

GRANT OF PUBLIC PEDESTRIAN EASEMENT

159 Sesuit Neck Road, East Dennis, Massachusetts

PAUL W. SULLIVAN AND CHESTER J. DELUGA, as joint tenants with right of survivorship ("Grantor")

for nominal consideration, hereby grant, jointly, to:

(i) Joseph W. Masse, Christine Eosco, Constance A. Bechard, Richard A. Johnston, Paul R. McCormick, John J. Todd, Frank A. Dahlstrom, Dianne Callan, Ann M. Risso, Dorria L. DiManno, Kathleen A. Clancy, Kathleen Fowler, Robert C. Laufer, Christopher Foley, Thomas A. Dingman, Victoria Scaltsas, and Mark Burgess, as Trustees of the DENNIS CONSERVATION LAND TRUST, formerly known as "Dennis Conservation Trust," established under a Declaration of Trust dated February 27, 1988, and recorded with the Barnstable County Registry of Deeds in Book 6212, Page 96, as amended of record, with a mailing address of P.O. Box 67, East Dennis, Barnstable County, Massachusetts 02641 ("DCLT");

and

(ii) Joseph W. Masse, Frank A. Dahlstrom and Kathleen Fowler, as Trustees of the DCLT NOMINEE TRUST, established under declaration of trust dated July 13, 2022, an abstract of which is contained in a Trustee's Certificate, dated May 26, 2023, and recorded with the Barnstable County Registry of Deeds in Book 35807, Page 161, as amended of record (the "Nominee Trust"),

and their respective successors, successors in title and assigns (together, "Grantee"),

a perpetual right and easement to construct, maintain and use a footpath for public passage over a portion of a certain parcel of land owned by Grantor and shown as Parcel B on a plan entitled "Plan of Land in Dennis Massachusetts as Prepared for William H. Crowell", dated August 22, 2002, prepared by Sweetser Engineering, and recorded with the Barnstable County Registry of Deeds in Plan Book 578, a reduced copy of which is attached hereto as Appendix A (the "Premises") for the benefit of the Grantee and appurtenant to the adjoining parcel at 107 Sesuit Neck Road, (East) Dennis, Barnstable County, Massachusetts, owned by the Nominee Trust (for the Nominee Trust's title to the adjoining parcel, see Deed recorded with Barnstable County Registry of Deeds in Book 35807, Page 166).

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1. Grantee shall have a perpetual easement and right to construct, maintain, mark and use a footpath, not to exceed approximately six (6) feet in width, on and over the portion of the Premises in the general location shown as "Approximate layout of trail" on the sketch plan attached hereto as Appendix B (the "*Easement Area*"), subject to the following conditions:
 - (a) Grantee shall have the right to permit the public to pass and repass over the footpath in the Easement Area on foot and wheelchair but during daylight hours only and subject to such rules and regulations as the Grantee shall deem appropriate and necessary.
 - (b) Access by motorized vehicles, including, without limitation, snowmobiles, dirt bikes, motorcycles and all-terrain vehicles, shall be prohibited, except for motorized mowing and trimming equipment, utilized by Grantee in maintaining the footpath.
 - (c) Littering, or injuring plants or trees, or injuring or harassing livestock or wildlife, the building of fires, and hunting and trapping shall be prohibited.
 - (d) So long as Grantee invites public use of the trail, Grantee shall use reasonable efforts to maintain the trail, discourage littering and other acts that would encroach upon the natural features of the Premises or diminish its attractiveness and take reasonable steps to educate users in trail etiquette.
2. It is the intent of Grantor and Grantee that, in connection with the use of the Easement Area as permitted hereunder, both Grantor and Grantee shall have the full use and benefit of the Recreational Use Statute, Massachusetts General Laws, Chapter 21, Section 17C, as amended.
3. The Premises, this grant, and the use of the Easement Area by Grantee shall be subject to the terms and condition of a certain Conservation Restriction, dated November 18, 2002, granted to DCLT by Grantor's predecessor in interest, and recorded with Barnstable County Registry of Deeds in Book 16158, Page 193, burdening the Premises (the "*Conservation Restriction*"), and this grant is being made by Grantor in furtherance of the rights reserved to Grantor in Section I.A.3) of Conservation Restriction.

This easement, and the provisions hereof, shall be perpetual, and shall be binding upon, and may be enforced against both the Grantor and Grantee and their successors, successors in title and assigns, and the benefit of this grant shall enure to the benefit of Grantee, and their respective successors, successors in title and assigns.

For Grantor's title, see Deed dated April 19, 2022, and recorded with the Barnstable County Registry of Deeds in Book 35161 Page 48.

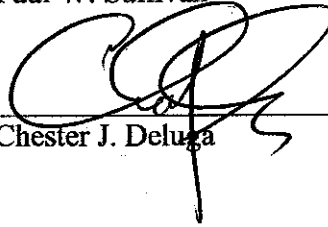
[signatures on next following page]

Executed under seal as of November 3, 2023.

Grantor:



Paul W. Sullivan

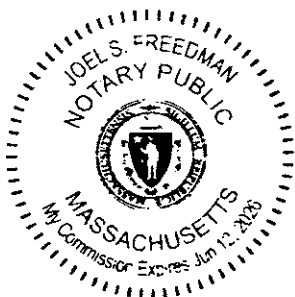


Chester J. Deluga

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

On this 3RD day of November, 2023, before me, the undersigned notary public personally appeared Paul W. Sullivan, proved to me through satisfactory evidence of identification, which consisted of PERSONAL KNOWLEDGE, 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.

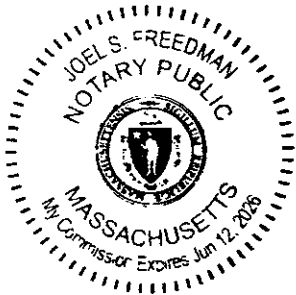


[Handwritten Signature]
Notary Public JOEL S FREEDMAN
My Commission Expires: 6/12/26

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

On this 3RD day of November, 2023, before me, the undersigned notary public personally appeared Chester J. Deluga, proved to me through satisfactory evidence of identification, which consisted of PERSONAL KNOWLEDGE, 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.



[Handwritten Signature]
Notary Public JOEL S FREEDMAN
My Commission Expires: 6/12/26

APPENDIX A

Plan of Premises

See Plan recorded with Barnstable County Registry of Deeds in Plan Book 578, Page 25.

APPENDIX B

Sketch Plan of the Sesuit Neck CR Trail Easement

See Sketch Plan attached hereto (being drawn on an excerpt of the Plan recorded with Barnstable County Registry of Deeds in Plan Book 578, Page 25).

