McLean Cemetery, CR 233.00 Photo Points

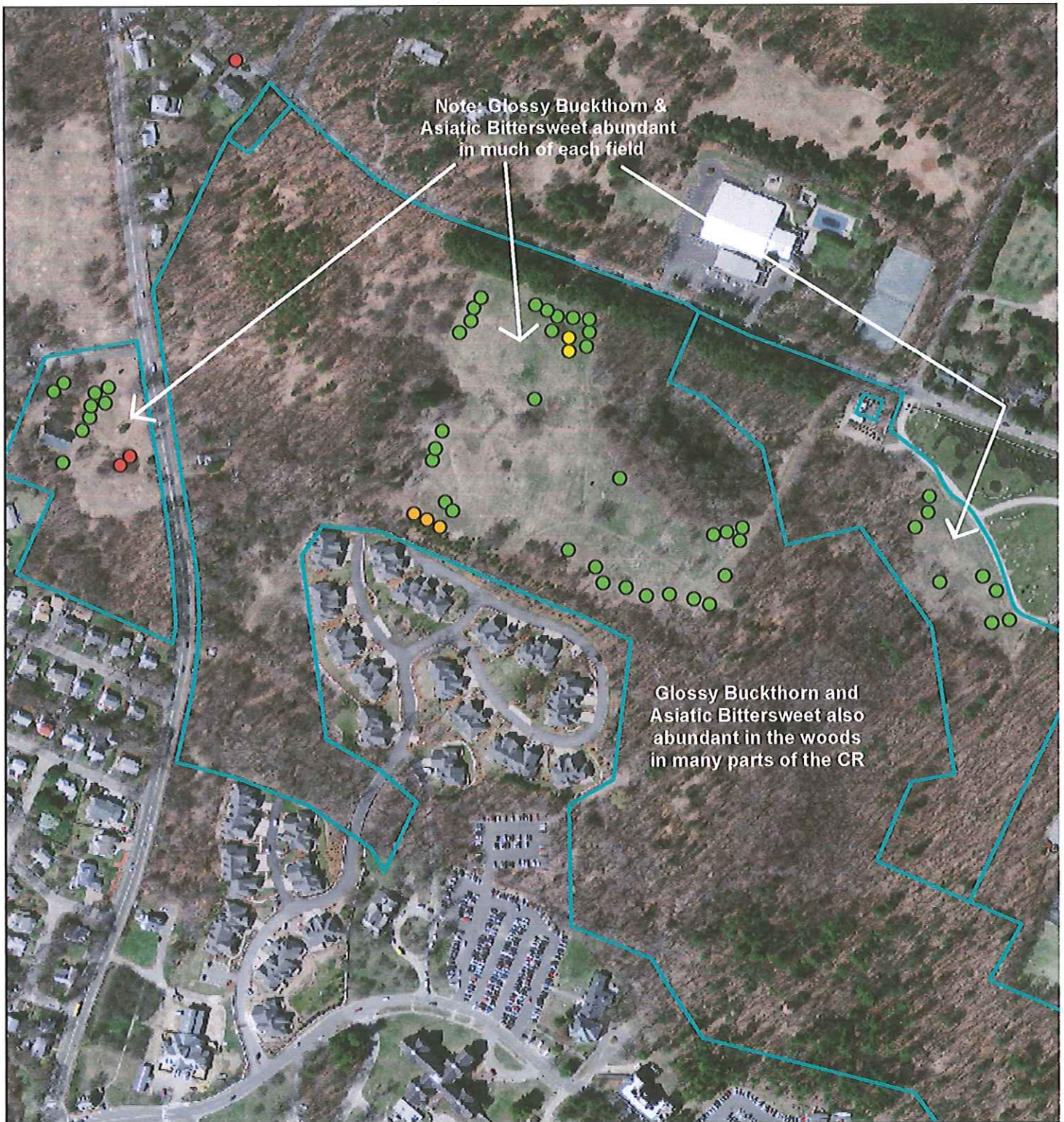
● Numbered
Photo Points

0 100 200 400 600 800 Feet

This map is for planning purposes only, with specific points subject to verification on the ground. It is not to be used by itself for legal boundary definition.

Conservation Works. LLC - June 2014





- Black Swallowwort
- Ailanthus (Tree-of-Heaven)
- Black Locust seedlings
- Japanese Knotweed

McLean Town & Cemetery CRs (#237.02 & 233.00) Field Invasive Plant Locations

Aerial Photos from
MassGIS 2009

0 150 300 600 900 1,200
Feet



This map is for planning purposes only, with specific points subject to verification on the ground. It is not to be used by itself for legal boundary definition.

Conservation Works, LLC - July 2014

Property Name: McLean Cemetery CR #233.00

Municipality: Belmont



Waypoint 1. Photo 1. GPS Pt 014. Azimuth 343 degrees. This view from the cemetery entrance drive near Concord Avenue is toward the cell tower located in a small excluded rectangle.



Waypoint 2. Photo 2. GPS Pt 015. Azimuth 226 degrees. From Concord Avenue at the cemetery driveway entrance, this view is southwesterly along the driveway with the corner wall shown in the foreground.



Waypoint 3. Photo 3. GPS Pt 016. Azimuth 142 degrees. This view is southeast along the road that runs along the edge of the cemetery CR from a point on the north boundary line. CR land is right of the road.



Waypoint 4. Photo 4. GPS Pt 017. Azimuth 344 degrees. From a point on the cemetery loop road, this view is northwestward toward the previous point. CR land is left of the road.

Photographer: P. Westover

Signature: _____

P. Westover

Date Taken: June 6, 2014

Property Name: McLean Cemetery CR #233.00

Municipality: Belmont



Waypoint 5. Photo 5. GPS Pt 018. Azimuth 210 degrees. This wall is seen from a point on the north boundary of the CR. It runs south through the CR.



Waypoint 6. Photo 6. GPS Pt 019. Azimuth 220 degrees. From the northeast corner of the CR, this wall follows the east boundary line southwesterly.



Waypoint 7. Photo 7. GPS Pt 020. Azimuth 286 degrees. This sign is located just inside the east boundary of the CR, looking westerly into the main CR woods.



Waypoint 8. Photo 8. GPS Pt 021. Azimuth 220 degrees. This trail is located just inside the east boundary of the CR, looking southwesterly along the line.

Photographer: P. Westover

Date Taken: June 6, 2014

Signature: _____

P. Westover

Property Name: McLean Cemetery CR #233.00

Municipality: Belmont



Waypoint 9. Photo 9. GPS Pt 022. Azimuth 216 degrees. This stone wall follows the east boundary of the CR, looking southwesterly along the line.



Waypoint 10. Photo 10. GPS Pt 023. Azimuth 312 degrees. From the southeast corner of the CR, this view is northwesterly along the south property line.



Waypoint 11. Photo 11. GPS Pt 024. Azimuth 32 degrees. This stone wall, seen from a point near the south boundary, runs through the interior of the CR.



Waypoint 12. Photo 12. GPS Pt 025. Azimuth 320 degrees. From the southwest corner of the CR, this view is northwesterly into the Town of Belmont property, under a separate CR.

Photographer: P. Westover

Date Taken: June 6, 2014

Signature: _____

P. Westover

Property Name: McLean Cemetery CR #233.00

Municipality: Belmont



Waypoint 13. Photo 13. GPS Pt 026. Azimuth 356 degrees. From a corner on the west boundary, this view is northerly into land of the Town of Belmont.



Waypoint 14. Photo 14. GPS Pt 027. Azimuth 32 degrees. This woods road runs northerly through the interior of the cemetery CR, seen from a point near a corner on the west boundary.



Waypoint 15. Photo 15. GPS Pt 028. Azimuth 33 degrees. This section of an old wall is on the west boundary of the CR, looking northeasterly.



Waypoint 16. Photo 16. GPS Pt 029. Azimuth 28 degrees. From a point just inside the west boundary of the CR, this view is northerly across open field located within the CR.

Photographer: P. Westover

Date Taken: June 6, 2014

Signature: _____

Pete Westover

Property Name: McLean Cemetery CR #233.00

Municipality: Belmont



Waypoint 17. Photo 17. GPS Pt 030. Azimuth 28 degrees. This wall runs into the cemetery CR from this point just outside the west boundary line.



Waypoint 18. Photo 18. GPS Pt 031. Azimuth 288 degrees. This stone pillar is located at a corner on the west boundary. Land in the cemetery CR is to the right.



Waypoint 19. Photo 19. GPS Pt 032. Azimuth 28 degrees. This piece of old stone wall is located on the northern part of the west boundary of the CR, looking northerly.



Waypoint 20. Photo 20. GPS Pt 033. Azimuth 52 degrees. This kiosk and trail are located in the northwest part of the CR, looking northeasterly toward the cell tower at Concord Avenue.

Photographer: P. Westover

Date Taken: June 6, 2014

Signature: _____

P. Westover

Property Name: McLean Cemetery CR #233.00

Municipality: Belmont



Waypoint 21. Photo 21. GPS Pt 034. Azimuth 63 degrees. Giant blackgum and bitternut hickory trees are seen here at a corner on the west boundary of the Cemetery CR looking northeasterly.



Waypoint 22. Photo 22. GPS Pt 035. Azimuth 270 degrees. From a corner on the west boundary, this view is westerly into a swampy section of CR land of the Town of Belmont.



Waypoint 23. Photo 23. GPS Pt 036. Azimuth 130 degrees. From the northwest corner of the cemetery CR, this view is along Concord Avenue toward the southeast.



Waypoint 24. Photo 24. GPS Pt 098. Azimuth 20 degrees. A clump of invasive black swallowwort can be seen southeast of the cemetery entry drive.

Photographer: P. Westover

Date Taken: June 6, 2014

Signature: _____

P. Westover

Property Name: McLean Cemetery CR #233.00

Municipality: Belmont



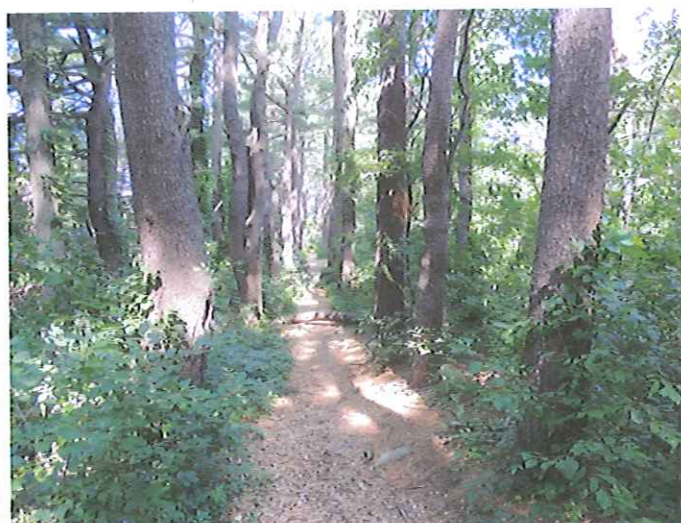
The cell tower in the small exclusion near Concord Avenue is seen here from the northwest.



Screening has been provided around the cell tower exclusion, seen here from the south.



The gate at center rear provides access to the cell tower exclusion (at left) from the main cemetery entrance on Concord Avenue.



This trail just south of Concord Avenue leads through a stand of tall white pines, looking westerly.

Photographer: P. Westover

Date Taken: July 9, 2014

Signature: _____

P. Westover

LIST OF WAYPOINTS AND DOCUMENTARY PHOTOGRAPHS **McLEAN CEMETERY CR #233.00, BELMONT**

The photographs listed below and incorporated herein were taken on June 6, 2014.
The photographs accompany this report.

Camera Make and Model: Nikon P510

GPS Make and Model: Garmin 60CSX

Photo Resolution (Pixels): 6 mp

GPS Operator and Photographer: Pete Westover

Waypt	Photo No.	GPS Pt No.	Azimuth	Location Description / Notes
1	1	014	343	Cemetery entrance drive looking toward cell tower
2	2	015	226	Cemetery entrance drive at Concord Avenue
3	3	016	142	Edge of interior cemetery road on north CR line
4	4	017	344	Edge of interior cemetery road on north CR line
5	5	018	210	Stone wall at north CR boundary
6	6	019	220	Northeast corner of CR with wall that follows east boundary
7	7	020	286	Sign near east boundary looking into main woods
8	8	021	220	Trail parallel to east boundary line
9	9	022	216	Stone wall on east boundary line
10	10	023	312	SE corner of CR looking along south boundary line
11	11	024	32	Stone wall in interior of CR
12	12	025	320	Southwest corner of CR looking into adjacent Town land
13	13	026	356	Corner on west boundary looking into adjacent Town land
14	14	027	32	Woods road at corner on west boundary line
15	15	028	33	Stone wall on west boundary line
16	16	029	28	From point near west boundary looking into main field
17	17	030	28	Stone wall seen from west boundary line
18	18	031	288	Stone pillar at corner on west boundary line
19	19	032	28	Section of stone wall on north part of west boundary line
20	20	033	52	Kiosk and trail in northwest part of CR
21	21	034	63	Corner with big blackgum and bitternut hickory
22	22	035	270	Corner on W boundary line looking into swamp on Town land
23	23	036	130	Northwest corner at stone wall on Concord Avenue
24	24	098	20	Black swallowwort clump in north part of CR

GPS Waypoints Attribute Table
McLean Cemetery CR #233.00, Belmont

Camera Make and Model: Nikon P510 / GPS Make and Model: Garmin 60CSX
 Photo Resolution (Pixels): 6 mp / GPS Operator and Photographer: Pete Westover

Waypoint & GPS Point No.	Latitude	Longitude	Y proj	X proj	Comment Date
1 014	42.39919016	-71.18814711	905454.687437783	225674.366392803	June 6, 2014
2 015	42.39948277	-71.18807687	905487.210825734	225680.030248458	June 6, 2014
3 016	42.39873821	-71.18744873	905404.696637219	225732.046526533	June 6, 2014
4 017	42.39805651	-71.18702042	905329.104760265	225767.586499474	June 6, 2014
5 018	42.39790739	-71.18676963	905312.616755162	225788.294717641	June 6, 2014
6 019	42.39813848	-71.18609129	905338.490839075	225844.047710906	June 6, 2014
7 020	42.39727775	-71.18684079	905242.656748408	225782.692917015	June 6, 2014
8 021	42.39668624	-71.18708043	905176.881218314	225763.204294386	June 6, 2014
9 022	42.39635490	-71.18720113	905140.040538834	225753.401887975	June 6, 2014
10 023	42.39612808	-71.18737112	905114.794760436	225739.498678229	June 6, 2014
11 024	42.39634752	-71.18788652	905139.014080574	225696.975615806	June 6, 2014
12 025	42.39645691	-71.18833856	905151.028701168	225659.714026254	June 6, 2014
13 026	42.39699285	-71.18794737	905210.677030753	225691.703493601	June 6, 2014
14 027	42.39701363	-71.18742711	905213.14204411	225734.528453908	June 6, 2014
15 028	42.39787378	-71.18775560	905308.585833832	225707.133867163	June 6, 2014
16 029	42.39809121	-71.18778267	905332.729141612	225704.816800111	June 6, 2014
17 030	42.39826991	-71.18834669	905352.408780149	225658.30886656	June 6, 2014
18 031	42.39854869	-71.18828366	905383.39378406	225663.384906248	June 6, 2014
19 032	42.39863059	-71.18913693	905392.234617091	225593.103080844	June 6, 2014
20 033	42.39924758	-71.18886142	905460.850718807	225615.535460068	June 6, 2014
21 034	42.39900148	-71.18933978	905433.371121162	225576.252665042	June 6, 2014
22 035	42.39949090	-71.19005986	905487.518768641	225516.772246613	June 6, 2014
23 036	42.40003690	-71.18986532	905548.225041138	225532.567733914	June 6, 2014
24 098	42.39874391	-71.18790027	905405.193655736	225694.869589611	June 6, 2014

**PREPARER'S AFFIDAVIT of
BASELINE DOCUMENTATION REPORT (BDR) UPDATE for
McLean Cemetery CR (#233.0), Belmont**

The undersigned hereby states that he prepared the accompanying Baseline Documentation Report Update – 'Property Conditions Field Report, Baseline Update,' document dated complete on June 6, 2014, describing the conservation restriction listed above and that (2) said Report describes and documents the natural and other resources of the Property sought to be protected under a Conservation Restriction recorded in the _____, and (3) that based on all the information cited in said Report, that said Report is an accurate representation of the Property and its conditions as of the date of its preparation.

The undersigned acknowledges (1) that the condition of the Property documented in said Baseline Documentation Report Update does not necessarily constitute the condition of the Property allowed or required by the Conservation Restriction and (2) that The Trustees of Reservations (The Trustees) does NOT in any manner waive any rights of The Trustees, either at law or in equity, to enforce the provisions of said Restriction.

Signed and sealed under the pains and penalties of perjury this 8th day of July, 2014.

By: Pete Westover
Pete Westover, Conservation Works
Contractor, TTOR

Hampden COUNTY, ss. COMMONWEALTH OF MASSACHUSETTS

On this 8th day of July, 2014, before me, the undersigned notary public, personally appeared Peter Westover, proved to me through satisfactory evidence of identification, which was personal knowledge, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Brenda Susan Doherty
(official signature and seal of notary)

Name: Brenda Susan Doherty

My commission expires: 4/21/2017



**PHOTOGRAPHER AFFIDAVIT of
SUPPLEMENTAL BASELINE DOCUMENTATION REPORT (BDR)
PHOTOGRAPHS for**

McLean Cemetery CR (#233.0), Belmont

I, Pete Westover, contractor for the Trustees of Reservations (TTOR), hereby state that:

(1) I took the photographs dated June 6, 2014, of the above named property, digitally archived as McLean 016-037 and 96; and (2) that said photographs fairly and accurately depict the Property as it appeared on the date that the photographs were taken.

Signed under the pains and penalties of perjury this 8th day of July, 2014.

By: Pete Westover
Pete Westover, Conservation Works
Contractor, TTOR

COMMONWEALTH OF MASSACHUSETTS

Hampton County, ss.

On this 8th day of July, 2014, before me, the undersigned notary public, personally appeared, Pete Westover, proved to me through satisfactory evidence of identification, which was personal knowledge, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Brenda Susan Doherty
(official signature and seal of notary)
Name: Brenda Susan Doherty
My commission expires: 4/21/2017



Contractor's Qualifications

Project: McLean Cemetery CR (#233.0), Baseline Update, The Trustees of Reservations

Contractor: Pete Westover, Conservation Works, LLC

Pete Westover is a partner in Conservation Works, LLC, a land protection and ecological land management firm in western Mass. CW has done extensive work with Amherst College, The Trustees of Reservations, the Mass Departments of Conservation & Recreation, MA Division of Fisheries & Wildlife, and a wide range of land trusts and municipalities. Pete is a frequent adjunct professor at Hampshire College, most recently teaching a course on the Pacific Northwest (spring 2013). Since 2005 he has been a contractor with the Mass Dept of Agricultural Resources, working with farmers and Agricultural Commissions around western Mass on local farm issues.

Pete is a member of the Building Committee of the Hitchcock Center for the Environment, a board member of Conservation Law Foundation, and a founding board member of Whately Land Preservation. Pete received his undergraduate degree from Oberlin College and his masters degree from the Yale School of Forestry and Environmental Studies. He is the author of *Managing Conservation Land: the Stewardship of Conservation Areas, Wildlife Sanctuaries, and Open Space in Massachusetts*, and co-editor of *Bird Finding Guide to Western Massachusetts*. Previously he was Conservation Director for the Town of Amherst for 30 years and taught forest management at Antioch New England graduate school.

Over the past several years he has completed Baseline Documentation Reports and related work for The Trustees of Reservations, the Mass Dept of Conservation and Recreation, Kestrel Land Trust, Sheffield Land Trust, MDAR, Minnechaug Land Trust, The Nature Conservancy, the Town of Amherst, New England Small Farm Institute, North County Land Trust, and others as follows:

Baseline Documentation Reports Completed

- Seven Gates Farm CR, Chilmark/West Tisbury (TTOR) – 1100 acres, 2008
- Williams Farm APR, Sunderland (TTOR) – 2007
- Wisseman Farm APR, Sunderland (TTOR) – 2007
- Wisseman Farm II APR, Sunderland (TTOR) – 2007
- Manheim Farm APR, Sunderland (TTOR) – 2007
- Bottass Farm CR, over the CT line from Sheffield (TTOR) – 2009
- Brown CR, Gill (DCR) – 2009
- Jenkins CR, Gill (DCR) – 2009
- Johnson CR, Amherst (Town of Amherst/Kestrel Trust) – 2009
- Watroba CR, Pittsfield (TTOR) – 2008
- Thompson CR, Williamsburg (TTOR) – 2008
- Sedgwick CR, Stockbridge (TTOR) - 2008
- Bullitt Estate, Conway (TTOR) – 2009
- Eagle Eye/ForestStar CR, Peru (TTOR) – 2009
- Tiah's Cove CR, Chilmark (TTOR) – 2008

McLean Cemetery CR #233.00, Belmont

- East Hollyholm CR, West Tisbury (TTOR) – 2008
- Blandford CR, Blandford (Valley Land Fund) – 2009
- Himmelstein CR, Hampden (Minnechaug Land Trust) – 2009
- Minnechaug Mountain CR, Hampden (Minnechaug Land Trust) – 2010
- Katch CR, Hadley (Kestrel Trust) – 2009
- Cournoyer CR, Amherst (Kestrel Trust) – 2009
- Kirkland CR, Windsor (Mass Dept of Fish and Game) – 2010
- BNRC/Rubin CR, Alford, MA (Mass Dept of Fish and Game) – 2010
- Kleinfeldt/Feeney CR, Orange, MA (DCR) – 2010
- TNC-Jug End Fen CR, Egremont, MA (DFG) – 2011
- BNRC-Mt Darby CR, Mt Washington, MA (DFG) – 2011
- McDonald CR, Wilbraham, MA (Minnechaug Land Trust) – 2011
- Rice Preserve CR, Wilbraham, MA (Minnechaug Land Trust) – 2011
- Goat Rock CR, Hampden, MA (Minnechaug Land Trust) – 2011
- Sheffield Land Group CR, Sheffield, MA (Sheffield Land Trust) – 2012
- Halper CR, Sheffield, MA (Sheffield Land Trust) – 2012
- Berkshire School, CR, Sheffield, MA (Sheffield Land Trust) - 2012
- Burdsall APR, Egremont, MA (Mass Dept of Agricultural Resources) - 2013
- Proctor APR, Egremont, MA (Mass Dept of Agricultural Resources) – 2013
- Bauer APR, Whately, MA (Mass Dept of Agricultural Resources) – 2013
- Belden APR, Hatfield, MA (Mass Dept of Agricultural Resources) – 2013
- Banfield APR, Shutesbury & Pelham, MA (Mass Dept of Agricultural Resources) – 2013
- Hamilton APR, New Salem, MA (Mass Dept of Agricultural Resources) – 2013
- Dwelly Farm APR, Templeton, MA (North County Land Trust) – 2013
- Tatkon Preserve CR, Sheffield, MA (The Nature Conservancy) – 2013
- Blueberry Hill Farm CR, Mt Washington, MA (The Nature Conservancy) – 2013
- North County Land Trust-Kirby CR, Ashburnham, MA (North County Land Trust) – 2014
- Lampson Brook Farm, Belchertown, MA (New England Small Farm Institute) - 2014
 - Baseline Updates:
- Stoney Cove CR, Gloucester, MA (The Trustees of Reservations) – 2014
- Thompson Street CR, Gloucester, MA (The Trustees of Reservations) – 2014
- Bartholomew's Cobble CRs, Salisbury, CT (The Trustees of Reservations) – 2014
- Appleknoll Farm-Iorio CR, Millis, MA (The Trustees of Reservations) – 2014

**CONSERVATION RESTRICTION ABSTRACT
MCLEAN HOSPITAL CR #2 (9.99 ACRES)
AKA "McLean Hospital CR B-2"**

Grantor: McLean Hospital Corporation

Town: Belmont

Acreage: 9.99 +/-

Property location: Bounded by Concord Avenue (north), telecommunications facility on Concord Avenue (north), proposed town cemetery (north and northeast), Belmont Day School (east), and the 109.9-acre restricted area to the south, southwest, and west.

Date executed: May 19, 2005

Date effective: June 13, 2005

SUMMARY OF RESTRICTION:

Purposes: Native plant and animal habitat (wooded upland, wetlands, springs, vernal pools, open meadows) (in particular, mature forest known as Eastern Woods, and red maple swamp and vernal pool (just inside CR #1) southwest of proposed Cemetery area)
Scenic vistas and historic landscapes, landscape features, and archaeological sites (in particular, white Pine Allee along Concord Avenue)
Scenic beauty and passive recreation
Part of a regional greenway

<u>Reserved Rights</u>	<u>As of Right</u>	<u>With Notice or Approval</u>
All Reserved Rights, and activities not otherwise Prohibited, must be in accordance with the May 2001 Ecological Management Plan prepared by the BSC Group, and vetted by the Land Management Committee.		
Cemetery expansion into CR area from adjacent non-CR Proposed cemetery area, after a majority Town Meeting vote	X	
Passive recreation (hiking, cross-country skiing) on marked trails	X	
Trail & woods roads creation/maintenance/closure	X	
Non-motorized biking		X
Signs & Kiosks		X
Mowing & maintenance of existing fields (not during field bird Nesting season)	X	
Maintenance & emergency vehicles	X	
Monitoring & study, and management & maintenance, of plant & animal populations, historic, landscape, and archaeological features)		X
Educational programs, including tours & research	X	
Construction & maintenance of non-cemetery parking for Recreational, educational, & management use		X

**CONSERVATION RESTRICTION ABSTRACT
MCLEAN HOSPITAL CR #2 (9.99 ACRES)
AKA "McLean Hospital CR B-2"**

Grantor: McLean Hospital Corporation

Town: Belmont

Acreage: 9.99 +/-

Property location: Bounded by Concord Avenue (north), telecommunications facility on Concord Avenue (north), proposed town cemetery (north and northeast), Belmont Day School (east), and the 109.9-acre restricted area to the south, southwest, and west.

Date executed: May 19, 2005

Date effective: June 13, 2005

SUMMARY OF RESTRICTION:

Purposes: Native plant and animal habitat (wooded upland, wetlands, springs, vernal pools, open meadows) (in particular, mature forest known as Eastern Woods, and red maple swamp and vernal pool (just inside CR #1) southwest of proposed Cemetery area)
Scenic vistas and historic landscapes, landscape features, and archaeological sites (in particular, white Pine Allee along Concord Avenue)
Scenic beauty and passive recreation
Part of a regional greenway

<u>Reserved Rights</u>	<u>As of Right</u>	<u>With Notice or Approval</u>
All Reserved Rights, and activities not otherwise Prohibited, must be in accordance with the May 2001 Ecological Management Plan prepared by the BSC Group, and vetted by the Land Management Committee.		
Cemetery expansion into CR area from adjacent non-CR Proposed cemetery area, after a majority Town Meeting vote	X	
Passive recreation (hiking, cross-country skiing) on marked trails	X	
Trail & woods roads creation/maintenance/closure	X	
Non-motorized biking		X
Signs & Kiosks		X
Mowing & maintenance of existing fields (not during field bird Nesting season)	X	
Maintenance & emergency vehicles	X	
Monitoring & study, and management & maintenance, of plant & animal populations, historic, landscape, and archaeological features)		X
Educational programs, including tours & research	X	
Construction & maintenance of non-cemetery parking for Recreational, educational, & management use		X

Vehicular & pedestrian access and utility infrastructure serving
Unrestricted land of Grantor only within areas identified
On CR plan

X

Underground utilities but not storm sewers or drainage
Serving unrestricted land of Grantor (and so as to
Not compromise possible future cemetery use)

X

Water line and telecommunications facilities (only 1 telecom tower)
Within area shown on CR plan

X

Suggestions for Key Locations/Features to Inspect:

Area along boundary with proposed cemetery, especially during cemetery construction
Area along boundary with Belmont Day School
Area along Concord Avenue bordering telecom facility

Existing Structures (2005)

Telecommunications Tower (near Concord Street, north)



2005 00120/55
Bk: 45375 Pg: 275 Doc: REST
Page: 1 of 15 08/13/2005 02:25 PM

CONSERVATION RESTRICTION B-2

McLean Hospital Property, Cemetery Portion

Belmont, Massachusetts

I. Grantor Clause:

The McLean Hospital Corporation, a Massachusetts corporation having a usual address of 115 Mill Street, Belmont, MA ("Grantor") acting pursuant to Sections 31 et seq. of Chapter 184 of the General Laws, grants, with quitclaim covenants, to The Trustees of Reservations, a Massachusetts nonprofit corporation having an address at 572 Essex Street, Beverly, MA 01915 ("Grantee") and its successors and assigns in perpetuity (except as provided in Section B.13 below) and exclusively for conservation purposes, the following described Conservation Restriction on a certain parcel of land located in the Town of Belmont, Massachusetts, constituting approximately 9.9 acres, said parcel being shown in Exhibit A attached (the "Premises") [said parcel being the "Cemetery" parcel as identified and shown on Exhibit A, excepting the four-acre parcel in the northeast corner identified as "Phase One," which has been designated by the Board of Cemetery Commissioners as the initial cemetery phase and excepting such additional acreage as may be designated pursuant to the provisions of Section IV.B13 below]. For Grantor's title, see deed from Massachusetts General Hospital to McLean Hospital, dated September 30, 1980 and recorded in the Middlesex County Registry of Deeds, Book 14084, Page 0272.

II. Purposes:

Together with the adjacent land protected by the McLean Hospital Restriction B-1, the Premises contain unusual, unique or outstanding qualities, the protection of which in their natural or open condition will be of benefit to the public. The qualities specifically relevant to the Premises include wooded habitat that is a portion of the mature forest known as the Eastern Woods, the adjacent red maple swamp and the vernal pool which are of high ecological value and provide significant habitat for wildlife. The planted rows of white pine known as the Pine Allee along Concord Avenue are important for their scenic and historic values. The location of the Premises as part of an emerging regional greenway, adds to the conservation significance of this parcel. Baseline documentation of the conservation values of the Premises has been prepared by Grantee and approved by Grantor and is available for review in the offices of Grantee.

In addition, this Restriction is an integral part of the Memorandum of Agreement between McLean Hospital and the Town of Belmont, entered into on November 22, 1999, which required the rezoning of the McLean Hospital property and the establishment of Conservation Restrictions B-1 and B-2. Said Memorandum, including Restrictions B-1 and B-2 was approved by the Belmont Town Meeting in May 1999 and by Town Referendum in July 1999 after a public process extending over more than three previous years. The adopted zoning provided for the development of a limited amount of land within and adjacent to the historic McLean Hospital campus in the context of conservation in

**RETURN TO
HEMENWAY & BARNES**

60 State Street
Boston, MA 02109
Attn: SYB

Premises: "McLean District", Belmont, MA
a/k/a Mill Street, Belmont, MA

Conservation Restriction B-2

2

perpetuity of at least 110 acres of McLean Hospital open space as provided in said Restrictions B-1 and B-2. With reference to this Restriction B-2, said Memorandum provided for the initial development of a 4-acre public cemetery (which has been excluded from the Premises of Restriction B-2) by the Town of Belmont Cemetery Commission, and, following a later majority vote of the Town Meeting, the expansion of that cemetery within the Premises protected by this Restriction B-2. The purpose of Restriction B-2 in this regard is to assure the public that the Premises will be protected from development in perpetuity or until such time as the Town Meeting authorizes an expansion of the cemetery. This assurance was a key point in the complex negotiation among stakeholders that resulted in the approval of said Memorandum. In addition, this Restriction will provide continued protection of any portion of the Premises that ceases to be used for cemetery purposes.

III. Land Management Committee:

The Premises shall be under the management responsibility and oversight of the Town of Belmont Land Management Committee established pursuant to said Memorandum and to the Land Use and Management Plan to be entered into between the Grantor and the Town of Belmont. It is the intent of the Land Management Committee to retain the services of a Management Agent pursuant to the Land Use and Management Plan to implement its policies and to perform the day-to-day management activities. Funding for the Management Agent is expected from a dedicated portion of the revenue stream from any and all contracts the Town of Belmont may enter into with private users co-locating on the public telecommunications facility.

IV. Prohibited Acts and Uses, Exceptions Thereto, and Permitted Uses:

A. Prohibited Acts and Uses. Subject to the exceptions set forth in Paragraph B below, the Premises (including, without limitation, any body of water thereon) shall be continued in their present undeveloped and natural condition and shall not be used for residential, industrial, institutional, or commercial use. The following acts and uses are prohibited on the Premises:

1. Constructing or placing of any building, tennis court, landing strip, mobile home, swimming pool, fences, asphalt or concrete pavement, sign, billboard or other advertising display, antenna, utility pole, tower, conduit, line or other temporary or permanent structure or facility on, above or below the Premises;
2. Mining, excavating, dredging or removing from the Premises of soil, loam, peat, gravel, sand, rock or other mineral resource or natural deposit; unless such excavating, dredging or removing from the Premises of soil, loam, peat, gravel, sand, rock or other mineral resource or natural deposit is a temporary activity directly associated with any use or activity permitted herein;
3. Placing, filling, storing or dumping on the Premises of soil, refuse, trash, vehicle bodies or parts, rubbish, debris, junk, waste or other

Conservation Restriction B-2

3

substance or material or the installation of underground storage tanks; unless such placing, filling, or storing of soil or other non-toxic, non-hazardous substance or material is a temporary activity directly associated with any use or activity permitted herein;

4. Cutting, removing or otherwise destroying trees, grasses or other vegetation;

5. The subdivision of the Premises;

6. Activities detrimental to drainage, flood control, water conservation, erosion control or soil conservation;

7. The use of motorcycles, motorized trail bikes, snowmobiles and all other motor vehicles, except as required by the Americans with Disabilities Act (ADA), police, firemen or other governmental agents in carrying out their lawful duties and except for cars, trucks and farm vehicles reasonably necessary for purposes permitted by this Conservation Restriction;

8. Team sport activities, such as soccer, field hockey, baseball or softball; horseback riding; bicycles; or walking of unleashed dogs;

9. Inclusion of the Premises or any portion thereof as part of the gross area of other property not subject to this Conservation Restriction for the purposes of determining density, lot coverage, or open space requirements under otherwise applicable laws, regulations, or ordinances controlling land use and building density; and

10. Any other use of the Premises or activity which would materially impair significant conservation interests unless necessary for the protection of the conservation values that are the subject of this Conservation Restriction.

B. Exceptions to Otherwise Prohibited Acts and Uses. The following acts and uses otherwise prohibited in paragraph A are permitted, but only if (except as noted in Section B.13) such acts or uses do not materially impair significant conservation interests as determined by the Grantee, and only in accordance with the Plan (as defined in Section C.11):

1. Hiking, cross-country skiing, bird watching, and other similar passive outdoor recreational uses, provided that such uses are consistent with the conservation purposes of this Conservation Restriction. The members of the public are hereby granted access to the trails shown on a plan approved by the Land Management Committee at its meeting held on March 20, 2002. Such plan may be revised pursuant to Section B.2 below, subject to rules and regulations that may be adopted and posted from time to time by the Grantee and the Land Management Committee, including the establishment

Conservation Restriction B-2

4

of appropriate buffer zones with adjacent residences as determined by the Land Management Committee;

2. The maintenance, construction, relocation and closure of trails (including maintaining the fire roads to Belmont Fire Department standards) as determined by the Land Management Committee and approved by Grantor and Grantee. Such trails shall be illustrated on a plan reviewed, approved and posted from time to time by the Land Management Committee;

3. Non-motorized biking, provided that such use is approved by the Land Management Committee, the Grantee and the Grantor and is conducted on trail(s) designated for such use and under such conditions as are set by the Land Management Committee and approved by the Grantee and Grantor;

4. The construction, erection and maintenance of signs setting forth restrictions on the use of the Premises or identifying trails, locations, natural features or similar items and, with the prior approval of Grantee, the construction, erection, maintenance and use of kiosks or other minor or temporary structures for educational and management purposes;

5. The mowing of existing fields and meadows, so long as the same is scheduled and conducted in a manner which avoids the nesting season of field birds located at the Premises;

6. The use of emergency response vehicles; and the use of mowers, tractors or other motorized vehicles utilized for upkeep, maintenance and management of the Premises;

7. The right, but not the obligation, to monitor and study, or to permit others to monitor and study, plant and animal populations, plant communities, natural habitats, historic landscapes, landscape features and archeological sites on the Premises with prior written approval from Grantee;

8. The right to conduct, or permit others to conduct, management of the Premises for the benefit of native flora and fauna (including ecologically appropriate methods to promote native species and to manage invasive species by chemical or non-chemical means) and/or for the purpose of identifying and restoring historic landscapes, landscape features and archeological sites within the Premises, with prior written approval from Grantee;

9. The use of the Premises for educational programs, subject to the approval of the Land Management Committee, designed to increase the public's knowledge, understanding and appreciation of the natural world or of historic and archeological aspects of the Premises, including without limitation the right to conduct tours, nature walks, and ecological, environmental, historic or archeological research;

Conservation Restriction B-2

5

10. The construction (with the prior approval of Grantee), maintenance and use of parking areas accessory to the recreational, educational and management uses permitted hereunder (other than municipal cemetery use);

11. The installation, maintenance and use of new underground utilities including electric, telephone, water supply, sanitary sewer, natural gas, cable television, fiberoptic cable, and similar communication systems, but not storm sewers and drainage systems, to serve the unrestricted adjacent land of the Grantor (including Zone 6 and the structures at 248 Mill Street) is permitted with prior notice to the Grantee and the Belmont Cemetery Commission provided that such utilities are located and constructed in a manner which minimizes the impact on the conservation values of the Premises (as determined by the Land Management Committee) and minimizes the impacts on the future use of the Premises for cemetery use (as determined by the Belmont Cemetery Commission);

12. The replacement, and maintenance of existing utility (including the water line as detailed in the Design & Site Plan Approvals granted by the Belmont Planning Board, dated 12/03/01 but not illustrated on Exhibit B) and communication facilities on the Premises are permitted with prior notice to the Land Management Committee and the Grantee. The designated site for the existing, relocated telecommunication facilities (both above-ground and buried) is shown on Exhibit B to this Conservation Restriction. With respect to the communications tower, replacement of such tower (with the result that no more than one tower shall be located on the Premises protected by Conservation Restrictions B-1 and B-2) may include relocation, together with necessary appurtenant structures and landscaping, and possible expansion of users thereon including a private user(s) under contract with the Town of Belmont provided as follows:

- a. that written notice and plans including elevation drawings for such relocation and construction have been provided for review and comment by the Land Management Committee and the Grantee;
- b. that such relocation is within the area designated on Exhibit B attached hereto;
- c. that reasonable measures have been taken at ground level to reduce the visual impact of the tower and associated structures and facilities, including but not limited to the access drive, fencing, and exterior materials;
- d. that in the case of structures, facilities, and equipment to be used by private lessees, prior written approval of the Land Management Committee and the Grantee shall be required upon a finding that said structures and facilities, considered in the context of their location, size and materials and of mitigating measures and

conditions, will not have an undue negative impact upon the conservation values of the premises.

13. Use of one or more portions of the Premises as a municipal cemetery, including accessory structures and parking, provided that (a) any portion of the Premises intended for such use shall have been expressly designated for such use by a majority vote of a Town Meeting of the Town of Belmont (such vote not being required for (i) preliminary planning activities such as surveying or subsurface testing so long as such activities are temporary and the Premises are thereafter restored to substantially their pre-existing condition or (ii) cemetery activities such as the scattering of ashes which do not alter the pre-existing condition of the Premises or have an adverse effect on the conservation values thereof); (b) nothing herein shall be deemed to limit the discretion of the Town of Belmont (acting by a majority vote of a Town Meeting) to designate a portion of the Premises for such use at any time; and (c) nothing herein shall be deemed to limit the ability of the Town of Belmont to develop a portion of the Premises so designated for such use in such a manner as it shall determine in its discretion; and (d) notwithstanding any provision hereof to the contrary, upon a majority vote of a Town Meeting of the Town of Belmont to designate a portion of the Premises for municipal cemetery use, this Restriction shall be of no further force and effect with respect to such portion of the Premises while such portion of the premises is used for cemetery purposes.

- C. Ecological Management Plan.** An Ecological Management Plan (the "Plan", dated May 2001 by the BSC Group) has been developed for the Premises that sets forth measures to preserve and protect its natural resources, including its meadows, forests and wetlands. The Plan allows for passive outdoor recreational uses of the Premises by the public while identifying and documenting areas of significant ecological value. The Plan provides methods for managing those areas to help protect and enhance native plants and wildlife. These methods include mowing, pruning of trees, removal of invasive species, planting of trees and shrubs, and other activities deemed appropriate by the Land Management Committee, the Grantor, and the Grantee. The Plan may be amended from time to time by the Land Management Committee, subject to approval by the Grantor and the Grantee.
- D. Permitted Acts and Uses.** All acts and uses not prohibited by paragraphs A and B are permissible if they are clearly consistent with the conservation purposes of this Conservation Restriction and with prior written approval of the Land Management Committee, Grantor, and the Grantee. Permitted acts and uses (except as noted in Section B.13) may be further regulated as recommended by the Plan or consistent with the Plan so as to protect native plants and wildlife and the scenic and historic quality of the landscape. Particular attention will be paid to the protection of bird habitat, which may require certain specific regulations (including regulation of otherwise

Conservation Restriction B-2

7

permitted uses) during the nesting season. All uses must comply with local, state, and federal laws.

- E. **Notice and Approval.** Whenever notice to or approval is required under the provisions of paragraphs A or B, such notice shall be provided in writing not less than sixty (60) days prior to the date the activity in question is to be undertaken. The notice shall describe the nature, scope, design, location, timetable and any other material aspect of the proposed activity in sufficient detail to permit an informed judgment as to its consistency with the purposes of this Conservation Restriction. Where approval is required, such approval shall be granted or withheld in writing within sixty (60) days of receipt the written request therefor. Approval shall not be unreasonably withheld, but shall only be granted upon a showing that the proposed activity shall not materially impair the purposes of this Conservation Restriction. Failure to respond in writing within such 60 days shall be deemed to constitute approval of the request as submitted, so long as the request sets forth the provisions of this section relating to deemed approval after the passage of time.

V. Legal Remedies of the Grantee:

- A. **Legal and Injunctive Relief.** The rights hereby granted shall include the right to enforce this Conservation Restriction by appropriate legal proceedings and to obtain injunctive and other equitable relief against any violations, including, without limitation, relief requiring restoration of the Premises to its condition prior to the time of the injury complained of (it being agreed that the Grantee may have no adequate remedy at law), and shall be in addition to, and not in limitation of, any other rights and remedies available to the Grantee.
- B. **Reimbursement of Costs of Enforcement.** Grantor and thereafter the successors and assigns of the Grantor covenant and agree to reimburse Grantee all reasonable costs and expenses (including without limitation reasonable counsel fees) incurred in enforcing this Conservation Restriction or in taking reasonable measures to remedy or abate any violation thereof, provided that a violation of this Restriction is acknowledged by Grantor or its successors and assigns or is determined by a court of competent jurisdiction to have occurred and that such court determines that reimbursement shall occur and so orders (or Grantor, or its successors and assigns and Grantee agree to such reimbursement). The reimbursement obligation of any party hereunder shall be limited to violations caused or permitted by said party within a portion of the Premises then owned by such party.
- C. **Grantee's Disclaimer of Liability.** By its acceptance of this Conservation Restriction, the Grantee does not undertake any liability or obligation relating to the condition of the Premises, including without limitation the condition of former disposal areas, both known and unknown.
- D. **Non-Waiver.** Any election by the Grantee as to the manner and timing of its right to enforce this Conservation Restriction or otherwise exercise its rights hereunder shall not be deemed or construed to be a waiver of such rights.

Conservation Restriction B-2

8

VI. Access:

The members of the public are hereby granted access to the trails shown on a plan approved by the Land Management Committee at its meeting on March 20, 2002. Such plan may be revised pursuant to Section IVB.2, subject to rules and regulations that may be adopted and posted from time to time by Grantee and the Land Management Committee, including the establishment of appropriate buffer zones with adjacent residences as determined by the Land Management Committee. The Conservation Restriction hereby conveyed does not grant to the Grantee, or to the public generally, or to any other person any right to enter upon the Premises, except as provided herein and except that there is granted to the Grantee and its successors, assigns, agents and representatives the right to enter the Premises at reasonable times and in a reasonable manner for the purpose of inspecting the same to determine compliance herewith.

VII. Assignability:

- A. Running of the Burden.** The burdens of this Conservation Restriction shall run with the Premises in perpetuity (except as provided in Section IV.B.13), and shall be enforceable against the Grantor and the successors and assigns of the Grantor holding any interest in the Premises.
- B. The Grantee is authorized to record or file any notices or instruments** appropriate to assuring the perpetual enforceability of this Conservation Restriction; the Grantor on behalf of itself and its successors and assigns appoints the Grantee its attorney-in-fact to execute, acknowledge and deliver any such instruments on its behalf. Without limiting the foregoing, the Grantor and its successors and assigns agree themselves to execute any such instruments upon request.
- C. Running of the Benefit.** The benefits of this Conservation Restriction shall be in gross and shall not be assignable by the Grantee, except in the following instances and from time to time:
 - i. as a condition of any assignment, the Grantee requires that the purpose of this Conservation Restriction continue to be carried out, and
 - ii. the assignee, at the time of assignment, qualifies under Section 170(h) of the Internal Revenue Code of 1986, as amended, and applicable regulations thereunder, and under Section 32 of Chapter 184 of the General Laws as an eligible donee to receive this Conservation Restriction directly.
 - iii. it is understood that Grantee may in its discretion assign an interest in this Conservation Restriction temporarily or in perpetuity to a qualified Grantee of such a restriction, including but not limited to a state conservation agency of the Commonwealth of Massachusetts, in order to obtain assistance in enforcing this Conservation Restriction.

Conservation Restriction B-2

9

VIII. Subsequent Transfers:

The Grantor agrees to incorporate by reference the terms of this Conservation Restriction in any deed or other legal instrument by which it divests itself of any interest in all or a portion of the Premises, including a leasehold interest.

IX. Estoppel Certificates:

Upon request by the Grantor, its successors and assigns, the Grantee shall within thirty (30) days execute and deliver to the Grantor any document, including an estoppel certificate, which certifies the Grantor's compliance with any obligation of the Grantor contained in this Conservation Restriction.

X. Effective Date:

This Conservation Restriction shall be effective when the Grantor and the Grantee have executed it, the administrative approvals required by Section 32 of Chapter 184 of the General Laws have been obtained, and it has been recorded, or if registered land, it has been registered.

XI. Miscellaneous.

(a) Controlling Law. The interpretation and performance of this Conservation Restriction shall be governed by the laws of the Commonwealth of Massachusetts.

(b) Liberal Construction. Any general rule of construction to the contrary notwithstanding, this Conservation Restriction shall be liberally construed in favor of the grant to effect the purpose of this Conservation Restriction and the policy and purpose of Mass. Gen. Laws Chapter 184, Sections 31-33. If any provision in this instrument is found to be ambiguous, an interpretation consistent with the purpose of the Conservation Restriction that would render the provision valid shall be favored over any interpretation that would render it invalid.

(c) Severability. If any provision of this Conservation Restriction shall to any extent be held invalid, the remainder shall not be affected.

(d) Entire Agreement. This instrument sets forth the entire agreement of the parties with respect to this Conservation Restriction and supersedes all prior discussions, negotiations, understandings, or agreements relating to this Conservation Restriction, all of which are merged herein.

(e) Captions. The captions in this instrument have been inserted solely for convenience of reference and are not a part of this instrument and shall have no effect upon construction or interpretation.

(f) Pre-existing rights of the Public. Approval of this Conservation Restriction pursuant to M.G.L. Chapter 184, Section 32 by any municipal officials and by the

Conservation Restriction B-2

10

Secretary of Environmental Affairs is not to be construed as representing the existence or non-existence of any pre-existing rights of the public, if any, in and to the Premises, and any such pre-existing rights of the public, if any, are not affected by the granting of this Conservation Restriction.

(g) If circumstances arise under which an amendment to or modification of this Conservation Restriction would be appropriate, Grantor and Grantee may by mutual written agreement jointly amend this Conservation Restriction; provided that any such amendment must also be agreed to in writing by the Town of Belmont, ratified by a majority vote of Town Meeting, the Board of Selectmen and the Secretary of the Executive Office for Environmental Affairs; provided further that any such amendment shall be consistent with the purpose of this Conservation Restriction, shall not affect its perpetual duration, and shall not permit any impairment of the significant conservation values of the Premises. Any such amendment shall be recorded in the Middlesex County Registry of Deeds.

XII. Recordation:

The Grantor shall record this instrument in timely fashion in the Middlesex County Registry of Deeds.

Executed under seal this 19th day of May, 2005.

THE McLEAN HOSPITAL CORPORATION

By: [Signature]
Its Duly Authorized President/Psychiatrist in Chief

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss

Date May 19, 2005

Then personally appeared the above-named Bruce M. Cohen, M.D., Ph.D. and proved to me through satisfactory evidence of identification, which was (personal knowledge of identity) (a current driver's license) (a current U.S. passport), to be the person whose name is signed on the document and acknowledged to me that they signed it voluntarily for its stated purpose.

[Signature]
Notary Public
My Commission Expires

CATHERINE F. BOWEN
NOTARY PUBLIC
MY COMMISSION EXPIRES OCT. 10, 2008

Conservation Restriction B-2

11

ACCEPTANCE BY THE TRUSTEES OF RESERVATIONS

Executed under seal this 17th day of May, 2005.

THE TRUSTEES OF RESERVATIONS

By: *Andrew Kendall*

Its Duly Authorized

Executive Director

COMMONWEALTH OF MASSACHUSETTS

BERKSHIRE, ss.May 17, 2005

Then personally appeared the above-named ANDREW W. KENDALL and proved to me through satisfactory evidence of identification, which was (personal knowledge of identity) ~~(a current driver's license)~~ ~~(a current U.S. passport)~~, to be the person whose name is signed on the document and acknowledged to me that they signed it voluntarily for its stated purpose.

F. Sydney Smithers

Notary Public

My Commission Expires



F. SYDNEY SMITHERS
Notary Public
Commonwealth of Massachusetts
My Commission Expires
June 30, 2006

Conservation Restriction B-2

12

APPROVAL BY THE TOWN OF BELMONT

Executed under seal as of the date first above written.

Town of Belmont

By: Paul Solomon

Selectman

By: Angelo R. Fierro

Selectman

By: William N. Brown

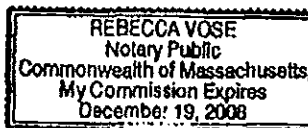
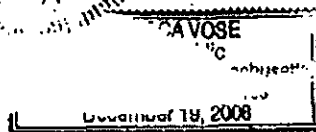
Selectman

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss.

Date: May 13, 2005

Then personally appeared the above-named Paul Solomon,
Angelo R. Fierro, and William N. Brown and
 proved to me through satisfactory evidence of identification, which was (personal
 knowledge of identity) (a current driver's license) (a current U.S. passport), to be the
 persons whose names are signed on the document and acknowledged to me that they
 signed it voluntarily for its stated purpose.


Rebecca Vose
 Notary Public
My Commission Expires December 19, 2008

Conservation Restriction B-2

13

APPROVAL BY SECRETARY OF ENVIRONMENTAL AFFAIRS

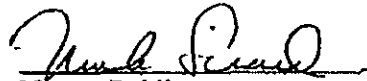
The undersigned, Secretary of the Executive Office of Environmental Affairs of the Commonwealth of Massachusetts, hereby certifies that the foregoing Conservation Restriction to The Trustees of Reservations has been approved in the public interest pursuant to M.G.L. Chapter 184, Section 32.

Date: June 1, 2005
Secretary of Environmental Affairs**COMMONWEALTH OF MASSACHUSETTS**

Suffolk, ss.

Date June 1, 2005

Then personally appeared the above-named William Roy Herbolden and proved to me through satisfactory evidence of identification, which was (personal knowledge of identity) (a current driver's license) (a current U.S. passport), to be the person whose name is signed on the document and acknowledged to me that they signed it voluntarily for its stated purpose.



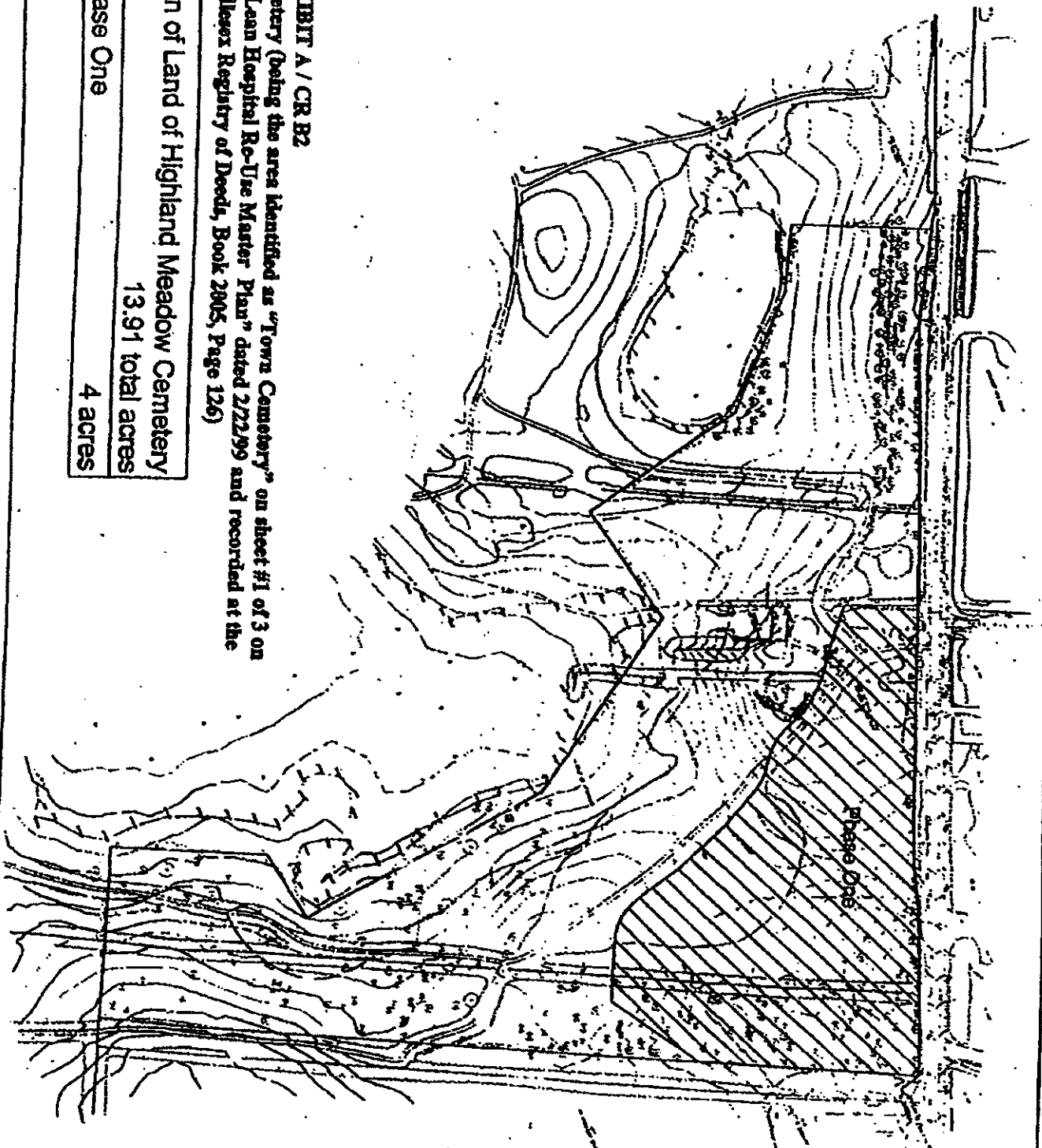
Notary Public

My commission expires: 12/15/2011

EXHIBIT A / CR B2

Cemetery (being the area identified as "Town Cemetery" on sheet #1 of 3 on "McLean Hospital Re-Use Master Plan" dated 2/22/99 and recorded at the Middlesex Registry of Deeds, Book 2805, Page 126)

Plan of Land of Highland Meadow Cemetery	
	13.91 total acres
Phase One	4 acres



For title, see Deed recorded with said Deeds, Book 14084, Page 272.

elmont Hill Club
CONCORD AVENUE
PINE ALLEE

SOMERS

PHASE 1

PUTTING
OFFICE
SITE

290

EXHIBIT B / CR, B2
Designated site for relocated
Telecommunications Facility



Conrad C. Brown
Asst. Middlesex S. Register

and update our records describing the conditions of CR properties. We are proud of being recognized by the Accreditation Commission for achieving the highest level of CR stewardship, and are committed to maintaining our standards through this BDR update process.

If you have any questions or concerns about this letter or the enclosed documents, please feel free to contact me in our CR Program at (978) 840-4446, x1917, or by email at snaser@ttor.org. Also, I welcome you to follow our CR Stewardship and Land Conservation work through our blog, online at: <http://walkontheland.blogspot.com>.

Thank you for your continued dedication to land conservation in Massachusetts. We are thrilled to partner with municipalities like Belmont to protect land across the Commonwealth.

Sincerely,



Sally Naser
Conservation Restriction Program Manager

Enclosures: Acknowledgment pages; Addressed return envelope; BDR Update packages; Copy of conservation restriction documents.

BASELINE DOCUMENTATION UPDATE ACKNOWLEDGEMENT
Conservation Restriction # 233.00- McLean Cemetery- Belmont,, MA

Grantor(s): McLean Hospital Corporation

Grantee(s): The Trustees of Reservations
572 Essex Street, Beverly, MA, 01915

Current Owner: Town of Belmont-McLean Land Management Committee
Ellen O'Brien Cushman
455 Concord Avenue
Belmont, MA 02478

Property location: Concord Avenue, Belmont, MA

Date of recording of restriction: June 13, 2005

We hereby state that the following baseline documentation update materials (specifically including the following):

- Copy of Property Conditions report dated complete on June 9, 2014
- Copy of Baseline Update photo maps and photos (24 total) taken on June 6, 2014
- Supplementary photos (4 total) taken on June 9, 2014.
- Map of field with invasive plant locations
- CR Base Map

are an accurate representation of the property under the Conservation Restriction and that to the best of our knowledge the condition of the property has remained effectively unchanged from the June 6 and June 9, 2014, site visits detailed in the Property Conditions Report.

_____, 2015
Signature of Authorized Representative for the Town Date
Printed Name

[Signature]

Sally Naser

Conservation Restriction Program Manager
The Trustees of Reservations

Jan 6, 2015
Date

BASELINE DOCUMENTATION UPDATE ACKNOWLEDGEMENT
Conservation Restriction # 233.00- McLean Cemetery- Belmont,, MA

Grantor(s): McLean Hospital Corporation

Grantee(s): The Trustees of Reservations
572 Essex Street, Beverly, MA, 01915

Current Owner: Town of Belmont-McLean Land Management Committee
Ellen O'Brien Cushman
455 Concord Avenue
Belmont, MA 02478

Property location: Concord Avenue, Belmont, MA

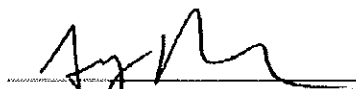
Date of recording of restriction: June 13, 2005

We hereby state that the following baseline documentation update materials (specifically including the following):

- o *Copy of Property Conditions report dated complete on June 9, 2014*
- o *Copy of Baseline Update photo maps and photos (24 total) taken on June 6, 2014*
- o *Supplementary photos (4 total) taken on June 9, 2014.*
- o *Map of field with invasive plant locations*
- o *CR Base Map*

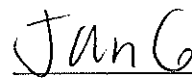
are an accurate representation of the property under the Conservation Restriction and that to the best of our knowledge the condition of the property has remained effectively unchanged from the June 6 and June 9, 2014, site visits detailed in the Property Conditions Report.

_____, 2015
Signature of Authorized Representative for the Town Date
Printed Name _____



Sally Naser

Conservation Restriction Program Manager
The Trustees of Reservations


_____, 2015
Date

BASELINE DOCUMENTATION UPDATE ACKNOWLEDGEMENT
Conservation Restriction # 237.02- McLean Open Space- Belmont., MA

Grantor(s): McLean Hospital Corporation

Grantee(s): The Trustees of Reservations
572 Essex Street, Beverly, MA, 01915

Current Owner: Town of Belmont-McLean Land Management Committee
Ellen O'Brien Cushman
455 Concord Avenue
Belmont, MA 02478

Property location: Mill Street and Concord Avenue, Belmont, MA

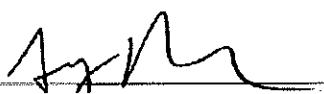
Date of recording of restriction: June 13, 2005

We hereby state that the following baseline documentation update materials (specifically including the following):

- *Copy of Property Conditions report dated complete on June 9, 2014*
- *Copy of Baseline Update photo maps and photos (50 total) taken on June 6, 2014*
- *Supplementary photos (4 total) taken on June 6, 2014.*
- *Map of field with invasive plant locations*
- *CR Base Map*

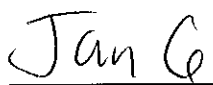
are an accurate representation of the property under the Conservation Restriction and that to the best of our knowledge the condition of the property has remained effectively unchanged from the June 6, 2014 site visit detailed in the Property Conditions Report.

_____ Signature of Authorized Representative for the Town	_____, 2015 Date
Printed Name _____	



Sally Naser

Conservation Restriction Program Manager
The Trustees of Reservations


_____, 2015
Date

2000

BASELINE DOCUMENTATION UPDATE ACKNOWLEDGEMENT
Conservation Restriction # 237.02- McLean Open Space- Belmont,, MA

Grantor(s): McLean Hospital Corporation

Grantee(s): The Trustees of Reservations
572 Essex Street, Beverly, MA, 01915

Current Owner: Town of Belmont-McLean Land Management Committee
Ellen O'Brien Cushman
455 Concord Avenue
Belmont, MA 02478

Property location: Mill Street and Concord Avenue, Belmont, MA


Date of recording of restriction: June 13, 2005

We hereby state that the following baseline documentation update materials (specifically including the following):

- Copy of Property Conditions report dated complete on June 9, 2014
- Copy of Baseline Update photo maps and photos (50 total) taken on June 6, 2014
- Supplementary photos (4 total) taken on June 6, 2014.
- Map of field with invasive plant locations
- CR Base Map

are an accurate representation of the property under the Conservation Restriction and that to the best of our knowledge the condition of the property has remained effectively unchanged from the June 6, 2014 site visit detailed in the Property Conditions Report.

_____, 2015
Signature of Authorized Representative for the Town Date
Printed Name


Sally Naser

Conservation Restriction Program Manager
The Trustees of Reservations

Jan 6, 2015
Date

Introduction and Purpose of the Baseline Documentation Report (BDR) update:

The Trustees of Reservations (TTOR) is committed to upholding the purposes and conservation values protected by conservation easements, or conservation restrictions (CRs), as they are uniquely known in Massachusetts, which the organization holds on over 20,000 acres and over 380 properties across the Commonwealth. The Baseline Documentation Report (BDR) is a collection of maps, photographs, and narrative descriptions of the property subject to the CR, intended to serve as an objective baseline for comparison of property conditions when TTOR conducts annual monitoring visits or assesses apparent violations of the CR terms for potential enforcement actions. It is a policy of TTOR to maintain a BDR for every CR it holds, and to update it periodically, as part of its regularly conducted business in conservation transactions. Further, it is TTOR's policy and regular business practice to require that creation of the BDR and signatures acknowledging its accuracy is a requirement prior to recording the grant of a CR. By Massachusetts law, a CR becomes effective only upon recording. Once complete, the BDR is signed by both TTOR and the CR landowner, indicating mutual agreement that the contents of the report are an accurate representation of the property subject to the CR.

Maintaining BDRs, conducting annual monitoring visits, and maintaining cordial landowner relationships are the key components of responsible CR Stewardship, and enable TTOR to meet its legal obligation as CR grantee to ensure that the terms of the CR are followed and the conservation values of the property protected in perpetuity. In the event that remediation of a violation requires legal action by TTOR, TTOR may submit the BDR to the court as evidence. For CRs that were granted as a charitable donation for Federal tax benefit, the contents of the BDR must meet requirements outlined in Treasury regulations §1.170A-14(g)(5)(i). These regulations inform the contents of the BDR, as do further standards issued by the Land Trust Accreditation Commission.

In order to maintain the accuracy of its records of CRs that it holds, it is TTOR's regular business practice to update BDRs periodically to reflect natural, evolutionary, and permitted changes in the property which is subject to the CR. Updated BDRs are signed and acknowledged by TTOR and the current landowner as accurately reflecting current property conditions. Updated BDRs supplement the original BDR with photographs, maps, and/or narrative reports as needed to reflect changes in the property since the previous BDR.

Landowners who feel that a proposed BDR describes their property inaccurately are encouraged to work collaboratively and constructively with TTOR to prepare a document which is as accurate as possible, for the benefit of Grantor, Grantee, and the conservation values which are protected by the CR.

