SHARED RESIDENTIAL DRIVEWAY EASEMENT AND COVENANTS

WHEREAS, Martin Ruggiero, of 20 Bell Lane, Mason, Hillsborough
County, New Hampshire is the owner in fee simple of certain parcels of land
shown as Map J/ Lot 11 located on NH Route 124, Mason, Hillsborough County,
New Hampshire, as shown on a plan entitled "Subdivision Plan, map J/ Lot 11, Martin
Ruggiero Old Turnpike Road (NH Route 124), Town of Mason, Hillsborough
County, New Hampshire", By Sandford Surveying & Engineering, 597 New
Boston Road, Bedford New Hampshire consisting of 3 sheets (the "Plan"), sheet 1 to
be recorded herewith, to which plan reference may be had for a more particular
description

of as Lot(s) 11-2, 11-2, 11-4.

WHEREAS the pursuant to Town of Mason, Hillsborough County, New Hampshire, Planning Board approval Martin Ruggiero desires that Lot(s) 11-3 & 11-4 be solely serviced by a shared residential driveway which will be built on those areas of Lot s 11-2 & 11-3as shown on page 1-3 of the above referenced plan.

Proposed Shared Driveway within that area shown as "Easement Detail" on pages 1-3 of said plan.

NOW THEREFORE, the said Martin Ruggiero, for himself, his successors and assigns, does hereby reserve over the portion of Lots 11-2 & 11-3 shown on the above reference plan as "Proposed Access Easement to Benefit Lots 11-3 & 11-4" a perpetual non-exclusive access easement for the benefit of Lots 11-3 & 11-4
subject to and together with the benefit of the following Shared Driveway Easement and

Covenants, which Martin Ruggiero, his successors and assigns do hereby impose in

perpetuity over across and under those portions of Lots 11-2 & 11-3 as shown on the above referenced plans as Proposed Shared Driveway.

Said shared Residential Driveway Easement area is to be used for a shared Residential Driveway for the benefit of Lots 11-3 & 11-4 as shown on the above referenced plan, for the purposes of passing and re-passing on foot, by vehicle or otherwise as driveways are commonly used in the Town of Mason, New Hampshire, for the installation of utility lines on, over, underneath, or adjacent to the gravel driveway area, if any and for all other purposes for which driveways are commonly used. The Town of Mason, New Hampshire, shall have no responsibility to provide for the maintenance of this shared residential driveway. Said easements shall include the right of the owners of Lots 11-3 & 11-4 and their agents and assigns to enter upon the easement area for the purpose of installing, maintaining, repairing, or replacing a driveway, drainage facilities and utilities for the benefit of Lots 11-3 & 11-4. No further access

From NH Route 124 shall be allowed without the express permission of the Town of Mason, Hillsborough County, New Hampshire.

Also imposed on said Lots 11-2 & 11-3 is the perpetual right to flow surface drainage water from said common driveway onto said Lots, which flowage may not be stopped or blocked by the owners of said Lots so as to cause a back-up of water on said shared residential driveway. The owners of the Lots 11-2 & 11-3 shall not impede the passage of foot or vehicle traffic on said driveway.

The following Covenants are declared for the purpose of providing a means for the continuous year-round maintenance of the portions of the shared residential driveway shown on the above referenced plan as Proposed Shared Driveway as to provide year round access for foot and motorized traffic for the convenience of the owners of said Lots 11-3 & 11-4provide access for all emergency fire, rescue, police,

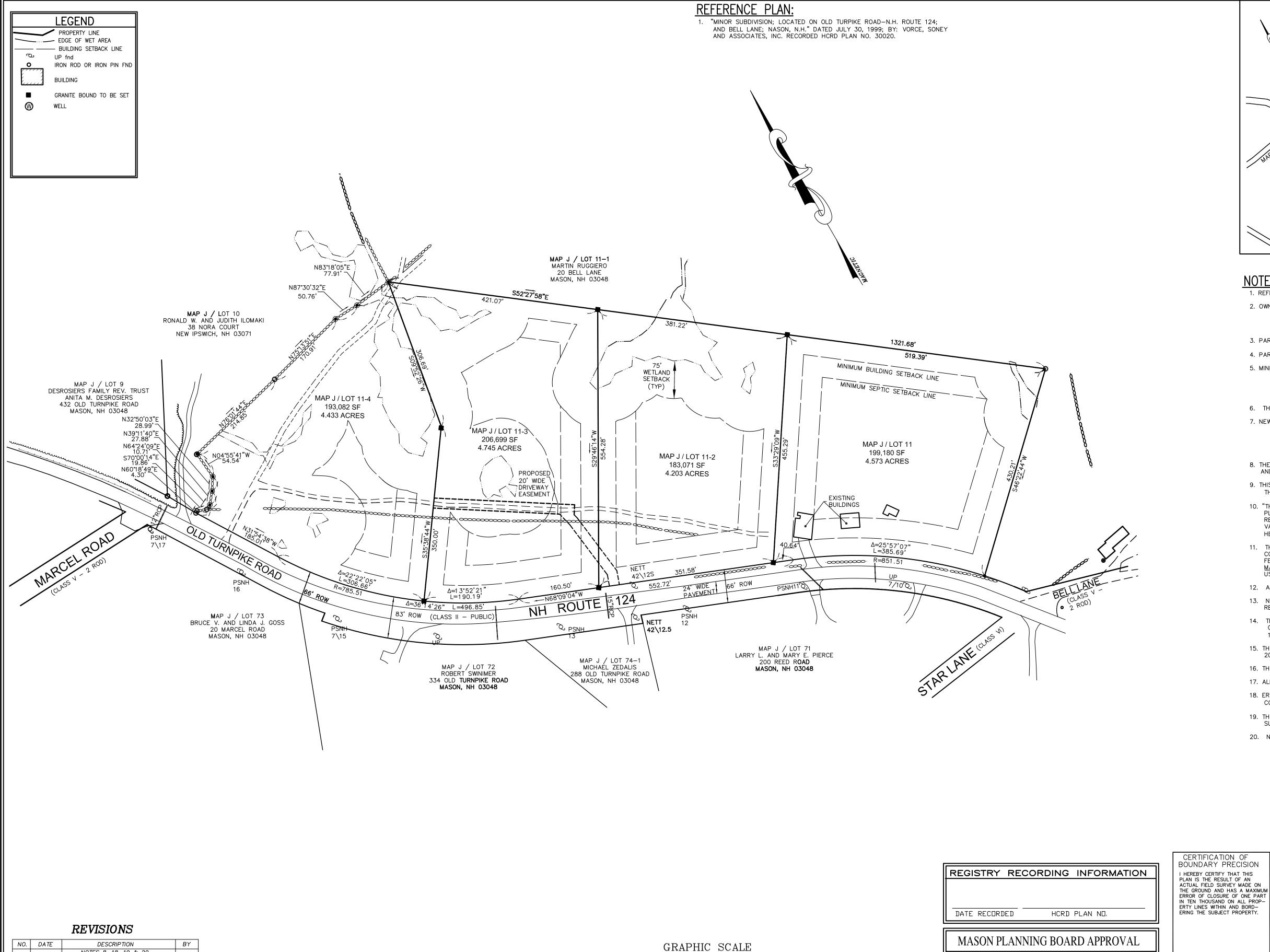
construction and maintenance vehicles, and vehicles driven by guests and business invitees:

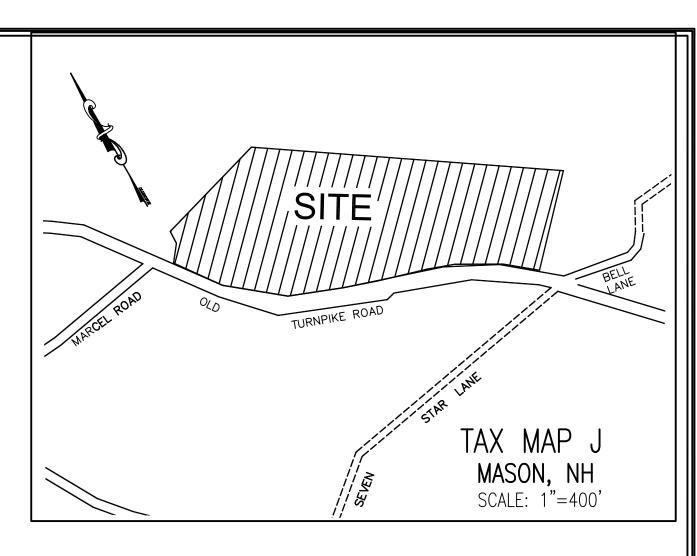
- 1. The driveway shown on the above referenced plan as Proposed Shared Driveway shall be gravel and the driveway and all appurtenant structures shall be maintained in such a manner as to insure continuous year round access.
- 2. Brush and foliage which might obstruct vision shall be removed and cleared regularly.
- 3. Snow shall be removed in such a manner as to insure continuous year round access; and
- 4. The owners of Lots 11-3 & 11-4 shall bear the joint responsibility and an

equal share of the expense of maintenance, repairs, reconstruction and snow plowing of those portions of the shared residential driveway shown on the above referenced plan as Proposed Shared Driveway in order to maintain it in a good and passable condition. If successors or assigns, shall fail or refuse at any time to wear such responsibility and make payment, and such failure or refusal shall continue for thirty (30) days after written notice has been mailed to such owners demanding payment, then the other Lot owners shall have the right forthwith to bring suit at law or in equity against the non paying owner for enforcement and reimbursement. Any owner who shall file suit to enforce these covenants shall also be entitled to court costs and reasonable attorney's fees.

- 5. The owners of Lots 11-3 & 11-4 shall meet semi annually in the Spring and Fall to arrange for the maintenance of the shared residential driveway and may establish reasonable rules for the enforcement of this shared Residential Driveway Declaration.
- 6. All conveyances of Lot s 11-2, 11-3 & 11-4shall make reference to and be subject to this Declaration of Shared Driveway Easement and Covenant.
- 7. Prior to the construction or upgrade of the driveway to lot 11-4, erosion control measures shall be taken to protect the wetland directly adjacent to the northeast side of the drive, ie a silt sock shall be installed as noted on the plan prior to the commencement of construction and shall be maintained until construction is completed

For title of Martin Ruggiero, see deed dated	(Date)	_ recorded with Hillsborough
County Registry of Deeds at Book $_$, Page $_{(Number)}$	(Number)	





1. REFERENCE THESE PARCELS AS MAP J / LOT 11

2. OWNER: MARTIN RUGGIERO 20 BELL LANE MASON, NH 03048

HCRD BK. 8798 / PG. 2460

3. PARCEL AREA - 782,032 SF OR 17.953 ACRES

4. PARCEL IS ZONED GENERAL RESIDENTIAL AGRICULTURAL, AND FORESTRY DISTRICT (GRAF)

5. MINIMUM LOT REQUIREMENTS: LOT SIZE: MINIMUM 4 ACRES

LOT FRONTAGE: MINIMUM 350 FEET BUILDING SETBACKS: FRONT, SIDE, & REAR = 35 FEET

LEACHFIELD SETBACK FROM PROPERTY LINE & WETLAND: 75 FEET

6. THE PURPOSE OF THIS PLAN IS TO SUBDIVIDE SUBJECT PARCEL IN TO 4 NEW LOTS.

7. NEW LOT AREAS:

MAP J / LOT 11 - 199,180 SF OR 4.573 ACRES MAP J / LOT 11-2 - 183,071 SF OR 4.203 ACRES

MAP J / LOT 11-3 - 206,699 SF OR 4.745 ACRES MAP J / LOT 11-4 - 193,082 SF OR 4.433 ACRES

8. THESE LOTS WILL BE SERVICED BY PRIVATE ON SITE WATER AND SEPTIC SERVICES AND HAVE THE CAPACITY TO DO SO.

9. THIS PROPERTY DOES NOT FALL WITHIN THE 100 YEAR FLOOD ZONE AS SHOWN ON THE FLOOD HAZARD AREA MAP 330221 0605D DATED 9/25/09.

10. "THE SUBDIVISION REGULATIONS OF THE TOWN OF MASON ARE A PART OF THIS PLAT, AND APPROVAL OF THIS PLAT IS CONTINGENT ON COMPLETION OF ALL THE REQUIREMENTS OF SAID SUBDIVISION REGULATIONS, EXCEPTING ONLY ANY VARIANCES OR MODIFICATIONS MADE IN WRITING BY THE BOARD AND ATTACHED

11. THOMAS SOKOLOSKI, CERTIFIED WETLAND SCIENTIST #127, OF TES ENVIRONMENTAL CONSULTANTS, L.L.C. BOW, NH, PERFORMED THE WETLAND MAPPING ON FEBRUARY 19, 2016 ACCORDING TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL: NORTHCENTRAL AND NORTH EAST REGION, VERSION 2.0, JANUARY 2012,

12. ABUTTING PROPERTIES ARE A MIX OF VACANT WOODLAND AND RESIDENTIAL LOTS.

13. NO KNOWN EASEMENTS OR ENCROACHMENTS OTHER THAN SHOWN ON PLAN OR REFERENCED IN DEED.

14. THIS SURVEY PERFORMED ACCORDING TO STANDARDS FOR REAL PROPERTY SURVEYS, CLASSIFICATION U, SET FORTH IN ADMINISTRATIVE RULES LAN 502 AND 503 ADOPTED 12/8/94 BY THE STATE OF NEW HAMPSHIRE UNDER RSA 310-A:58 AND RSA 541-A.

15. THERE ARE NO EXISTING WELLS, SEPTICS, DRIVEWAYS OR STRUCTURES ON OR WITHIN 200 FEET OF THIS PARCEL THAT ARE NOT SHOWN ON THIS PLAN.

16. THIS PARCEL IS IN CURRENT USE.

17. ALL EXISTING LOT CORNERS AND R.O.W. BOUNDS SHOWN ON THIS PLAN HAVE BEEN FOUND.

18. EROSION CONTROL MEASURES ARE TO BE TAKEN TO PROTECT THE WETLAND ON LOT 11-3 CONCERNING THE UPGRADE / CONSTRUCTION OF THE DRIVEWAY TO LOT 11-4.

19. THE SHARED / COMMON DRIVEWAY ACCESSING LOTS 11-3 & 11-4 SHALL MEET NAFTA SURFACING REQUIREMENTS.

20. NHDES SUBDIVISION APPROVAL NUMBER IS ESA2017010603.

SUBDIVISION PLAN MAP J / LOT II MARTIN RUGGIERO 245 OLD TURNPIKE ROAD (NH ROUTE 124) TOWN OF MASON

HILLSBOROUGH COUNTY, NEW HAMPSHIRE



SURVEYING AND ENGINEERING

FAX (603) 472-6604 597 NEW BOSTON ROAD, BEDFORD, NH 03110 BOUNDARY SURVEYS ~ SUBDIVISIONS ~ SITÉ PLANS ~ STRUCTÚRAL ~ SEPTIC DESIGNS

PROJ. MAN.: RPS CADD: LPN PROJ:RUG01S05171 DWG#:RUG01S16010 CONTACT: M. RUGGIERO CHK BY: RPS SCALE: 1'' = 100' DATE: 8/25/16SHEET 1 OF 3

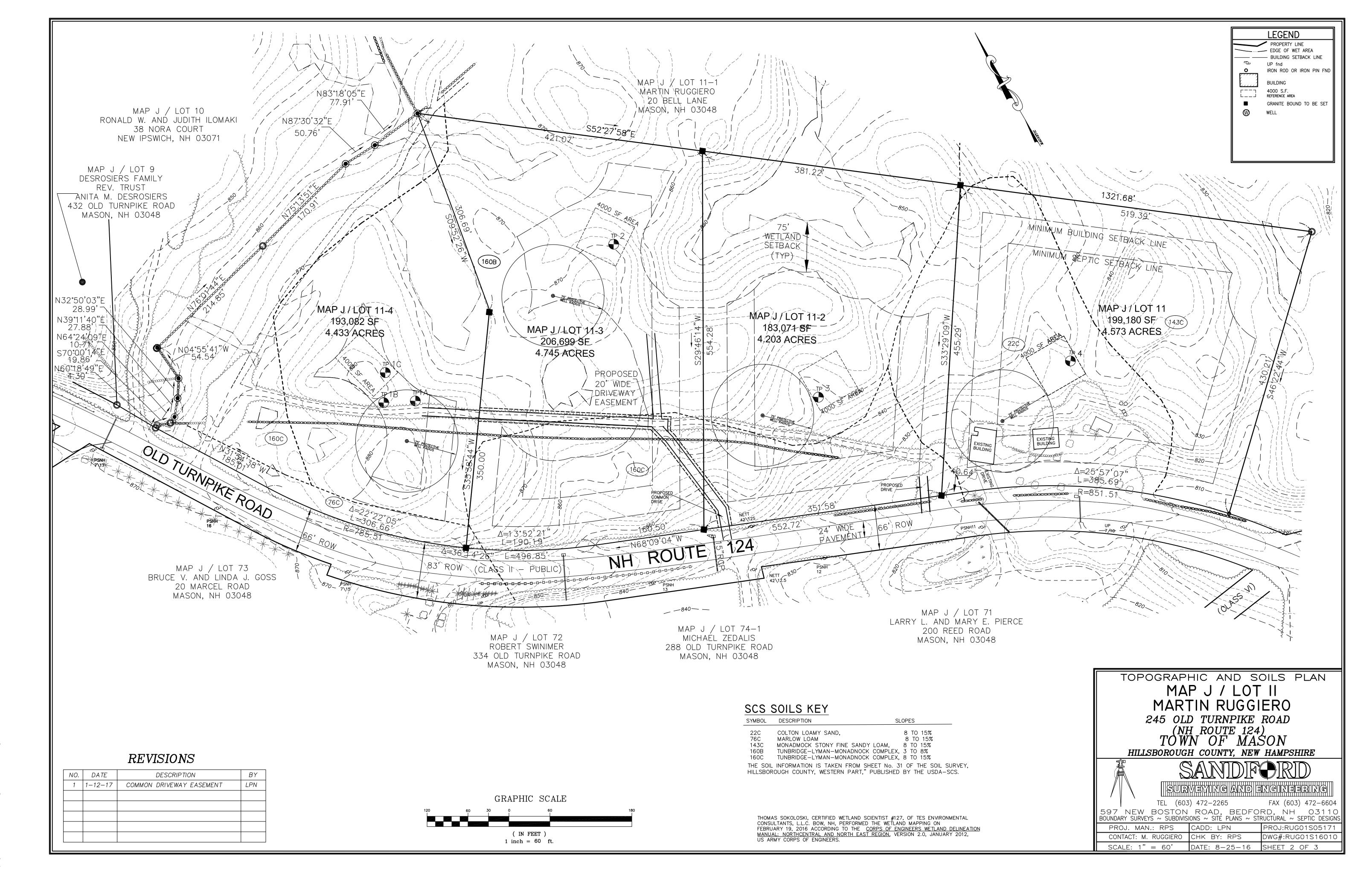
CHAIRMAN

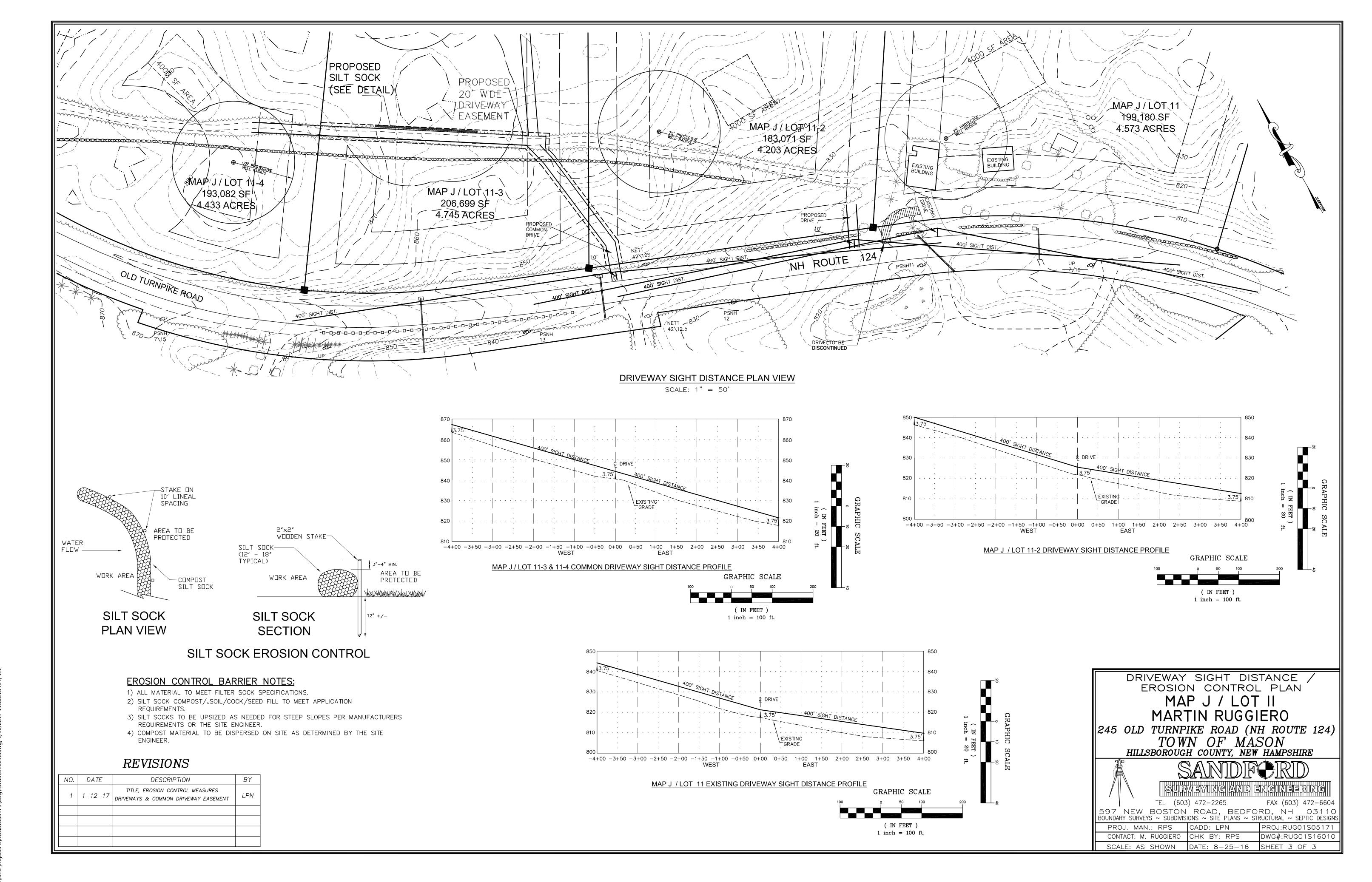
(IN FEET) 1 inch = 100 ft.

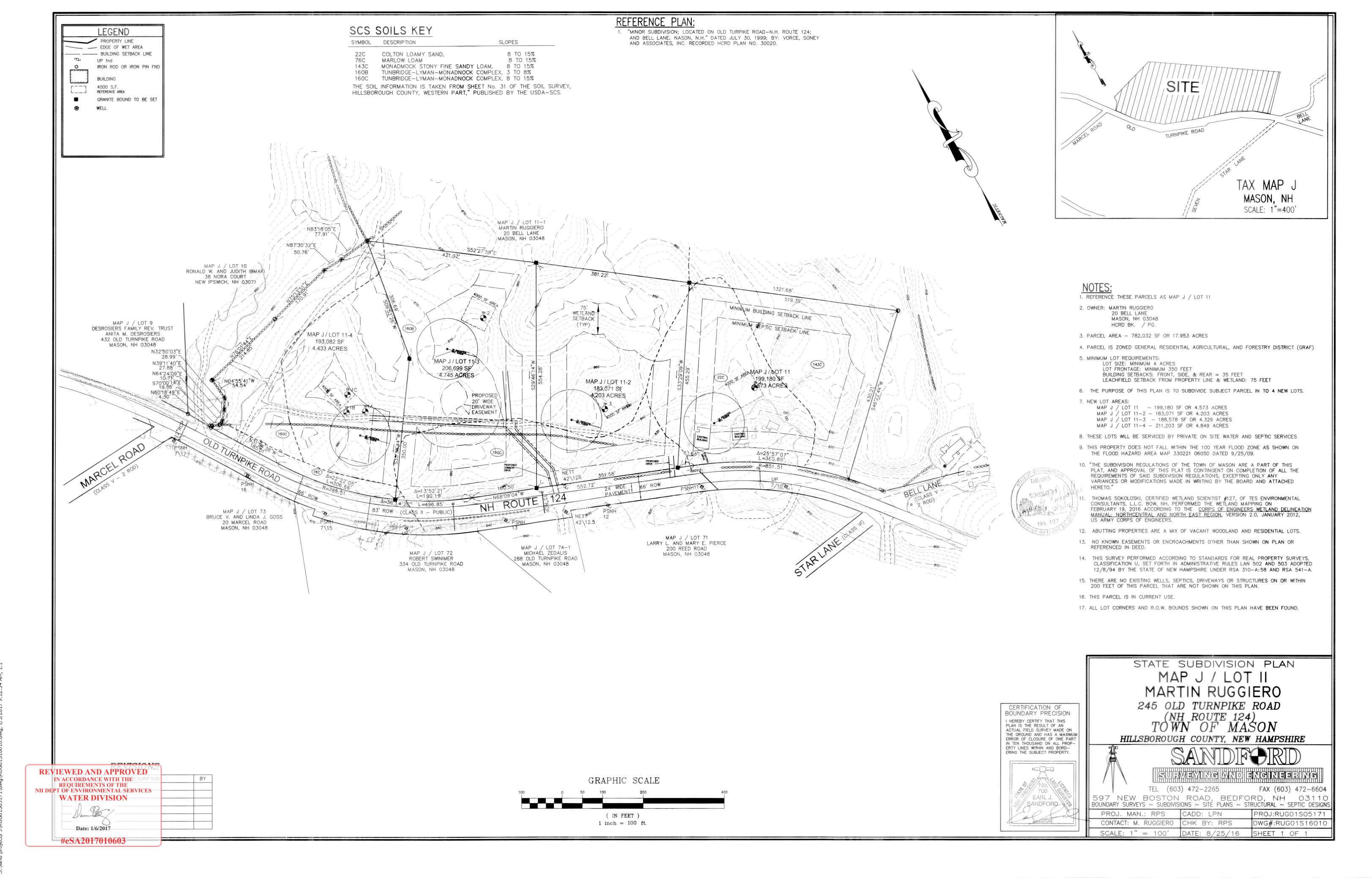
NOTES 8, 18, 19 & 20,

HCRD TOWN INFO BOX DRIVEWAY EASEMENT, SHT 2 & 3

1-12-17







C:\\] and ancients 3\D|\C01505171\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dm\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\C01515016\dum\D|\



The State of New Hampshire

Department of Environmental Services



Clark B. Freise, Acting Commissioner

APPROVAL FOR SUBDIVISION OF LAND

AS AUTHORIZED BY THE NH DEPARTMENT OF ENVIRONMENTAL SERVICES, WATER DIVISION PURSUANT TO RSA 485-A, WATER POLLUTION AND WASTE DISPOSAL AND ENV-WQ 1000, SUBDIVISION AND INDIVIDUAL SEWAGE DISPOSAL SYSTEM DESIGN

SUBDIVISION APPROVAL DATE: 1/6/2017

I. PROJECT LOCATION

Subdivision Name: MARTIN RUGGIERO Address: 245 OLD TURNPIKE RD MASON NH 03048

Tax Map: J Parent Lot No.: 11 No. of Lots: 4

Lot Nos.: 11, 11-2, 11-3, 11-4

II. OWNER INFORMATION

Name: MARTIN RUGGIERO Address: 20 BELL ALNE MASON NH 03048

III. APPLICANT INFORMATION

Name: EARL J SANDFORD Address: 597 NEW BOSTON RD BEDFORD NH 03110

IV. DESIGNER INFORMATION

Name: EARL J SANDFORD Address: 597 NEW BOSTON RD BEDFORD NH 03110

APPROVAL NUMBER: eSA2017010603

Permit No.: 01203

V. SURVEYOR INFORMATION

Name: EARL J SANDFORD Address: 597 NEW BOSTON RD BEDFORD NH 03110

Permit No.: 00700

IV. SPECIFIC TERMS AND CONDITIONS: Applicable to this Approval for Subdivision of Land

A. OTHER CONDITIONS AND WAIVERS:

1. Approved for Lot 11, 11-2, 11-3, & 11-4.

Darren K. King Subsurface Systems Bureau

Page 1 of 2

APPROVAL FOR SUBDIVISION OF LAND

- V. GENERAL TERMS AND CONDITIONS: Applicable to this Approval for Subdivision of Land
- A. By exercising any rights under this approval, the parties have agreed to all terms and conditions.
- B. No liability is incurred by the State of New Hampshire by reason of any approval of any Approval for Subdivision of Land. Approval by the Department of Environmental Services of any subdivision of land is based on plans and specifications supplied by the Applicant.
- C. This Approval for Subdivision of Land does not supersede any equivalent or more stringent local ordinances or regulations. State standards are minimal and must be met statewide.

WORK NUMBER: 201605670

APPROVAL NUMBER: eSA2017010603

APPLICATION RECEIVED DATE: January 3, 2017