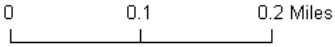


Smith Conservation Area Pictures

- Land owned or CR
- Rattlesnake Gutter Trust
- Town of Leverett
- proposed Smith CR (RGT)



Smith Chart of Baseline Photographs

Smith								
baseline photo log								
FIRST CR								
date	photo grapher	roll # or word album #	jpeg #	location	azimuth (m)	latitude	longitude	notes for future monitors
04/19/03	MAW	1.07		SE corner, white pipe just behind culvert		42.4448	-72.47415	
04/19/03	MAW	1.09		same place, looking into hemlock forest	280			
04/19/03	MAW	1.10		NE corner, stake and stones, looking back along line	20	42.44548	-72.47457	
04/19/03	MAW	1.11		NE Corner, along north edge, line not blazed. Other side (Smith but not CR), has been logged	260			
04/19/03	MAW	1.12		NW corner looking back along north line, not blazed	85	42.44531	-72.47568	
04/19/03	MAW	1.13		NW corner, looking along west line, blazed with white	170			
04/19/03	MAW	1.14		east of line, view up of mature forest (hemlock, red oak, white pine (2 ft dia, 100 ft high), mt laurel				
04/19/03	MAW	1.15		SE corner, post and back up west line	350	42.44427	-72.47488	
04/19/03	MAW	1.16		SE corner, along road	70			
SECOND CR								
04/05/08	MAW		4 5 08 001	SE corner, east of power line, looking toward Shutesbury Road	170	42.44580	-72.47305	
04/05/08	MAW		4 5 057	SE corner, east of power line, looking long line to power line	260	same	same	
04/05/08	MAW		4 5 08 003	post in center of power line (also in center of large juniper)				
04/05/08	MAW		4 5 08 004	view south from power line (pink flag in juniper/iron post)	170			
04/19/03	MAW	1.11	scan	NE Corner, along north edge, line not blazed. Other side (Smith but not CR), has been logged	260	42.44548	-72.47457	
04/19/03	MAW	1.12	scan	NW corner looking back along north line, not blazed	85	42.44531	-72.47568	
04/05/08	MAW		4 5 08 006	18 inch oak flagged on survey along south line, embedded barbed wire fence				
04/05/08	MAW		4 5 08 007	stone pile on survey, looking east along south line	94			
04/05/08	MAW		4 5 08 009	stone bound corner, looking east along south line	96	42.44484	-72.47869	

(continued next page)

04/05/08	MAW		4 5 08 013	wet area near surveyed 24" hemlock, west line (barbed wire in tree)	22			
04/05/08	MAW		4 5 08 016	corner also at edge of stone wall rectangle. Looking west along line	276	42.44744	-72.47819	
04/05/08	MAW		4 5 08 018	same corner looking north (not a property line) along stone wall	23	same	same	
04/05/08	MAW		4 5 08 019	stone all along south line				
04/05/08	MAW		4 5 08 020	corner, stone wall looking north along line (This part of stone wall not was elegant.)	23	42.44731	-72.47899	
04/05/08	MAW		4 5 08 022	along line near northeast corner of stone wall rectangle, Matt Kelly and possible bear claws.				
04/05/08	MAW		4 5 08 023	corner with Rat Hollow Road, looking south along line	24	42.44989	-72.47851	
04/05/08	MAW		4 5 08 024	at south corner of Rat Hollow Road, looking west along road to north corner	300	same	same	
04/05/08	MAW		4 5 08 025	looking north from Rat Hollow Road. Moser CA (RGT) with M-M trail on left, Smith CR on right	19			can monitor Mosher lines on same trip
04/05/08	MAW		4 5 08 026	Stone pile marking change in angle in east line, looking north, Matt Kelly	356			
04/05/08	MAW		4 5 08 027	Post in stone wall marking NE corner (Smith/Mosher), looking west	96	42.45226	-72.47890	shelter on Mosher land makes nice place for break
04/05/08	MAW		4 5 08 029	power line looking south	185	42.45283	-72.47401	
04/05/08	MAW		4 5 08 030	power line looking north	5	same	same	
04/05/08	MAW		4 5 08 031	NE corner marking corner with W.D.Cows (3 triangles) looking southeast along line	150	42.45308	-72.47077	
04/05/08	MAW		4 5 08 032	pointed stone marking change in eastern line angle				
04/05/08	MAW		4 5 08 033	right of way mentioned in survey along eastern-most part of third piece, looking north toward line				
04/05/08	MAW		4 5 08 034	right of way mentioned in survey along eastern-most part of third piece, looking north beyond line				
04/05/08	MAW		4 5 08 035	stream along easternmost edge				
04/05/08	MAW		4 5 08 037	corner pipe just beside stream looking south along line	210	42.45173	-72.46875	
04/05/08	MAW		4 5 08 038	corner post near house	110			
04/05/08	MAW		4 5 08 039	close up of corner post	110			
04/05/08	MAW		4 5 08 040	stone piles (small stones piled when land cleared for agricultural use)	219			
04/05/08	MAW		4 5 08 041	apparent leach field, view (looking north along line) includes marked tree on line, next tree to the north in line but out of sight behind white-blazed that tree	39			check for changes
04/05/08	MAW		4 5 08 042	wet area at corner (post of far left side corner north of Rat Hollow looking south, stake in stone wall, brush-burning fire in distance)	230	42.45015	-72.47155	
04/05/08	MAW		4 5 08 045	stream near line, flowing west				
04/05/08	MAW		4 5 08 046	upstream from last picture				
04/05/08	MAW		4 5 08 047	close up of water falling over ledge				take time to enjoy
04/05/08	MAW		4 5 08 048	NE corner on Rat Hollow Road, looking north along stone wall	43	42.44862	-72.47281	
04/05/08	MAW		4 5 08 049	on Rat Hollow Road, looking east to power line from previous corner	302			
04/05/08	MAW		4 5 08 050	SE corner on Rat Hollow Road, looking east to corner marker on south edge		42.44867	-72.4734	
04/05/08	MAW		4 5 08 053	wet area between east line and power line				
04/05/08	MAW		4 5 08 055	small triangular indent in line, taken from inside corner looking northeast along line	17			
04/05/08	MAW		4 5 08 054	small triangular indent in line, taken from inside corner looking east along line/stone wall	127			
04/05/08	MAW		4 5 08 056	stake and stones at change of angle on east line, looking south along line	172	42.44658	-72.47346	

David Smith Baseline Photographs

S1. April 5, 2008, 001
42.44580, -72.47305
SE corner, east of power line, looking
toward Shutesbury Road"



S2. April 5, 2008, 057
SE corner, east of power line, looking
long line to power line



S3. April 5, 2008, 003
Post in center of power line
(also in center of large juniper)



S4. April 5, 2008, 004
View south from power line
(pink flag in juniper/iron post)



S5. April 19, 2003, 1.11
42.44548, -72.47457
NE Corner, along north edge, line not
blazed. To left (south) is older Smith CR;
to right (north) is new Smith CR.



S6. 19, 2003, 1.12
42.44531, -72.47568
NW corner looking back along north line,
not blaze. To right (south) is older Smith CR;
to left (north) is new Smith CR.



S7. April 5, 2008, 006
18 inch oak flagged on survey along south
line, embedded barbed wire fence



S8. April 2008, 007
Stone pile on survey, looking east along
south line



S9. April 5, 2008, 009
42.44484, -72.47869
Stone bound corner, looking east along
south line



S10. April 5, 2008, 013
Wet area near surveyed 24" hemlock,
west line (barbed wire in tree)



S11. April 5, 2008, 016
42.44744, -72.47819
Corner also at edge of stone wall rectangle.
Looking west along line



S12. April 5, 2008, 018
Same corner looking north (not a property line)
along stone wall



S13. April 5, 2008, 019
Stone all along south line



S14. April 5, 2008, 020
42.44731, -72.47899
Corner, stone wall looking north along line
(This part of stone wall not was elegant.)



S15. April 5, 2008, 022
Along line near northeast corner of stone
wall rectangle, Matt Kelty and possible
bear claws.



S16. April 5, 2008, 023



42.44989, -72.47851

Corner with Rat Hollow Road, looking south along line

S17. April 5, 2008, 024

At south corner of Rat Hollow Road, looking west along road to north corner



S18. April 5, 2008, 025

Looking north from Rat Hollow Road.
Moser CA (RGT) with M-M trail on left,
Smith CR on right



S19. April 5, 2008, 026

Stone pile marking change in angle
in east line, looking north, Matt Kelty



S20. April 5, 2008, 027

42.45226, -72.47890

Post in stone wall marking NE corner



(Smith/Mosher), looking west

S21. April 5, 2008, 029
42.45283, -72.47401
Power line looking south



S22. April 5, 2008, 030
Power line looking north



S23, April 5, 2008, 031
42.45308, -72.47077
NE corner marking corner with W.D.Cowls
(3 triangles) looking southeast along line



S24. April 5, 2008, 032
Pointed stone marking change in eastern
line angle



S25. April 5, 2008, 033
Right of way mentioned in survey along
eastern-most part of third piece, looking north
toward line



S26. April 5, 2008, 034
Right of way mentioned in survey along
eastern-most part of third piece, looking north
beyond line



S27. April 5, 2008, 035
Stream along easternmost edge



S28. April 5, 2008, 037
42.45173, -72.46875
Corner pipe just beside stream looking south
along line



S29. April 5, 2008, 038
Corner post near house



S30. April 5, 2008, 039
Close up of corner post



S31. April 5, 2008, 040
Stone piles (small stones piled when land
cleared for agricultural use)



S32. April 5, 2008, 041
Apparent leach field, view (looking north
along line) includes marked tree on line,
next tree to the north in line but out of sight
behind white-blazed tree



S33. April 5, 2008, 042
Wet area at corner (post of far left side)



S34. April 5, 2008, 044
42.45015, -72.47155
Corner north of Rat Hollow looking south,
stake in stone wall,
brush-burning fire in distance



S35. April 5, 2008, 045
Stream near line, flowing west



S36. April 5, 2008, 046
Upstream from last picture



S37. April 5, 2008, 047
Close up of water falling over ledge



S38. April 5, 2008, 048
42.44862, -72.47281
NE corner on Rat Hollow Road,
looking north along stone wall



S39. April 5, 2008, 049
On Rat Hollow Road, looking east
to power line from previous corner



S40. April 5, 2008, 050
42.44867, -72.4734
SE corner on Rat Hollow Road, looking east
to corner marker on south edge



S41. April 5, 2008, 053
wet area between east line and power line



S42. April 5, 2008, 055
Small triangular indent in line, taken from
inside corner looking northeast along line

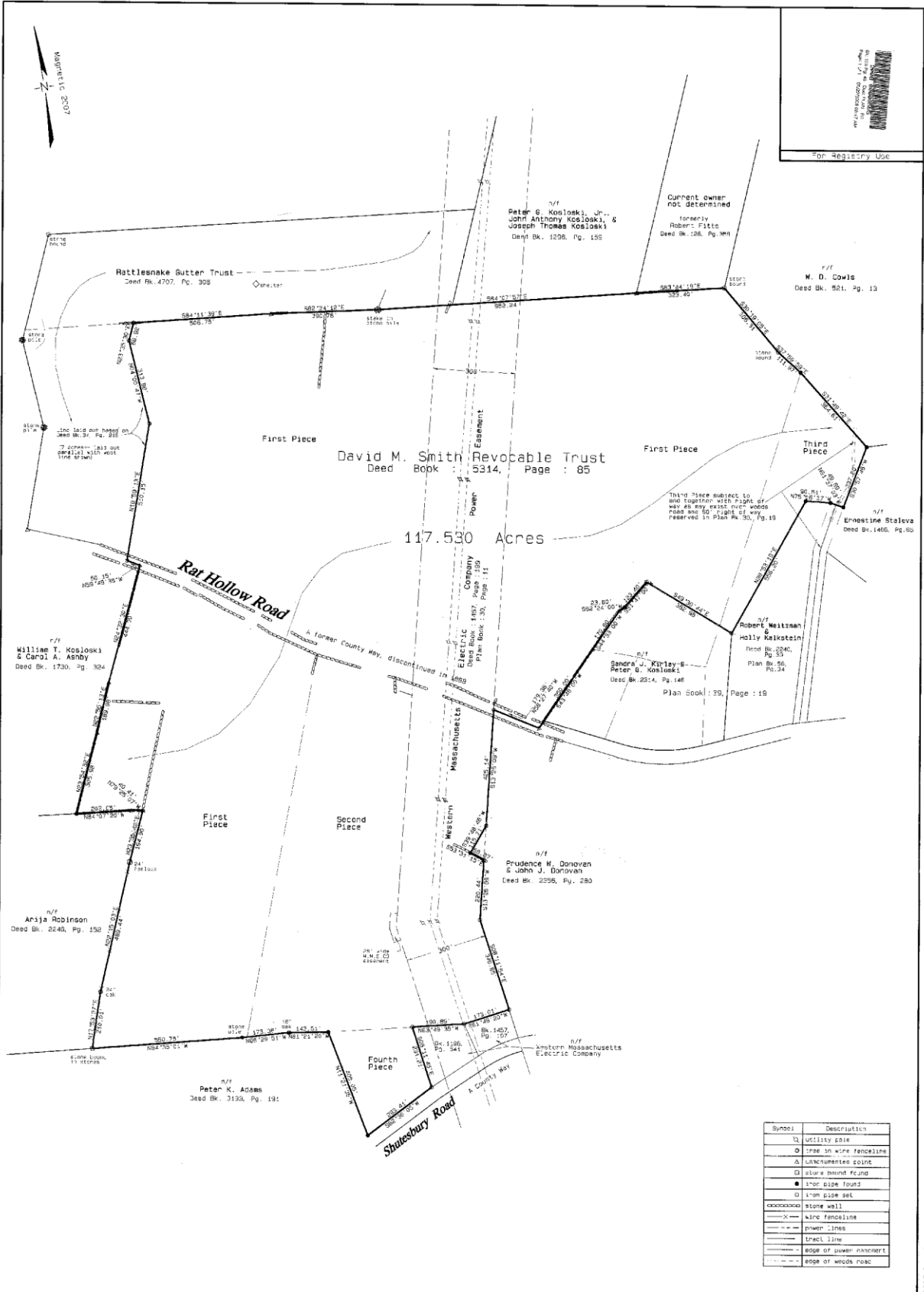


S43. April 5, 2008, 054
Small triangular indent in line, taken from
inside corner looking west along line/stone wall



S44. April 5, 2008, 056
42.44658, -72.47346
Stake and stones at change of angle on east line,
looking south along line

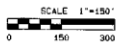




Symbol	Description
□	utility pole
○	tree in wire fence line
△	unmarked point
□	iron bound found
●	iron pipe found
□	iron pipe set
⊞	stone wall
—X—	wire fence line
— — —	power lines
— — —	trunk line
— — —	edge of power easement
— — —	edge of woods road

I hereby report that this plan has been prepared in conformity with the rules and regulations of the Register of Deeds of the Commonwealth of Massachusetts.
 I further report that the lines of streets and ways shown are those of public or private streets or ways already established and that no new lines for the division of existing ownership or for new streets or ways are shown.

Daniel J. Werner December 27, 2007
 Professional Land Surveyor Date



Plan of Land
 prepared for
David M. Smith Revocable Trust
 located in
Leverett, Massachusetts
 Daniel L. Werner, P.L.S., 225 Shelburne Line Road,
 Colrain, Massachusetts
 Scale: 1" = 150' Date: December 27, 2007

PLAN BOOK 125 PAGE 4/5

Smith													
boundary and photo ref													
First CR													
date	Latitude	Longitude	monuments	line marked by	angle (degrees) from previous point	length (feet) from previous point	other descriptors	confidence in boundary markings?	recommendations	habitat, vegetation, geology?	photo #	photo date (see photo log baseline)	digital # (see photo log baseline)
04/19/03	42.44480	-72.47415	white painted iron pipe, just behind culvert	white blaze (on N-S lines)	along road	240/60 deg	SE corner, pipe just behind culvert	high		roadside, steep hill behind	1.07	04/19/03	
04/19/03	42.44548	-72.47457	stake and stones	not blazed but logging on north side	170/350 deg	231	NE corner, looking back along line	high		mixed woods	1.10	04/19/03	
05/08/10	42.44530	-72.47533	stake and stones	white blaze (on N-S lines)	95/275 deg	309	NW corner looking back along north line, not blazed	high		mixed woods	1.12	04/19/03	
05/09/10	42.44428	-72.47455	iron pipe	along road	347/167 deg	405	SW corner, post and back up west line	high		roadside, steep hill behind	1.15	04/19/03	
Second CR Note, because there is such a good survey of the land with all the changing angles marked on the map and on the ground, latitude and longitude were not taken for every change of angle survey begins in SE corner and goes clockwise (west along south line, north along west line, etc.). Compass bearings are for this direction of walking GPS data collected by Matt Kelly, all within the 18'-35' range. West lines done again to correct Mosher line, 5/9/2010, not significantly different.													
04/05/08	42.44580	-72.47305	stone pin	SE corner, east of power line, looking toward Shutesbury Road			just east of cleared area of power line	high confidence	with 2007 survey carefully done on map and marked on boundaries, all lines are high confidence	unless otherwise mentioned, all area is south-facing slope of Brushy Mt, with mixed-aged, mixed species forest	4/5/2008	4 5 08 001	
04/05/08	same	same		SE corner, east of power line, looking long line to power line							4/5/2008	4 5 057	
04/05/08			iron post	post in center of power line (also in center of large juniper)	260	173	almost impossible to see pipe even though it is marked. In 2010 large pile of rocks on top!			power line/scrub	4/5/2008	4 5 08 003	
04/05/08				view south from power line (pink flag in juniper/iron post							4/5/2008	4 5 08 004	
04/19/03	42.44548	-72.47457	stake and stones	NE Corner of 1st CR, along north edge, line not blazed. Other side (Smith but not CR), has been logged	277	191	because this is edge of old CR, line between two parts of Smith line not marked				1.11	4/5/2008	scan
05/09/10	42.44530	-72.47533	stake and stones	NW corner of first CR looking back along north line, not blazed	275	309		high			1.12	4/5/2008	scan
04/05/08			flagged oak	18 inch oak flagged on survey along south line, embedded barbed wire fence	279	143	barbed wire embedded all along this line	high			4/5/2008	4 5 08 006	
04/05/08			large stone on another stone	stone pile on survey, looking east along south line	274	173		high			4/5/2008	4 5 08 007	
05/09/10	42.44490	-72.47857	small upright stone	stone bound corner, looking east along south line	276	550		high			4/5/2008	4 5 08 009	
04/05/08				wet area near surveyed 24" hemlock, west line (barbed wire in tree) corner also at edge of stone wall rectangle. Looking west along line	22	699	embedded barbed wire along this line	high		wet area	4/5/2008	4 5 08 013	
05/09/10	42.44738	-72.47812	metal post in stone wall corner	corner also at edge of stone wall rectangle. Looking west along line	23	195	stone walls line a large rectangular area, south and west are Smith boundary lines	high			4/5/2008	4 5 08 016	
04/05/08	same	same		same corner looking north (not a property line) along stone wall corner, stone wall looking north along line (This part of stone wall not as elegant.)	23			high			4/5/2008	4 5 08 018	
04/05/08	42.44731	-72.47899	post in stone wall corner	corner	276	203	this line of stone not as elegant, but many extra stones piled in this sw corner	high			4/5/2008	4 5 08 020	

04/05/08	42.44989	-72.47851	stone pin in stone wall	corner with Rat Hollow Road, looking south along line at south corner of Rat Hollow Road, looking west along road to north corner	24	950	high		woods road/edge habitat	4/5/2008	4 5 08 023
04/05/08	same	same			300	50	high			4/5/2008	4 5 08 024
04/05/08	42.44995	-72.47889		looking north from Rat Hollow Road, Moser CA (RGT) with M-M trail on left, Smith CR on right	19		high	can monitor Mosher lines on same trip		4/5/2008	4 5 08 025
04/05/08			at least 3 stones piled up	Stone pile marking change in angle in east line, Matt Kelly	19	510	high			4/5/2008	4 5 08 026
04/05/08			iron pipe	Small job confusing, old blazes do not include it.	366	314		small jog in line just before NW corner			
04/05/08	42.45226	-72.47890	iron post in stone wall	Post in stone wall marking NE corner (Smith/Mosher), looking west	23	67	high		shelter on Mosher land makes nice place for break	4/5/2008	4 5 08 027
04/05/08	42.45283	-72.47401		power line looking south	98	897	high	Smith/Mosher line has intermittent stone wall and lots and lots and lots of mountain laurel	power line/scrub	4/5/2008	4 5 08 029
04/05/08	same	same		power line looking north			high	edge of power line well-marked	power line/scrub	4/5/2008	4 5 08 030
04/05/08	42.45308	-72.47077	single stone	NE corner marking corner with W.D.Cows (3 triangles) looking southeast along line	97	1275	high	Cows line/corners always well-marked		4/5/2008	4 5 08 031
04/05/08			pointed stone	pointed stone marking change in eastern line angle	150	306	high			4/5/2008	4 5 08 032
04/05/08			pipe	right of way mentioned in survey along eastern-most part of third piece, looking north toward line	143	112	high			4/5/2008	4 5 08 033
04/05/08				"Old Right of Way...restricted to uses relating therein" mentioned in survey and deeds along eastern-most part of third piece, looking north beyond line				at present appears to be unused		4/5/2008	4 5 08 034
04/05/08				stream along easternmost edge					small stream	4/5/2008	4 5 08 035
04/05/08	42.45173	-72.46875	iron post	corner pipe just beside stream looking south	148	365	high	post is just west of stream	edge of clearing for house	4/5/2008	4 5 08 037
04/05/08			white pipe	corner post near house	210	237	high	post is east of woods	monitor	4/5/2008	4 5 08 038
04/05/08			white pipe	close up of corner post	285	140	high	also 90 degree turn note: unlike west and north lines which seem to divide different land use/ownership, east line (except for house lots) would be less obvious if not for survey markings.		4/5/2008	4 5 08 039
04/05/08				stone piles (small stones piled when land cleared for agricultural use)						4/5/2008	4 5 08 040
04/05/08				apparent leach field, view includes marked tree on line, next tree to the north in line out of sight behind that tree			high	filled (flat/mowed) surface suggests leach field extends across line, trees north and south well-marked. Very near wetland corner	check for possible changes	4/5/2008	4 5 08 041
04/05/08			iron pipe	wet area at corner (post of far left side corner north of Rat Hollow	219	556	high		wetland	4/5/2008	4 5 08 042
04/05/08	42.45015	-72.47155	stake in stone wall	looking south, stake in stone wall, brush-burning fire in distance	310	363	high	stone wall extends down to Rat Hollow Road	edge of cleared area	4/5/2008	4 5 08 044
04/05/08				stream near line, flowing west					stream drainage	4/5/2008	4 5 08 045
04/05/08				upstream from last picture					stream drainage	4/5/2008	4 5 08 046
04/05/08				close up of water falling over ledge					stream drainage	4/5/2008	4 5 08 047
04/05/08	42.44862	-72.47281	stake in stone wall	NE corner on Rat Hollow Road, looking north	223	644	high		woods road/edge	4/5/2008	4 5 08 048
04/05/08				along stone wall on Rat Hollow Road, looking east to power line from previous corner				land jogs to the west before going south		4/5/2008	4 5 08 049
04/05/08	42.44867	-72.47344	stake on road side of stone wall (also stake in middle of road.)	SE corner on Rat Hollow Road, looking east to corner marker on south edge	302	179	high			4/5/2008	4 5 08 050
04/05/08				wet area between east line and power line					wet area	4/5/2008	4 5 08 053
04/05/08			stake at each end	small triangular indent in line, taken from inside corner looking northeast along line	193	425	high			4/5/2008	4 5 08 055
04/05/08			stake at each end	small triangular indent in line, taken from inside corner looking east along line/stone wall back to line	220	116	high	stone wall from stake to former line (stone wall continues into neighboring land). Not easy to understand reason for this triangular piece.		4/5/2008	4 5 08 054
04/05/08	42.44658	-72.47346	stake and stones	stake and stones at change of angle on east line, looking south along line	193	220	high			4/5/2008	4 5 08 056
04/05/08	42.44580	-72.47305	stone pin	SE corner, east of power line, looking toward Shutesbury Road	172	347	high	this is where trip began	power line/shrub	4/5/2008	4 5 08 001

Property: David M. Smith Conservation Restriction, August 29, 2008

**AFFIDAVIT OF PHOTOGRAPHER OF PHOTOGRAPHS CONTAINED IN
BASELINE DOCUMENTATION REPORT**

The undersigned hereby states and affirms

- 1) that he/she took the photographs contained in the accompanying Baseline Documentation Report pertaining to the above described Property,
- 2) that said photographs illustrate and document the natural and other resources of the Property sought to be protected under a Conservation Restriction on said Property, and
- 3) that said photographs fairly and accurately depict the Property as it appeared on the date that the photographs were taken. Unaltered originals of these photographs were recorded on a non-rewriteable compact disc signed by me, labeled with the property name that appears above, and in the possession of the Rattlesnake Gutter Trust, the holder of said Conservation Restriction.

date(s) of photographs: April 5, 2008

date of report: August 27, 2008

Signed and sealed under the pains and penalties of perjury this day 4th Sept.

By: Magda Blew

Title property committee, Rattlesnake Gutter Trust

COMMONWEALTH OF MASSACHUSETTS

On this 4 day of Sept., 2008, before me, the undersigned notary public, personally appeared Mary Alice Nelson, proved to me through the satisfactory evidence of identification, which were personal knowledge, to be the person whose name is signed on the foregoing instrument, and acknowledged to me that she/he signed it voluntarily for its stated purpose.

[Signature]
SEAL Notary

My Commission Expires: 2/16/12

Property: David M. Smith Conservation Restriction, August 29, 2008

AFFIDAVIT OF PREPARER OF BASELINE DOCUMENTATION REPORT

The undersigned hereby certifies

- 1) that he/she prepared the accompanying Baseline Documentation Report pertaining to the above-described Property,
- 2) that said Report describes and documents the natural and other resources of said Property sought to be protected under a Conservation Restriction, and
- 3) that based on all the information cited in said Report, that said Report is an accurate representation of the Property and its condition as of the date of the grant of said Conservation Restriction.

The undersigned acknowledges

- 1) that the condition of the Property documented in said Baseline Documentation Report does not necessarily represent the condition of the Property allowed or required by the Conservation Restriction, and
- 2) that the Rattlesnake Gutter Trust does NOT in any manner waive any rights of the Rattlesnake Gutter Trust, either at law or in equity, to enforce the provisions of said Conservation Restriction.

date of report: August 29, 2008

Signed and sealed under the pains and penalties of perjury this day 4th Sept.

By: [Signature]

Title property committee, Rattlesnake Gutter Trust

COMMONWEALTH OF MASSACHUSETTS

On this 4 day of Sept., 2008, before me, the undersigned notary public, personally appeared Wendy Alice Wilson, proved to me through the satisfactory evidence of identification, which were personal knowledge, to be the person whose name is signed on the foregoing instrument, and acknowledged to me that she/he signed it voluntarily for its stated purpose.

[Signature]
SEAL Notary

My Commission Expires: 2/16/12

PROPERTY: David M. Smith Conservation Restriction, August 29, 2008

ACKNOWLEDGEMENT OF BASELINE CONDITIONS

Date of the Report: August 29, 2008

The undersigned, being the grantor of the Conservation Restriction to the Rattlesnake Gutter Trust ("the Property") hereby certifies to the Rattlesnake Gutter Trust that the accompanying Baseline Documentation Report is, to the best of my/our knowledge and belief, an accurate representation of the Property and its condition on that date.

Notwithstanding the above, the undersigned agree that the conditions documented in said Report do not necessarily represent the entirety of conditions of the Property allowed or required by the Conservation Restriction, and that the Rattlesnake Gutter Trust in no way waives any rights at or in equity, to enforce any provisions of the conservation restriction, whether or not directly addressed in this Report.

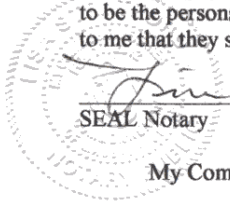
Grantor(s): Nancy Smith

print name(s) Nancy V. A. Smith

COMMONWEALTH OF MASSACHUSETTS

On this 9 day of Sept., 2008 before me, the undersigned notary public, personally appeared Nancy Smith

proved to me through the satisfactory evidence of identification, which were Colorado drivers lic. to be the persons whose name are signed on the foregoing instrument, and acknowledged to me that they signed it voluntarily for its stated purpose.



Jim Stratford
SEAL Notary

My Commission Expires: 2/12/16

PROPERTY: David M. Smith Conservation Restriction, August 29, 2008

ACKNOWLEDGEMENT OF BASELINE CONDITIONS

Date of the Report: August 29, 2008

The undersigned, being the grantor of the Conservation Restriction to the Rattlesnake Gutter Trust ("the Property") hereby certifies to the Rattlesnake Gutter Trust that the accompanying Baseline Documentation Report is, to the best of my/our knowledge and belief, an accurate representation of the Property and its condition on that date.

Notwithstanding the above, the undersigned agree that the conditions documented in said Report do not necessarily represent the entirety of conditions of the Property allowed or required by the Conservation Restriction, and that the Rattlesnake Gutter Trust in no way waives any rights at or in equity, to enforce any provisions of the conservation restriction, whether or not directly addressed in this Report.

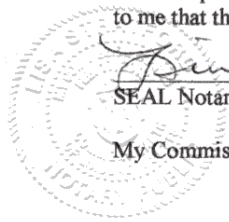
Acknowledged by the Rattlesnake Gutter Trust

By: Stephen J. Weiss
(print name and title) STEPHEN J. WEISS
Co-CHRISTOPHERSON

COMMONWEALTH OF MASSACHUSETTS

On this 9th day of Sept., 2008 before me, the undersigned notary public, personally appeared Steve Weiss

proved to me through the satisfactory evidence of identification, which were Personal Knowledge to be the persons whose name are signed on the foregoing instrument, and acknowledged to me that they signed it voluntarily for its stated purpose.



Ben Stratford
SEAL Notary
My Commission Expires: 2/2/16

REVOCABLE LICENSE

We, Ellen D. Smith, 116 Morningside Drive, Oak Ridge, Tennessee, 37830, and Nancy V. A. Smith, PO Box 683, Carbondale, Colorado, 81623, acting as co-trustees for the David Smith forest land, do hereby grant Peter G. Kosloski and Sandra J. Kirley, of 100 Old Mountain Road, Leverett, Massachusetts, 01054, permission to erect an animal-control fence onto our forested land north of Old Mountain Road and within 15 feet west and north of the stone wall that is part of the legal north-south boundary between the Smith and their residential lot, provided that the stones of said wall inside the fence, especially the one that has the drill-hole marking the north end of said boundary, are not disturbed. Wall-stones north and south of the boundary crossing-points of the electric fence may be removed for distances long enough to prevent coyotes and dogs from using those stones, with their hind feet, as launching pads for vaulting over the fence.

This license shall not be construed as any change in title to the land, or transfer of any right to farm nor does it provide for relief from the responsibility for damages on the part of the licensees caused by their actions.

This license may be revoked by us, our heirs or assigns, at any time after thirty (30) days notice filed by registered mail allowing the licensees enough time to remove said fence and their grazing animals.

Ellen D. Smith 9-16-08
Ellen D. Smith

Nancy V.A. Smith 9-9-08
Nancy V.A. Smith

We accept the terms of this license.

Peter G. Kosloski
Peter G. Kosloski

Sandra J. Kirley
Sandra J. Kirley