

SECTION 5
SITE CONTROL

4 ✓

083-11



Bk: 83197 Pg: 201 Doc: DEED
Page: 1 of 4 01/21/2014 01:43 PM

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS that the Roman Catholic Archbishop of Boston, A Corporation Sole, established and maintained as a religious corporation pursuant to Chapter 506 of Massachusetts Acts of 1897, maintaining an address at 66 Brooks Drive, Braintree, Massachusetts, (the "Grantor") for consideration paid of Three Million Nine Hundred Fifty Thousand Dollars (\$3,950,000.00) grants to

Alexander A. Argiros, Trustee of Waban AMA Realty Ventures Nominee Trust u/d/t dated January 21, 2014 to be recorded with the Middlesex South District Registry of Deeds herewith (the "Grantee") with Quitclaim Covenants

Two parcels of land situated in Newton, Middlesex County, Massachusetts, bounded and described as follows:

PARCEL I

The land in said Newton being shown as Lot 4 on a plan entitled "Property in Newton, Mass.", H. L. Vosburgh, Engineer, dated February 20, 1956 and recorded with Middlesex South District Deeds, Book 8682, Page 461, and bounded and described as follows:

SOUTHWESTERLY by Lot 3 on said plan, one hundred fifteen (115) feet;

NORTHWESTERLY by Lot 5 on said plan by three courses measuring eighty-eight and 65/100 (88.65) feet, one hundred fifty-nine and 61/100 (159.61) feet and fifty-nine and 32/100 (59.32) feet respectively;

NORTHEASTERLY by Lot 5 again on said plan, one hundred fourteen and 90/100 (114.90) feet;

Property Address: 1521 Beacon Street, Newton, MA 02468

+grantee

Nandy Kaston, Esq.
Fong & Kaston, LLP
24 School Street
Suite 720
Boston, MA 02108

MASSACHUSETTS EXCISE TAX
Southern Middlesex District ROD # 001
Date: 01/21/2014 01:43 PM
Ctrl# 199855 12842 Doc# 00008000
Fee: \$18,012.00 Cons: \$3,950,000.00

SOUTHEASTERLY by land of Douglas and Veronica Farrington, as indicated on said plan, sixty-seven and 80/100 (67.80) feet;

SOUTHWESTERLY again by land of Henry J. Prince, as indicated on said plan, five (5) feet; and

SOUTHEASTERLY again by said land of said Prince and by land now or formerly of Antonio Nicolazzo by three courses measuring eighty (80) feet, thirty-five and 91/100 (35.91) feet (erroneously set forth as 25.91 feet on said plan) and one hundred seventy-five (175) feet respectively.

Containing 37,800 square feet of land according to said plan.

Said premises are conveyed subject to an easement in the area marked "C. of N. Easement" as shown on said plan.

Said premises are conveyed with the benefit of a right of way over the areas marked B, C and D as shown on said plan to Montclair Road as shown on said plan.

PARCEL II

A certain piece or parcel of lands situated in that part of Newton known as Waban, as shown on a certain Plan of Land in Waban belonging to Frank W. Rane and Elizabeth B. Rane by E. S. Smilie, surveyor, dated June 16, 1926, bounded and described as follows:

SOUTHEASTERLY by Beacon and Short Streets two hundred seventy-three and 45/100 (273.45) feet;

SOUTHWESTERLY by land now or formerly of Henry Egan one hundred twenty-five (125) feet;

NORTHWESTERLY by other land of the grantors two hundred twenty-five and 56/100 (225.56)feet; and

NORTHEASTERLY by land now or formerly of Nagle one hundred twenty-five feet.

Containing 31,250 square feet of land, be all said measurements more or less.

For title of said Roman Catholic Archbishop of Boston, see deed from Antonio Nicolazzo recorded in Middlesex South District Registry of Deeds in Book 8695, Page 461 and deed from Frank W. Rane and Elizabeth B. Rane recorded with said Deeds in Book 4992, Page 474.

The Grantee covenants and agrees that it shall not use the Property for: (a) a church chapel or other house of religious worship; (b) an abortion clinic; (c) the operations of professional counseling services which advocate abortion or euthanasia; (d) the operations of any embryonic stem cell research facility or services implementing embryonic stem cell research or (e) school (the "**Use Restrictions**"). The Use Restrictions shall expire upon the ninetieth (90th) year from the date of the recording of the Deed. The property known as Sacred Heart Church, located at 1317 Centre Street, Newton, Massachusetts 02459 which Deed is dated May 1, 1890 and recorded with Middlesex South District Registry of Deeds as Chancery Register No. 01824 is benefited under the provisions of Massachusetts General Laws, Chapter 184, Section 27 (the "**Benefited Parcel**"). The Grantee acknowledges that these Use Restrictions are imposed for the benefit of the Grantor, and are of actual and substantial benefit to the Grantor. At such time as the Grantor ceases to operate a Roman Catholic Parish at, or from, the Benefited Parcel, these Use Restrictions shall automatically terminate and shall not then after be enforceable. In such event, upon request of the Grantee, or its successors in title or its assigns, Grantor shall execute a written and recordable instrument confirming such termination.

Grantee, on behalf of itself and its successors and assigns, waives any and all claims and defenses as to the enforceability of the Use Restrictions and the Covenant, as the case may be, in accordance with their terms.

See signature of Grantor on following page.

IN WITNESS WHEREOF, I hereunto set my hand and seal this 11 day of December, 2013.

ROMAN CATHOLIC ARCHBISHOP OF
BOSTON, A CORPORATION SOLE

By: + Sean O'Malley
Sean Cardinal O'Malley, O.F.M., Cap.

COMMONWEALTH OF MASSACHUSETTS

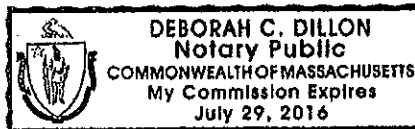
NOYDICK, ss.

On this 11 day of December, 2013, before me, the undersigned notary public, personally appeared Sean Cardinal O'Malley, O.F.M., Cap., Roman Catholic Archbishop of Boston, as he is the Roman Catholic Archbishop of Boston, A Corporation Sole, and proved me through satisfactory evidence of identification based upon my personal knowledge of his identity to be the person whose name is signed on the preceding document, and acknowledged to me that he signed it voluntarily for its stated purpose as the Roman Catholic Archbishop of Boston, A Corporation Sole.

Deborah C. Dillon

Notary Public

My Commission Expires: 7/29/16



OPTION TO PURCHASE

In consideration of One (\$1.00) Dollar and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Alexander A. Argiros, Trustee of Waban AMA Realty Ventures Nominee Trust u/d/t dated January 21, 2014 and recorded with the Middlesex South Registry of Deeds in Book 63197, Page 197, with an address of 700 Providence Highway, Norwood, Massachusetts 02062 (the "Trust"), grants to Waban AMA Realty Ventures, LLC, a Massachusetts limited liability company with an address of 1461 VFW Parkway, West Roxbury, MA 02132 (the "LLC"), an option to purchase the real property with the buildings and improvements thereon known and numbered as 1521 Beacon Street, Newton, Massachusetts as more particularly described in a deed to the Trust dated December 11, 2013 and recorded with said Deeds in Book 63197, Page 201. The purchase price shall be One and 00/100 (\$1.00) Dollar. The option may be exercised at any time between the date hereof and December 31, 2020 by notice in writing from the LLC to the Trust.

Executed as a sealed instrument this 17th day of December, 2015.

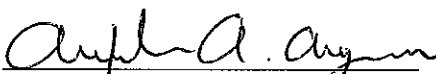


Alexander A. Argiros, Trustee

ACCEPTED:

Waban AMA Realty Ventures, LLC

Argiros Management Trust, Manager

By: 

Alexander A. Argiros, Trustee
duly authorized

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

On this 17th day of December, 2015, before me, the undersigned notary public, personally appeared Alexander A. Argiros, as Trustee of the Waban AMA Realty Ventures Nominee Trust, proved to me through satisfactory evidence of identification, which was a Massachusetts driver's license, 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 as Trustee.

Lisa Padula

My commission expires 9/3/21

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

On this 17th day of December, 2015, before me, the undersigned notary public, personally appeared Alexander A. Argiros, as Trustee of the Argiros Management Trust, Manager of Waban AMA Realty Ventures, LLC, proved to me through satisfactory evidence of identification, which was a Massachusetts driver's license, 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.

Lisa Padula

My commission expires 9/3/21

