

**NORWOOD SUBDIVISION CONTROL LAW**  
**FORM H**

1 of 2

**COVENANT**  
**CONDITIONAL APPROVAL CONTRACT**

Norwood, MA \_\_\_\_\_  
Date

KNOWN ALL MEN BY THESE PRESENTS

That whereas the under signed has submitted application dated \_\_\_\_\_, to the Norwood Planning Board for approval of a Definitive Plan of a certain subdivision entitled \_\_\_\_\_ and dated \_\_\_\_\_ and has requested the Board to approve such plan, without requiring a Performance Bond.

NOW, THEREFORE, THIS AGREEMENT WITNESSETH that in consideration of the Norwood Planning Board approving said plan without requiring a performance bond, and in consideration of one dollar in hand paid, receipt whereof is hereby acknowledged, the undersigned covenants and agrees with the Town of Norwood as follows:

1. The undersigned will not sell any lot in the subdivision or erect or place any permanent building on any such lot until the work on the ground necessary to serve adequately such lot has been completed in the manner specified in the aforesaid application, and in accordance with the covenants, conditions, agreements, terms and provisions contained in the following:
  - a. Application for Approval of Definitive Plan (Form B) signed by the Principal and dated \_\_\_\_\_.
  - b. The Rules and Regulations Governing the Subdivision of Land in Norwood adopted by the Planning Board.
  - c. The Definitive Plan as defined by the above Rules and Regulations and as qualified by the Certificate of Approval issued by the Planning Board dated \_\_\_\_\_.
2. This agreement shall be binding upon the executors, administrators, devisees, heirs, successors, and assigns of the undersigned.

It is the intention of the undersigned and it is hereby understood and agreed that this Contract shall constitute a covenant running with the land included in the aforesaid subdivision and operate as restriction upon said land.

It is understood and agreed that lots within the subdivision shall, respectfully, be released from the foregoing conditions upon the recording of a Certificate of Performance executed by a majority of said Planning Board and enumerating the specific lots to be so released.

3. The undersigned represents and covenants that the undersigned is the owner\* in fee simple of all land included in the aforesaid subdivision and that there are not mortgages of record or otherwise on any of said land, except such as described below and subordinated to this Contract, and the present holders of said mortgages have assented to this Contract prior to its execution by the undersigned.

4. In accordance with Section 3.4 of the Rules and Regulations Governing the Subdivision of Land In Norwood, the construction of \_\_\_\_\_ and the installation of all required municipal services shall be completed by \_\_\_\_\_. Failure to do so shall automatically rescind approval subject to Section 81-W of the Subdivision Control Law for performance secured by bond or deposit of money or negotiable securities. The Board may, at its discretion, grant a time extension to the applicant.

- if there is more than one owner, all must sign.

IN WITNESS WHEREOF the undersigned, applicant as aforesaid, does hereunto set his hand and seal this \_\_\_\_\_ day \_\_\_\_\_.

\_\_\_\_\_  
Applicant

Description of Mortgages: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Give complete names and Registry of Deeds Reference)

Assents of mortgages:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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**COMMONWEALTH OF MASSACHUSETTS**

On this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_, before me, the undersigned notary public, personally appeared \_\_\_\_\_

\_\_\_\_\_

proved to me through satisfactory evidence of identification, which were \_\_\_\_\_

\_\_\_\_\_, to be the person(s) whose name(s) is/are signed on the preceding or attached

document, and acknowledged to me that he/she/they signed it voluntarily for the stated purpose

\_\_\_\_\_ (official signature and seal of notary)