

Narrative for 3&7 Masaquet Ave
Request for Select Board Assent

From Arthur Reade:

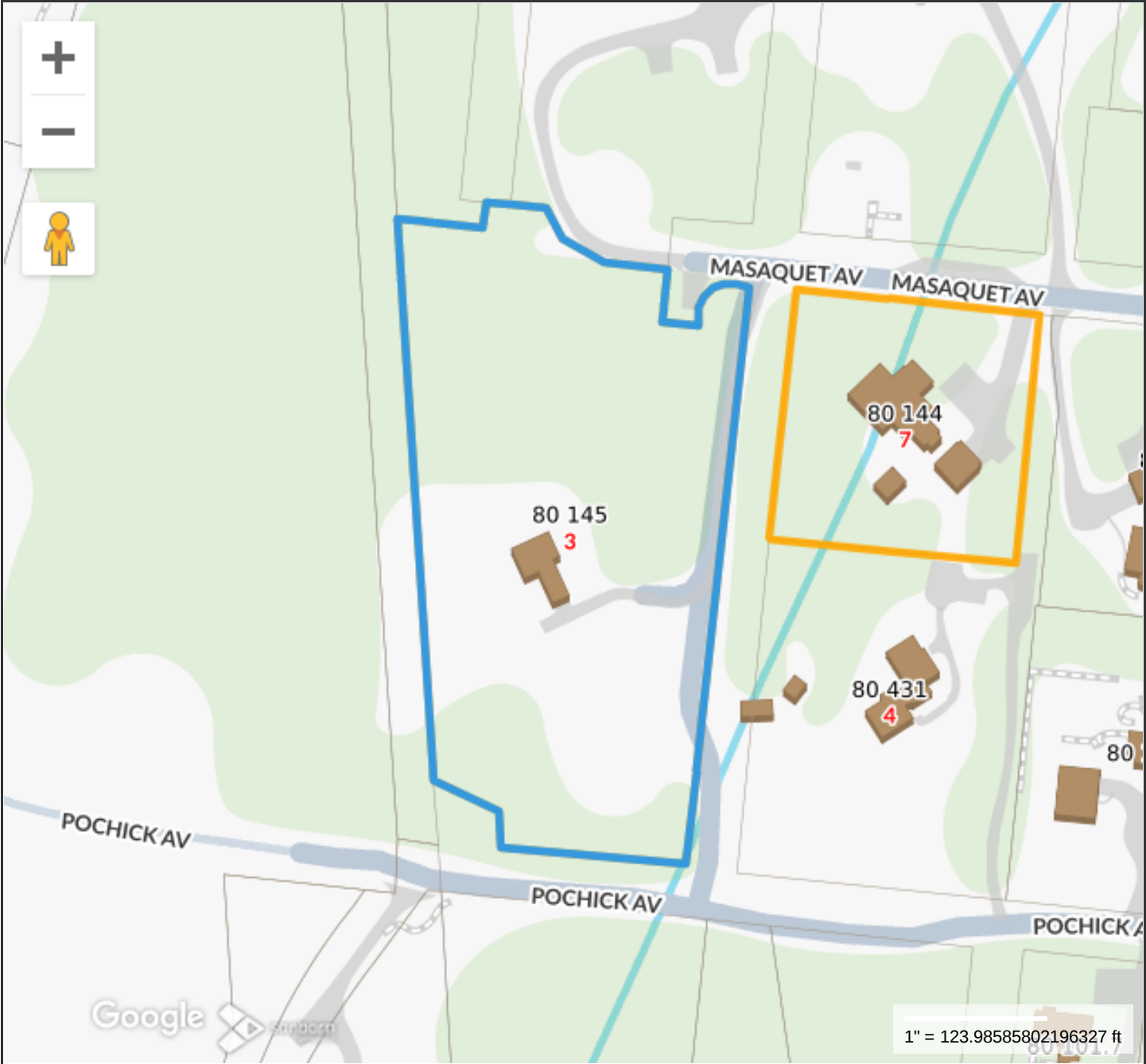
3 Masaquet LLC, which owns the property at 3 Masaquet Avenue (Assessor's Parcel 80-145), consisting of Lot 1 on Plan File 10-F, Parcel A on Plan 2018-22, and Lot B on Plan 2023-17, under deed recorded in Book 1941, Page 139. These lots had been merged by document recorded in Book 1941, Page 133. Parcel A and Lot B are yard sale parcels which were conveyed with the usual language requiring that the lots be merged and prohibiting their separate conveyance without prior consent of the Select Board. The property now contains 128,628 square feet and is in the LUG-2 district

3 Masaquet LLC has now had the combined 3 Masaquet property divided by ANR plan endorsed by the Planning Board and recorded as Plan 2024-40, into two lots: Lot 1, containing 80,001 sf and thus a conforming lot in LUG-2, and Lot 2, containing 48,627 sf and thus nonconforming (and marked as unbuildable, to be conveyed to be part of an adjacent parcel, on the plan). Lots 1 and 2 each contain portions of the yard sale parcels mentioned above.

3 Masaquet LLC proposes to convey Lot 2 to the Trustee of 7 Masaquet Realty Trust, which owns the adjacent land at 7 Masaquet Avenue, consisting of Lot 2 on Plan 2013-36, and the yard sale parcel shown as Parcel B on Plan 2018-56, under deed recorded in Book 1875, Page 268. These parcels have been merged by instrument recorded in Book 1681, Page 303. The total area is 45,200 sf. They are situated in the LUG-1 district (the district line runs between 3 Masaquet and 7 Masaquet).

The result of this conveyance will be that Lot 2 on Plan 2024-40 being conveyed to be part of 7 Masaquet Avenue will create a property with a total area of 93,827 sf, which will be merged together by recorded instrument. Because Lot 2 is in LUG-2, this does not result in the combined property being subdividable; the benefit of the conveyance to the 7 Masaquet owner will be the provision of additional ground cover (with the total amount of ground cover on the present 3 Masaquet property remaining unchanged, as the available ground cover for Lot 1, the remaining portion of the present 3 Masaquet property, being reduced accordingly).

Accordingly, we are asking that the Select Board consent to the conveyance of Lot 2 on Plan 2024-40 separately from Lot 1 on that plan, subject to the condition that the conveyance of Lot 2 will be made to the owner of 7 Masaquet and that an instrument shall be recorded forthwith upon such conveyance, merging Lot 2 on Plan 2024-40 with Lot 2 on Plan 2013-36 and Parcel B on Plan 2018-56 as a single lot.



Property Information Property ID 7616 Location 3 MASAQUET AV Owner 3 MASAQUET LLC	 MAP FOR REFERENCE ONLY NOT A LEGAL DOCUMENT Town and County of Nantucket, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map. Geometry updated 10/16/2024 Data updated Jan. 2021	Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.
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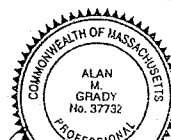
Bk: Pg: 0 Page: 0
Doc: PLAN 12/13/2024 10:03 AM

NANTUCKET REGISTRY
OF DEEDS
Date: December 13, 2024
Time: 10:03 AM
Plan No. 2024-40
Artist: [Signature]
Register:

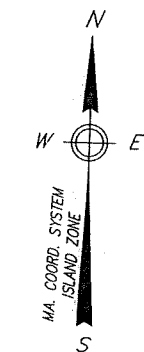
Sheet 1 of 1

RESERVED FOR REGISTRY USE

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTRY OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.



ALAN M. GRADY, PLS
MASSACHUSETTS REG.
No. 37732



PLAN SCALE

0 8 16 24 32 40 60 80 120
1 inch = 40 feet

LOT C
PLAN NO. 2023-17

15' WIDE
NANTUCKET
LAND BANK
EASEMENT
BK 1941 PG 135

SURFSIDE
MAP 80 PARCEL 39
N/F
NANTUCKET ISLANDS
LAND BANK

ATLANTIC
AVENUE
MAP 80
PARCEL 219
N/F
NANTUCKET
ISLANDS
LAND BANK

N 03°56'55" W
456.85'

ZONE: LUG-3
ZONE: LUG-2

LOT B, PLAN 2023-17
LOT 1, PLAN 10-F

LOT 2
48,627± s.f.
(UNBUILDABLE)

LOT 1

80,001± s.f.
r=0.61

MAP 80
PARCEL 145
128,628± S.F.

POCHICK AVENUE
(PRIVATE - 40' WIDE)

MASAQUET AVENUE
EXISTING PAVED ROADWAY
(PRIVATE - 40' WIDE)

LOCUS MAP

Scale: 1" = 1000'

MASAQUET AVENUE
POCHICK AVENUE

ZONE: LUG-2

REQUIRED

LOT AREA: 80,000 s.f.
FRONTAGE: 150'
FRONT YARD: 35'
SIDE/REAR YARD: 15'
GROUND COVER: 4% (MAX)

ZONE: LUG-3

REQUIRED

LOT AREA: 120,000 s.f.
FRONTAGE: 200'
FRONT YARD: 35'
SIDE/REAR YARD: 20'
GROUND COVER: 3% (MAX)

PLAN OF LAND IN NANTUCKET, MA

PREPARED FOR
3 MASAQUET LLC
#3 MASAQUET AVENUE
MAP 80 PARCEL 145

PREPARED BY
BRACKEN ENGINEERING, INC.
19 OLD SOUTH ROAD
NANTUCKET, MA 02554
tel: (508) 325-0044
fax: (508) 833-2282

SCALE: 1" = 40' OCTOBER 30, 2024

APPROVAL UNDER THE SUBDIVISION
CONTROL LAW NOT REQUIRED
NANTUCKET PLANNING BOARD

FILE NUMBER: PL 2024-11-00516

DATE APPROVED: 11-14-2024

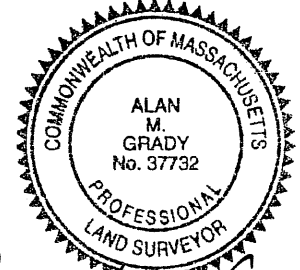
NOTES:

- LOCUS: # 3 MASAQUET AVENUE
MAP 80 PARCEL 145
- OWNER: 3 MASAQUET LLC
- DEED REF: BOOK: 1941 PAGE: 139
BOOK: 1682 PAGE: 245(MERGER DECLARATION)
- PLAN REF: PLAN FILE 10-F (LOT 1)
PLAN NO. 2018-56 (PARCEL A)
PLAN NO. 2023-17 (PARCEL B)
- LOCUS DOES NOT FALL WITHIN A SPECIAL FLOOD HAZARD AS SHOWN ON FEMA
FLOOD INSURANCE RATE MAP No. 25019C-0088-G dated 06/09/2014.
- PLANNING BOARD ENDORSEMENT DOES NOT CONSTITUTE A DETERMINATION OF
CONFORMANCE UNDER CURRENT ZONING.
- THE PURPOSE OF THIS PLAN IS TO DIVIDE PARCEL 145 ON ASSESSORS MAP 80
INTO TWO LOTS. LOT 1, WHICH CONFORMS TO THE ZONING REQUIREMENTS FOR A
BUILDABLE LOT AND LOT 2, WHICH DOES NOT CONFORM TO THE ZONING
REQUIREMENTS AND IS NOT TO BE CONSIDERED A BUILDABLE LOT. LOT 2 IS TO BE
CONVEYED TO AN ADJUTING PARCEL.

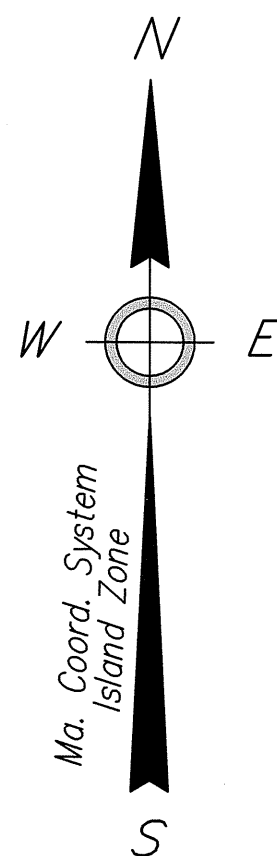
NANTUCKET REGISTRY
OF DEEDS
Date: October 11, 2018
Time: 1:53 PM
Plan No: 2018-56
George F. DeCambia
Attest: Register
Sheet 1 of 1

RESERVED FOR REGISTRY USE

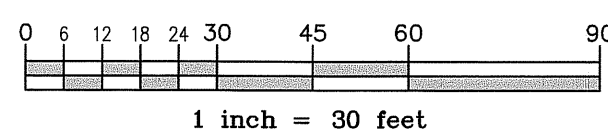
I CERTIFY THAT THIS PLAN HAS BEEN
PREPARED IN CONFORMANCE WITH THE
RULES AND REGULATIONS OF THE
REGISTRY OF DEEDS OF THE
COMMONWEALTH OF MASSACHUSETTS.



ALAN M. GRADY, PLS
MASSACHUSETTS REG.
No. 37732



PLAN SCALE



THE PLANNING BOARD DETERMINES THAT:

- (b) PARCELS "A, B and C" DO NOT CONTAIN AREAS
SUBJECT TO PROTECTION UNDER THE MASSACHUSETTS
WETLANDS PROTECTION ACT WHICH ARE REQUIRED TO
BE EXCLUDED FROM LOT AREA UNDER THE NANTUCKET
ZONING BYLAW, BUT STILL MAY BE SUBJECT TO
PROTECTION UNDER STATE AND LOCAL WETLAND
BYLAWS. DETERMINATION OF APPLICABILITY MAY BE
OBTAINED THROUGH APPLICATION TO THE
CONSERVATION COMMISSION.
- (c) PARCELS "A, B and C" CONTAIN INADEQUATE LOT
AREA, AS DEFINED IN THE NANTUCKET ZONING BYLAW,
TO COMPLY WITH MINIMUM AREA REQUIREMENTS
APPLICABLE UNDER SUCH BYLAW.

COPELAND STREET (PRIVATE - VARIABLE WIDTH) (NOT CONSTRUCTED)

MASAQUET AVENUE

#4 MASAQUET AVENUE
MAP 80 PARCEL 194
N/F
CARMINE DISIBIO and AMY DISIBIO

SCHOOL STREET
(PRIVATE - 40' WIDE) (NOT CONSTRUCTED)

#8 MASAQUET AVENUE
MAP 80 PARCEL 193
N/F
8 MASAQUET AVE LLC

LAUREL STREET
(PRIVATE - 40' WIDE) (NOT CONSTRUCTED)

#137 SURFSIDE ROAD
MAP 80 PARCEL 251
N/F
SUSAN REARDON

#7 MASAQUET AVENUE
MAP 80 PARCEL 144
ROBERT B. LANG,
TRUSTEE OF LANG FAMILY NOMINEE TRUST
BK. 1406 PG. 121
(LOT 2, PLAN NO. 2013-36)

#3 MASAQUET AVENUE
MAP 80 PARCEL 145
BRIAN ZEVIK and GEORGENE ZEVIK
BK. 373 PG. 31
(LOT 1, PLAN FILE 10-F)

#4 POCHICK AVENUE
MAP 80 PARCEL 431
GEORGE F. DeCAMBRA and
KAREN A. DeCAMBRA,
TRUSTEES OF THE TRUST AGREEMENT
DATED AUGUST 27, 1991
BK. 396 PG. 333 &
(BLOCK 126, LOTS 1 - 38
PLAN BK. 2 PG. 1)
BK. 1406 PG. 113
(PARCEL 1, PLAN NO. 2012-2)

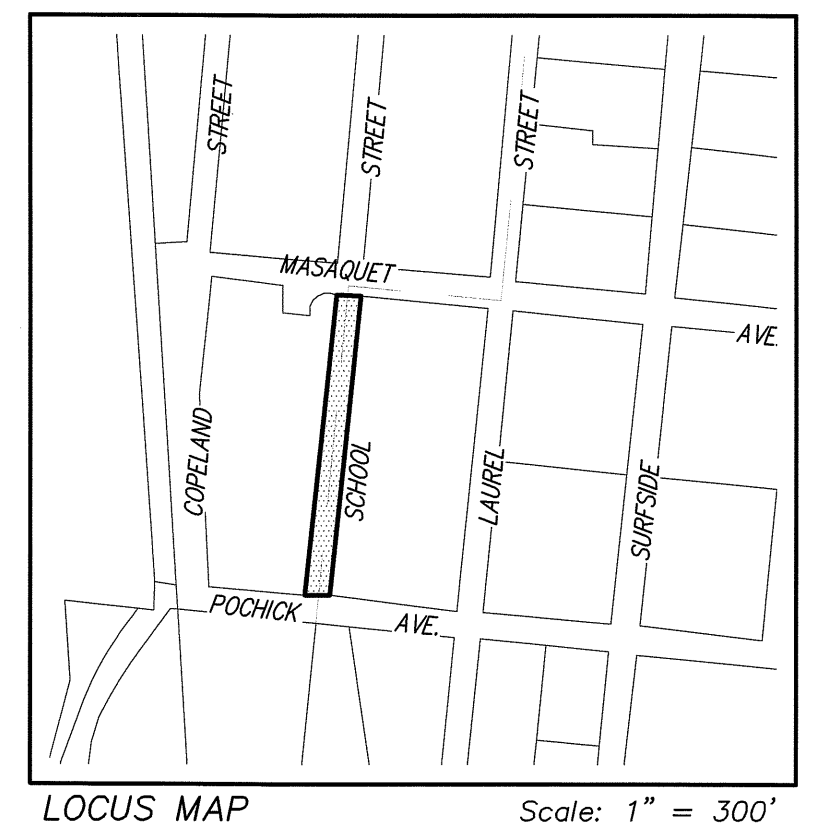
#6 POCHICK AVENUE
MAP 80 PARCEL 143.2
N/F
SIX POCHICK SURFSIDE LLC

#2 WEWEEDER AVENUE
MAP 80 PARCEL 103
N/F
FREDERICK & JANET VON PECHMANN

#4 WEWEEDER AVENUE
MAP 80 PARCEL 102
N/F
CHARLES &
PAMELA KRUEGER

#6 WEWEEDER AVENUE
MAP 80 PARCEL 102.1
N/F
JONATHAN & CHRISTINE WOLFF

#5 POCHICK AVENUE
MAP 80 PARCEL 101.7
N/F
EDWIN & SHARLENE RUDD



ZONE: LUG-1
REQUIRED
LOT AREA: 40,000 s.f.
FRONTAGE: 100'
FRONT YARD: 35'
SIDE/REAR YARD: 10'
GROUND COVER: 7% (MAX)

ZONE: LUG-2
REQUIRED
LOT AREA: 80,000 s.f.
FRONTAGE: 150'
FRONT YARD: 35'
SIDE/REAR YARD: 15'
GROUND COVER: 4% (MAX)

NOTES:

- LOCUS: PORTION OF SCHOOL STREET
- PLAN REFERENCES:
Plan Bk: 2 Pg: 1
Plan File: 10-F
Plan No: 2012-02
Plan No: 2013-36
- SEE WARRANT ARTICLES 76 & 77 OF THE
2010 ANNUAL TOWN MEETING.
- PLANNING BOARD ENDORSEMENT DOES NOT
CONSTITUTE A DETERMINATION OF
CONFORMANCE UNDER CURRENT ZONING.

ROADWAY
ACQUISITION PLAN
IN
NANTUCKET, MASS.

OF A PORTION OF UNCONSTRUCTED
"SCHOOL STREET"
PREPARED BY
BRACKEN ENGINEERING, INC.
19 OLD SOUTH ROAD
NANTUCKET, MA 02554
tel: (508) 325-0044
fax: (508) 833-2282
SCALE: 1" = 30' JUNE 13, 2018

APPROVAL BY THE
NANTUCKET PLANNING BOARD
NOT REQUIRED

FILE NUMBER: 8245
DATE APPROVED: 7-9-18

TOWN OF NANTUCKET
BOARD OF SELECTMEN
DATE APPROVED: _____



Bk: Pg: 0 Page: 0
Doc: PLAN 08/08/2013 02:38 PM

**NANTUCKET REGISTRY
OF DEEDS**

Date: 08/08/2013
Time: 2:38 PM
Plan No: 2013-36

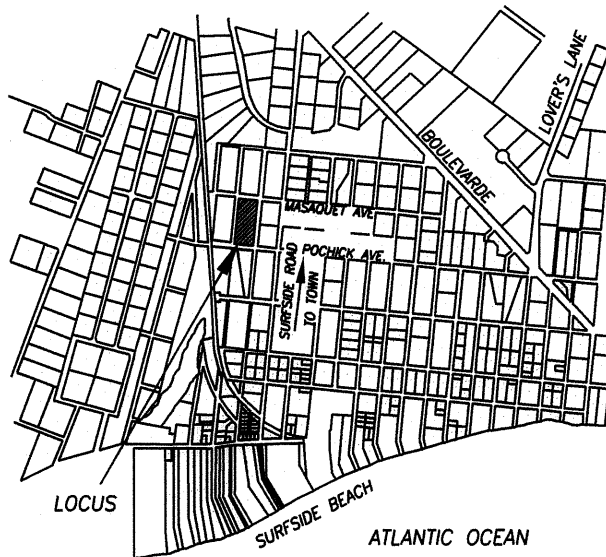
Jennifer H. Fenwick
Attest: Register

Sheet 1 of 1

CURRENT ZONING CLASSIFICATION:
Limited Use General 1 (L.U.G.-1)

MINIMUM LOT SIZE: 40,000 S.F.
MINIMUM FRONTAGE: 100 FT.
FRONT YARD SETBACK: 35 FT.
REAR/SIDE SETBACK: 10 FT.
GROUND COVER %: 7%

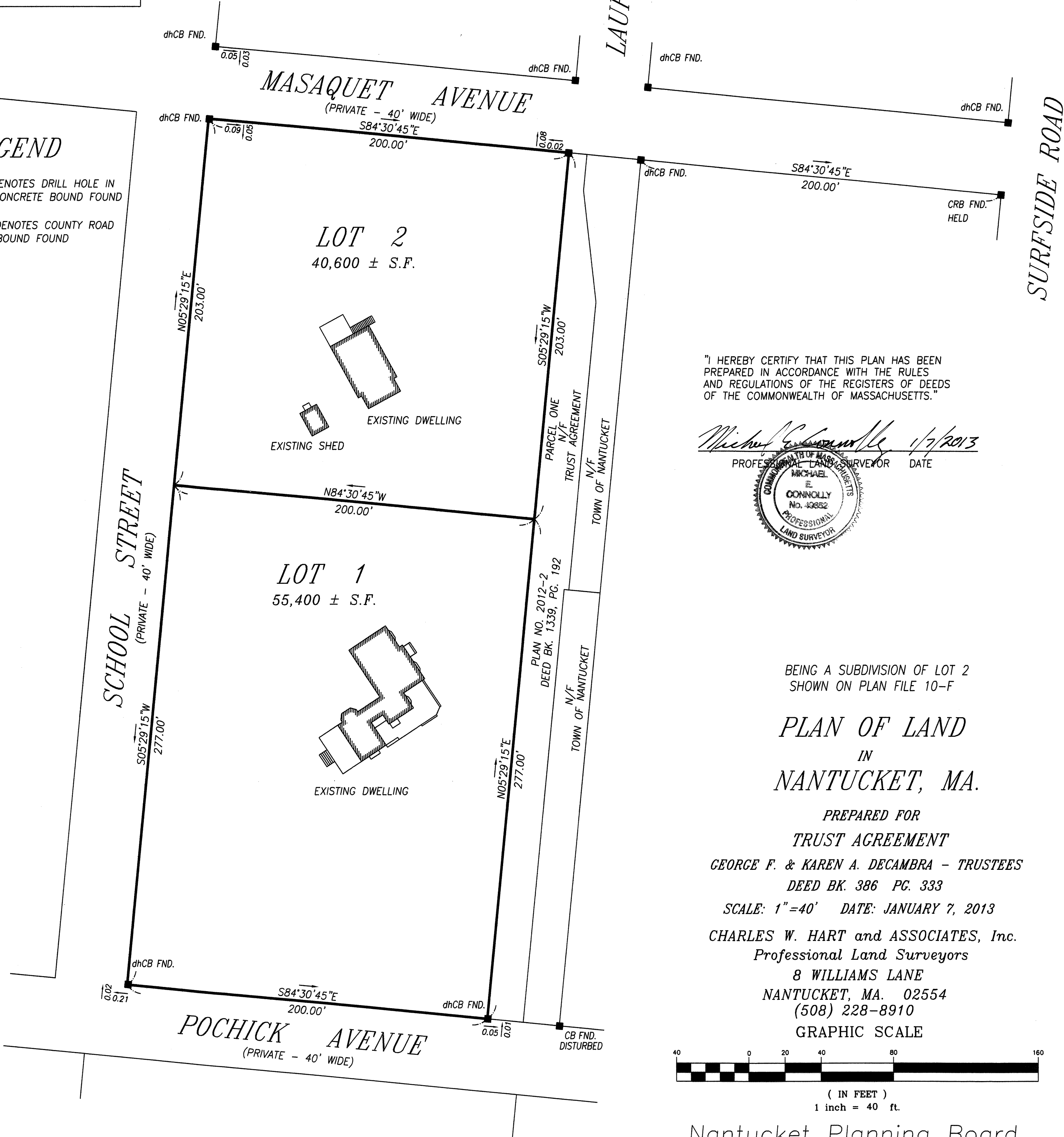
TOTAL LOT AREA
96,000 ± S.F.



LOCUS MAP SCALE: 1" = 2000'±

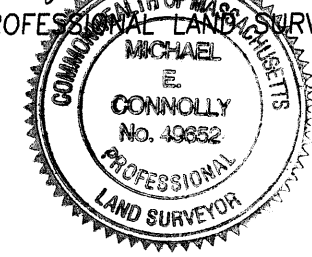
LEGEND

- dhCB FND. DENOTES DRILL HOLE IN CONCRETE BOUND FOUND
- CRB FND. DENOTES COUNTY ROAD BOUND FOUND



"I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS."

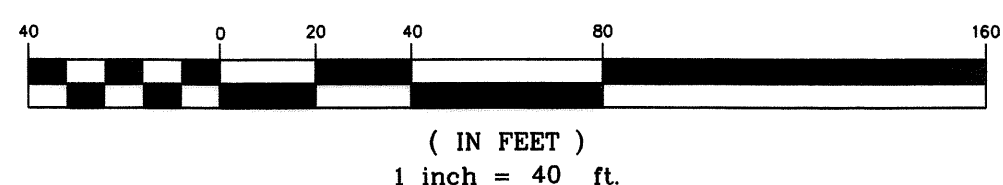
Michael E. Connolly 1/7/2013
PROFESSIONAL LAND SURVEYOR DATE



BEING A SUBDIVISION OF LOT 2
SHOWN ON PLAN FILE 10-F

**PLAN OF LAND
IN
NANTUCKET, MA.**

PREPARED FOR
TRUST AGREEMENT
GEORGE F. & KAREN A. DECAMBRA - TRUSTEES
DEED BK. 386 PG. 333
SCALE: 1"=40' DATE: JANUARY 7, 2013
CHARLES W. HART and ASSOCIATES, Inc.
Professional Land Surveyors
8 WILLIAMS LANE
NANTUCKET, MA. 02554
(508) 228-8910
GRAPHIC SCALE



Nantucket Planning Board

APPROVAL UNDER THE
SUBDIVISION CONTROL LAW
NOT REQUIRED

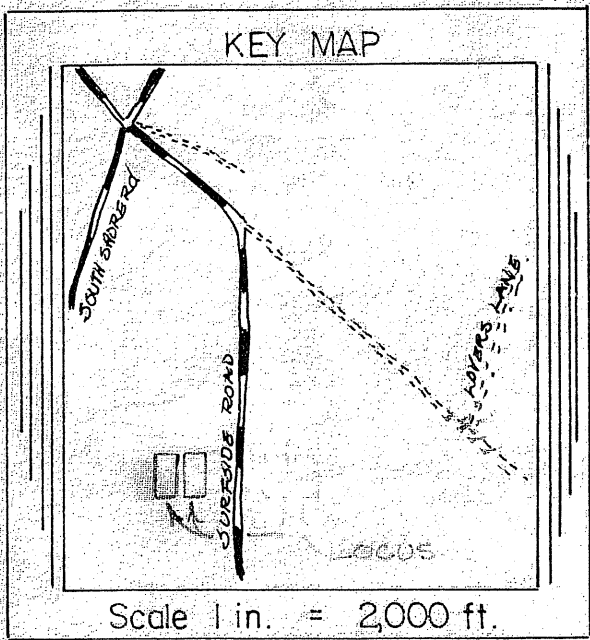
[Signatures]

1-14-13 7510
DATE SIGNED FILE #

THE PLANNING BOARD DETERMINES THAT:

(b) LOT(S) 1 & 2 DO NOT CONTAIN AREAS SUBJECT TO PROTECTION UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT WHICH ARE REQUIRED TO BE EXCLUDED FROM LOT AREA UNDER THE NANTUCKET ZONING BY-LAW BUT STILL MAY BE SUBJECT TO PROTECTION UNDER STATE AND LOCAL WETLAND BY-LAWS. DETERMINATION OF APPLICABILITY MAY BE OBTAINED THROUGH APPLICATION TO THE CONSERVATION COMMISSION.
C:\PROJ\MECH\H-7384\ANR
CHIPSAIDR #12

H-7384



SURFSIDE
Zoning Classifications
LOT 1 and 2
Zone ... Limited Use General-2
Minimum lot size ... 80,000 sq.ft.
Minimum frontage ... 150 ft.
Frontyard setback ... 35 ft.
Sideline setback ... 15 ft.

LOT 2 & 3
Zone ... Limited Use General-2
Minimum lot size ... 100,000 sq.ft.
Minimum frontage ... 150 ft.
Frontyard setback ... 35 ft.
Sideline setback ... 15 ft.

Approval, under the Subdivision Control Law, **REQUIRED**

Nantucket Planning Board

[Signature]
[Signature]
[Signature]
[Signature]

Date: 12/14/81 File no. 2279
Date endorsed
1/25/82

LEGEND
■ ... Denotes a C.B. found.
○ ... Denotes a stake set.

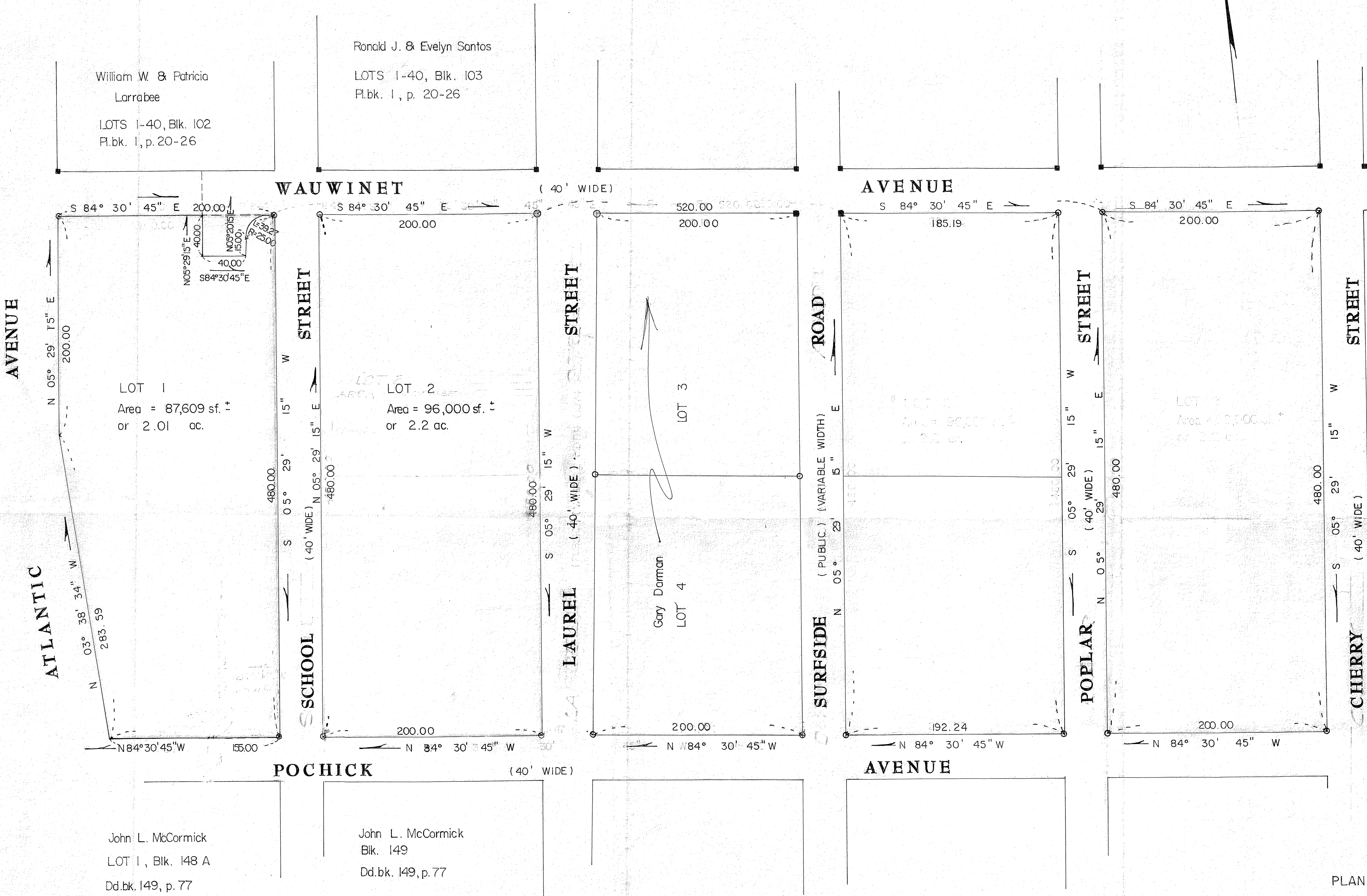
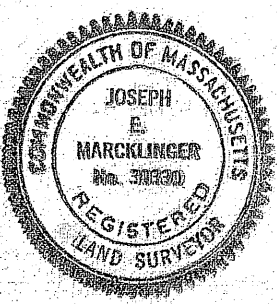
Date: 1/11/82
[Signature]
Clerk of the town of Nantucket, hereby certify that the notice of approval of this plan by the Planning Board has been received and recorded at this office and notice of appeal was received during the twenty days next after such receipt and recording of said notice.

TOWN CLERK

I certify that the preparation of this plan conforms with the rules and regulations of the Registers of Deeds as adopted June 19, 1975.

Date: October 26, 1981

[Signature]
Land Surveyor



FEB 8 1982
RECEIVED AND ENTERED WITH
NANTUCKET COUNTY DEEDS BOOK OR
PLANS File 10-11
ALTERED House of Reps. REGISTER

PLAN OF LAND
IN
NANTUCKET, MASS.
As Prepared For
GARY DARMAN
Scale 1 in. = 50 ft. October 26, 1981
J. E. MARKLINGER & ASSOCIATES, Inc.
Registered
Professional Engineers & Land Surveyors
Sparks Avenue, Nantucket, Massachusetts
0 50 25 50 100 150 Feet
0 5 10 20 30 40 50 Meters

Plan ref. Pl. File 3-D, Blocks 1298 & 1300

Covenant Book 189, Pg 203

Tax sheet 80, Parcels 144-145 N-1394

**PERMISSION BY TOWN OF NANTUCKET SELECT BOARD
TO CONVEYANCE OF REAL ESTATE**

Recitals

A. The Town of Nantucket conveyed the land situated in Nantucket, Nantucket County, Massachusetts, shown as Parcel A, School Street, as shown upon plan by Bracken Engineering, Inc., dated June 13, 2018, recorded with Nantucket Deeds as Plan No. 2018-56 ("Parcel A"), to Brian Zevnik and Georgene Zevnik (the "Zevniks") by deed dated January 30, 2019, recorded with Nantucket Deeds in Book 1681, Page 8 (the "Parcel A Deed").

B. The Town of Nantucket conveyed the land situated in Nantucket, Nantucket County, Massachusetts, shown as Lot B, Masaquet Avenue and Atlantic Avenue, as shown upon plan by Bracken Engineering, Inc., dated January 11, 2023, recorded with Nantucket Deeds as Plan No. 2023-17 ("Lot B"), to the Zevniks by deed dated June 28, 2023, recorded with Nantucket Deeds in Book 1941, Page 126 (the "Lot B Deed").

C. The Parcel A Deed and the Lot B Deed each provided that the land thereby conveyed must be combined with and considered as one parcel with the land owned by the Zevniks as described in deed recorded with Nantucket Deeds in Book 373, Page 31, being Lot 1 on plan by J. E. Marcklinger & Associates, Inc., dated October 26, 1981, recorded with Nantucket Deeds in Plan File 10-F ("Lot 1"), as the "Combined Premises", and that no part of the Combined Premises may be conveyed as a separate parcel without the prior written permission of the Town of Nantucket Select Board (formerly Board of Selectmen).

D. Pursuant to provisions contained in the Parcel A Deed and the Lot B Deed, the Zevniks duly executed a Declaration of Restriction to Merge Lots for Building and Zoning Purposes dated June 28, 2023, recorded with Nantucket Deeds in Book 1941, Page 133, merging Lot 1, Parcel A and Lot B together for purposes of applicable building and zoning laws and by-laws.

E. The Zevniks conveyed Lot 1, Parcel A and Lot B (the "Combined Premises") to 3 Masaquet LLC by deed dated June 28, 2023, recorded with Nantucket Deeds in Book 1941, Page 139.

F. 3 Masaquet LLC is the present owner of the Combined Premises.

G. 3 Masaquet LLC has caused a plan to be prepared by Bracken Engineering, Inc., dated October 30, 2024, which has been endorsed by the Nantucket Planning Board pursuant to M.G.L., c. 41, §81P as not requiring subdivision approval and has been recorded with Nantucket Deeds as Plan No. 2024-40 (the "2024 ANR Plan").

H. The 2024 ANR Plan divided the Combined Premises into two lots: Lot 1 ("New Lot 1"), containing 80,001± square feet and complying with all dimensional requirements for a valid building lot in the Limited Use General-2 ("LUG-2") zoning district in which the Combined Premises are situated, and Lot 2 ("New Lot 2"), containing 48,627± square feet, and thus not complying with the minimum lot area of 80,000 square feet in the LUG-2 zoning district.

I. As set forth upon the 2024 ANR Plan, the purpose thereof is to create New Lot 2 for conveyance to the owner of an abutting parcel.

J. 3 Masaquet LLC proposes to convey New Lot 2 to the owner of the adjacent land situated at 7 Masaquet Avenue, being the land shown as Lot 2 on a plan by Charles W. Hart & Associates, Inc., dated January 7, 2013, recorded with Nantucket Deeds as Plan No. 2013-36, and the land shown as Parcel B on a plan by Bracken Engineering, Inc., dated June 13, 2018, recorded with Nantucket Deeds as Plan No. 2018-56, as combined by Declaration of Restriction to Merge Lots for Building and Zoning Purposes dated February 6, 2019, recorded with Nantucket Deeds in Book 1681, Page 303 (together, the "7 Masaquet Land").

K. 3 Masaquet LLC has requested that the Town of Nantucket, acting by its Select Board, give its permission to the conveyance of New Lot 2 to the owner of the 7 Masaquet Land, to be combined with the 7 Masaquet Land as a single parcel for building and zoning purposes.

L. The 7 Masaquet Land is now owned by Marc Bloostein, as Trustee of 7 Masaquet Realty Trust under Trust Agreement dated January 12, 2022, evidenced by Trustee Certificate pursuant to

M.G.L., c. 184, §35 recorded with Nantucket Deeds in Book 1875, Page 268, by virtue of deed recorded with Nantucket Deeds in Book 1875, Page 204.

Permission by Town of Nantucket Select Board

The Town of Nantucket, acting by its Select Board, hereby grants its permission to 3 Masaquet LLC to convey Lot 2 as shown upon plan recorded with Nantucket Deeds as Plan No. 2024-40 to Marc Bloostein, Trustee of 7 Masaquet Realty Trust, as owner of the 7 Masaquet Land, subject to the following condition:

Forthwith upon the conveyance of Lot 2 on plan recorded with Nantucket Deeds as Plan No. 2024-40 ("New Lot 2"), the owner of the 7 Masaquet Land shall execute and record with the Nantucket Registry of Deeds an instrument merging New Lot 2 with the 7 Masaquet Land.

Executed and sealed on _____, 2025.

TOWN OF NANTUCKET
SELECT BOARD:

COMMONWEALTH OF MASSACHUSETTS

Nantucket, ss. _____, 2025

Then personally appeared the above-named _____, a member of the Select Board of the Town of Nantucket, personally known to me, and acknowledged that _he executed the foregoing instrument voluntarily as the free act and deed of the Town of Nantucket Select Board, before me,

Notary Public

My commission expires:

DEED

3 MASAQUET LLC, a Massachusetts limited liability company, for consideration paid, grants to MARC J. BLOOSTEIN, as Trustee of 7 MASAQUET REALTY TRUST under Trust Agreement dated January 12, 2022, evidenced by Trustee Certificate pursuant to M.G.L., c. 184, §35, recorded with Nantucket Deeds in Book 1875, Page 204, with a mailing address of c/o Marc J. Bloostein, Esquire, Choate Hall & Stewart LLP, Two International Place, Boston, Massachusetts 02110, with QUITCLAIM COVENANTS,

That certain parcel of vacant land situated in Nantucket, Nantucket County, Massachusetts, being a portion of the land now known and numbered as 3 Masaquet Avenue, consisting of Lot 2 on plan by Bracken Engineering, Inc., dated October 30, 2024, recorded with Nantucket Deeds as Plan No. 2024-40, and containing 48,627± square feet according to said plan.

For title, see deed recorded with Nantucket Deeds in Book 1941, Page 139.

This conveyance is made subject to the following matters:

(a) Rights of others in Masaquet Avenue.

(b) Provisions set forth in deeds from the Town of Nantucket, one dated January 30, 2019, recorded with Nantucket Deeds in Book 1681, Page 8, and the other dated June 28, 2023, recorded with Nantucket Deeds in Book 1941, Page 126.

(c) Grant of Easement to the Nantucket Islands Land Bank, dated June 28, 2023, recorded with Nantucket Deeds in Book 1941, Page 135.

This conveyance is made without monetary consideration, as a distribution to a member of a limited liability company as part of a voluntary partition of its assets.

Executed and sealed on February _____, 2025.

3 MASAQUET LLC

By:

Craig Marcus, Manager

Adam Selig, Manager

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss. _____, 2025

Then personally appeared the above-named Craig Marcus, as Manager of 3 Masaquet LLC, personally known to me, and acknowledged that he executed the foregoing instrument voluntarily as his free act and deed and the free act and deed of 3 Masaquet LLC, before me,

Notary Public

My commission expires:

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss. _____, 2025

Then personally appeared the above-named Adam Selig, as Manager of 3 Masaquet LLC, personally known to me, and acknowledged that he executed the foregoing instrument voluntarily as his free act and deed and the free act and deed of 3 Masaquet LLC, before me,

Notary Public

My commission expires:

**DECLARATION OF RESTRICTION TO
MERGE LOTS FOR BUILDING AND ZONING PURPOSES**

I, MARC J. BLOOSTEIN, as Trustee of 7 MASAQUET REALTY TRUST under Trust Agreement dated January 12, 2022, evidenced by Trustee Certificate pursuant to M.G.L., c. 184, §35, recorded with Nantucket Deeds in Book 1875, Page 204, being the owner of the land located in Nantucket, Nantucket County, Massachusetts, now known and numbered as 7 Masaquet Avenue, consisting of Lot 2 on plan recorded with Nantucket Deeds as Plan No. 2013-36 ("Old Lot 2"), Parcel B on plan recorded with Nantucket Deeds as Plan No. 2018-56 ("Parcel B"), and Lot 2 on plan recorded with Nantucket Deeds as Plan No. 2024-40 ("New Lot 2"), for consideration paid, the receipt and sufficiency of which are hereby acknowledged, hereby impose, in favor of the Inhabitants of the Town of Nantucket, upon Old Lot 2, Parcel B and New Lot 2, the following restriction:

Old Lot 2, Parcel B and New Lot 2 shall henceforth be considered merged as one lot for purposes of applicable building and zoning laws and by-laws. Nothing herein shall prohibit the division of Old Lot 2, Parcel B and New Lot 2 into two or more lots by one or more plans which are approved by the Nantucket Planning Board or are endorsed by the Nantucket Planning Board as not requiring approval, and in the event of such division, the lots thereby created may be transferred into separate ownership to the extent permitted by law and by the terms of the approval or endorsement thereof by the Nantucket Planning Board, and subject to prior written approval by the Nantucket Select Board.

I certify that I am the sole present Trustee of 7 Masaquet Realty Trust, which has not been amended nor revoked and has not terminated, and that I have full and absolute power and authority

under the provisions of said Trust to execute and deliver this instrument in accordance with its terms.

Executed and sealed on _____, 2025.

Marc J. Bloostein, as Trustee
of 7 Masaquet Realty Trust

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss. _____, 2025

Then personally appeared the above-named Marc J. Bloostein, personally known to me, and acknowledged that he executed the foregoing instrument voluntarily as his free act and deed, before me,

Notary Public

My commission expires: