



Victoria F. Sheehan
Commissioner

**THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION**

District 6 Office, PO Box 740, Durham, NH 03824



William Cass, P.E.
Assistant Commissioner

DRIVEWAY PERMIT

To: Jason White
Terra Holdings, LLC
79 Exeter Road
North Hampton, NH 03862

City/Town: Barrington
Route/Road: NH 9 (S0000009)
Patrol Section: 606
Tax Map: 238
Lot: 36
Development: Residential

Permit #: **06-027-574**
District: 06
Permit Date 11/1/2022

06-027-574

Permission is hereby granted to construct (alter) a driveway, entrance, exit or approach adjoining NH 9 (S0000009), pursuant to the location and specifications as described below. Failure to adhere to the standards and engineering drawings previously approved shall render this instrument null and void. Failure to start or complete construction of said facility within one calendar year of the date of this permit shall require application for permit extension or renewal in accordance with the Driveway Access Rules. Facilities constructed in violation of the permit specifications or the rules, shall be corrected immediately upon notification by a Department representative. Any cost by the State to correct deficiencies shall be fully borne by the landowner. The landowner shall defend, indemnify and hold harmless the Department and its duly appointed agents and employees against any action for personal injury and/or property damage sustained by reason of the exercise of this permit.

Drive 1

Location: Approximately 0.22 miles east of NH 125 on the south side of NH 9 (S0000009).
GPS: 43.211159 N 70.99188 W.

Specifications: This permit authorizes a paved access to be used as a Multi-Family Residential drive. Any change in use, increase in use or reconstruction of the driveway requires reapplication.

The right-of-way line is located 33 feet from and parallel to the centerline of the highway.
The entrance shall be graded so that the surface of the drive drops 5 inches at a point 10 feet from NH 9 (S0000009) edge of pavement to create a drainage swale.

The driveway shall not exceed 24 feet in width. The entrance of the drive may be flared; typically the flare radius is one half the driveway width.

Other Conditions:

No structures, including buildings, permanent or portable signs, lights, displays, fences, walls, etc. shall be permitted on, over or under the Highway Right of Way.

No parking, catering or servicing shall be conducted within the Highway Right of Way.

The applicant shall comply with all applicable ordinances and regulations of the municipality or other State Agencies.

The Department has relied on the title and subdivision information provided by the landowner. The Department has not performed additional title research and makes no warranty or representation concerning landowner's legal right to access. In the event of a dispute about the landowner's legal right to the access provided herein, the landowner will defend and indemnify the Department.

All excavated topsoil, or in the absence of topsoil the top 6 inches of soil, within the limits of state ROW shall be properly re-used within the limits of the state ROW. All temporary stockpiles of the re-use material shall be located within the state ROW, or as otherwise approved by the District Engineer.

The Contractor shall be solely responsible for the handling, transport and disposal of any surplus material generated by their project and shall comply with all federal, state and local laws, ordinances and rules in doing so.

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I/We, the contractor/Owner, certify that the property will not have any illicit unauthorized drainage connections to the NHDOT storm water drainage system. An illicit discharge is any direct or indirect discharge to the NHDOT drainage system that is not composed entirely of storm water. Illicit discharges include, without limitation, sewage, process wastewater, or wash water and any connections from floor drains, sinks, or toilets.

1. This permit is for access to an 80-unit residential condominium development (lot 36) from NH 9 created by a two lot subdivision. The second lot (Lot 36.2, undeveloped land) will have access from NH 125 through an access easement on Map 238, Lot 40 as described in Book 4449 Page 0335. Any further development or subdivision will require reapplication for a driveway permit.

2. The construction of one driveway is permissible. Construct per plans titled "The Crossing at Village Center Residential Development" prepared by Beals Associates, PLLC attached to this permit and on file with this office.

3. In consideration of the granting of the rights herein, Applicant shall at its expense construct the various improvements within the right of way as indicated on the above-mentioned plans of Beals and Associates, PLLC. In order to ensure the proper prosecution of the work involved the Applicant hereby agrees as follows:

A. Applicant must designate a full-time superintendent employed by its contractor who is proficient in highway construction work to provide on-site supervision of work on a day-to-day basis.

B. Applicant shall also secure the services of a project engineer who shall be an employee of Beals and Associates or other firm acceptable to the Department. Said engineer must be proficient in highway construction work and must be on site on a full-time daily basis to oversee the work and serve as a liaison between the State and the Applicant.

C. The Applicant shall furnish all engineering layout, testing and documentation to insure conformance with the State's present Standard Specifications for Road and Bridge Construction.

D. The Department's Commissioner or his duly appointed agent may inspect, test and monitor any and all of the highway activities to ensure their compliance with the above-referenced plans and the Standard Specifications. If deemed necessary, this Department may assign an inspector to this project on a full or part time basis. The Applicant agrees to pay these inspection costs.

E. The Commissioner and/or his agent shall have the right to suspend any or all construction activities, which in their opinion are unsafe to the traveling public or in conflict with the above-referenced plans or the State's Standard Specifications and current Construction Signing Standards.

F. The Commissioner may employ the use of State forces or any third party to correct any unacceptable work upon the failure of the Applicant to comply with the plans or Specifications and upon Applicant's failure to make such corrections within a reasonable time after request (It being understood that certain work may require immediate attention). Said corrections shall be made at the expense of the Applicant.

4. The Applicant shall provide continuous access to any abutters during construction unless otherwise approved by the Commissioner or his agent. Applicant shall be solely responsible for providing adequate driveway access to property owners abutting the highway right of way whose access has been disturbed.

5. Applicant must prove to the satisfaction of the Commissioner or his agent that it has the right to construct all the roadway improvements as shown on said plans and has secured all necessary rights of way and easements therefore.

6. Applicant agrees to indemnify, save and hold harmless the Department from liability for all damages to persons or property, which arise out of the exercise of the rights granted by this permit. This clause shall include, but not be limited to, liability resulting from any increase or change in the flowage of water as a result of the proposed construction. Applicant further agrees to defend any claim or suit brought against the Department arising out of the rights granted by this permit.

7. Applicant must comply with all applicable local zoning ordinances and regulations and shall not violate any local, state or federal law or regulation.

8. The completion of all work described by the plans and Specifications, including all grading, paving, striping, signing, and traffic signal installation, is required prior to the opening of any portion of the Applicant's premises to the public for business. No paving shall be done after October 1 for surface and November 1 for binder of any year unless approved by the Commissioner or his agents.

9. All utility relocation will be carried out in conformance with the standard utility practice and policy of the Department. All plans for utility relocation must be submitted by the Applicant to the Department for final approval. Furthermore, the Applicant is responsible for ascertaining the existence and location of all utility appurtenances and the State has no responsibility for any delays, inconvenience or damage due to any interference from such utility appurtenances or the operation of moving them. Applicant agrees to coordinate with all utilities in complying with the project schedule and the traffic control plan approved by the Department.

10. Applicant must provide suitable drainage structures and facilities of adequate size to prevent ponding of any surface drainage within the highway right of way limits. Furthermore, Applicant must save and hold the State harmless from any liability for any and all damages to any persons or property as the result of any flowage passing from or through the Applicant's property or as the result of any flowage caused by the performance of any work in connection with this permit. This permit relates solely to the use of the State right of way and is not determinative of any rights of flowage between private landowners and the Applicant.

11. Traffic must be maintained during the performance of the work. It shall be protected by suitable barricades, standard warning and advance warning signs, flags during the day, and proper lighting at night in accordance with the most current edition of the Manual on Uniform Traffic Control Devices (M.U.T.C.D). Flaggers and or uniformed officers shall be provided whenever two-way traffic cannot be maintained, and at the request of the District Engineer during any time he deems them necessary for the protection of the public. All signs shall be kept in good repair at all times.

12. Signs shall be installed in accordance with the current Department Construction Standards Item 619 and standard sheet TC-1 through 8 and Manual of Uniform Traffic Control Devices. Shop drawings from your sign manufacturer shall be submitted to the Bureau of Traffic for approval prior to sign installation.

13. The Applicant is responsible for providing accommodations to maintain safe pedestrian and bicycle traffic through the work zone. Where sidewalk facilities exist, a delineated and detectable minimum 48' wide path clear of obstructions must be maintained through the construction zone at all times. Temporary sidewalks shall be compliant with the 2011 proposed Public Right of Way Accessibility Guidelines (PROWAG), Title II of the Americans with Disabilities Act (ADA) and Manual on Uniform Traffic Control Devices (MUTCD) Section 6D.01. (2009 edition or most recent).

14. Work operations shall not be performed on the roadway in such a manner that traffic is obstructed or endangered simultaneously from both sides of the highway.

15. The Applicant shall schedule the work to minimize traffic disruption during peak flow periods, i.e. from 6:00 AM to 9:00 AM and from 3:00 PM to 6:00 PM, Monday through Friday. At the end of work each day and before the end of daylight, two-way traffic shall be reinstated. Work within the right of way is not authorized on Saturdays, Sundays and Holidays.

16. Existing guide, regulatory and warning signs shall be maintained or relocated as necessary. Signs which are not applicable to construction conditions shall be covered completely with plywood by the Applicant to the satisfaction of the District Engineer and shall conform in size and shape to the sign panels being covered. The Applicant shall notify the Bureau of Traffic (Tel: 271-2291) when any existing signs are moved.

17. Pavement marking shall be marked out by the applicant and approved by the New Hampshire Department of Transportation Traffic Bureau (271-2291) prior to the final painting. Pavement marking will only be accomplished between April 1 and December 1. Two striping applications will be required. Projects striped between April 1 and August 16 will be re-striped between September 1 and September 30 of the same year. Projects striped between August 15 and December 1 will be re-striped between May 1 and May 15 of the following year. Projects where the striping fades excessively between applications shall be re-striped by the contractor within 2 weeks of notification by the Department.

18. Excavation adjacent to the traveled way or shoulders shall not remain open through non-work hours unless adequately protected by barriers and specifically authorized by the District Engineer.

19. Blasting and other high noise machinery such as jackhammers and excavating equipment shall not begin prior to 7:00 AM nor continue after 7:00 PM unless specifically permitted by the District Engineer. Under this permit, no nighttime work will be allowed.

20. All paved areas of the highway shall be kept as clear as possible at all times. No materials shall be stored on any paved area of the highway or adjacent to the traveled way (unless protected by barriers and specifically approved by the District Engineer). Materials shall be delivered to the installation areas, as they are needed, to provide a continuous installation.
21. All equipment shall be removed from the roadway and located outside the clear zone of the traveled way during non-work hours.
22. No right of way bounds or property pins shown on the plans or found within the construction area shall be removed without prior approval by the District Engineer. All mailboxes shall be satisfactorily protected and maintained in accessible locations. Prior to completion of the project, the Applicant as ordered shall reset mailboxes that have been disturbed by construction.
23. The Applicant must secure a Performance Bond or Irrevocable Letter of Credit payable to the State of New Hampshire in the amount of \$60,000.00. The amount of the Bond or Letter of Credit may be reduced to \$6,000.00 following a final acceptance of the work by the State. The bond must remain in full force and effect for two full years following said final acceptance in order to cover defects in materials or workmanship, which may arise.
24. Applicant hereby agrees to be bound by the provisions of this driveway permit and to be bound by the general law governing the issuance of permits for driveways and other accesses to public ways, including RSA 236:13 and 14.
25. Following the completion of the construction activities, the Department will inspect the completed work and grant the State's final acceptance of the project. Final acceptance may be reasonably withheld should the work not comply with the above referenced plans and Specifications. In addition, two sets of As-Built-Plans (one full size set at 36" x 24" and one set at half scale) will be submitted to NHDOT prior to final acceptance.
26. There shall be no additional points of access permitted within the frontage of this parcel of property. Other access to the highway from the premises is to be prevented. No part of the right-of-way may be used for any purpose other than travel.
27. All season safe sight distance shall be maintained by the landowner as per RSA 236:13.
28. The applicant will be responsible for mitigation should the future use of this driveway unfavorably impact the highway or proposed traffic control devices are not sufficiently managing traffic in accordance with provisions of this permit.
29. Contact the NHDOT District 6 office at 868-1133 at least 72 hours prior to driveway construction activities to allow NHDOT the opportunity to review driveway lay-out.

Approved


Assistant District Engineer
For Director of Administration

Copies: District, Town, Patrolman

NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION

District 1, 641 Main St, Lancaster, NH 03584
District 2, 8 Eastman Hill Road, Enfield, NH 03748
District 3, 2 Sawmill Rd, Gilford, NH 03249

District 4, 19 Base Hill Road, Swanzey, NH 03446
District 5, PO Box 16476, Hooksett, NH 03106
District 6, PO Box 740, Durham, NH 03824

APPLICATION FOR DRIVEWAY PERMIT

Pursuant to the provisions of Revised Statutes Annotated, Chapter 236, Section 13 (printed on reverse of application) and amendments thereto, and Declaratory Ruling 2000-01, permission is requested to: (circle one): Construct / Alter (Indicate quantity of) 1 driveway entrance(s) to my property on the (circle one): North / South / East / West side of NH Route 9 or Street/Road: Littleworth Road In the Town of Barrington at a location which will meet the requirements for safety specified in said statutes.

The driveway entrance(s) requested is (are) for access to: 84-Residential Condo units Residence, Industry, Business, Subdivision, Other

Describe nature and size of industry, business or subdivision: 84 Unit Condominium Development

80 Feet (circle one): North / South / East / West of Utility Pole Number: FP 1066

0 Feet or Miles (circle one): North / South / East / West of Road or Junction:

Town Tax Map # 238 and Lot # 36

As the landowner (or designated applicant) I agree to the following:

- 1. To construct driveway entrance(s) only for the bonafide purpose of securing access to private property such that the highway right-of-way is used for no purpose other than travel.
2. To construct driveway entrance(s) at permitted location(s).
3. To construct driveway entrance(s) in accordance with statutes, rules, standard drawings, and permit specifications as issued by the New Hampshire Department of Transportation.
4. To defend, indemnify and hold harmless the New Hampshire Department of Transportation and its duly appointed agents and employees against any action for personal injury and/or property damage sustained by reason of the exercise of this permit.
5. To furnish and install drainage structures that are necessary to maintain existing highway drainage and adequately handle increased runoff resulting from the land development and obtain all easements thereto.
6. I am the owner or a duly authorized agent of the owner of the parcel upon which the driveway will be constructed. I have provided accurate and complete title and subdivision information concerning the parcel to the Department. I understand that the Department is relying on this information in considering this application and that the Department does not perform independent title research or make judgments about title or access disputes.

For new driveway(s), include copy of current deed and, if not the same, previous deed dated prior to July 1, 1971 of the parcel. If this parcel is part of a larger tract subdivided after July 1, 1971, then provide complete subdivision plans and deed history dating back to at least July 1, 1971.

Attach sketch or plan showing existing and proposed driveway(s) and the adjacent highway indicating distance to town road, town line, or other readily identifiable feature or landmark and also to the nearest utility pole (including pole numbers)

Handwritten notes: 7478, N/A 125, DISTRICT SIX

RECEIVED JUL 06 2020 DISTRICT SIX

Signature of Landowner (Applicant)

79 Exeter Road Mailing Address

Jason White (Terra Holdings, LLC) Printed Name of Landowner

N. Hampton, NH 03862 Town/City, State, Zip Code

Date: 6/24/20

Telephone Number(s) 603-770-5630

Contact /Agent, if not Landowner: Scott D. Cole of Beals Associates

FOR OFFICE USE ONLY: GPS N = 43.211159, GPS W = 70.991330, Section: 606, Width: 24 ft, Right of Way: 33 ft, Drainage: SLD: Permit Number Assigned:

Handwritten note: 5/30

§ 236:13 Driveways and Other Accesses to the Public Way. – I. It shall be unlawful to construct, or alter in any way that substantially affects the size or grade of, any driveway, entrance, exit, or approach within the limits of the right-of-way of any class I or class III highway or the state-maintained portion of a class II highway that does not conform to the terms and specifications of a written permit issued by the Commissioner of transportation.

II. Pursuant to this section, a written construction permit application must be obtained from and filed with the department of transportation by any abutter affected by the provisions of paragraph I. Before any construction or alteration work is commenced, said permit application shall have been reviewed, and a construction permit issued by said department. Said permit shall:

- (a) Describe the location of the driveway, entrance, exit, or approach. The location shall be selected to most adequately protect the safety of the traveling public.
- (b) Describe any drainage structures, traffic control devices, and channelization islands to be installed by the abutter.
- (c) Establish grades that adequately protect and promote highway drainage and permit a safe and controlled approach to the highway in all seasons of the year.
- (d) Include any other terms and specifications necessary for the safety of the traveling public.

III. For access to a proposed commercial or industrial enterprise, or to a subdivision, all of which for the purposes of this section shall be considered a single parcel of land, even though acquired by more than one conveyance or held nominally by more than one owner:

- (a) Said permit application shall be accompanied by engineering drawings showing information as set forth in paragraph II.
- (b) Unless all season safe sight distance of 400 feet in both directions along the highway can be obtained, the commissioner shall not permit more than one access to a single parcel of land, and this access shall be at that location which the commissioner determines to be safest. The commissioner shall not give final approval for use of any additional access until it has been proven to him that the 400-foot all season safe sight distance has been provided.
- (c) For the purposes of this section, all season safe sight distance is defined as a line which encounters no visual obstruction between 2 points, each at a height of 3 feet 9 inches above the pavement, and so located as to represent the critical line of sight between the operator of a vehicle using the access and the operator of a vehicle approaching from either direction.

IV. No construction permit shall allow:

- (a) A driveway, entrance, exit, or approach to be constructed more than 50 feet in width, except that a driveway, entrance, exit, or approach may be flared beyond a width of 50 feet at its junction with the highway to accommodate the turning radius of vehicles expected to use the particular driveway, entrance, exit or approach.
- (b) More than 2 driveways, entrances, exits or approaches from any one highway to any one parcel of land unless the frontage along that highway exceeds 500 feet.

V. The same powers concerning highways under their jurisdiction as are conferred upon the commissioner of transportation by paragraphs I, II, III and IV shall be conferred upon the planning board in cities and towns in which the planning board has been granted the power to regulate the subdivision of land as provided in RSA 674:35, and they shall adopt such regulations as are necessary to carry out the provisions of this section. Such regulations may delegate administrative duties, including actual issuance of permits, to a highway agent, board of selectmen, or other qualified official or body. Such regulations, or any permit issued under them, may contain provisions governing the breach, removal, and reconstruction of stone walls or fences within, or at the boundary of, the public right of way, and any landowner or landowner's agent altering a boundary in accordance with such provisions shall be deemed to be acting under a mutual agreement with the city or town pursuant to RSA 472:6, II (a).

VI. The commissioner of transportation or planning board shall retain continuing jurisdiction over the adequacy and safety of every existing driveway, entrance, exit, and approach to a highway, whether or not such access was constructed or installed pursuant to a permit under this section, and, unless the access is a public highway, the owners of property to which the access is appurtenant shall have continuing responsibility for the adequacy of the access and any grades, culverts, or other structures pertaining to such access, whether or not located within the public right of way. If any such access is or becomes a potential threat to the integrity of the highway or its surface, ditches, embankments, bridges, or other structures, or a hazard to the safety of the traveling public, by reason of siltation, flooding, erosion, frost action, vegetative growth, improper grade, or the failure of any culvert, traffic control device, drainage structure, or any other feature, the commissioner of transportation or planning board or their designee may issue an order to the landowner or other party responsible for such access to repair or remove such hazardous condition and to obtain any and all permits required therefor. The order shall describe the hazard, prescribe what corrective action or alteration in the location or configuration of such access shall be required, and set a reasonable time within which the action shall be completed. Such an order shall be sent by certified mail, and shall be enforceable to the same extent as a permit issued under this section. If the order is not complied with within the time prescribed, the commissioner or planning board or their designee may cause to be taken whatever action is necessary to protect the highway and the traveling public, and the owner or other responsible party shall be civilly liable to the state or municipality for its costs in taking such action.

§ 236:14 Penalty. – Any person who violates any provision of this subdivision or the rules and regulations made under authority thereof shall be guilty of a violation if a natural person, or guilty of a misdemeanor if any other person; and, in addition, shall be liable for the cost of restoration of the highway to a condition satisfactory to the person empowered to give such written permission.

LETTER OF AUTHORIZATION

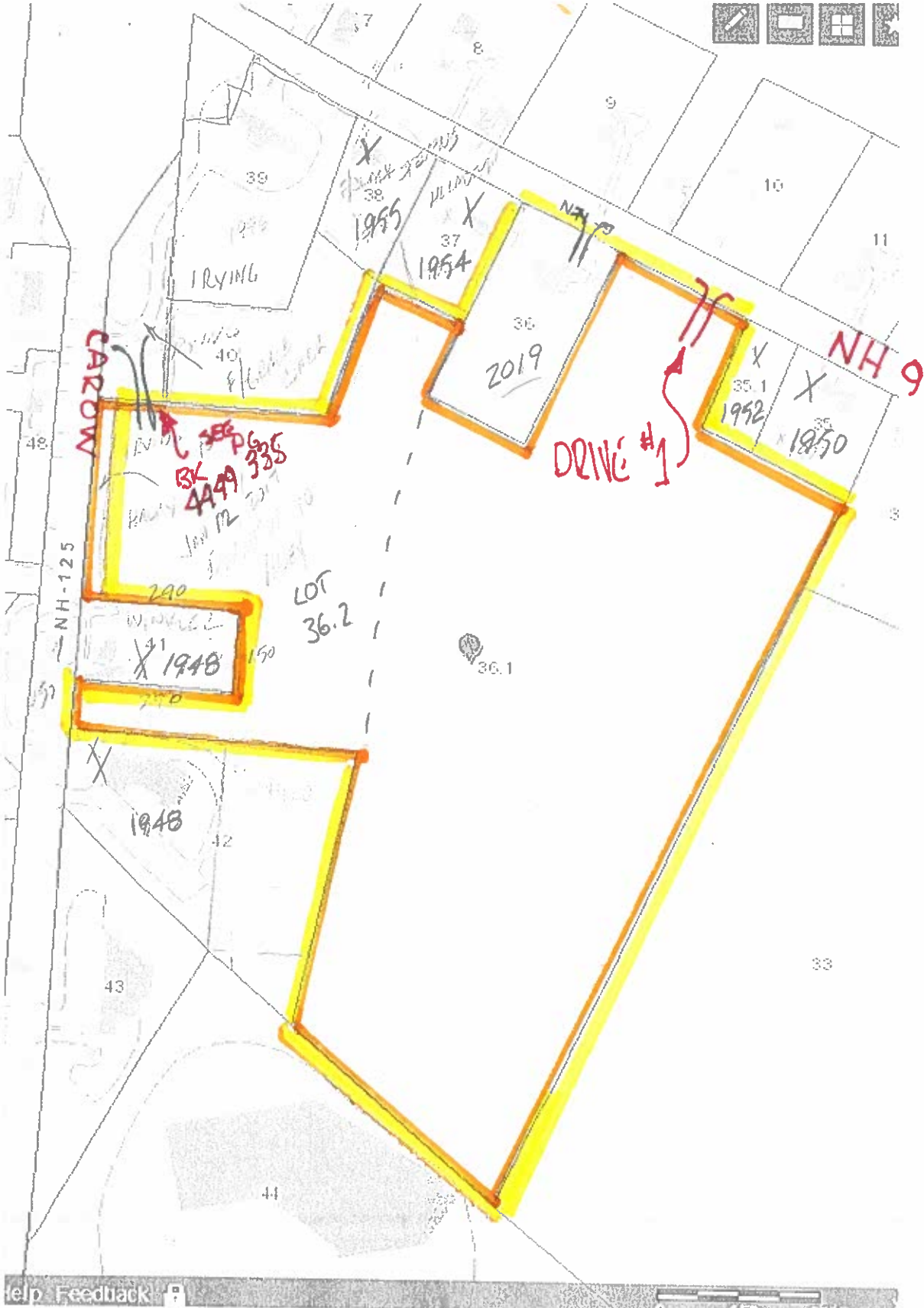
I, James W. Haley, Trustee of the Waldron B Haley Revocable Living Trust of 1998 and owner of Tax Map 238 Lot 36.1, Barrington, NH, do hereby authorize Jason White and Lou Sera of J&L Terra Holding, Inc., Agent, and Beals Associates, PLLC, 70 Portsmouth Avenue, Stratham, NH, as agents for J&L Terra Holding, Inc., to act on my behalf in matters to be discussed with the Barrington Planning Board, State Departments and other Land Use Boards concerning the property previously mentioned.

I hereby appoint Beals Associates, PLLC as my agent to act on my behalf in the review process, to include any required signatures.

Eli T. ...
Witness
Eli T. ...

James W. Haley Trustee *3/14/20*
James W. Haley Date

7/30

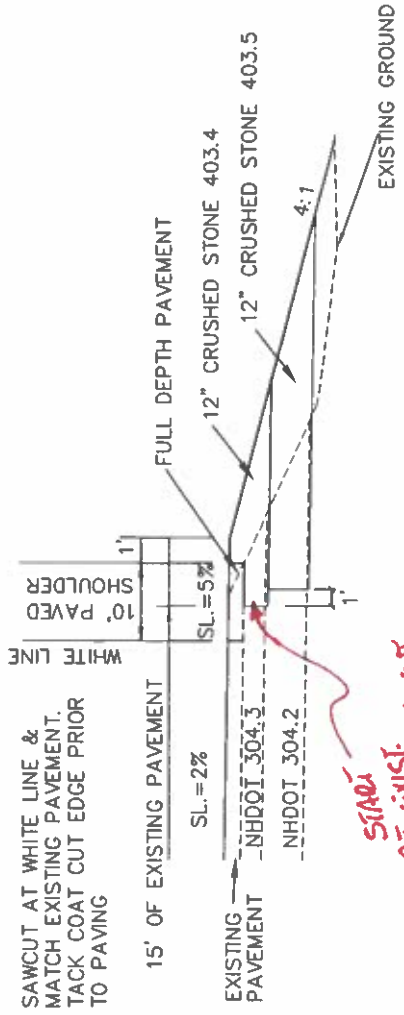


P/O BARRINGTON TAX MAP 238

- = July 1, 1971 LOT OF RECORD
- = CURRENT LOT

8/30

SAWCUT AT WHITE LINE & MATCH EXISTING PAVEMENT. TACK COAT CUT EDGE PRIOR TO PAVING

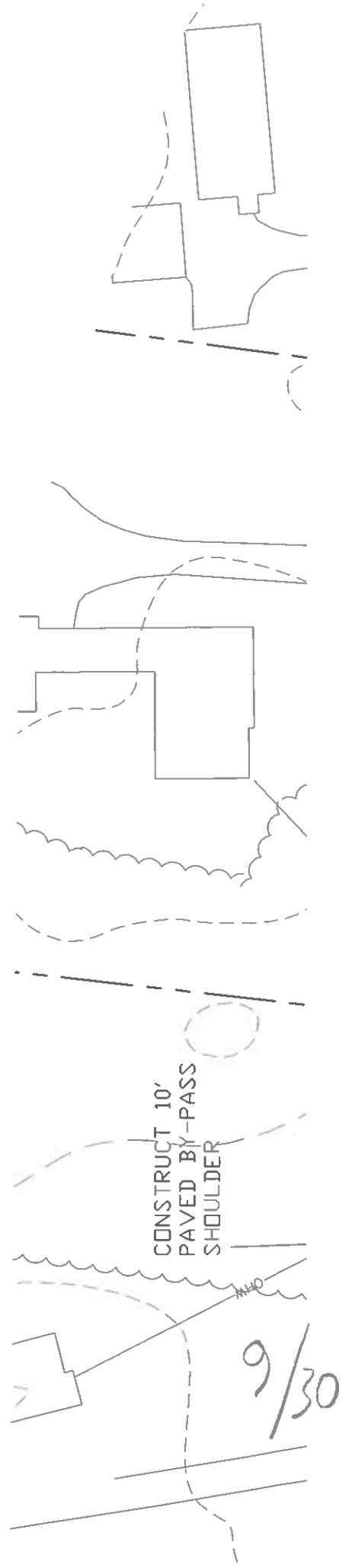


BY-PASS SHOULDER CROSS SECTION

NOT TO SCALE

CUT BACK SIGHT

- NOTES:**
 GRAVEL DEPTHS MAY NEED TO BE INCREASED IN AREAS OF POOR SOILS. ALL DITCHES TO BE 24" IN DEPTH. (BELOW EDGE OF SHOULDER ELEVATION)
- GRAVEL MAY BE PLACED AT 12" LIFTS, DENSITY TESTING IS REQUIRED
- HOT BITUMINOUS PAVEMENT, MACHINE METHOD 5.5' NOMINAL
 1 1/2" WEARING COURSE, ITEM 403.11043 HOT BITUMINOUS PAVEMENT MACHINE METHOD (12.5MM MAX AGGREGATE SIZE, 50 GYRATION, BINDER GRADE PG 64-28)
- 2' BINDER COURSE, ITEM 403.11023 HOT BITUMINOUS PAVEMENT MACHINE METHOD (19 MM MAX AGGREGATE SIZE, 50 GYRATION, BINDER GRADE PG 64-28)
- 2' BINDER COURSE, ITEM 403.11023 HOT BITUMINOUS PAVEMENT MACHINE METHOD (19 MM MAX AGGREGATE SIZE, 50 GYRATION, BINDER GRADE PG 64-28)
- BITUMEN FOR TACK COAT (RS-1) AT 0.03 GAL/SY
- APPLY PAVEMENT JOINT ADHESIVE (ITEM 403.16) TO ALL JOINTS



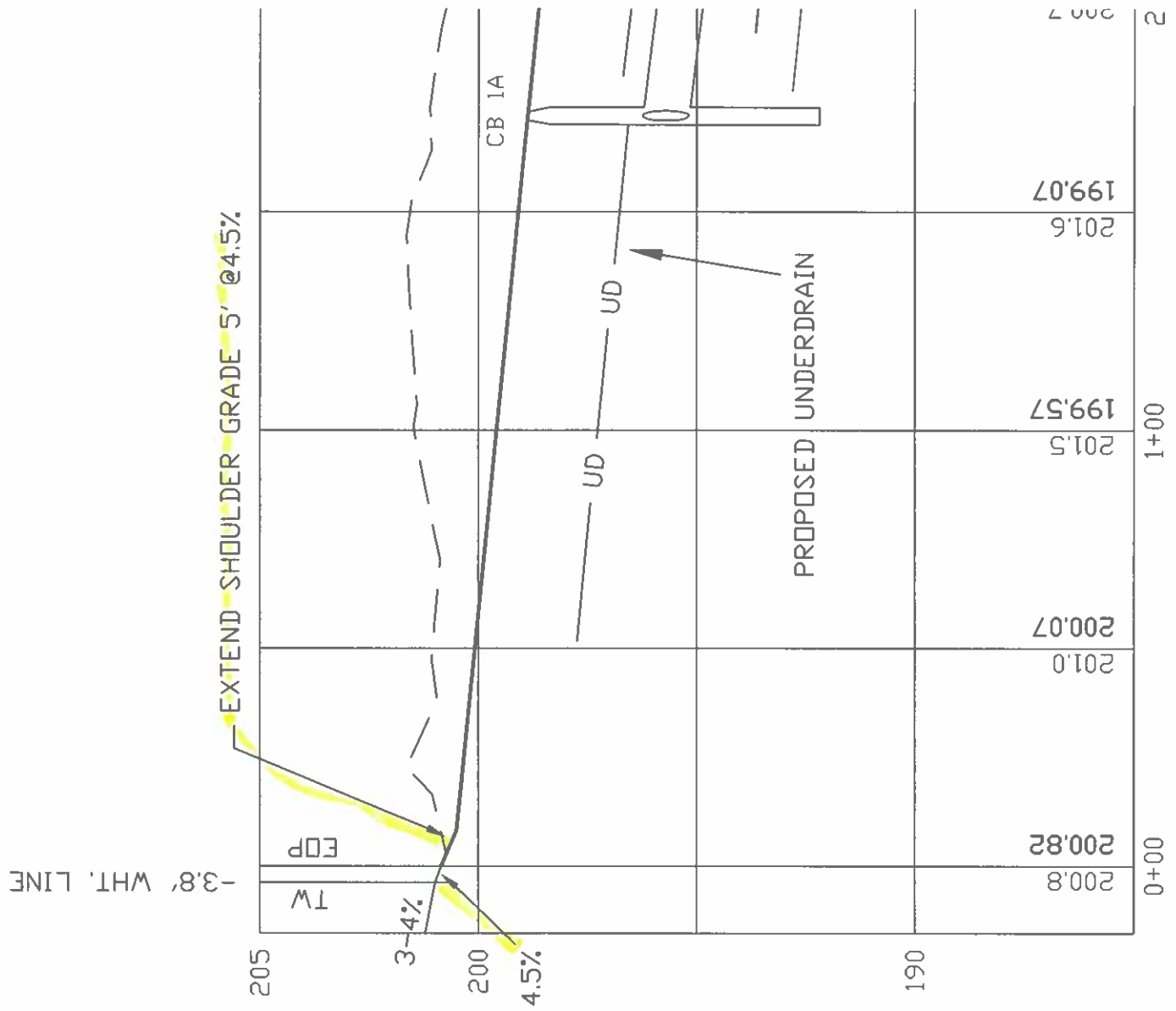
ILVERT INLET

-HEADWALL

N
INLETS

VS
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THE DIMENSIONS SHOWN ON THE
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MINIMIZED.
EMBEDDED AT LEAST 4 INCHES
SED, THE TIMBER SHALL EXTEND AT
THE SOIL USING 2" X 2" STAKES
ICHES INTO THE SOIL.
FORM TO THE RECOMMENDATIONS
VEL WHEN THEIR USEFUL LIFE HAS



10/30

RECEIVED

NOV 01 2022

NHDOT DISTRICT 6

SURETY BOND

KNOW ALL MEN BY THESE PRESENTS, THAT WE J&L Terra Holdings, Inc. of 79 Exeter Rd North Hampton, NH 03862, as Principal, and Newburyport Five Cents Savings Bank, duly authorized to transact business of Surety-ship in the STATE OF NEW HAMPSHIRE, as Surety, are held and firmly bound unto the STATE OF NEW HAMPSHIRE in the penal sum of SIXTY THOUSAND DOLLARS (\$60,000.00) to the payment of which we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH that whereas a permit is issued to the said Principal by the State of New Hampshire, Department of Transportation to occupy or use certain portions of Route 9 in Barrington, improvement of existing road per approved plans entitled "THE CROSSING AT VILLAGE CENTER RESIDENTIAL DEVELOPMENT" Tax Map 238/ Lot 36, Barrington NH.

NOW, THEREFORE, if the principal shall well and truly observe, comply with and perform all the terms and provisions of each and every permit and other rules and regulations of the New Hampshire Department of Transportation therein referred to and/or amendments thereof in addition thereto and shall indemnify and save harmless said State of New Hampshire from all claims, loss, damage and expense in any way relating to or connected with such permits, then this obligation shall be void, otherwise it shall remain in full force and effect.

IN WITNESS WHEREOF, the Principal and the Surety have hereunto set their hands and seals and have caused their corporate seals to be hereto affixed this 23rd day of September 2022.

J&L Terra Holdings, Inc.



WITNESS



Jason White, President



WITNESS




Luigi Sera, Director

Newburyport Five Cents Savings Bank



WITNESS



Anthony Demers, Vice President

11/30

Security Agreement

September 23, 2022

Borrower: J & L Terra Holdings, Inc.
29 Exeter Road
North Hampton, NH 03862

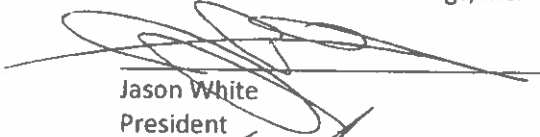
The Newburyport Five Cents Savings Bank has issued a Surety Bond numbered 1300190500 (see attached) with an expiration date of September 23, 2023, for the benefit of J & L Terra Holdings, Inc., customer of Newburyport Five Cents Savings Bank, to NHDOT District 6.

To secure the Surety Bond 1300190500, \$60,000.00 will be held in account number 1500020160 until Newburyport Five Cents Savings Bank receives written confirmation from NHDOT District 6 to release the Surety Bond. The Surety Bond secures a bond with the State of New Hampshire to occupy / use certain portions of Route 9 in Barrington, improvement of existing road per approved plans entitled 'THE CROSSING AT VILLAGE CENTER RESIDENTIAL DEVELOPMENT' Tax Map 238/ Lot 36, Barrington, NH.

If the State of New Hampshire presents Surety Bond 1300190500 to Newburyport Five Cents Savings Bank for payment, the bank will draw funds from the above referenced account, to pay the State of New Hampshire.

Acknowledged and accepted this 23rd day of September 2022 by:

Borrower: J & L Terra Holdings, Inc.


Jason White
President


Luigi Sera
Director

Lender: Newburyport Five Cents Savings Bank


Anthony Demers, Vice President

RECEIVED

NOV 01 2022

NHDOT DISTRICT 6

12/30