

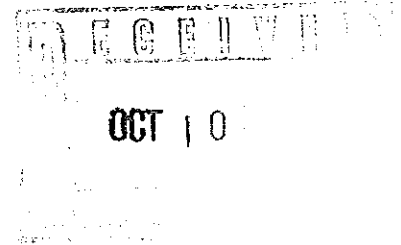
COMMONWEALTH OF MASSACHUSETTS

BARNSTABLE, SS.

SUPERIOR COURT
NO. 95-420

EDWARD J. SMITH, ET AL)
PLAINTIFFS)
VS)
BOARD OF SELECTMEN, TOWN)
OF ORLEANS, ET AL)
DEFENDANTS)

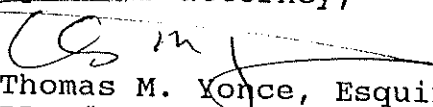
AGREEMENT FOR
JUDGMENT



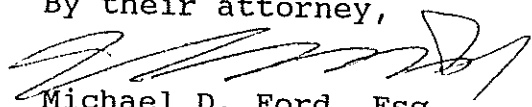
Now come the parties in the above-entitled matter and hereby agree to settle this matter with Judgment to enter as follows:

1. The Defendants have a right of way over Frost Fish Lane for ingress and egress to the Kent's Point Conservation Area.
2. The Defendants may allow the public to use Frost Fish Lane for all purposes for which ways are commonly used in the Town of Orleans for access to Kent's Point Conservation Area for conservation and passive recreation purposes in accordance with the Kent's Point Conservation Area Management Plan dated March, 1995. The Defendants acknowledge that the current right of access does not include access for passenger buses or passenger vans for hirer.
3. The Defendants may construct and maintain a twenty car public parking area together with a two car handicapped parking area within the Kent's Point Conservation Area.
4. The Defendants may from time to time perform maintenance on and make improvements to Frost Fish Lane for the purpose of maintaining said road in a safe and passable condition provided, however, that the width of said road shall not be increased. Without limiting the generality of the foregoing, the Defendants agree to maintain the existing improvements, including, the existing speed bumps, speed limit signs and drainage facilities.
5. Neither the Plaintiffs nor the Defendants waive any rights that they may have with respect to any changes in the use of Frost Fish Lane and the Kent's Point Conservation Area for any additional purposes or to any greater extent other than as set forth herein.

Plaintiffs
By their attorney,


Thomas M. Yonce, Esquire
BBO #550347
Michelle Belmont, Esq.
BBO #566777
P. O. Box 1593
Orleans, MA. 02653
(508) 255-0716

Defendants
By their attorney,


Michael D. Ford, Esq.
72 Main Street
P. O. Box 665
West Harwich, MA. 02671
(508) 430-1900
BBO #174440