

DEPARTMENT OF NATURAL RESOURCES

100 CAMBRIDGE STREET

BOSTON, MASSACHUSETTS 02202

RECEIVED

DEC 18 1975


DIRECTOR

DIV. OF CONSERVATION SERVICES

Pursuant to the provisions of G.L. c.184 §32, the Secretary of Environmental Affairs is hereby requested to approve a conservation restriction as described below.

1. MUNICIPALITY: Wellesley DATE December 12, 1975
Frederick W. Haffenreffer
2. GRANTOR: Jean R. Haffenreffer GRANTEE: Wellesley Conservation Council, Inc.
3. CHECK ONE: New Site Addition to Existing Site
4. TOTAL ACRES COVERED BY RESTRICTION: 3 1/2 plus acres
5. COVER, acres in: A. Forest B. Grass _____
C. Swamp _____ D. Water _____
6. TOPOGRAPHY, acres in: A. Flat _____ B. Hilly _____
C. Rolling D. Mountains _____
7. WATERFRONT, feet on: A. Ocean _____ B. River _____
-None- C. Stream _____ D. Lake _____
8. DOES PROPERTY HAVE FRONTAGE ON A STREET? Yes No _____
If "Yes" name of street Pembroke Road
9. WILL ANY BUILDINGS BE SUBJECT TO THE RESTRICTION? Yes _____ No
If "Yes" how many and estimated value: _____
10. PURPOSE OF RESTRICTION AND PROPOSED USE OF PROPERTY: _____
See Conservation Restriction attached
11. MAJOR USE (S) OF THE PROPERTY DURING THE PAST 10 YEARS:
(List present use first) Not used

12. WILL THE PUBLIC BE ALLOWED TO USE THE PROPERTY? No. X
13. DESCRIBE HOW THE RESTRICTION FITS INTO YOUR TOWN'S ZONING PLAN OR CONSERVATION/RECREATION PLAN: While the land is not contiguous to other conservation land in the Town, it is to be retained permanently in an open and wild state.
14. APPROXIMATE DATE RESTRICTION WILL BE RECORDED: Before December 31, 1975

PREPARED BY:  Frederick W. Haffenreffer

244 Grove Street

Wellesley, MA 02181

TELEPHONE 235-6050

ATTACHMENT 1

41576

1.26

8:75

**Suffolk County Registry of Deeds
DEDHAM, MASS.**

REC'D 1 H 26 m P M

DEC 26 1975

BOOK 5189 PAGE 256

ATTEST:

Barry Hannon
REGISTER

RACKEMANN, SAWYER & BREWSTER
COUNSELLORS AT LAW
28 STATE STREET
BOSTON, MASSACHUSETTS 02109

Box 1
WB Y

GRANT OF CONSERVATION RESTRICTION

The undersigned, Frederick W. Haffenreffer and Jean R. Haffenreffer (Grantors), husband and wife, both of Wellesley, Norfolk County, Massachusetts, for consideration paid hereby grant to Wellesley Conservation Council, Inc., a Massachusetts non-profit corporation with its principal office at 12 Cypress Road, Wellesley, Massachusetts, the benefit of the perpetual right to enforce a conservation restriction on an area of land owned by the Grantors and located on Pembroke Road, in said Wellesley, the same being more particularly described in Schedule A hereto attached, which land is hereinafter referred to as the "Property".

1. The term "conservation restriction" or "restriction" as used herein shall mean that the Grantors will not conduct or permit the following activities on the property except as provided in paragraph 2(a) through (d) below:

(a) construction or placing of any building, sign, billboard or other advertising, mobile home, utility pole or other temporary or permanent structure;

(b) dumping or storing of soil or other mineral substance such as loam, peat, gravel, sand or rock, or dumping or placing of trash, waste, refuse, vehicle bodies or parts, rubbish, debris, junk or unsightly or offensive material;

(c) removal or destruction of trees, shrubs or other vegetation;

(d) excavation, dredging or removal of loam, peat, gravel, soil, rock or other mineral substance in such manner as to affect the surface;

(e) surface use except for agricultural, farming, forest or outdoor recreational purposes or other purposes permitting the land and water areas to remain predominantly in their natural condition;

(f) activities detrimental to drainage, flood control, water conservation, erosion control or soil conservation, or;

(g) other acts or uses detrimental to such retention of land and water areas predominantly in their natural condition.

2. Notwithstanding anything contained in paragraph 1(a) through (g), the Grantors reserve to themselves the right to conduct or permit the following activities on the property:

(a) the cultivation and harvesting of crops, flowers, and hay; the planting of trees and shrubs and the mowing of grass; the grazing of livestock; and the construction and maintenance of fences necessary in connection therewith;

(b) the cultivation and harvesting of forest products in accordance with recognized forestry conservation practices, provided that all slash is removed from view;

(c) any activities designed to enhance the ecological or natural historical value of said property or to enhance the awareness of such values, including but not limited to the creation of footpaths, the placing of informative signs, benches, small shelters and the like;

(d) such other changes or activities requested by the Grantors and expressly consented to by the Grantee as are consistent with the purpose of this restriction.

The foregoing restriction is authorized by G.L. C. 184 §31-33, and is intended to retain the property in its natural, scenic and open condition.

The conservation restriction hereby conveyed does not grant to the public any right to enter upon the property, except such as may be granted subsequent hereto by the Grantors. The Grantee and its agents may enter the premises for purposes related to the functions of the Grantee including inspecting the premises and enforcing the foregoing restriction. The aforesaid right shall be in addition to any other remedies available to the Grantee for the enforcement of the foregoing restriction.

The conservation restriction hereby conveyed is not for the benefit of any particular land and shall be assignable to any other governmental or any non-governmental, non-profit organization whose purposes include conservation of natural areas. The burden of the conservation restriction hereby imposed shall run with the property and shall be binding upon all future owners of an interest therein.

As used in this instrument the terms "Grantors" and "Grantee" shall be deemed to include in all instances their respective successors and assigns.

No Massachusetts excise stamps are attached hereto as none are required by law.

In witness whereof we have hereto set our hands and seals this 8TH day of December , 1975.


 Frederick W. Haffenreffer


 Jean R. Haffenreffer

County of Suffolk, ss

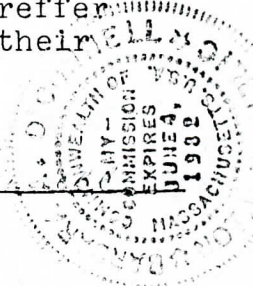
December 5 1975

Then personally appeared the above-named Frederick W. Haffenreffer and Jean R. Haffenreffer and acknowledged the foregoing to be their free act and deed, before me,

My Commission

Expires: June 4, 1982

Robert H. Gardner
Notary Public



ACCEPTANCE BY WELLESLEY CONSERVATION COUNCIL, INC.

Wellesley Conservation Council, Inc. hereby accepts the foregoing conservation restriction under G.L. Ch 184, Sec. 32.

Wellesley Conservation Council

By: Robert H. Gardner

APPROVAL BY SELECTMEN

We, the undersigned Board of Selectmen of the Town of Wellesley hereby certify that we approve the foregoing conservation restriction under G.L. Ch 184 Sec. 32.

Delix Juliani

Richard H. Gardner

A Majority of Selectmen

APPROVAL BY THE SECRETARY

The Secretary of Environmental Affairs, Commonwealth of Massachusetts, hereby certifies that she approves the foregoing conservation restriction under G.L. Ch 184, Sec. 32.

E. J. [Signature]
Secretary, Executive Office
of Environmental Affairs

SCHEDULE A

(Attached to Conservation Easement from
Frederick W. Haffenreffer et ux to Wel-
lesley Conservation Council, Inc.)

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Two contiguous parcels of land situated on the Southerly side of
Pembroke Road and off the Easterly side of Grove Street in said Wellesley
as follows:-

The First Parcel is shown as Lot B containing 37,841 square feet
on a plan entitled "Plan of Land in Wellesley, Mass., July 28, 1966,
Gleason Engineering Company," recorded with Norfolk County Registry of
Deeds as Plan No. 923 of 1966, to which plan reference may be made for
a more particular description.

The first parcel comprises all of the premises conveyed to the
Grantors by Margaret N. Gramkow by deed dated October 7, 1971, recorded
with Norfolk Deeds, Book 4790, Page 186.

The Second Parcel is shown as Lot B containing 2.755 acres on a
plan entitled "Subdivision of Land in Wellesley, Mass., March, 1936,
Frederick P. Hall, Civil Engineer and Surveyor", recorded with Norfolk
Registry of Deeds, Book 2116, Page 145, to which plan reference may be
made for a more particular description.

The second parcel comprises all of the premises conveyed to the
Grantors by two deeds from Clarence N. Holman and Isabelle W. Holman by
two deeds, one dated November 30, 1971, recorded with said Deeds Book
4790, Page 185, and one dated August 21, 1973, recorded with said Deeds
Book 4986, Page 56 .

Recorded Dec. 26, 1975 at 1h. 26m. P.M.