



TOWN OF NORTHBOROUGH Zoning Board of Appeals

Town Hall Offices • 63 Main Street • Northborough, MA 01532 • 508-393-5019 • 508-393-6996 Fax

Applicant Check List Form

Your original application, with all necessary documents and plans, along with the required number of application packets to be distributed to various Town departments and boards, must be submitted to the Town Clerk's Office when filing an application with the Zoning Board of Appeals.

Please review the Distribution List with the Building Inspector to determine the required number of application packets to be submitted to the Town Clerk's Office.

Each application packet must consist of one of each of the following documents:

- ✓ A copy of the original completed ZBA application
- ✓ A copy of the completed & signed **Zoning Determination Request Form**
- ✓ A copy of the deed for the subject property **NA** per conversation with Bldg. Inspector Ofc.
- ✓ A copy of the abutters list certified by the Assessors office** Request submitted on 7.20.21
- ✓ A copy of the ~~certified plot plan for the subject property~~
- ✓ A copy of any ~~construction plans/site plans~~, **folded and attached to the application**
- ✓ A copy of architectural renderings for review by the Design Review Committee, if applicable. **(If not submitted with application, scheduling of the ZBA hearing will be delayed.)** Elevation and Sign Detail

** Please do not make copies of labels for each application packet.

With Original Application Only:

- Thumb (Flash Drive) **A CD with PDF files for all application documents, including all plans**
- Abutter labels received from the Assessors office should be submitted with the original application only To be handled by Development office per discussions with Bldg. Inspector Ofc.
 - Please make checks payable to: **Town of Northborough**

7.22.21 Delivery to town via FedEx. (Copy of checks included with application)

Application Review

I have reviewed the ZBA application package and find the documents listed above to be included.

Inspector of Buildings/Zoning Enforcement Officer

Date

Please file checklist with the Town Clerk's office.

Wegmans Food Markets, Inc.
P.O. Box 30844
Rochester, N.Y. 14603-0844

Vendor Number
228391

Vendor Name
TOWN OF NORTHBOROUGH

Check Date 07/20/21
Check Number: 3679700

Invoice Number	-----P.O. Number:----	Description	Invoice Amount	Discount Amount	Payment Amount	Division
072021			151.00	0.00	151.00	90

*Wegmans Northborough
3~~5~~ Variance Application Fee
(Wine - Liquor - Beer signage)*

Totals 151.00 0.00 151.00

** Division Payments: 30=Wegmans Food Markets, 60=Wegmans Restaurants, 80=Wegmans Enterprises, 90=Wegmans Construction

THIS DOCUMENT CONTAINS SECURE FEATURES ON A BLUE BACKGROUND.

Wegmans Food Markets, Inc.
P.O. Box 30844
Rochester, N.Y. 14603-0844

Bank Of America

51-44
119

NO. 3679700

Check Date:
07/20/21

Pay Exactly ONE HUNDRED FIFTY-ONE AND 00/100-----

Check Amount:

\$*****151.00

VOID AFTER 180 DAYS

TO
THE
ORDER
OF

TOWN OF NORTHBOROUGH
63 MAIN STREET
NORTHBOROUGH MA 01532
United States of America

Donny Wegman

Security features
included.
Details on back.

AUTHORIZED SIGNATURE

MP

⑈0003679700⑈ ⑆011900445⑆ 000000061336⑈

CK-01 REV 02/10

Wegmans Food Markets, Inc.
P.O. Box 30844
Rochester, N.Y. 14603-0844

Vendor Number
228391

Vendor Name
TOWN OF NORTHBOROUGH

Check Date 07/20/21

Check Number: 3679699

Invoice Number	-----P.O. Number:----	Description	Invoice Amount	Discount Amount	Payment Amount	Division
07202021	-		15.00	0.00	15.00	90

*Northborough Wegmans
Certified Spotters List Request Fee
(Wine - liquor - Beer signage)*

Totals 15.00 0.00 15.00
** Division Payments: 30=Wegmans Food Markets, 60=Wegmans Restaurants, 80=Wegmans Enterprises, 90=Wegmans Construction

THIS DOCUMENT CONTAINS SECURE FEATURES ON A BLUE BACKGROUND.

Wegmans Food Markets, Inc.
P.O. Box 30844
Rochester, N.Y. 14603-0844

Bank Of America

51-44
119

NO. 3679699

Check Date:
07/20/21

Pay Exactly FIFTEEN AND 00/100-----

Check Amount:

\$*****15.00

VOID AFTER 180 DAYS

TOWN OF NORTHBOROUGH
63 MAIN STREET
NORTHBOROUGH MA 01532
United States of America

Donny Wegman

Security features included. Details on back.

AUTHORIZED SIGNATURE

MP

⑈0003679699⑈ ⑆011900445⑆ 000000061336⑈

CK-01 REV. 02/10

TO
THE
ORDER
OF



TOWN OF NORTHBOROUGH Zoning Board of Appeals

Town Hall Offices • 63 Main Street • Northborough, MA 01532 • 508-393-5019 • 508-393-6996 Fax

For Board Use Only:

Case No. _____

Filing Date: _____

APPLICATION FOR HEARING

(This form to be filed with Town Clerk)

Request is for: (check all that apply)

- Variance Special Permit Special Permit with Site Plan Approval
- Special Permit (per 7-07-010, Groundwater Protection Overlay District)
- Appeal 40B Comprehensive Permit

Property Information

1. Location of Property:

Street Address 9102 Shops Way

GIS Map # 106 Parcel # 7

Zoning District(s): IA Groundwater Protection Overlay District(s): _____

2. Name of Petitioner(s): Arthur Pires (Wegmans Food Markets, Inc.)

Owner/ Tenant / Agreed Purchaser/ Other (circle one)

Address: Mailing Address: PO Box 30844 - Rochester, NY 14603-0844

Telephone #: (585) 259-0896 Email: art.pires@Wegmans.com

3. Name of Presenter(s): Arthur Pires (Wegmans Food Markets, Inc.)

Address: Mailing Address: PO Box 30844 - Rochester, NY 14603-0844

Telephone #: (585) 259-0896 Email: art.pires@Wegmans.com

4. Name of Owner(s) of Property: RPT Realty (Michael McBride)

Address: 19 W. 44th Street, Suite 1002 - New York, NY 10036

Telephone #: (248) 794-3518 Email: mmcbride@rptrealty.com

5. Property Owner's Knowledge and Consent

I (we) have knowledge of, and consent to, the application for the project as presented.

7.20.21

Signature of Property Owner

Date

Michael McBride

Please Print Name

Project Information

1. Explain what you want to do or construct and state which provision(s) of the Zoning Bylaw requires you to obtain a Variance and/or Special Permit in order to do it:

Switch out an existing Wegmans' *Fork-Dish-Goblet* wall relief with a *Wine-Liquor-Beer* signage; the overall square footage of the two are 57.3 sf and 75.4 sf., respectively.

4th sign requires variance from code section 7-09-040 G(1)(c)[1][b]; though request is for a sign exchange versus an additional sign. Total of all signs exceeds 100 sf (Code 7-09-040 G (1)[1][b]); though once again request is for a sign exchange versus and additional sign.

A. Variance: you must provide all of the following information:

1. Specifically, what are the soil conditions, shape or topography of your lot or structure which especially affect this lot, as distinguished from other lots in the zoning district in which it is located?

The total area of all the 4 signs is relatively small compared to the overall square footage of Wegmans' building facade. In addition, the building frontage is not visible from any public roadway.

2. What is the hardship which is caused by the factors listed in 7A above?

Restrictions to marketing key departments, critical the to the successful operation of our business.

3. What facts will support a finding that the relief sought and will not constitute substantial detriment to the public good?

There will be no substantial detriment to the public good, if any, based of the distant location of the business from any public roadway or residential development.

4. What facts will support a finding that the relief sought may be given without nullifying or substantially derogating from the intent or purpose of the Zoning Bylaw?

Granting of the relief would neither nullify or derogate from the intent or purpose of the Zoning Bylaw, as the requested switch-out of the signage is just that, switch-out of signage at the same location, with the and same relative scale.

Special Permit

Submit written information with this application to show compliance with the following requirements of Section 7-03-040 C.:

1. The proposal is in substantial harmony with the Northborough Master Plan and other plans approved or amended from time to time by the Northborough Planning Board, and with the purposes of this bylaw;
2. The proposed site is an appropriate location for such use;
3. The use as developed will not adversely affect the neighborhood;
4. There will be no nuisance or serious hazard to vehicles or pedestrians;
5. Adequate and appropriate facilities will be provided for the proper operation of the proposed use;
6. The proposed use will conform to any special requirements of the special permit granting authority as stated in its written decision; and
7. The proposal could not reasonably be altered to reduce adverse impacts on the natural environment, to be compatible with historic development patterns of the town, or to preserve historically significant buildings.

B. Special Permit with Site Plan Review/Approval - 7-03-050A(2) & 7-09-020

1. Attach a copy of the site plan which includes contents as required per 7-03-050 D and 7-09-020

C. Special Permit under Chapter 7-07-010 of the Zoning Bylaw (Groundwater Protection Overlay District)

1. Attach a copy of all plans and documents as required under 7-07-010 D(4)(a)

D. Appeal

1. State the specifics of the appeal.

E. If you have any knowledge of a prior application, petition or appeal concerning the subject property, describe the case and the dates thereof and attach a copy of any decision issued in connection with the above.

This page to be completed on day of applying with the Town Clerk.

Signed this _____ day of _____, _____

COMMONWEALTH OF MASSACHUSETTS

WORCESTER, ss

Date: _____

Then personally appeared the above-named, _____, and made oath and said that the foregoing statements and representations contained in the application herein and attachments hereto are true and accurate to the best of her/his knowledge, information and belief, before me,

Notary Public

My commission expires: _____

=====

OFFICE OF THE TOWN CLERK

Date: _____

Application herein, including list of abutters from the Board of Assessors and filing fee of \$ _____ received this date.

Town Clerk



TOWN OF NORTHBOROUGH Building Department

Town Hall Offices • 63 Main Street • Northborough, MA 01532 • 508-393-5010 • Fax 508-393-3130

ZONING INTERPRETATION REQUEST FORM

Property Address: Shops Way Northborough, MA 01532

Does the Property Have: Public Water: Yes ___ No ___ Public Sewer: Yes ___ No ___

Current Use: WEGMANS - SIGNS

Proposed Use: REPLACE EMBEDDED SIGN (57.3 FT²)
with "wine" white, lit from behind sign (75.39 SQ FT)
liquor
store

Applicant Name: ART PIRELS Phone Number: 0 585-720-5791
585-259-0986
Email Address: ART.PIRELS@WEGMANS.COM

For Official Use Only VARIANCE FROM I.
Map & Parcel: 106/1 Property Zoning District: HB/MCOD Floodplain, wetlands N/A
Groundwater Protection Overlay District: Area 1 ___ Area 2 ___ Area 3 N/A
Lot Area Required N/A Have ___ Street Frontage Required ___ Have N/A
Setbacks Required N/A Have ___ Bylaw Citation for Proposed Use: ___

Comments: ADDING 4 TH SIGN REQUIRES VARIANCE 7-09-040 6(2)(C) [1] [6]
(MAX 2)
EXCEEDING 100 FT² SIGN AREA REQUIRES VARIANCE 7-09-040 6(2)(C) [1] [6]
(100 FT² AREA MAX) PROVIDE AREA OF ALL OTHER SIGNS TO
DETERMINE AMOUNT OF RELIEF DESIRED.

Is the proposed use allowed in the Zoning District: Yes ___ By PB ___ By ZBA No ___
Does the use require a GPOD Special Permit: Yes ___ No N/A Conservation required: Yes ___ No ___
Special permit required: Yes ___ No N/A Special Permit w/ Site Plan Approval: Yes ___ No ___
Earthwork permit required: Yes ___ No ___ Design Review required(7-03-060): Yes ___ No ___
Minor Site Plan Approval required: Yes ___ No ___ Historical/Scenic/Stone Wall required: Yes ___ No ___

Signature: [Signature] Date: 4/14/19
Robert J. Frederico
Inspector of Buildings/Zoning Enforcement Officer

This Zoning Interpretation is for informational purposes only. This Zoning Interpretation does not give permission to construct, alter, demolish or change the use of a property. This Interpretation may require a variance and/or special permit which is granted by either the Zoning Board of Appeals (ZBA)/Planning Board (PB) or both.



Town of Northborough
Office of the Board of Assessors

63 Main Street, Massachusetts 01532-1994
 Mon, Wed, Thurs 8-4 / Tuesday 8-7 / Friday 7-12
 508-393-5005 phone, 508-393-6996 fax

Certified Abutters List Request

Please allow 10 business days.
 Fees: \$10 – 100' ~~\$15~~ – 300'

DATE of REQUEST 7.20.21
 REQUESTING COMPANY Wegmans Food Markets, Inc.
 CONTACT PERSON Arthur Pires
 PHONE 585-259-0896
 EMAIL art.pires@wegmans.com
 Mailing Address: PO Box 30844 - Rochester, NY 14603-0844

PROPERTY ADDRESS(es) 9102 Shops Way
 MAP/PARCEL(s) Map # 106 / Parcel # 7
 OWNER(s) RPT Realty
 OWNER MAILING ADDRESS(es) 19 W. 44th Street, Suite 1002 - New York, NY 10036

REQUESTING BOARD
 Planning Board – Scenic Road _____
 Planning Board – Site Plan _____
 Planning Board – Special Permit _____
 Planning Board – Subdivisions _____
 ZBA – Zoning Board of Appeals _____

APPLICABLE REGULATIONS
 Town Code Chapter 2-52-050 _____
 Planning Board Rules & Regulations Section 7.2 D(5) _____
 MGL Chapter 40A Section 11 _____
 MGL Chapter 41 Section 81T _____
 MGL Chapter 40A Section 11 _____

If the property is within abutting distance of another Town, you must contact their Assessors Office for another abutters list.

ABUTTERS / DISTANCE	# LABEL SETS
Owners within 100' of property	3 sets
Owners within 300' of property	3 sets
Owners within 300' of property	3 sets
Owners within 300' of property	3 sets
Owners within 300' of property	3 sets

To the Requesting Board/s: We certify that, from our Real Estate Property Lists, the following persons attached hereto appear as owners of all abutting property, as specified by the appropriate regulation (including, but not limited to, owners of land directly opposite said proposed activity on any public or private street or way, or across a body of water), as amended to the best of our knowledge and belief.

DATE of CERTIFICATION _____
 Susan Reagan/Julie Brownlee for the Board of Assessors
 sreagan@town.northborough.ma.us, jbrownlee@town.northborough.ma.us

ID	Address Number	Street Name	Owner Name	Owner Name 2	Owner Address 1	Owner Address 2	Owner City	Owner State	Owner Zip
106-0-0003-00000	1000-15999	AVALON DRIVE	AVB NORTHBOROUGH INC		4040 WILSON BLVD Suite		ARLINGTON	VA	22203
106-0-0010-00010	1	HITCHING POST LANE	CHO OK HYUN		1 HITCHING POST LANE		NORTHBOROUGH	MA	01532
106-0-0010-00100	10	HITCHING POST LANE	ABOUCHLEIH MOHAMMAD		10 HITCHING POST LANE		NORTHBOROUGH	MA	01532
106-0-0010-00110	11	HITCHING POST LANE	MEHRA GAYATRI		168 EAST MAIN STREET Suite A		NORTHBOROUGH	MA	01532
106-0-0010-00120	12	HITCHING POST LANE	MEHRA LALU		27 STRATTON WAY		NORTHBOROUGH	MA	01532
106-0-0010-00130	13	HITCHING POST LANE	DANE TUSHAR DNYANESHWAR		13 HITCHING POST LANE		NORTHBOROUGH	MA	01532
106-0-0010-00140	14	HITCHING POST LANE	DEFAZIO KATHY M		14 HITCHING POST LANE		WEST PALM BEACH	FL	33409
106-0-0010-00150	15	HITCHING POST LANE	DEUTSCHE BANK NATL TRUST CO Trustee		606 OWMEN DAN SERVICING LLC	1861 WORTHINGTON ROAD SUITE 100	NORTHBOROUGH	MA	01532
106-0-0010-00160	16	HITCHING POST LANE	DUTT KUNTA VINAY		16 HITCHING POST LANE		NORTHBOROUGH	MA	01532
106-0-0010-00170	17	HITCHING POST LANE	PHILLIPS BRENDA		17 HITCHING POST LANE		NORTHBOROUGH	MA	01532
106-0-0010-00180	18	HITCHING POST LANE	PATEL MILAN		18 HITCHING POST LANE		NORTHBOROUGH	MA	01532
106-0-0010-00190	19	HITCHING POST LANE	CANTWELL MARY F		19 HITCHING POST LANE		NORTHBOROUGH	MA	01532
106-0-0010-00200	20	HITCHING POST LANE	KULKARNI SHAKIL		2 HITCHING POST LANE		NORTHBOROUGH	MA	01532
106-0-0010-00210	21	HITCHING POST LANE	LI VICTOR		40 NOUVELLE WAY Unit N341		NATICK	MA	01760
106-0-0010-00220	22	HITCHING POST LANE	ANDERSON TERRY		21 HITCHING POST LANE		NORTHBOROUGH	MA	01532
106-0-0010-00230	23	HITCHING POST LANE	DAVIS JEANINE C		22 HITCHING POST LANE		NORTHBOROUGH	MA	01532
106-0-0010-00240	24	HITCHING POST LANE	NORBY KEVIN J		23 HITCHING POST LANE		NORTHBOROUGH	MA	01609
106-0-0010-00250	3	HITCHING POST LANE	HABITAT FOR HUMANITY		640 LINCOLN STREET	SUITE 100	WORCESTER	MA	01773
106-0-0010-00260	4	HITCHING POST LANE	WILSON HAROLD		66 BEAVER POND ROAD		LINCOLN	MA	01733
106-0-0010-00270	5	HITCHING POST LANE	MASILAMANI SIVARAMAN		4 HITCHING POST LANE		NORTHBOROUGH	MA	01532
106-0-0010-00280	6	HITCHING POST LANE	LEVENSON ANN E		5 HITCHING POST LANE		NORTHBOROUGH	MA	01532
106-0-0010-00290	7	HITCHING POST LANE	KUPPERT JAMES B		6 HITCHING POST LANE		NORTHBOROUGH	MA	01532
106-0-0010-00300	8	HITCHING POST LANE	JAYASINGHE LASANTHA		7 HITCHING POST LANE		NORTHBOROUGH	MA	01532
106-0-0010-00310	9	HITCHING POST LANE	FRANKLIN MICHAEL M		8 HITCHING POST LANE		BOXBOROUGH	MA	01719
106-0-0015-00000	10000-10010	HITCHING POST LANE	BALASUBRAMANIAN ANANTHAKUMAR		59 CODMAN HILL ROAD		SOUTHBOROUGH	MA	01772
106-0-0007-00000	10000-9116	SHOPS WAY	RPT NORTHBOROUGH LLC		259 TURNPIKE ROAD Suite 100		NEW YORK	NY	10036
106-0-0005-00000	0	SOUTHWEST CUTOFF	NORTHBORO PROPERTIES REALTY TRUST		19 W 44TH STREET STE 1002		MENDON	MA	01756
106-0-0010-00000	0	SOUTHWEST CUTOFF	TOWN OF NORTHBOROUGH		PO BOX 28		MENDON	MA	01756
106-0-0020-00000	0	SOUTHWEST CUTOFF	NORTHBORO PROPERTIES REALTY TRUST		63 MAIN STREET		MENDON	MA	01756
106-0-0009-00000	0	SOUTHWEST CUTOFF	NORTHACRES LLC		2526 AVENUE AU SOLEIL		GULF STREAM	FL	33483
106-0-0018-00000	195	SOUTHWEST CUTOFF	BERBERIAN MARY		66 OTIS STREET		NORTHBOROUGH	MA	01532
106-0-0003-00000	200	SOUTHWEST CUTOFF	TOWN OF NORTHBOROUGH		63 MAIN STREET		MENDON	MA	01756
106-0-0011-00000	203	SOUTHWEST CUTOFF	NORTHBORO PROPERTIES REALTY TRUST		PO BOX 28		MENDON	MA	01532
106-0-0019-00000	220	SOUTHWEST CUTOFF	NORTHBORO PROPERTIES REALTY TRUST		PO BOX 28		MENDON	MA	01756
106-0-0002-00000	250	SOUTHWEST CUTOFF	NORTHBORO PROPERTIES REALTY TRUST		PO BOX 28		MENDON	MA	01756
106-0-0001-00000	312	SOUTHWEST CUTOFF	293 WEST MAIN REALTY LLC		273 SOUTHWEST CUTOFF		NORTHBOROUGH	MA	01532
106-0-0016-00000	312 A	SOUTHWEST CUTOFF	MATRRESS RICHARD		312 SOUTHWEST CUTOFF		NORTHBOROUGH	MA	01532
109-0-0011-00000	333	SOUTHWEST CUTOFF	NORTHACRES LLC		321 SOUTHWEST CUTOFF		NORTHBOROUGH	MA	01532
109-0-0014-00000	360	SOUTHWEST CUTOFF	LAVIN SR DONALD R Trustee		2526 AVENUE AU SOLEIL		GULF STREAM	FL	33483
106-0-0008-00000	2	TOMBLIN HILL ROAD	BERBERIAN ELLEN Trustee		46 DONNELLY X ROAD		NORTHBOROUGH	MA	01562
098-0-0002-00000	0	WEST MAIN STREET	ROBERTO REALTY NO.1 LLC		2 TOMBLIN HILL ROAD		NORTHBOROUGH	MA	01532
099-0-0001-00000	0	WEST MAIN STREET	COMMONWEALTH OF MASS/OCR		3 JOB CUSHING ROAD		SHERWSBURY	MA	01545
090-0-0034-00000	455	WEST MAIN STREET	BIGELOW WARTHA A		251 CAUSEWAY STREET 7th Floor		BOSTON	MA	02114
					PALMER W BIGELOW JR 1990 MARITAL TRUST		BOYLSTON	MA	01505
					50 SCHOOL STREET				

9102 Shops Way



Property Information

Property ID 106-0-0007-0000.0
Location 1000 -9116 SHOPS WAY
Owner EQUITY ONE JV SUB NORTHBOROUGH



**MAP FOR REFERENCE ONLY
 NOT A LEGAL DOCUMENT**

Town of Northborough, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.
 Geometry updated Jan 28, 2020
 Data updated Jan 28, 2020

Print map scale is approximate.
 Critical layout or measurement activities should not be done using this resource.

Worcester South District Registry of Deeds Electronically Recorded Document

This is the first page of the document – Do not remove

Recording Information

Document Number	: 85908
Document Type	: DEED
Recorded Date	: June 21, 2021
Recorded Time	: 02:26:55 PM
Recorded Book and Page	: 65436 / 340
Number of Pages(including cover sheet)	: 8
Receipt Number	: 1352349
Recording Fee (including excise)	: \$474,395.00

MASSACHUSETTS EXCISE TAX
Worcester District ROD #20 001
Date: 06/21/2021 02:26 PM
Ctrl# 224661 30715 Doc# 00085908
Fee: \$474,240.00 Cons: \$104,000,000.00

Worcester South District Registry of Deeds
Kathryn A. Toomey, Register
90 Front St
Worcester, MA 01608
(508) 798-7717

PREPARED BY AND RETURN TO:
Timothy F. May, Esq.
Burr & Forman LLP
50 North Laura Street, Suite 3000
Jacksonville, FL 32202

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made, executed and delivered this 18th day of June, 2021, between **EQUITY ONE JV SUB NORTHBOROUGH LLC**, a Delaware limited liability company ("Grantor"), whose address is 1 Independent Drive, Suite 114, Jacksonville, Florida 32202, and **RPT NORTHBOROUGH LLC**, a Delaware limited liability company ("Grantee"), whose address is 19 W. 44th Street, Suite 1002, New York, NY 10036.

WITNESSETH:

That Grantor, for and in consideration of the sum of One Hundred Four Million and No/100 Dollars (\$104,000,000.00) and other good and valuable consideration, to it in hand paid by Grantee, the receipt and sufficiency whereof are hereby acknowledged, hereby grants, sells and conveys with special warranty covenants to Grantee, its successors and assigns forever, the following described land, situate, lying and being in the County of Worcester, Commonwealth of Massachusetts, to wit (the "Land"):

See Exhibit "A" attached hereto and by this reference made a part hereof.

6102-9102 Shops Way, Northborough, MA
together with all improvements, rights, alleys, ways, easements, privileges, tenements, hereditaments and appurtenances of Grantor belonging or in any wise appertaining to the Land (collectively, the "Property"), subject only to the permitted exceptions set forth in Exhibit "B" attached hereto (collectively, the "Permitted Exceptions").

To have and to hold the Property in fee simple forever.

And Grantor, for itself and its successors and assigns, does hereby warrant the title to said Property, will defend the same against the lawful claims of all persons claiming by, through, or under Grantor, but not otherwise, and will execute such further assurances thereof as may be requisite. Grantor is not classified for the current taxable year as a corporation for federal income tax purposes.

IN WITNESS WHEREOF, the said Grantor has caused this instrument to be executed in its name by its duly authorized representative the day and year first above written.

Signed, sealed and delivered
in the presence of:

“GRANTOR”

**EQUITY ONE JV SUB NORTHBOROUGH
LLC**, a Delaware limited liability company

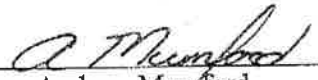
By: Equity One JV Portfolio LLC,
a Delaware limited liability company
Its: Sole Member

By: EQY Portfolio Investor (Empire) LLC,
a Florida limited liability company
Its: Managing Member

By: Regency Centers, L.P.,
a Delaware limited partnership
Its: Sole Member

By: Regency Centers Corporation,
a Florida corporation
Its: General Partner


Print Name: Helen Plaughter


By: 
Name: Andrew Mumford
Title: Vice President


Print Name: Renee Wagner

STATE OF FLORIDA

COUNTY OF DUVAL

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 15th day of June, 2021, by Andrew Mumford, the Vice President of Regency Centers Corporation, a Florida corporation, the General Partner of Regency Centers, L.P., a Delaware limited partnership, the Sole Member of EQY Portfolio Investor (Empire) LLC, a Florida limited liability company, the Managing Member of Equity One JV Portfolio LLC, a Delaware limited liability company, the Sole Member of Equity One JV Sub Northborough LLC, a Delaware limited liability company, on behalf of the company. He is personally known to me.



Print Name: _____

Notary Public _____

My Commission Expires: _____

Commission Number: _____

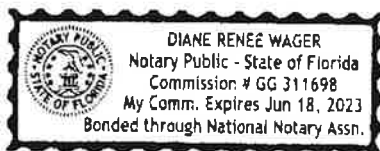


Exhibit "A"

Real Property in the City of Northborough, County of Worcester, Commonwealth of Massachusetts, described as follows:

A parcel of land with the improvements located thereon, situated at Route 20/Southwest Cutoff, in the Town of Northborough, County of Worcester, Commonwealth of Massachusetts, being more particularly described as follows:

Lot 1B as shown on plan entitled "Approval Not Required Plan of Land -- Land on Route 20, Northborough, MA" dated April 7, 2010 by Waterman Design Associates, Inc. recorded with the Worcester District Registry of Deed, Plan Book 881, Page 109.

Less and except the property set forth in (i) that certain Order of Taking in fee simple by the Commonwealth of Massachusetts Department of Transportation recorded in Book 58335, Page 394, and (ii) that certain Order of Taking in fee simple by the Commonwealth of Massachusetts Department of Transportation recorded in Book 52011, Page 119.

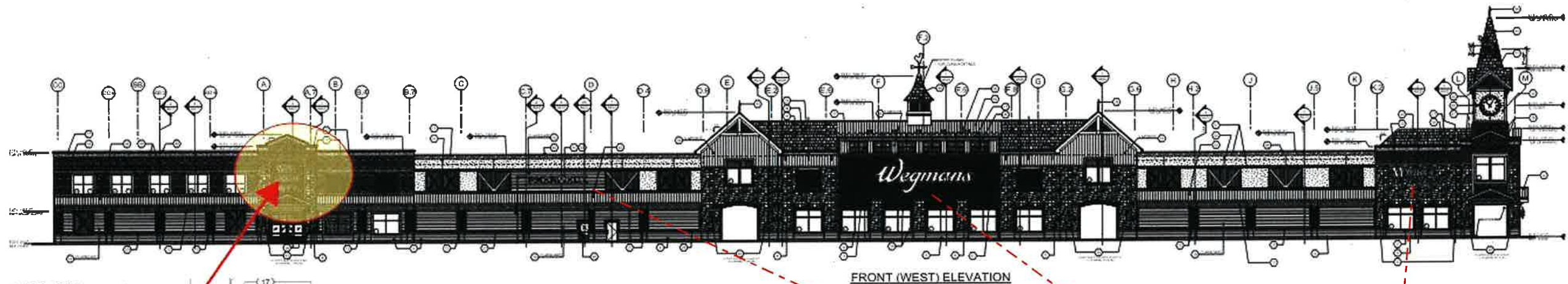
Exhibit "B"

Permitted Exceptions

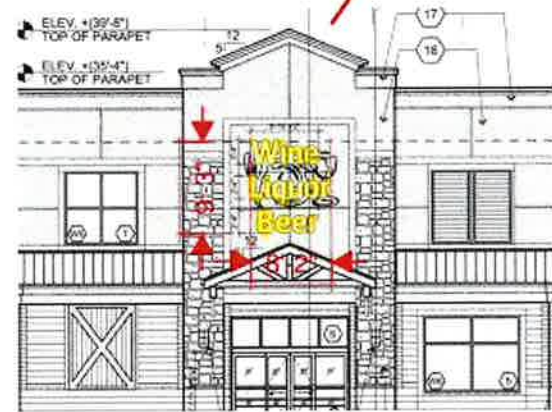
1. Real estate taxes and assessments that are a lien, but not yet due and payable at date of transfer of the within and foregoing Deed of the Land.
2. Title to, and rights of the public and others entitled thereto, in and to those portions of the Land lying within the bounds of adjacent streets, roads, and ways.
3. The acreage or square footage being other than as stated in Exhibit A or the plan(s) therein referred to.
4. Rights of way, rights of flowage, rights to take water and together with rights of way, water rights and privileges set forth in deed recorded in Book 1624, Page 85, if still in force and effect.
5. Easements set forth in a deed from Brendon Properties Two LLC to Robert W. Kimball, Trustee of Northborough Properties Realty Trust dated October 2007 and recorded in Book 42001, Page 344.
6. Access and utility easements granted under Grant of Easements dated October 25, 2007 recorded in Book 42001, Page 339.
7. Terms and provisions of that certain Declaration of Reciprocal Easements and Restrictions dated October 29, 2007 recorded in Book 42001, Page 353; as affected by First Amendment to Declaration of Reciprocal Easements and Restrictions dated February 12, 2009 recorded in Book 43797, Page 148.
8. Easement for transmission and /or distribution of natural gas over Lot 1A and Parcel G on Plan Book 861, Plan 87 from Brendon Properties Two LLC to NSTAR Gas Company dated April 10, 2008 recorded in Book 43321, Page 288.
9. Electrical deed from Brendon Properties Two LLC to Massachusetts Electric Company dated November 24, 2008 recorded in Book 43653, Page 1.
10. Easement Agreement between Brendon Properties Two, LLC and Charter Communications Entertainment d/b/a Charter Communications dated March 23, 2009 recorded in Book 44209, Page 161.
11. Terms and provisions of a Lease to Wegmans Food Markets, Inc., Lessee, and all rights of lessee, and any parties claiming through the lessee, under the lease, Notice of which is dated March 30, 2010 recorded in Book 45697, Page 284; as affected by First Amendment dated April 4, 2012 recorded in Book 48877, Page 146.
12. Terms and provisions of a Lease to The TJX Companies, Inc., Lessee, and all rights of lessee, and any parties claiming through the lessee, under the lease, Memorandum of which is dated May 21, 2010 recorded in Book 45870, Page 349.
13. Terms and provisions of Lease to Kohl's Illinois, Inc., Lessee, and all rights of lessee, and any parties claiming through the lessee, under the lease, Notice of which is dated May 13, 2010 recorded in Book 45938, Page 134.

14. Reciprocal Easement Agreement between Kohl's Illinois, Inc. and Brendon Properties Two, LLC dated May 13, 2010 recorded in Book 45938, Page 153.
15. Terms and provisions of that certain Declaration of Easements and Restrictions by Northborough Retail Properties LLC, Leslie S. Carey, as Trustee of Loop Realty Trust and Brendon Properties Two, LLC dated June 21, 2010 recorded in Book 45944, Page 252, as affected by First Amendment to Declaration of Easements and Restrictions dated January 26, 2012 and recorded in Book 48462, Page 353.
16. Terms and provisions of lease to Petsmart, Inc., Lessee, and all rights of lessee, and any parties claiming through the lessee, under the lease, Notice of Lease of which is dated June 25, 2010 recorded in Book 46125, Page 299.
17. Terms and provisions of lease to Michael's Stores, Inc., Lessee, and all rights of lessee, and any parties claiming through the lessee, under the lease, Memorandum of Lease of which is dated June 21, 2010 recorded in Book 46610, Page 152.
18. Terms and provisions of lease to BJ's Wholesale Club, Inc., Lessee, and all rights of lessee, and any parties claiming through the lessee, under the lease, Notice of Lease of which is dated May 24, 2010 recorded in Book 46610, Page 170.
19. Terms and provisions of lease to Ulta Salon, Cosmetics & Fragrances, Inc., Lessee, and all rights of lessee, and any parties claiming through the lessee, under the lease, Notice of Lease of which is dated November 19, 2010 recorded in Book 46830, Page 123.
20. Terms and provisions of a lease to LBK, LLC, Lessee, and all rights of lessee, and any parties claiming through the lessee, under the lease, notice of which is dated October 14, 2011, recorded in Book 48135, Page 107.
21. Terms and provisions of a lease between Northborough Retail Properties, LLC and Northborough Pancake, Inc., Lessee, and all rights of lessee, and any parties claiming through the lessee, under the lease, notice of which is dated November 30, 2011 and recorded in Book 48431, Page 177.
22. Easement for underground electric distribution system to Massachusetts Electric Company dated January 5, 2011 recorded in Book 47164, Page 82.
23. Easement for communication system to Verizon New England, Inc. dated March 23, 2011 recorded in Book 47264, Page 210.
24. Easement for an underground electric distribution system to Massachusetts Electric Company dated May 5, 2011 recorded in Book 47620, Page 1.
25. Terms and provisions of a lease between Northborough Retail Properties, LLC and Starbucks Corporation, Lessee, and all rights of lessee, and any parties claiming through the lessee, under the lease, of which a Memorandum of Lease was dated December 8, 2011 and recorded in Book 48818, Page 268.
26. Order of Conditions by Northborough Conservation Commission dated October 6, 2006 recorded in Book 40104, Page 17; as affected by Order of Conditions dated September 7, 2007

- recorded in Book 41836, Page 112; as affected by Amendment dated January 25, 2010 recorded in Book 45676, Page 295.
27. Northborough Zoning Board of Appeals Decision granting Variances and Special Permits dated December 12, 2005 recorded in Book 38270, Page 143.
 28. Northborough Zoning Board of Appeals Decision for Variance and Special Permit with Site Plan Review dated June 7, 2006 recorded in Book 42001, Page 275.
 29. Order of Conditions issued by the Northborough Conservation Commission dated December 18, 2007 recorded in Book 42233, Page 308; as affected by an Extension Permit dated December 18, 2007 recorded in Book 46789, Page 211.
 30. Order of Conditions issued by the Northborough Conservation Commission dated April 15, 2010 recorded in Book 45676 Page 215.
 31. Order of Taking by the Department of Public Works, acting on behalf of the Commonwealth of Massachusetts recorded on February 5, 2014 in Book 52011, Page 119.
 32. Terms and provisions of lease to Homegoods, Inc., Lessee, and all rights of lessee, and any parties claiming through the lessee, under the lease, Memorandum of Lease of which is dated November 14, 2017 recorded in Book 58101, Page 159.
 33. Order of Taking in fee simple by the Commonwealth of Massachusetts Department of Transportation for the alteration of a State highway (Southwest Cutoff Route 20) recorded in Book 58335, Page 394.
 34. Zoning Board of Appeals Certification recorded in Book 59701, Page 325.
 35. Any facts, rights, interests or claims that may exist or arise by reason of the following matters disclosed by an ALTA/NSPS survey made by WDA Design Group, Kenneth T. Strom, PLS #36393, on 4/12/2021, last revised 4/13/2021, prepared for RPT Realty, designated Job No. 0171.44:
 - A. Site driveway located within drainage easement area.
 - B. Planting bed located in easement area.
 36. Terms and conditions of any existing unrecorded leases, and all rights of lessees and any parties claiming through the lessees under the leases.



FRONT (WEST) ELEVATION



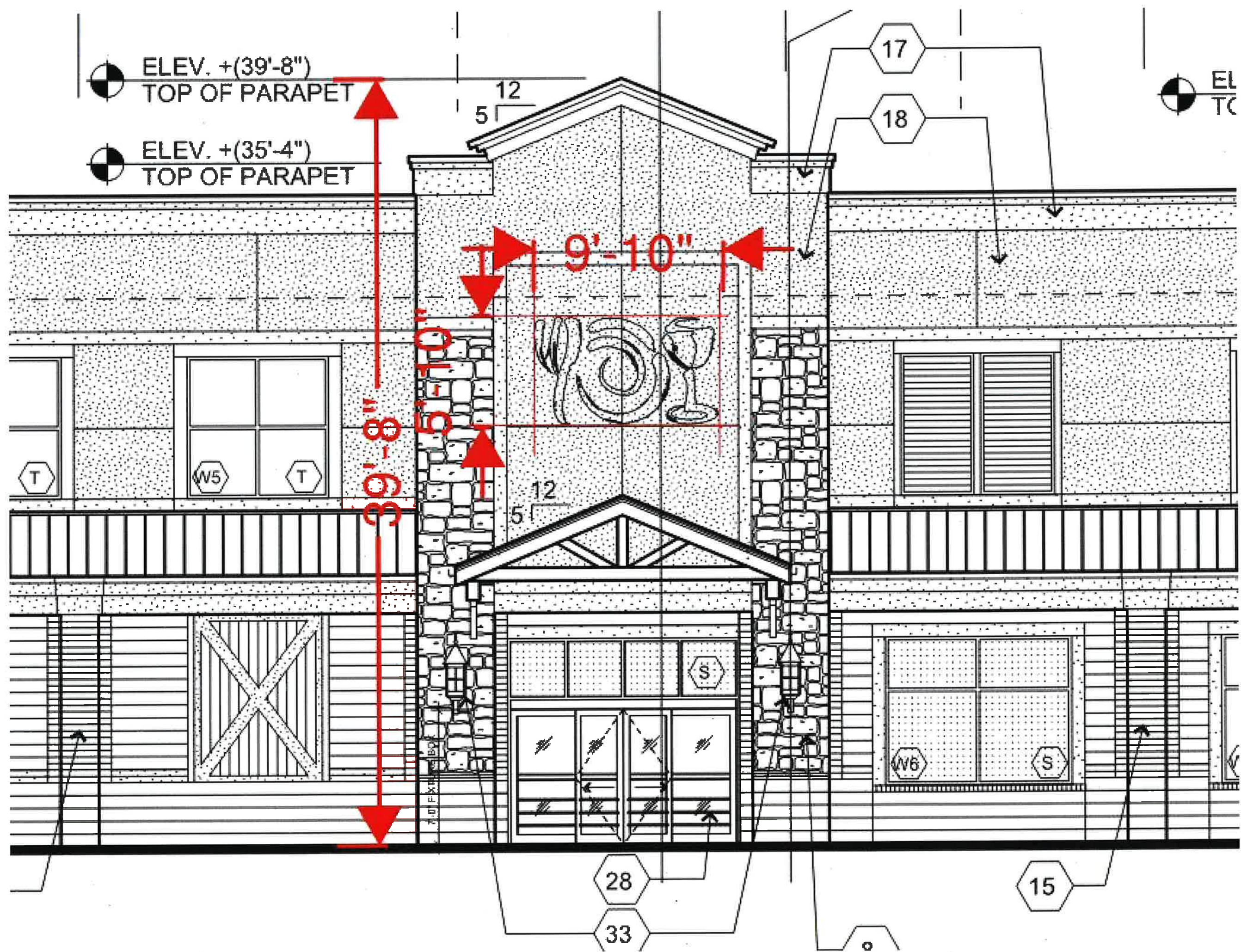
Proposed Sign in lieu of existing *Fork-Plate-Goblet Relief*

Previously Permitted and Installed Wall Signage: *Pharmacy - Wegmans - Market Cafe*

ELEV. +(39'-8")
TOP OF PARAPET

ELEV. +(35'-4")
TOP OF PARAPET

EL
TC



ELEV. +(39'-8")
TOP OF PARAPET

ELEV. +(35'-4")
TOP OF PARAPET

