

PRESERVATION RESTRICTIONS

The premises are hereby conveyed subject to the following preservation restrictions:

1. The following exterior portions of the premises shall not be altered without the written permission of SPNEA:
 - a. the main house's north (facing the street) facade, the east elevation, the west elevation and the south elevation (the terms "facade" and "elevation" shall include doors, door frames and decoration, window sash and window frames, and porches);
 - b. the east, west, and south elevations of the ell attached to the west side of the house;
 - c. the north, west, east and south elevations of the woodshed attached to the southeast corner of the main house;
 - d. the roof profile (including ell and woodshed);
 - e. the chimneys;
 - f. the barn's north, east, south and west elevations;
 - g. the said barn's roof profile.

"Alteration" shall not be construed to mean replacement of any element of the exterior by an item identical in design or reconstruction of any element in an identical manner.

2. The following interior portions of the premises shall not be altered without the written permission of SPNEA:

- a. all woodwork, including but not limited to dados, cornices, mantel pieces, paneling, doors and door casing, and windows and window casings;
 - b. all structural members, interior beams and framing;
 - c. plaster coving.
3. The premises shall not, for the purposes of these restrictions, be considered to be altered by the following redecorating or refurbishing work:
- a. painting (provided paint does not cover examples of "grained" woodwork);
 - b. wallpapering (provided the paper does not cover woodwork);
 - c. plastering (provided plaster does not cover woodwork);
 - d. rewiring;
 - e. replacement of plumbing;
 - f. replacement of glass;
 - g. installation of window and door screens, and storm windows and doors;
 - h. installation of insulation (provided no blown-in insulation is introduced into side walls of the house or ells);
4. No portion of the house, ells or barn shall be moved from the present location, unless such moving is required by a taking by eminent domain.
5. Notwithstanding the foregoing, if the premises or any substantial portion thereof shall be destroyed

- by fire or other casualty then the owner from time to time in such cases may either decline to rebuild or restore the premises or, if they elect to rebuild or restore shall use such materials and designs that will maintain the existing relationship of the Smith Tavern (Jones House) to the town center.
5. If additional provision for fire egress is required by public authority, it shall be provided through the south side of the main house or ell or barn.
 7. There shall be no additions attached to the house or ell or barn.
 8. Any signs painted on or affixed to the house, ell, barn or grounds must comply with the applicable provisions of the sign ordinances of the Town of Weston, Massachusetts.
 9. No other buildings or structures (specifically excluding fences, walls and underground excavations such as septic systems) may be erected or placed upon that portion of the premises designated as "Restricted Area" on the plan entitled "Plan of Restricted Area of a Portion of Land Owned by S.P.N.E.A. in Weston - Mass. June 22, 1983 Scale 1"=40 George N. Giunta R.L.S." and recorded herewith.
 10. That portion of the premises designated as "Restricted Area" on said plan recorded herewith and described in restriction number 9 shall not be subdivided for resale or subdivided for ground lease.

11. The owners from time to time of the premises, unless exempt from taxation, shall pay before they become overdue all real estate taxes assessed on the premises and shall carry reasonably adequate fire insurance coverage thereon.
12. Written permissions of SPNEA shall be in recordable form executed and acknowledged by any one or more of the President, the Treasurer or the Executive Director or such officers who may succeed to their responsibilities under other titles. Permission as to one alteration shall not be construed to waive the requirement for permission for subsequent alterations.
13. SPNEA reserves the right to enter upon the premises and within the Smith Tavern and barn for the purposes of inspecting them for compliance with the restrictions hereby imposed, such inspections to be made at reasonable intervals and hours and only after prior notice to the owner from time to time. The failure of SPNEA to exercise this right of inspection for any period of time shall not be a waiver of such right.
14. The burdens of these restrictions shall run with the land for 500 years and shall be binding upon all future owners of an interest therein. The right of enforcement of these restrictions shall be as provided in General Laws, Chapter 184, Section 32 as enacted by Acts 1969, Chapter 666, Section 5 as it may be amended

from time to time, and shall be assignable to any governmental body or any entity whose purposes include preservation of structures or sites of historical significance.

By the acceptance and recording of this deed, the Town of Weston agrees to abide by and be subject to the hereinabove mentioned restrictions.

EXECUTED under SEAL this 29th day of June, 1983, Massachusetts excise stamps in the amount of \$111.72 being hereto affixed and cancelled.

SOCIETY FOR THE PRESERVATION OF NEW ENGLAND ANTIQUITIES

By *Peter S. Lynch*
Peter S. Lynch, Treasurer

COMMONWEALTH OF MASSACHUSETTS

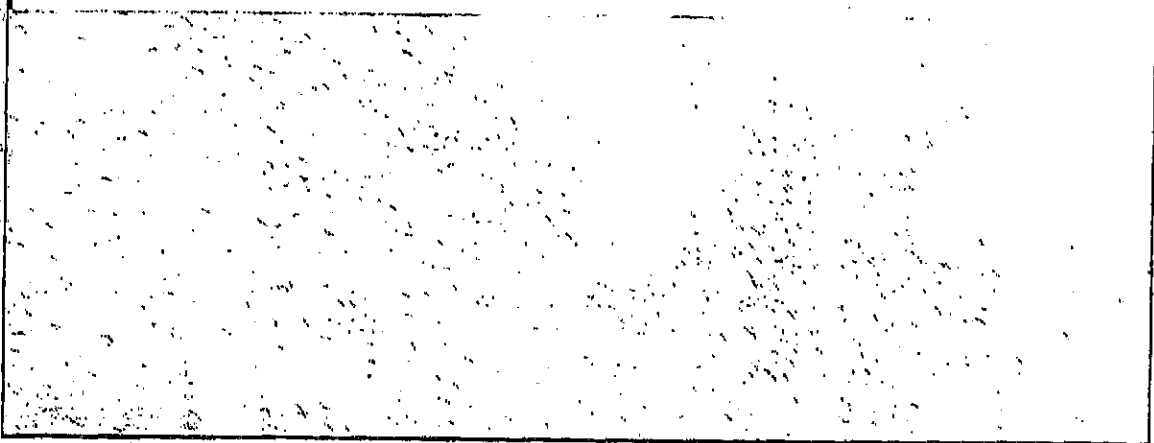
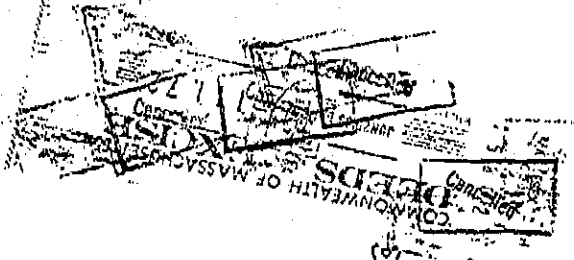
Suffolk, ss

June 29, 1983

Then personally appeared the above-named Peter S. Lynch, Treasurer as aforesaid, and acknowledged the foregoing deed to be the free act and deed of the Society for the Preservation of New England Antiquities, before me,

W. Edward M. [Signature]
Notary Public

My commission expires: July 25, 1986



1310 Society
for the Preservation
of New England
Antiquities

3K: 5086 PG081


Harrison Gray Otis House
141 Cambridge Street
Boston, Massachusetts 02114
617 227 3950

CERTIFICATE OF VOTE

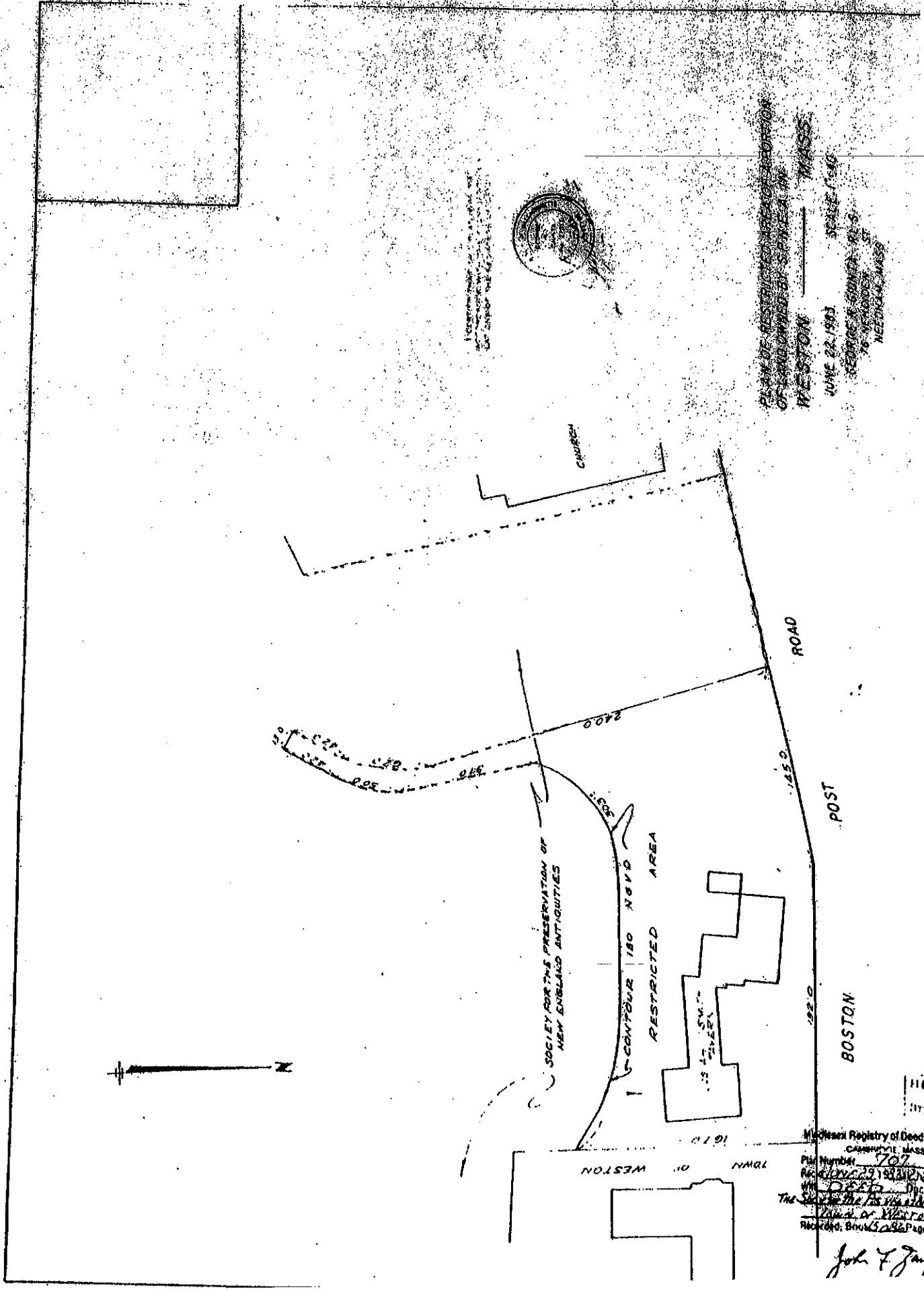
At a duly called special meeting of the membership of the Society for the Preservation of New England Antiquities held at 100 p.m. on May 29, 1979, at the Harrison Gray Otis House at 141 Cambridge Street in Boston, Massachusetts, at which meeting a quorum was voting either by proxy or in person, it was by vote 52 in favor and 52 opposed (with 48 abstentions)

That the Society be authorized to sell the following property: the Josiah Smith Tavern in Weston, Massachusetts, Title Reference: Wills of Alice B. Jones and Ellen M. Jones (Middlesex Probate Nos. 28845 and 28846 respectively) subject, however, to such preservation restrictions as the Society's professional staff shall deem appropriate and, to effect the sale, the Society's Second Vice President, Edward P. Lawrence, and its Treasurer, Peter S. Lynch, or either one acting alone are hereby authorized to execute, seal and deliver, on behalf of the Society, a deed of the property containing the restrictions referred to above, and such execution by either or both of said officers shall be conclusive evidence that the restrictions contained in the deed are those deemed appropriate by the Society's professional staff.

And I further certify that said vote has not, as of the date of this attestation, been amended or revoked, but is still in force, and that said Messrs. Lynch still holds the office of Treasurer.


Paul P. McDonough, Jr.
Secretary

Date of Attestation: June 29, 1979



PLAN OF RESTRICTED AREA LOCATION
 OF LANDOWNERS BY STATE OF MASSACHUSETTS
 WESTPORT MASS
 JUNE 22, 1903
 REGISTERED IN BOOK NO. 1707
 PAGE 102
 NEEDHAM MASS

SOCIETY FOR THE PRESERVATION OF
NEW ENGLAND ANTIQUITIES

RESTRICTED AREA

S.W. QUARRY

POST ROAD

POST

BOSTON



Massachusetts Registry of Deeds
 CAMBRIDGE MASS
 Plan Number 1707
 Record No. 102
 The State of Massachusetts
 Registry of Deeds
 Record Book 1707 Page 102

John F. Jay