



Bk: 40563 Pg: 143 Doc: AGT  
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Recording Requested by,  
and when Recorded Return to:  
Nixon Peabody LLP  
100 Summer Street  
Boston, Massachusetts 02110  
Attn: Kevin P. Joyce, Esq.

CONSENT TO SUBDIVISION OF LAND

With reference to that certain Deed with Conservation and Preservation Restrictions from the Commonwealth of Massachusetts dated August 5, 2005, and recorded with the Suffolk County Registry of Deeds (the "Registry") in Book 37860, Page 176, as the same has been amended by that certain First Amendment to Deed with Conservation and Preservation Restrictions dated August 22, 2006 (the Deed and First Amendment collectively referred to herein as the "Deed"), and with further reference to Section I(B)(8) of the Deed, the DEPARTMENT OF CONSERVATION AND RECREATION ("DCR"), a political subdivision of the Commonwealth of Massachusetts, having a principal business address of 251 Causeway Street, Boston, Massachusetts 02114, for good and valuable consideration, the sufficiency and receipt of which DCR acknowledges, hereby delivers this Consent to Subdivision of Land on behalf of the Commonwealth of Massachusetts to WATERWORKS PARK LLC, a Massachusetts limited liability company with a principal business address c/o Edward A Fish Associates, LLC 536 Granite Street, 3rd Floor, Braintree Massachusetts 02184, as it is Grantee under the Deed. By delivery of this consent, DCR consents to the subdivision of the land described under the Deed, and as is shown in the plans entitled, Chestnut Hill Waterworks, Plan of Land in Boston, MA dated July 17, 2006 (said plan contains 2 sheets), to be recorded at the Registry, and to the sale by Waterworks Park, LLC of condominium units to be created on the land described in the Deed.

IN WITNESS WHEREOF, the Department of Conservation and Recreation by its duly authorized representative, under seal, as of October 13, 2006.

Attested hereto:

*Francis M. Roache*  
Francis M. Roache  
Register of Deeds

*Stephen H. Burrington*  
Stephen H. Burrington, Commissioner  
Department of Conservation and Recreation

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss.

October 13, 2006

On this 13<sup>th</sup> day of October, 2006, before me, the undersigned notary public, personally appeared Stephen H. Burrington, in his capacity as Commissioner of the Department of Conservation and Recreation, proved to me through satisfactory evidence of identification, which was personal knowledge, to be the person whose name is signed above on this document, and acknowledged to me that he signed it voluntarily for its stated purpose.

②

Plan 2006 Page 931  
Book \_\_\_\_\_

*Thomas J. LaRosa*  
Thomas J. LaRosa, Notary Public

My commission expires:

