

RESTRICTION

-Definition:

the use of that portion of the TDM Property consisting of the Project shall include without limitation natural play areas, play structures and a tree house class room, all of which will to be designed for the purpose of promoting the mission of TDM to inspire enduring curiosity and love of learning through interactive discovery, hands-on inquiry and scientific investigation

-ADA Compliance

-Timing-

shall be open and accessible to the public during the regular business hours of operation of the other facilities owned and operated by TDM on the TDM Property.

Future Development

Any future development or redeployment of the Project by TDM shall continue to be consistent with the definition of Recreational Use set forth in paragraph 2, above. Prior to any future construction by TDM of a structure to be used as an accessory to the Recreational Use, TDM will make an application to Acton for approval of any such construction, which approval shall not be unreasonable withheld

Term

This Recreational Use restriction shall be in effect for (i) a period of 30 years after the recording of this Agreement or (ii) the end of the useful life of the play structures and tree house classroom described in paragraph 2, above, or (iii) the sale of the TDM Property by TDM, whichever occurs first

Buy out

provided, however, in the event that TDM sells the TDM Property prior to the expiration of said 30 year period, then, in that event, Acton shall be entitled to payment of sum equal to Five Thousand (\$5,000.00) Dollars times the number of years remaining in the 30 year term of this restriction

EASEMENT

Location and timing

the right of the public to make use of this access easement shall be limited (i) to the location or locations designated for access on the Plan and (ii) to those hours during which TDM is open for business and operating its museum facilities.

Future changes

TDM may change the location or locations of the access easement in whole or in part from time to time but any such relocation shall provide the public with access equivalent to that shown on the Plan. WILL APPROVAL BE REQUIRED FOR NON-IMPACTFUL RELOCATION???

Timing by successors

In the event that TDM sells the TDM Property, then in that event, the limitation as to the hours that this easement may be used by the public shall be limited to those hours during which Acton permits the public to enter and make use of Great Hill unless Acton agrees to approve a time limitation requested by a subsequent holder or holders of title to the TDM Property to alternative hours of access use.