



2023 00014643

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MODIFICATION OF TRACT IVA OPEN SPACE RESTRICTION COVENANT

THIS MODIFICATION OF TRACT IVA OPEN SPACE RESTRICTION COVENANT (the "Modification") is made as of the 20 day of September, 2022 by BOSTON PROPERTIES LIMITED PARTNERSHIP, a Delaware limited partnership having an address in care of Boston Properties, Inc., 800 Boylston Street, Suite 1900, Boston, Massachusetts 02199 (the "Grantor").

RECITALS

Reference is made to that certain Open Space Restriction Covenant (Tract IVA) dated as of March 11, 1998 (the "Covenant") granted by the Grantor and recorded with the Middlesex South District Registry of Deeds (the "Registry") in Book 28297, Page 339.

The Grantor is the owner in fee of the parcel of land in Cambridge, Massachusetts shown as "Tract IVA" on a plan entitled "Master Easement Plan, Tract IVA & Tract IVB of Parcel 3, Cambridge, MA", sheets E-1 through E-2, prepared by Allen & Major Associates, Inc. and dated January 9, 1998 (the "Easement Plan"), which Easement Plan was recorded with the Registry as Plan No. 263 of 1998 in Book 28297, Page 277.

Contained within Tract IVA is a parcel of land containing 4,955 square feet, more or less, which is shown as the "Tract IVA Public Open Space Easement Area" on sheet E-2 of the Easement Plan.

Pursuant to Section (f) of the Covenant, the Covenant automatically terminates upon the earlier to occur of (i) the date on which the Building improvements to be constructed upon Tract IVA, or any substantial part thereof, no longer exist by reason of casualty or taking; or (ii) forty (40) years from the date of the Covenant (March 10, 2038).

WHEREAS, the Grantor desires to extend the forty (40) year period referenced in said Section (f) of the Covenant.

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable consideration in hand this date paid by each of the parties to the other, the receipt and sufficiency of which are hereby severally acknowledged, and in further consideration of the mutual promises herein contained, the parties hereby agree to and with each other as follows:

1. Section (f) of the Covenant is hereby amended by deleting the words and numerals "forty (40)" in clause (ii) thereof and substituting the words and numerals "eighty-three (83) (being March 10, 2081)" therefor.

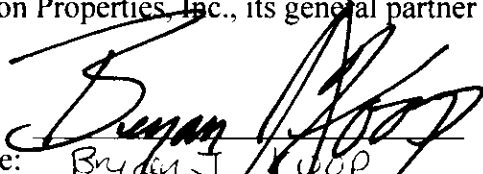
Boylston & Stairs
 400 Atlantic Avenue
 Boston, MA 02110
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- 2. Except as herein modified, the Covenant shall remain unmodified and in full force and effect. All references to the "Covenant" shall be deemed to be references to the Covenant as modified hereby.

WITNESS the execution hereof under seal as of the day and year first written above.

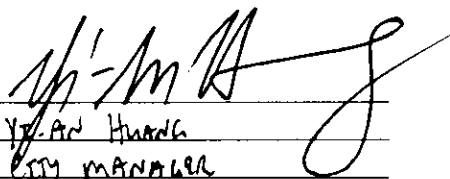
BOSTON PROPERTIES LIMITED PARTNERSHIP

By: Boston Properties, Inc., its general partner

By: 
 Name: Brydie J. Keop
 Title: Executive Vice President

Agreed to and accepted:

CITY OF CAMBRIDGE

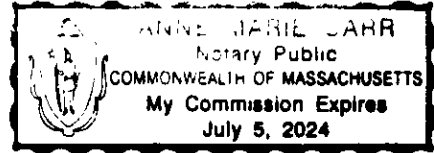
By: 
 Name: Yvonne Hurd
 Title: City Manager

COMMONWEALTH OF MASSACHUSETTS)
)
COUNTY OF SUFFOLK)

On this 27th day of September, 2022, before me, the undersigned notary public, personally appeared Bryan D. Keay, proved to me through satisfactory evidence of identification, which were MA Drivers License, to be the person whose name is signed on the preceding and acknowledged to me that he signed it voluntarily for its stated purpose as Executive Vice President of Boston Properties, Inc., the general partner of Boston Properties Limited Partnership.

[Signature] (official signature and seal of notary)

My commission expires: July 5, 2024



COMMONWEALTH OF MASSACHUSETTS)
)
COUNTY OF MIDDLESEX)

On this 18 day of Oct, 2022, before me, the undersigned notary public, personally appeared Yi-An Huang, proved to me through satisfactory evidence of identification, which were Personally Known, to be the person whose name is signed on the preceding and acknowledged to me that he/she signed it voluntarily for its stated purpose as City Manager of the City of Cambridge.

[Signature] (official signature and seal of notary)

My commission expires: Feb 27, 2026

