

EASEMENTS

Indenture, made this 30th day of April, 1990, between the Amherst Historical Society, Grantor, and The Jones Library, Inc., Grantee.

Whereas, the Grantor is seised of an estate in fee simple of a parcel of land situated on the north side of Amity Street and bordered by Prospect Street in Amherst, Hampshire County;

Whereas, the Grantee is seised of an estate in fee simple of a parcel of land situated on the north side of Amity Street and adjacent to the Grantor's land as marked on the plan entitled "Plan of Land situate in Amherst, Massachusetts made for The Jones Library, Inc., by James Avery Smith PLS, Engineering Department, Town Hall, Amherst, MA, dated 12 December 1989" to be recorded herewith;

Whereas, the Grantor has agreed, in consideration of the sum of \$1.00 (one dollar) and certain promises of the Grantee which are included in the document entitled "Agreement Between the Amherst Historical Society and The Jones Library, Inc.," dated April 30, 1990;

Witnessed, that in pursuance of the aforementioned promises and in consideration of the sum of \$1.00 (one dollar) made by and paid by the Grantee to the Grantor, the promises and receipt whereof is hereby acknowledged, the Grantor hereby grants to the Grantee, its successors and assigns, the following easements:

- 1) Temporary Easement for Construction - A temporary easement in gross to the Grantee for the purpose of making necessary excavations on the servient tenement and providing access for equipment, materials, and other construction activities during the term of the Grantee's renovation and expansion of the Jones Library - the aforementioned Temporary Easement for Construction to terminate upon the final completion and acceptance by the Grantee of the work of the aforementioned renovation and expansion of the Jones Library - is described as follows:

Beginning at a point on the property line between land of the Jones Library, Inc. (hereinafter Jones") and land of the Amherst Historical Society (hereinafter "Society") said point of beginning being located N 11° 09'54" E a distance of 40.00 feet along said property line from the Granite Bound "L" on the Northerly line of AMITY STREET, an 1884 Hampshire County Layout;

THENCE N 11° 09'54" E 144.85 feet along said property line to Concrete Bound "K";

THENCE N 89° 02'26" E 60.85 feet along said property line to Granite Bound "J";

THENCE N 01° 49'56" W 44.00 feet along said property line to a point, the last three courses being the Easterly and Southerly lines of the easement herein conveyed, being ten feet in width on land of said Society.

Reference "Plan of Land situate in Amherst, Massachusetts

made for The Jones Library, Inc., by James Avery Smith PLS, Engineering Department, Town Hall, Amherst, MA, dated 12 December 1989" to be recorded herewith.

2) Light and Air Easement - A permanent easement which is appurtenant to the land of the Grantee and which shall protect against the obstruction of light and air which would result if a building or structure was constructed on the Grantor's land within that space described as follows:

Beginning at Concrete Bound "K" described above;
 THENCE S 11° 09'54" W 57.00 feet along said property line to a point;
 THENCE N 78° 50'06" W 10.00 feet to a point;
 THENCE N 11° 09'54" E 65.00 feet to a point;
 THENCE N 89° 02'26" E 19.00 feet to a point;
 THENCE Easterly 52.0 feet, more or less, to Granite Bound "J", the last four courses being through land of said Society;
 THENCE S 89° 02'26" W along said property line 60.85 feet to said Concrete Bound "K", the point of the Beginning.

Reference "Plan of Land situate in Amherst, Massachusetts made for The Jones Library, Inc., by James Avery Smith PLS, Engineering Department, Town Hall, Amherst, MA, dated 12 December 1989" to be recorded herewith.

It is agreed that the Grantor will construct no building or permanent structure within the aforementioned Light and Air Easement;

3) Temporary Easement for Utility Line - A temporary easement in gross to the Grantee or its assigns or successors for the term of the renovation and construction of the Jones Library to locate an active overhead utility line for electric power where the CCTV line exists between the utility pole on Prospect Street and The Jones Library as of the date of this indenture - the aforementioned Temporary Easement for a Utility Line to terminate upon the final completion and acceptance by the Grantee of the work of the aforementioned renovation and expansion of the Jones Library. Prior to the said termination, all such wires, including the existing CCTV line, shall be removed by the Grantee.

In witness whereof, the Grantor has hereunto caused these presents to be signed by its proper corporate officers and caused its corporate seal to be hereunto affixed as of the day and year first above written.

Amherst Historical Society

By: Mary K. Steinway
President

COMMONWEALTH OF MASSACHUSETTS

Hampshire, ss

April 30, 1990

Then personally appeared the above named Mary K. Steinway and acknowledged the foregoing instrument to be her free act and deed, before me,

Pauline D. Conis
Notary Public

My Commission expires: June 19, 1992

Hampshire ss. May 3 1990 at 8 o'clock and 44 minutes A. M. Rec'd ent'd and
exam'd with Hampshire Reg. of Deeds, Books 3555 Page 28
Attest _____ REGISTER