

D. No removal, filling, or other disturbances of soil surface, nor any changes in topography, surface or subsurface water systems, wetlands, or natural habitat shall be allowed unless such activities:

i. are commonly necessary in the accomplishment of the agricultural, forestry, conservation, habitat management, or noncommercial outdoor recreational uses of the Property; and

ii. do not harm state or federally recognized rare, threatened, or endangered species, such determination of harm to be based upon information from the New Hampshire Natural Heritage Inventory or the agency then recognized by the State of New Hampshire as having responsibility for identification and/or conservation of such species; and

iii. are not detrimental to the scenic and wildlife habitat protection purposes of this Easement, and

Prior to commencement of any such activities, all necessary federal, state, and local permits and approvals shall be secured.

E. No outdoor advertising structures such as signs and billboards shall be displayed on the Property except as desirable or necessary in the accomplishment of the agricultural, forestry, conservation, or noncommercial outdoor recreational uses of the Property, and provided such signs are not detrimental to the purposes of this Easement.

F. There shall be no mining, quarrying, excavation, or removal of rocks, minerals, gravel, sand, topsoil, or other similar materials from the esker on the Property identified in Appendix "B", attached hereto and made a part hereof. Elsewhere on the Property there shall be no such activities except in connection with any improvements made pursuant to the provisions of paragraphs 2.A., C., D., or E., above. No such rocks, minerals, gravel, sand, topsoil, or other similar materials shall be removed from the Property, except to adjoining land of the Grantor from which such materials shall not be further removed. Such materials used on the adjoining land shall be used for agricultural, forestry, conservation, or noncommercial outdoor recreational uses only.

G. There shall be no dumping, injection, burning, or burial of man-made materials or materials then known to be environmentally hazardous.

3. RESERVED RIGHTS

A. The Grantor reserves the right, exercisable on or before December 31, 2044, to withdraw from the Easement two of the three herein below specified potential house site areas. The date of the exercise shall be the date upon which an application for a building permit is filed with the Town of Sandwich. Such withdrawal shall be accomplished in strict accordance with, and without waiver from, the then applicable Subdivision Regulations and Zoning Ordinance of the Town of Sandwich, and those regulations, ordinances and laws of said