
ACCESS AGREEMENT FOR BEACH NOURISHMENT

I, Michael Reilly, the Owner of 448 Old Harbor Road and I, Michael Reilly the Managing Trustee of the Old Harbor Homeowner's Association grant to Susan Morgan, the Owner of 450 Old Harbor Road Access to a portion of 448 Old Harbor Road for the purposes of Beach Nourishment subject to the following conditions:

1. Notice of the start of Nourishment is provided by e-mail or telephone.
2. The proposed nourishment shall have a grain size consistent with the sands found on the beach.
3. The proposed nourishment shall have a top coating of a minimum of 4" of lighter sand compatible in color with the beach sand in the area. If sand of this nature is not available, the property owner will be informed with the above referenced Notice.
4. The owner of 450 Old Harbor Road accepts all liability for work on 448 Old Harbor Road.
5. The Contractor selected for performing the nourishment shall review the Order of Conditions, nourishment Plan, Access Agreement and all other documents relating to the nourishment of the property.
6. The Contractor selected for performing the nourishment shall have up to date Liability Insurance, Workers Compensation Insurance and be otherwise qualified for a project of this nature.
7. All parties involved indemnify, hold harmless and will not issue liens against the owner of 448 Old Harbor Road and the Old Harbor Homeowner's Association of all liability for the efforts of nourishment.
8. Unless agreed upon, no work shall be performed between June 15th and September 15th.

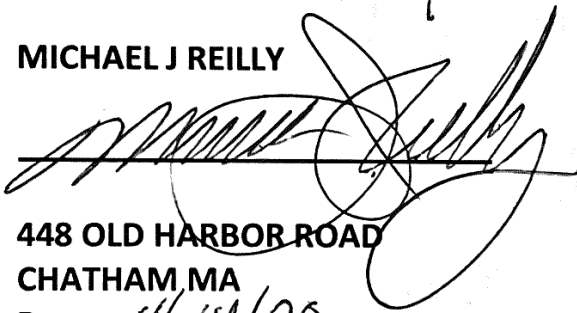
This agreement is valid until any of the following occur:

1. Revision of the Nourishment Plan – Upon any change of the Nourishment Plan to be approved under SE 10-3335 or another filing, the Access Agreement terminates and a new Access Agreement will be required.
2. Change in Ownership – Upon a change in the ownership of 450 Old Harbor Road or 448 Old Harbor Road, the Access Agreement terminates and a new Access Agreement will be required.
3. Enforcement Action – Upon issuance of any level of Enforcement by

the Conservation Commission, the Conservation Department, the Department of Environmental Protection or other authority, the Access Agreement terminates and a new Access Agreement will be required.

4. Notice – With proper notice issued by the Owner of 448 Old Harbor Road or the Managing Trustee of the Old Harbor Homeowner's Association, the Access Agreement will terminate in 30-days. A copy of the notice shall be provided to the Conservation Commission
5. This Consent does not create any legal, contractual, or real property interest in our respective properties, but rather is a personal and private temporary consent for the limited purposes stated herein for so long as this Consent is in effect from time to time. It shall not be recorded against the land titles of any of the three properties.

MICHAEL J REILLY



**448 OLD HARBOR ROAD
CHATHAM, MA**

Date: 4/14/20

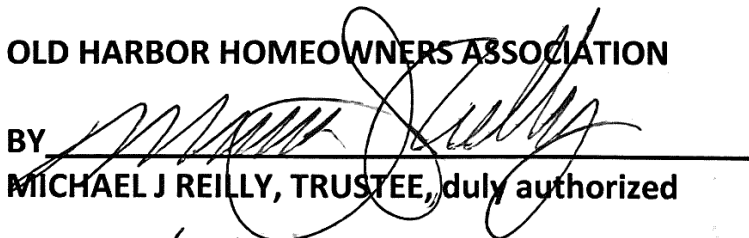
Email: mobilemjreilly@gmail.com

Phone: 860 930 3118

US Mail: 1 Schuyler Lane, Bloomfield CT 06002

OLD HARBOR HOMEOWNERS ASSOCIATION

BY



MICHAEL J REILLY, TRUSTEE, duly authorized

Date: 4/14/20

Email: mobilejreilly@gmail.com

Phone: 860 930 3118

US Mail: 1 Schuyler Lane, Bloomfield CT 06002