

AFFIDAVIT PURSUANT TO M.G.L. c. 61A

I, Mark Robinson, for CCCCT, under oath, do hereby depose and say the following:

1. Pursuant to a Purchase and Sale Agreement, dated March 1, 2023, by and between Ray Lyons (the “Seller”) and the Compact of Cape Cod Land Trusts (“CCCCT” or the “Buyer”), Buyer intends to purchase a certain parcel of land in Barnstable, Massachusetts: containing 17.94 acres, more or less, identified and shown as Lot 1 (the “Property”) on an plan entitled “Plan of Land in Barnstable, Massachusetts, owner: Ray Lyons,” scale 1 inch = 100 feet, dated January 16, 2023, prepared by Ducharme and Dillis Civil Design Group, Inc., Lunenburg, MA, and recorded in Plan Book 123 as Plan 45 (the “Transfer”).
2. The Property is the remaining portion of a 22.66 acre parcel of land located in Barnstable, Massachusetts, identified as Barnstable Assessors Map 10, Parcel 12 and described in a deed recorded with the Barnstable Registry of Deeds (the “Registry”) at Book 9876, Page 432, which is subject to an Agricultural Land Tax Lien, dated December 14, 1994, recorded with said Registry in Book 4444, Page 555, and a Classified Agricultural Tax Lien, dated May 10, 2016, recorded with said Registry in Book 6666, Page 777. These Liens restrict use of the land to Agricultural use, as defined in M.G.L. c. 61A, § 1.
3. Upon Transfer, the Property shall remain in Agricultural use. In no event shall CCCCT’s use of the Property constitute a change of use that would require a conveyance tax be payable to the Town of Barnstable pursuant to M.G.L. c. 61A, § 12, nor shall CCCCT’s use of the Property trigger the assessment of roll back taxes pursuant to M.G.L. c. 61A, § 13. Upon taking title to the Property, CCCCT accepts all responsibility for any taxes under Chapter 61A that may arise due to the conversion of the Property to use other than those authorized in M.G.L. c. 61A.
4. The Transfer of the Property is not a sale for, or conversion to, residential, industrial or commercial use pursuant to M.G.L. c. 61A, § 14.

Executed under the pains and penalties of perjury as of this ___ day of March 2023.

BUYER:

Mark Robinson, for CCCCT

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

On this ___ day of March 2023, before me, the undersigned notary public, personally appeared Mark Robinson, for CCCCT, identified by his government issued drivers licenses to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Notary Public
My commission expires: