

COMMON BOUNDARY LINE AGREEMENT
500 MAIN STREET, GROTON
AND
126 NOD ROAD, GROTON
125 COMMON STREET, GROTON

WHEREAS, this Agreement is made this 27 day of September, 2023 by and between 500 MG LLC ("500 MG LLC"), a Massachusetts limited liability company with a principal place of business at 6 Lyberty Way, Suite 203, Westford, Massachusetts, Karyn F. Franzek as Trustee of Big John's Trust u/d/t dated January 27, 1998, a Massachusetts realty trust which trust is recorded with the Middlesex South District Registry of Deeds at Book 28299, Page 474, with a principal address of 125 Common Street, Groton, Massachusetts, and John S. Franzek and Julie Franzek, individuals with an address of 126 Nod Road, Groton, Massachusetts,

WHEREAS, 500 MG LLC is the owner of the property known as 500 Main Street, Groton, Massachusetts. For title reference see deed from Deluxe Corporation to 500 MG LLC dated September 7, 2021, which deed is recorded with the Middlesex South District Registry of Deeds at Book 78658, Page 210 ("500 Main Street Property");

WHEREAS, John S. Franzek and Julie Franzek are the owners of the property known as 126 Nod Road, Groton, Massachusetts. For title reference see deed from John J. Franzek to John S. Franzek and Julie Franzek dated December 1, 1994, which deed is recorded with the Middlesex South District Registry of Deeds at Book 25030, Page 434;

WHEREAS, Karyn F. Franzek as Trustee of Big John's Trust u/d/t dated January 27, 1998, ("Big John's Trust") is the owner of six parcels of land collectively known as 125 Common Street, Groton, Massachusetts. For title reference see deed from John Franzek a/k/a John J. Franzek to Karyn F. Franzek as Trustee of Big John's Trust u/d/t dated January 27, 1998, which deed is recorded with the Middlesex South District Registry of Deeds at Book 28299, Page 482;

WHEREAS, the properties owned by John S. Franzek and Julie Franzek and Big John's Trust are collectively hereinafter referred to as the "Franzek Properties";

WHEREAS, 500 MG LLC filed a comprehensive permit application for approval of a 200 unit apartment complex on the 500 Main Street Property;

WHEREAS, the owners of the Franzek Properties have raised certain concerns relative to the development of the 500 Main Street Property. These concerns include, but are not limited to, the following: drainage, privacy, security, storm water management and other issues;

WHEREAS, the common boundary line between the 500 Main Street Property and the Franzek Properties is shown on the plan entitled Plan of Land Groton, Massachusetts, dated July 31, 2023, Scale 1" = 80', Dillis & Roy, Civil Design Group," a copy of which is attached to this Agreement as Exhibit A;

WHEREAS, it is the intention of the Parties that the covenants and agreements set forth herein shall inure to the benefit of and be appurtenant to each of the owners and their successors and assigns as set forth herein; and

NOW THEREFORE in consideration of One Dollar (\$1.00), the covenants and agreements herein and for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned Parties agree as follows:

1. 500 MG LLC has surveyed and agreed to mark the common boundary line with granite boundary markers as shown on Exhibit A, "Plan of Land Groton, Massachusetts, dated July 31, 2023, Scale 1" = 80', Dillis & Roy, Civil Design Group." 500 MG LLC has also agreed to place no trespassing signs on its property along the common boundary line approximately every 100 feet.
2. 500 MG LLC has agreed to install a fence in the areas marked as Proposed Chain Link Fence as shown on the entitled "Existing Conditions Plan, 500 Main Street, Groton, Massachusetts, dated September 19, 2022, Scale 1" = 80', Dillis & Roy, Civil Design Group," a copy of which is attached to this Agreement as Exhibit B.
3. 500 MG LLC agrees to plant and maintain barrier plantings along the common boundary line shown on the plan attached as Exhibit A. The list of plants may include any of the plants submitted to the Groton Zoning Board of Appeals as shown on plans prepared by Radner Design Associates, Inc. dated February 9, 2023, entitled Landscape Tree Plan 2, Sheet No. L3., a copy of which is attached hereto as Exhibit C.
4. 500 MG LLC and its successors and assigns agree that all leases signed with any and all tenants shall provide the following statement: "Tenant acknowledges that the 500 Main Street Property abuts private property owned by others. All tenants, their invitees and licensees shall refrain from entering onto the abutting private properties for access to the Nashua River Rail Trail or for any other reason. All Tenants, their invitees and licensees shall honor the no trespassing signs which demarcate the boundary lines."

This Agreement shall be governed by and interpreted in accordance with the laws of the Commonwealth of Massachusetts. Should any provision of this Agreement be held, in a final unappealable decision by a court of competent jurisdiction, to be either invalid, void, or unenforceable, the remaining provisions hereof shall remain in full force and effect unimpaired by the holding.

Executed this 27 day of September, 2023.

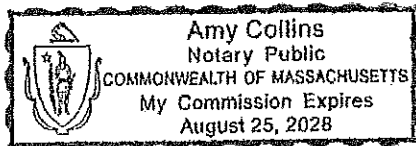
500 MG LLC

John B. Amaral
By: John B. Amaral
Its: Manager

COMMONWEALTH OF MASSACHUSETTS


Middlesex, ss.


On this 27 day of September, 2023, before me, the undersigned notary public, personally appeared John B. Amaral, who proved to me through satisfactory evidence of identification, which were his current Massachusetts Driver's License, to be the person whose name is signed on the preceding or attached document, in my presence, and who acknowledged to me that he signed it voluntarily for its stated purpose in his capacity as Manager of 500 MG LLC.



Amy Collins
Notary public name: AMY COLLINS
My commission expires: 8/25/28

Executed this 29 day of September, 2023.

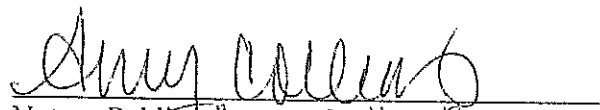

John S. Franzek

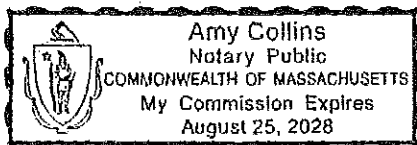

Julie Franzek

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this 29 day of September, 2023, before me, the undersigned notary public, personally appeared, John S. Franzek and Julie Franzek and proved to me through satisfactory evidence of identification, specifically Massachusetts Drivers License, to be the person whose name is signed on the preceding or attached document, in my presence and acknowledged that they signed it voluntarily for its stated purpose.


Notary Public Amy Collins
My commission expires: 8/25/2028



Executed this 29 day of September, 2023.

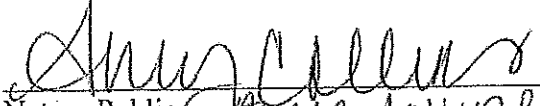

Big John's Trust u/d/t dated January 27, 1998


By: Karyn F. Franzek
Its: Trustee

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this 29 day of September, 2023, before me, the undersigned notary public, personally appeared, Karyn F. Franzek and proved to me through satisfactory evidence of identification, specifically a Massachusetts Driver's License, to be the person whose name is signed on the preceding or attached document, in my presence and acknowledged that she signed it voluntarily for its stated purpose as Trustee of Big John's Trust.


Notary Public 
My commission expires: 8/25/2028

